

## **HENLEY TOWN COUNCIL**

### **FAIRMILE CEMETERY**

Henley Town Council is the burial authority for the parish of Henley-on-Thames and maintains the Fairmile Cemetery which is situated at the Fairmile, Henley-on-Thames.

The cemetery was taken over by Henley Town Council from South Oxfordshire District Council in 2000. A new section was opened in 2003 to provide burial space for the town for the foreseeable future.

The site contains consecrated and non-consecrated sections and is open to all denominations.

For further information, please contact Henley Town Council on tel: 01491 576982 or fax: 01491 571660 or e-mail: [enquiries@henleytowncouncil.gov.uk](mailto:enquiries@henleytowncouncil.gov.uk)

### **GENERAL INFORMATION**

Henley Town Council is responsible for the management and maintenance of The Fairmile Cemetery, Fairmile, Henley-on-Thames and is keen to ensure that the needs of mourners and visitors to the site are catered for as sympathetically as possible. A number of restrictions are required for reasons of health and safety and other legislative requirements on public authorities.

#### *General Enquiries*

All enquiries, in the first instance, should be made to Henley Town Council Offices, Town Hall, Henley-on-Thames, RG9 2AQ. Tel: 01491 576982 or fax: 01491 571660; e-mail: [enquiries@henleytowncouncil.gov.uk](mailto:enquiries@henleytowncouncil.gov.uk) . Detailed plans and registers are kept in the council offices and information may be sought in the event of any difficulty in locating a particular plot during normal office opening hours, 9 am to 4 pm, Monday to Friday.

#### *Change of Address*

It is very helpful when trying to contact the owner of memorials that current addresses are available to the Council. Please advise the Council of any changes without delay.

#### *Service Standards*

Henley Town Council hopes that the service it provides proceeds in accordance with your wishes but should you not entirely be satisfied with the service you receive, please let us know at the above address and we will do our best to resolve the situation.

### *Disclaimer*

It should be noted that all information within this document is correct at time of printing. Whilst every effort has been made to ensure the accuracy of this information, the Council accepts no responsibility for errors which may occur and reserves the right to change or amend as necessary.

### *Opening Times*

The cemetery is normally open to the public from 8 am until dusk, every day. The Council, from time to time, may have to close it in exceptional circumstances and reserves the right to do so without notice.

### *Access*

Fairmile Cemetery is situated on the Fairmile, Henley-on-Thames. There is one main entrance for pedestrian and vehicular access and a separate exit point. There is a designated parking area at the end of the old section of the cemetery. Visitors are advised not to leave vehicles unattended. All vehicles left within the Fairmile Cemetery site are left at the owners' risk.

### *Toilets*

There are no toilet facilities at Fairmile Cemetery.

### *Rubbish*

Litter bins are situated around the cemetery and should be used to dispose of all rubbish.

### *Watering*

Water points are provided for use. This water is not for drinking. Watering cans are also provided for your use and can be found at the taps. Please return cans to the taps when you have finished with them. Please make sure that cans are left empty, particularly in very cold weather when they can freeze and split. Please also note that at times water supplies may be turned off to avoid freezing. When watering, visitors are asked not to use pesticides or insecticides in the water.

### *Security*

The Council cannot accept responsibility for the security of any memorial, plants, flowers or other items placed in or on any grave and accepts no responsibility for any loss or damage.

### *Graffiti*

Any offensive and/or racist graffiti will be removed by the Council without further notice.

