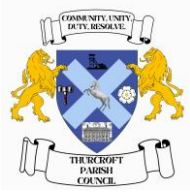


# Thurcroft Cemetery

Regulations - Version 2.0



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# **Thurcroft Parish Council**

## **THURCROFT CEMETERY RULES AND REGULATION**

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### **Contents**

- 1. Introduction**
- 2. Cemetery Legislation**
- 3. Cemetery Opening Hours**
- 4. Visitors to the Cemetery**
- 5. Graves**
- 6. Coffins & Caskets**
- 7. Allocation of Grave Spaces**
- 8. Reserving a Grave**
- 9. Booking of Interments**
- 10. Interments**
- 11. Cremated Remains**
- 12. Fees & Charges**
- 13. Exclusive Right of Burial**
- 14. Transfer of Right of Burial**
- 15. Memorials**
- 16. Managing Memorial Safety**
- 17. Maintenance of New Graves**
- 18. Care of Graves and Memorials**
- 19. Complaints**
- 20. Further Information**



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# Thurcroft Parish Council

## THURCROFT CEMETERY RULES AND REGULATION

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### 1. Introduction

Although these regulations are a necessary requirement for the management of our cemetery, every effort has been made to avoid restricting the rights and choices of the individual. Therefore, these regulations have been prepared with a balance between individual rights and the need to regulate for safe and tidy grounds

In the following Regulations the words and expressions below shall have the following meanings attached to them: -

**'Council'** means Thurcroft Parish Council.

**'Cemetery'** means Thurcroft Cemetery, Green Arbour Rd, Hawk Hill Ln, Thurcroft, Rotherham S66 9BL, as provided by the Council.

**'Burial'** means interment of human remains or cremated human remains, the interment of the bodies of still-born children or their cremated remains and the placing in a vault of human remains, cremated human remains or bodies of still-born children or their cremated remains.

**'Grave'** means the burial place formed in the ground by excavation and without any internal wall, or brickwork, or stonework or any other artificial lining.

**'Vault'** includes underground burial places of every description, except graves to which the word 'grave' interpreted as aforesaid applies.

**'Grant'** means a grant of the exclusive right of burial whether by Deed or otherwise.

**'Memorial'** 'Includes any monument, tablet, headstone, footstone or flat / kerb stone, and any other construction or object for perpetuating the memory of the dead, or marking / ornamenting a place of interment.

**'Exclusive Right of Burial'** The Grant supplied by Thurcroft Parish Council which gives the grave owner the right to decide who is buried in the grave.

The Cemetery is administered from the Parish Officer at the Gordon Bennett Memorial Hall, which is open by appointment for public business, you can contact [clerk@thurcroftparishcouncil.gov.uk](mailto:clerk@thurcroftparishcouncil.gov.uk) to make an appointment. Offices are closed on bank holidays. All enquiries should be addressed to:



# Thurcroft Parish Council

## THURCROFT CEMETERY RULES AND REGULATION

<b>Parish Administration Clerk</b> Gordon Bennett Memorial Hall Green Arbour Road Thurcroft Rotherham South Yorkshire S66 9DD	<b>Phone:</b> 07462 671 978  <b>Email:</b> <a href="mailto:clerk@thurcroftparishcouncil.gov.uk">clerk@thurcroftparishcouncil.gov.uk</a>
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When making funeral arrangements five clear working days' notice must be given. The notice period must exclude the day of interment and all bank holidays.

It is the aim of the Council to provide the highest standards within its cemetery service, for the bereaved and others who visit our cemetery. To keep the cemetery attractive and safe, the Council respectfully requests all visitors to observe these regulations.

### 2. Cemetery Legislation

The cemetery is administered by the Council in accordance with the relevant statutory legislation; the Local Government Act 1972, the Local Authorities Cemeteries Order 1977 and the Health and Safety at Work etc. Act 1974 and associated Statutory Regulations.

In accordance with the terms of the legislation, the Council is defined as the Burial Authority for Thurcroft Parish.

Members of the public can view the legislation at the parish office at Gordon Bennett Memorial Hall, by arrangement with the Administration Clerk. Email: [admin@thurcroftparishcouncil.gov.uk](mailto:admin@thurcroftparishcouncil.gov.uk)

### 3. Cemetery Opening Hours

The Cemetery is left open all hours and is available for public at any time.

The Council may close the cemetery at any time and control public access. No person is permitted to be in the cemetery if the cemetery is closed without the express permission of the Council.

