

URBAN DISTRICT COUNCIL OF MELTON MOWBRAY

**Byelaws with respect to the management
of a cemetery made under section 198
Public Health Act 1936.**

**Egerton Lodge
Melton Mowbray**

Urban District Council of Melton Mowbray

BYELAWS with respect to the management of a cemetery made by the Urban District Council of Melton Mowbray under Section 198 of the Public Health Act 1936.

1. These byelaws shall apply in the Thorpe Road Cemetery provided by the Melton Mowbray Urban District Council (hereinafter referred to as “the Council”).
2. In these byelaws “vault” includes any grave with internal walls constructed of brick, stone or similar materials.
3. Every vault shall be properly constructed of suitable materials.
4. No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet below the level of the ground.
5. No body shall be buried in a grave unless the coffin is effectively separated from any other coffin already in the grave by means of a layer of earth not less than six inches thick.
6. When any grave is reopened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove therefrom any soil which is offensive.
7. Within twenty-four hours of any burial in a vault, the coffin shall be –
 - (a) embedded in concrete, and covered with a layer of concrete not less than six inches thick, or
 - (b) enclosed in a separate cell or compartment of slate or stone flagging not less than two inches thick, in such a manner as to prevent, as far as may be practicable, the escape of any noxious gas from the interior of the cell or compartment.
8. Every person who buries a body in a grave in respect of which an exclusive right of burial has been granted by the Council shall, as soon as conveniently may be after the natural substance of the earth has been completed, cause the surface of the grave –
 - (a) to be covered with any monument or gravestone which may lawfully be erected or placed thereon;
 - (b) to be covered with fresh turf; or
 - (c) to be planted with suitable flowers or shrubs.
9. Every person who offends against any of these byelaws shall be liable on summary conviction to a fine not exceeding five pounds, and in the case of a continuing offence to a fine not exceeding the sum of forty shillings for each day during which the offence continues after conviction therefor.
10. The byelaws with respect to the management of the cemetery which were made by the Melton Mowbray Local Board on the 29th day of March 1893 and which were confirmed by the Local Government Board on the 18th day of April 1893, are hereby repealed.

THE COMMON SEAL of the Urban
District Council of Melton Mowbray was
hereunto affixed this eighteenth day of
December 1958 in the presence of

L.S.

J. W. Greenslade
Chairman

W. E. Brown
Clerk

The foregoing bylaws are hereby confirmed
by the Minister of Housing for Local
Government this Thirteenth day of
February 1959 and shall come into operation
on the first day of April, 1959.

L.S.

P. D. Coates
Assistant Secretary
Ministry of Housing and Local Government

REGULATIONS

1. Interpretation

In these Regulations “the Council” means the Council of the Borough of Melton.

“The Cemetery” means the Thorpe Road Cemetery, Melton Mowbray

“The Registrar” means the Cemetery Registrar of Council Offices, Nottingham Road, Melton Mowbray and “the Superintendent” means the Cemetery Superintendent or some other person appointed by the Council.

2. Inspection of the Plan

A plan of the Cemetery with the grave spaces marked thereon is available for inspection at the office of the Registrar and may also be seen at the Cemetery Lodge on application to the Superintendent.

3. Inspection of Regulations and Fees

A copy of the Regulations and Table of Fees may also be obtained on application either to the Registrar or the Superintendent.

4. Selection of Grave Spaces

The selection of grave spaces is in all cases to be subject to the approval of the Council.

5. Interments to be in Grave Spaces

No interment shall take place in any part of the Cemetery except in the graves marked out in the aforementioned plan.

6. Notices of Interment

Not less than twenty-four hours notice shall be given for an interment in any grave. Notices of interment shall be given only on the prescribed form and accompanied by either the Registrar’s Certificate of Disposal or the Order for Burial from the Coroner, as appropriate, and delivered to the Registrar between the hours of 9 am and 5 pm on any weekday.

7. Hours of Interment

Interment shall only take place on the days and between the hours as set out below:-

During the period between 1 November and 31 March

Monday – Thursday, 9am – 2pm, Friday, 9am – 1pm.

During the period between 1st April and 31 October

Monday – Thursday, 9am – 2.30 pm, Friday, 9am – 1.30pm

or such hours as the Council may from time to time determine (Saturday by arrangement). **No** interments will be allowed on Sundays or public holidays.