## RULES AND REGULATIONS

### 1. CEMETERY

- i. Children under 16 years of age must be accompanied by a responsible adult.
- ii. Visitors are expected to observe a reverent manner and behaviour and keep to paths at all times.
- iii. Dogs are not permitted in the cemetery with the exception of guide dogs and other disabled assistance dogs or with the express permission of the Council. Please ensure dog litter is cleared up and disposed of properly.
- iv. No person, except on business, shall be allowed access to any of the offices or buildings in the Fairmile Cemetery and no visitor will be permitted to enter or leave the cemetery except by the proper entrance gates.
- v. No person shall wilfully destroy or damage any wall, fence or building erected in the burial ground, or destroy or damage any tree, plant, shrub or flower, or mark or disfigure any wall or put up any printed or other paper, handbill or placard, on any wall, or wilfully destroy, damage or deface any gravestone, monument, tomb, palisade, kerb, tablet, memorial or inscription within the Fairmile Cemetery, or do any other wilful damage, or play at any game or sport or discharge firearms in the Fairmile Cemetery (save at a military funeral by permission of the Council), or wilfully and unlawfully disturb any persons assembled in the cemetery for the purpose of burying any body, or commit any nuisance within cemetery.
- vi. No person shall sit, stand or climb upon or over any gravestone, headstone, tombstone, monument, kerb, gate, wall or fence of any building belonging to Fairmile Cemetery.
- vii. Public vehicles and cars are not permitted beyond the designated parking areas, with the exception of disabled buggies which can be contained within the pedestrian paths. Bicycles and motorcycles should be left in the car parks and should not be ridden across any grassed area. Contractors' vehicles may temporarily deliver materials and equipment to the work site prior to return to the car park.

### 2. INTERMENTS

#### (a) Notices

- i. Not less than 48 hours' Notice of Interment must be given on the Council's printed form and must be completed properly and in full. Responsibility for any errors and omissions rests with the person submitting the Notice.

- ii. Except under special circumstances Notices cannot be received on Fridays, Saturdays, Sundays or public holidays, which must be excluded from the period of notice.
  - iii. For interments arranged through a local undertaker, the Council has an arrangement by which the costs of interment may be met via the undertaker's accounts. Details available from the cemetery administrator.
  - iv. For private interments, full settlement of all fees and charges must be made in advance, payable to Henley Town Council and sent to Cemetery Administration, Henley Town Council, Council Offices, Town Hall, Henley-on-Thames, RG9 2AQ.
- (b) Certificates
- i. The Certificate of Burial or Cremation, issued by the Registrar of Births and Deaths, or in cases where an inquest has been held, the Certificate of the Coroner, must be sent to the Council in advance of interment.
- (c) Place for Interments
- i. The selection of the grave space is in every case subject to the approval of the Cemetery Administrator. A plan is available at the Town Hall; however, plots are normally allocated on a sequential basis.
  - ii. The excavation of the grave and removal of any existing memorials or kerbstones and the replacement of it after interment are the responsibility of the Council.
  - iii. All graves will be excavated and dug by a person or persons approved by Council.
  - iv. Where space is restricted at the cemetery, the Council reserves the right to place spoil from a newly dug plot onto a neighbouring occupied plot. In this instance, the aforementioned plot will be protected with tarpaulin and boards to minimise any possible damage to the neighbouring plot. The Council will only take this action where there is no other practical alternative.
- (d) Hours for Interments
- i. The hours for interments in Fairmile Cemetery will be between 10am and 4pm Monday to Friday. Interments may not take place on Saturdays, Sundays or on public holidays, except in exceptional circumstances.
  - ii. Only one funeral shall be permitted to take place at any one time.
- (e) Cremation
- i. Cremated remains may be interred in the cemetery either in a purchased plot or designated ashes area.

### 3. GRAVES

#### (a) General

- i. The grave space set aside for each person shall not exceed 9 feet long by 4 feet 6 inches wide. (2.74m x 1.37m)

#### (b) Depths of Graves

- i. Any part of the coffin should not be interred at a depth less than 3 feet (0.91m) below the level of the surface of the ground adjoining the grave. Henley Town Council offers two levels of depth: double, treble. See Table of Fees.

#### (c) Surplus Soil

- i. The surplus soil excavated from any grave is to be deposited on such part of the cemetery as the Council may determine. The Council will use its best endeavours to ensure that no surplus soil is deposited temporarily on pre-existing graves and will require all of its grave diggers to do the same. However, in exceptional circumstances there may be no alternative and soil may be deposited temporarily on pre-existing graves. The Council is not required to give notice to owners of pre-existing graves.

#### (d) Damage

- i. If any damage is done to the cemetery land or plots or property in relation to construction of a grave, the person or persons causing such damage will be held responsible and the Council will seek to recover the cost of repairing the damage.

#### (e) Coffins

- i. Traditional wooden coffins or ecologically friendly coffins only shall be used in all graves in the traditional area of the cemetery and must bear a name plate establishing the identity of the body contained therein. Regulations covering materials that may be used in the green burial area of the cemetery are available from the Council.