### 4. Visitors to the Cemetery

The Cemetery grounds are a place of peace and quiet reflection, for some it is also a workplace. Visitors to the cemetery are welcome, but please respect the special nature of the site, the needs of other users, and safety factors. Visitors must not stand, sit, or lean on any memorial or otherwise act in such a way as to cause damage to property or offence to passers-by.



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## Thurcroft Parish Council

# THURCROFT CEMETERY RULES AND REGULATION

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To protect other visitors, any person creating a nuisance or a disturbance, such as interfering with a funeral, grave, headstone, flowers, trees, etc., will be required to leave the cemetery immediately and may be the subject of subsequent legal action.

For their own safety, visitors are asked to keep to the surfaced roads and paths, except when approaching the grave they are visiting. Please behave with dignity and respect whilst visiting the cemetery and ensure all litter is placed in the bins provided. Please respect other people's graves and do not remove or damage any items.

It is hoped that visitors will respect the site, however, where they do not, the Council has powers to enforce controls for the benefit of other visitors. The Local Authorities Cemeteries Order 1977, Paragraph 18 states:

No person shall –

- (a) Wilfully create any disturbance in a cemetery;
- (b) Commit any nuisance in a cemetery;
- (c) Wilfully interfere with any burial taking place in a cemetery;
- (d) Wilfully interfere with any grave or vault, any tombstone or other memorial, or any flowers or plants on any such matter; or
- (e) Play at any game or sport in a cemetery

### **4.1. Admittance of Children**

Adults visiting with children are welcome in the cemetery, but children must be supervised at all times by a responsible adult. It is particularly important that children are not allowed to climb on or jump over any monuments within the cemetery as this could pose a danger to their safety. Children under 12 years old are not allowed in the cemetery unless under the care of an adult.

### **4.2. Dogs**

Dogs are welcome when visiting with their owners and when they are on a short lead and properly controlled. Please respect the cemetery and do not allow your dog to foul on the grass, as the majority have burials in these areas. It can be very upsetting for visitors to see dogs running over graves and/or fouling in the cemetery.

### **4.3. Vehicles**

To ensure the serenity and safety of the cemetery, the Council reserves the right to refuse the entry to the cemetery of any motor vehicles, (or bicycles), except funeral corteges, or as specially



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## Thurcroft Parish Council

# THURCROFT CEMETERY RULES AND REGULATION

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permitted by the Clerk.

Vehicles must keep to the main paths and avoid parking that will cause a nuisance or damage to any graves or grassed areas. The Council or any of its employees cannot accept responsibility for the loss or damage to any vehicle or its contents whilst in the cemetery grounds.

Please take care when driving in the cemetery. In the interests of safety, anyone seen to be driving too fast or recklessly will be asked to leave the cemetery. Many of the paths in our cemetery are too narrow for vehicles and care must be taken not to drive over grass areas or close to memorials.

All vehicles, whether in attendance at a funeral or not, are subject to the control and direction of the Clerk during such times as they remain in the cemetery or the cemetery approach.

## 5. Graves

Graves are available within lawn burial sections. The selection of grave spaces shall be at the discretion of the Clerk, however, the wishes of applicants will be met whenever possible. The Clerk's decision is final.

Every interment shall take place either in a private or public grave. Private graves are graves where an Exclusive Right of Burial is purchased, allowing the owner of the rights to choose who is buried in the grave. Public graves are graves which remain in the ownership of the Council and to which no specific rights have been granted, families are unable to choose who are buried in these graves and no memorial will be permitted.

The Exclusive Right of Burial for a grave can be purchased for a period of 99 years, as determined by the Council. The Exclusive Right of Burial also allows a memorial to be placed on the grave.

The Exclusive Right of Burial can only be transferred to another person or persons who are entitled via the legal process adopted by the Council.

The types of graves available are:

### 5.1 Lawn Graves

These are the most popular types of grave and it is important to note that they are laid to lawn. The whole of the grave, excluding the memorial, will be grass seeded and maintained as a lawn. A headstone is permitted, however, this must not exceed **914mm (3') high x 609mm (2') wide**.

### 5.2 Cremated Remains Graves



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## Thurcroft Parish Council

# THURCROFT CEMETERY RULES AND REGULATION

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It is important that the Council has access to maintain areas around cremated remains plots, this is for the benefit of all users. To allow this we must ask that:

No items to be placed on any grassed areas further than 12" from the headstone.

Items placed within the boundary of the plot should not extend beyond the boundary or cause obstruction to grounds maintenance activities.