8. Fees

All fees shall be paid to the Registrar in accordance with the current Scale of Fees and Charges.

9. Fees for Non-Residents

The fees payable for the interment of/or the purchase of the exclusive right of burial by any person not being a resident within the town of Melton Mowbray shall be double those set out in the Table of Fees relating to interments. Double fees shall not however be charged in the case of the interment of a non-resident person in a grave in respect of which the exclusive right of burial shall have been previously purchased.

A single fee be payable in respect of a person whose last permanent residence was in Melton Mowbray who died whilst living in a residential or nursing home in the Borough.

For the purposes of this Regulation, a non-resident shall be taken to mean any person who had not during the two years immediately preceding death been resident in the town of Melton Mowbray.

In the case of a child under six months old at the time of death the qualification shall be applied to the parent or parents thereof.

10. Certificate of Burial

At the conclusion of every interment, the Officiating Minister shall complete the Certificate of Burial and pass it on to the Superintendent immediately.

11. Exclusive Right of Burial

Any person may, upon application to the Registrar and upon payment of the requisite fee, purchase for one hundred years any grave space. The Council shall grant the applicant the exclusive right of burial in such space. Any such grant of the right of burial may be assigned by the purchaser thereof providing that every such assignment shall be notified to the Registrar within twenty-eight days of such assignment by whom it shall be registered.

12. Chapel

The Chapel will be opened by arrangement with the Superintendent.

13. No Brick Grave or Vault

No brick grave or vault will be permitted.

14. Construction of Graves

All graves shall be excavated by, or on behalf of the Council, under the supervision of the Superintendent.

15. Memorials

No memorials, stone or any inscription shall be erected or inscribed without the express consent of the Council having been first obtained and to whom drawings and/or details of such memorial or inscription shall be submitted.

The number of the grave, as shown on the Form of Consent given under this Regulation, shall be inscribed or shown upon any memorial placed upon any grave.

16. Memorials on Wall of Remembrance

No memorials shall be placed on or adjacent to the Wall of Remembrance except those memorials erected by the Council.

17. Erection of Memorials

The work of constructing or erecting any memorial, grave or kerb stone shall be done in a proper workmanlike manner and to the approval of the Superintendent and when the work of construction or erection shall have been completed all waste materials shall be removed and any injury or damage to adjacent graves or footpaths shall be made good.

18. Memorials and Graves to be kept in repair

All memorials, graves and kerbs shall be kept in a reasonable state of repair by the owners thereof and to the satisfaction of the Superintendent.

The Council may, by notice, require the owners to repair such memorials; graves and kerbs as in its opinion are in need of repair.

If no owner can be found upon whom to serve notice, then, after the expiration of a period of three months following advertisement in a newspaper circulating within the district, the right to such memorial, grave or kerbs shall belong to the Council to be dealt with as it deems fit.

19. Right to Memorials

Whenever any memorial is placed upon any grave in respect of which the exclusive right of burial therein has not been purchased, the right to such memorial shall extend for so long as and until the grave shall be re-opened for another interment and upon such event the Council shall have power to remove from such grave any such memorial and shall not be replaced.

20. Planting and Maintenance of Graves

Shrubs and plants may be placed over any grave, except on a lawned area as defined on the Plan. The Council reserves the right to prune, cut down, dig up and remove such shrubs and plants, as, in its opinion, have become unsightly or overgrown and in any case where such digging up and removal is necessary to allow the grave to be used for a subsequent interment.

Where through lack of proper maintenance, any grave is in such a condition as to prevent the proper maintenance by the Council of the adjoining footpaths then the Council reserves the right to edge, trim and level any such grave.

21. Hours Cemetery is Open

The Cemetery will be kept open to the public from 9am until sunset on each and every day in the week.

Children under ten years of age will not be admitted unless under the care of a competent person.

No dogs shall be allowed in the Cemetery.

22. Inspection of Registers

Inspection of the Register of Purchased Graves and the Register of Burials may be made by appointment with the Registrar during normal office hours.

23. Repeal

The Regulations, which were made by the Urban District Council on the 26th day of January 1966, are hereby repealed.

24. Operative Date

These Regulations are first made the fifth day of June 1996 and shall come into operation on the first day of July 1996.