#### (d) Mounds

- i. Mounds on existing graves not already enclosed with a kerb shall be removed by the Council as and when they think fit. Henley Town Council will not be required to give notice to the owner(s).

#### (e) Reopening of Graves

- i. A coffin placed in a grave already containing a coffin should be separated by a layer of earth not less than 6 inches (152mm) in depth.

- ii. Where any grave in which an interment has previously taken place is re-opened for the purpose of making a second interment therein, no person shall disturb any human remains interred or remove any soil which is offensive.

(f) Planting of flowers/grave decorations

The Council's aim is to maintain the cemetery as a tidy and restful place for all mourners. It will need to maintain a balance between the individual mourning area and the overall ambience and character of the cemetery. The Council reserves the right, without further notice to the owner(s) to remove all/any objects and/or planting from a grave in order to maintain the tidiness and overall ambience of the cemetery.

- i. No planting other than approved bulbs is allowed on any grave space. Henley Town Council will grass any area not bordered by kerbs.
- ii. Domestic bottles, vases, jars, tins or other unsuitable receptacles for flowers are not permitted on graves in the cemetery. Any such receptacles will be removed by the Council without further reference to the owner.
- iii. A vase of quarried material bearing a personal inscription shall be regarded as a memorial and is subject to the fees payable under the Table of Fees and Charges.
- iv. Owners are requested to keep graves tidy. The Council reserves the right to remove all dead floral tributes, broken or damaged wreaths, ornaments or memorials if owners fail to do so. No notice will be given and the Council's decision will be final.

(g) Exclusive Rights

- i. No grave in which the exclusive right of burial in perpetuity has been purchased may be opened or re-opened without the production of the written consent of the owner or owners, together with such evidence of the person or persons giving such consents as the cemetery administrator may require.
- ii. After the interment of the owner of the grave, the personal representatives should produce to the cemetery administrator the probate of the will, letters of administration, or other evidence, in order that the change of ownership may be registered.
- iii. The transfer of the exclusive right of burial in any grave must be entered in the Register kept by the cemetery administrator at the Council office. The owner of the purchased grave cannot transfer his or her rights to the grave space without the consent in writing of the Council.

- iv. The council can agree to buy back grave plots depending on length of lease remaining, situation of the plot and condition and this decision remains at the discretion of the estate's manager. The buyback of the plot will be calculated on the remaining lease, the original purchase price and an admin fee of £50.  
Buy backs can only be agreed if the original deed is presented and the current owner is the claimant.

#### **4. MEMORIALS**

##### **(a) Memorials - General**

- i. All new memorials (and where practicable re-fixed memorials) are to be fixed in accordance with the Code of Working Practice from the National Association of Memorial Masons by stone masons accredited by NAMM.
- ii. The identification number of a grave must be cut at the foot of all monuments or gravestones so as to be visible when erected.
- iii. A drawing showing the description, form and size of every memorial proposed to be erected or constructed over or at any grave, or tombstone and a copy of the proposed inscription and its position on the memorial must be submitted to the Council for approval.
- iv. No memorial monument shall exceed 3 ft 6 ins (1.07m) in height.
- v. Photographs of the deceased, paintings, enamels or similar may be affixed to memorials in the traditional section of the cemetery but not in the lawn memorial section.
- vi. Headstones only may be placed in the Lawn Section of the cemetery. The Council will remove any unauthorised memorials, kerbs, railings, ornamentation or horticultural décor without notice to the owner(s). Henley Town Council will seek to recover the cost of removal of these items from the owner(s).
- vii. Memorials for cremated remains must not exceed a maximum of 18 x 18 inches (46cm x 46cm) and must be made of natural stone. They must be laid flat and level with the ground surface.
- viii. All memorials admitted into the cemetery or permitted to be erected over or at any grave shall be erected and remain at the sole risk of the owner of such memorial and the Council shall not be responsible for any damage (including subsidence) which may occur to the same. The owner(s) will be required to make good any damage done to Council property or other graves. The Council reserves the right to make good any damage done and charge the owner(s).
- ix. All memorials shall be completed before they are admitted into the cemetery and no work of any kind thereon, apart from that of fixing and

cleaning, will be allowed in the cemetery, except any inscription which cannot be made prior to the erection of the memorial within the cemetery.