Each grave allows up to 2 sets of ashes caskets. No strewing shall take place on top of the grave as this can cause distress for other users. Memorials for cremated remains plots shall be a 508mm (18") square plaque and/or a 127mm (5") x 127mm (5") x 127mm (5") vase to be placed on top of the plaque. No other memorials or vases can be permitted.

### **5.3 Heritage Graves**

In the Old Sections of the cemetery there are a number of public graves with space for further burials. These graves do not have any burial rights have not been purchased and have no memorial. However, burials have taken place in these graves at least 60 years ago. The existing burial is not disturbed when the grave is reopened. Reclaimed / heritage graves may be single or double depth and an Exclusive Right of Burial will be issued to the purchaser.

### **5.4 Public Graves**

Available in the cemetery. These graves have no burial or memorial rights and non-family members may be buried in the same grave. It is important to consider the implications of a burial in a public grave. No memorial or temporary marker is permitted.

All graves will be excavated and prepared for interment by the Council. Burials may be at double depth, (1980mm/6'6"), suitable for a maximum of two interments or single depth, (1372mm/4'6"). No other person or company will be allowed to undertake any excavation within the cemetery except with the express permission of the Clerk. Graves cannot be guaranteed for a specific number of burials, the depth of each grave will be determined by the Council in accordance with the provision of the Local Authorities Cemeteries Order 1977 and ground conditions at the time of excavation. The first coffin/casket in a grave will usually be interred at double depth unless specified otherwise by the family or funeral director, or ground conditions prevent this.

A grave cannot be opened for a burial without the prior written consent of the owner of the Exclusive Right of Burial; unless the person to be buried is the owner of the Exclusive Right of Burial. The Council have the right to see the Grant of Exclusive Right of Burial before a grave is reopened so please keep this document safe.

When graves are opened for an interment the soil from the grave will need to be placed on adjacent graves. Every care will be taken to reinstate the turf and clean any memorials which may



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## Thurcroft Parish Council

# THURCROFT CEMETERY RULES AND REGULATION

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have been soiled during the excavation.

Following the interment, allowing an appropriate time for the ground to settle, the Council will level the grave and either re-turf or topsoil and seed it as appropriate to the season. This may take up to 12 months.

### **6. Coffins/Caskets**

To meet our high environmental standards, coffins, caskets and urns for burial must be made from suitable bio-degradable materials such as wood, cardboard, willow, wicker or other recyclable material. Requests to use coffins made of other materials, will only be considered on application to the Clerk. All coffins must bear an inscribed metal name plate.

Burials without coffins are permitted provided that the deceased is brought to the grave in a temporary coffin and screening is used to afford decency during the burial.

Uncoffined/shroud only burials are not permitted if the deceased had a contagious or notifiable disease.

### **7. Allocation of Grave Spaces**

Practical consideration means that all new grave spaces will be dug in rotation. The selection of grave spaces shall be at the discretion of the Clerk and the wishes of the applicants will be met if possible. The Clerk's decision is final.

Reclaimed / Heritage grave spaces are subject to availability, a choice of section may be possible but cannot be guaranteed. New Lawn are available within the new sections of the cemetery.

### **8. Booking of Interments**

Funeral Directors are required to provide, in writing or email to the Council, the exact coffin/casket size at least 48 hours prior to the interment. Failure to do so may result in the grave not being ready at the time required. The Council will not be responsible for incorrectly dug graves if the correct coffin size has not been properly provided. There are additional charges for large coffins/caskets.

A Registrar's Certificate or Coroner's Order for burial must be delivered to the Council before a burial can proceed. The burial cannot proceed if the Certificate has been forgotten except where the funeral director has signed a declaration in accordance with the Births and Deaths Registration Act 1926. A Certificate of Cremation must be delivered to the Council before a burial or scattering of cremated remains can proceed.

A provisional booking for a funeral may be made by telephone to the Council and should be followed up by the submission of a completed Notice of Interment Form. The form is available from the Council's website and must be received at the Council at least 48 hours in advance of the intended



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## Thurcroft Parish Council

# THURCROFT CEMETERY RULES AND REGULATION

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date and time of the funeral. Receipt of the completed Notice of Interment Form will act as confirmation of the provisional booking.

If circumstances are such that a particular interment is not convenient or practical on the day or at the time stated in the Notice of Interment, the Clerk or other authorised officer will immediately notify the person of his or her concerns.

As much information relating to the funeral as possible must be given to the Council in advance, especially if there are special requirements, e.g. large number of mourners expected, horse drawn hearse, motorbike cavalcade, jazz band, piper, etc. in order to help us prepare for the arrival.

The Funeral Director arranging the burial must also arrange to have any memorials removed at least 48 hours prior to the date and time of the funeral for any grave to be reopened. The cemetery does not have the space or facilities to store any memorials; hence they must be removed from the cemetery, (including kerbstone landings), prior to reopening.

It is the responsibility of the person making the funeral arrangement to organise a Minister or Officiant for the funeral if one is required.

The Council will determine the appropriate fees to be paid for the funeral.

### **9. Interments**

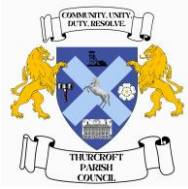
Funerals may take place between the hours of 9.30 am to 3pm Monday to Friday between March and September, Funerals in winter months October to February may take place between the hours of 9:30am to 12pm, (excluding Bank or other Public Holidays); except on production of a certificate that immediate burial is necessary on the grounds of public health. It may be possible to arrange funerals outside of these times subject to staff availability and additional fees. Please contact the Clerk if a time outside of the permitted hours is required. Please see the cemetery fees and charges schedule for late afternoon and weekend/Bank Holiday interment fees.

All funerals will be subject to the control of the Clerk or authorised officer.

The time booked for the interment is the time the cortege is due to arrive at the cemetery. To avoid disruption to other funerals, this time must be adhered to. If the cortege arrives early or late, the funeral must wait until it is convenient to proceed. The Council reserves the right to delay a late arriving funeral in the event that it impacts on another service.

Any floral tributes from the funeral will be placed on top of the grave following backfilling and will be removed after approximately one month of any interment, (unless the family have already removed them).

Grave sinkage (settlement) will be reinstated as and when it is noted. Grave owners will not be notified in advance when this work is to take place, although they may request this to be done if



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## Thurcroft Parish Council

# THURCROFT CEMETERY RULES AND REGULATION

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they notice a significant settlement.

### 10. Cremated Remains

Cremated remains plots are available at the cemetery. Plots are usually **457mm (18") x 457mm (18")** and can accommodate up to two sets of cremated remains. Cremated remains may also be interred without a container.

Cremated remains may also be interred in graves, usually at a depth of **457mm (18")**; however, this can only be done after all full burials have taken place. This is except for babies/infants that have been cremated and are being buried in a family grave. The council will grant permissions on an individual basis. Cremated remains must not be disturbed when a grave or plot is reopened. Infant cremated remains can be buried in a well, deeper than a coffin, so that they will not be disturbed when the grave is reopened.

### 11. Fees and charges

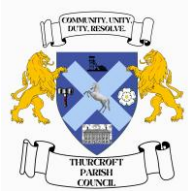
All payments of fees and charges must be completed in full prior to any interment or fixing of a memorial. Receipts will be issued for money paid directly to the Council. The Council will publish a scale of fees and charges annually.

Residents refers to those people that, immediately prior to their death lived in the parish of Thurcroft, or who lived in the area for over ten years and moved into a nursing home less than 48 months prior to their death. 'If a person has lived outside of the Borough for less than 48 months, had to be moved for medical reasons that were beyond their control and died outside the Borough, then the resident's discount will be applied on the fees to be charged. However, in such circumstances, documented evidence will be required as the request will be forwarded to the Parish Council for a decision. In such circumstances additional time will need to be allowed from the date of application.

Any persons not shown on the Register of Electors for Thurcroft Parish Council's area must supply acceptable proof of residence to be considered.

### 12. Exclusive Right of Burial

The burial rights to a grave are usually purchased at the time of the first interment. A Grant (or Grave Deed) will be issued to the person(s) who is the applicant for the interment. The person or persons who hold the burial rights to a grave may be referred to as the grave owner/s but this does not mean that they own the land, which remains with the Council. The length of the Exclusive Right of Burial is for a maximum of 99 years, to be determined by the Council. Exclusive Rights of Burial are not available for public graves, unless the Council change the designation of these graves and sell an Exclusive Right of Burial for the remaining space in the grave (Heritage Grave).



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## Thurcroft Parish Council

# THURCROFT CEMETERY RULES AND REGULATION

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### 13. Transfer of Right of Burial

It is advisable to transfer the ownership of the Exclusive Right of Burial to another family member after the death of the owner, although transfers may also be carried out whilst the owner is still alive. This will prevent delays should the grave need to be reopened in the future. The person who applies for the interment of the deceased owner will be sent the relevant paperwork to enable the transfer of ownership to take place. If ownership has not been transferred, no further interments can take place in the grave or cremation plot and no memorial can be placed or have an additional inscription. A fee will be payable to the Council, to cover administration fees involved in the transfer if requested after a burial, no fee shall be charged if a transfer is completed at the time of burial.