- x. No person employed in fixing, painting or restoring monuments or gravestones will be admitted, or materials received into the cemetery, on Saturdays, Sundays, public holidays or on any other day before 9 am or after 4 pm without the written permission of the Council and this will only be granted in exceptional circumstances.
- xi. Masons or other persons employed in fixing memorials in the cemetery will be required to remove all spare soil and to clean up the ground carefully after completing their work. They will be held responsible for any damage caused by them either to the ground or memorials erected within the cemetery and charged accordingly with the cost of such damage.
- xii. The Council reserves the right, without notice to the owner(s), to remove any memorial not executed in a workmanlike manner, or one which disfigures the ground in any way.
- xiii. The Council reserves the right to make safe any memorial which in the opinion of the cemetery administrator of the Council, is unsafe or unfit, and to do so without further reference to the owner of the Memorial, in order to protect the safety of visitors to the cemetery.
- xiv. The Council will remove any unauthorised memorials, kerbs, railings, ornamentation or horticultural décor without notice to the owner(s). Council will seek to recover the cost of removal of these items from the owner(s).
- xv. No mason or other person shall solicit orders, exhibit designs or distribute business cards in the cemetery or obtain from any employee of the Council information as to grave owners or take measurements of, photograph or copy any memorial, unless the written permission of the owner is first produced to the cemetery administrator.

(b) Memorials - Maintenance/Removal

- i. It shall not be lawful for any person, without the consent of the cemetery administrator, to remove, alter or disturb any memorial which has been erected within the cemetery.

(c) Relocation

- i. From time to time it may become necessary for the Council to relocate a memorial without being able to contact the owner(s). Such circumstances might include the need to line up memorials or relocate memorials temporarily to avoid damage when access may be required to excavate new or re-open adjacent grave plots. If it becomes necessary to relocate a memorial temporarily to allow excavations of an adjacent grave, the memorial will be removed and refitted at the cost of the Council.

(d) Memorial trees

The Council has developed a landscaped area to enable the purchase and planting of tree memorials and bulbs and shrubs.

- i. There is a choice of native species e.g. Maple, Birch, Beech, Hazel, Sorbus and Ash – tree size: in accordance with approved planting scheme. Not all trees may be available at all times depending on planting requirements. These will be determined by the Council and clients will be notified at the time of purchase.
- ii. One person will sponsor a chosen tree exclusively for 5 years, after which time further dedications may be attached to that tree. The tag attached to the tree will be a small Parks Service reference. This will enable reference to a dedication book where details of the sponsor family and deceased will be recorded. The ‘tree book’ will be retained at the Town Hall.
- iii. Tributes of any description must not be left on or around the trees and the Council reserves the right to remove such items without notice.
- iv. Once purchased, the Council will be responsible for the maintenance of the tree (plants). Any maintenance will be undertaken without notice.
- v. The Council will not be responsible for replacement of any tree which fails to survive, other than in accordance with its own timescale and resources for planting trees. Replacement may be with a tree/plant of a different species.

(e) Memorial Seats

The Council can arrange for the purchase and installation of a memorial seat. Further details are available on request. The placement of seats is restricted to certain locations within the cemetery. A plan is available in the Town Hall.

**5. GENERAL**

- i. The fees and charges payable to the Council in respect of interments in the cemetery and in respect of grave spaces, headstones, stones, tablets, inscriptions and memorials of the type specified, including trees and other plants or in connection with the cemetery in any way, shall be those set out in the Table of Fees and the list of charges approved by the Council.
- ii. Copies of these Rules and Regulations, together with copies of cemetery charges are available for inspection/purchase.
- iii. The Council may from time to time make any alterations, additions or amendments in or to the foregoing Rules and Regulations.
- iv. The Council has delegated responsibility for the interpretation of these Rules and Regulations to the Town Clerk, who in turn has delegated operational

responsibility to the cemetery administrator. The Town Clerk's decision on the interpretation and administration is final with the exception of a Minute by Full Council.

**Henley Town Council operates Fairmile Cemetery by virtue of its powers under the Local Authorities Cemeteries Order 1977 has adopted these Rules and Regulations.**

**Town Clerk**

**April 2008 (amended December 2020)**