### 14. Memorials

To ensure memorial safety, all memorials must be fixed by Memorial Masons who are registered with the NAMM (National Association of Memorial Masons) Registration Scheme, or BRAMM, (British Register of Accredited Memorial Masons) and in accordance with the latest version of BS 8415. This includes masons sub-contracted to carry out work. Each memorial must be installed using at least one licensed fixer, who must carry their fixer's licence at all times. Unqualified, or non-registered persons, are not permitted to erect or work upon any headstone.

All memorial work, including new memorials, renovation work and additional inscriptions are subject to the approval of the Council. A memorial application form must be completed and the relevant fee paid to the Council before any memorial work is ordered. This must contain a plan showing the size, details and all measurements of the proposed memorial. The grave owner(s) must sign the form to give their permission for the proposed memorial/works to take place and the memorial masons shall also sign confirming the memorial will be fixed in accordance with BS 8415. On approval by the Council a permit will be issued to the memorial mason to allow the works.

Memorials will only be permitted on purchased graves.

Memorials may be placed on graves once settlement has taken place and should be fixed in the correct position. To avoid a memorial leaning due to ground subsidence, the mason must utilise appropriate foundations for the ground conditions. Memorials that have been fixed in the wrong position can cause upset to the family and may be required to be moved by the mason.

All memorials must have the grave reference number clearly inscribed. If a memorial is placed in a cemetery without a number, the mason will be required to return and inscribe the number in situ.

Permits must be returned to the Council prior to installation to confirm that masons are on site, and the memorial installation or other work will be checked on completion.

Memorials must be maintained in good condition by their owners and the Council cannot be held



## Thurcroft Parish Council

# THURCROFT CEMETERY RULES AND REGULATION

responsible for any damage, vandalism or theft. We, therefore, strongly advise that families insure their memorials. Should memorials not be maintained and become unsafe, the Council has the power to make them safe if required.

No memorial or part of a memorial may be removed from the Cemetery without the prior approval of the Clerk or other authorised officer. Any memorial removed in the process of opening a grave shall be removed at the risk and expense of the person requiring the grave to be opened.

Wording on memorials which breaches copyright, or may be offensive to others is not allowed. Inscriptions on memorials shall be on the face and/or edge/sides of the memorial only. Memorials shall commemorate by name those that are interred in the grave; however, for memorialisation purposes it is permissible to commemorate the names of family members buried elsewhere as long as it clearly states "who's remains lie elsewhere" on the inscription. A memorial application will have to be submitted for any additional inscription requests. The Parish Council has the final decision as to the acceptability of any wording.

Memorials must be constructed of durable natural stone suitable to the environment and period of grave lease, other materials may be permitted but only with the express permission of the Parish Council. Any vase, jar or other such receptacle must be installed as an integral part of a memorial or erected on a suitable plinth or bearer. The Parish Council reserves the right to reject an application for any memorial that is deemed unsuitable.

Please do not order or place a memorial in the cemetery until you are sure what is permitted. Always ask the Clerk if you are unsure what type of grave you own or memorial is allowed.

The maximum dimensions for memorials, measured from the top of the concrete foundation are:

Grave Type	Height	Width	Length/Depth	Thickness
Lawn	914mm (36")	609mm (24")	610mm (20")	101mm (4")
Cremated Remains	n/a	457mm (18")	508mm (20")	101mm (4")

### **Remove highlighted area as incorrect**

Memorial masons must remove all arisings from the cemetery at the conclusion of their work and must leave the area in a tidy condition. It is not possible for memorials to be stored in the cemetery prior to re-fixing following a burial – all such memorials must be removed from the site by the memorial mason unless specific permission is given by the Clerk. Any memorial taken down other than for re-interment must be replaced on the grave as soon as possible or removed from the Cemetery.

Any memorial where specific permission has been granted for it to remain on site must be replaced on the grave or taken from site within 6 weeks of the date of its removal from the grave. If such



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## Thurcroft Parish Council

# THURCROFT CEMETERY RULES AND REGULATION

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notice is not complied with within fourteen days, the memorial will become the property of the Council absolutely and will be removed or destroyed.

### **15. Managing Memorial Safety**

All memorials are erected at the sole responsibility of the owner and the Council cannot be held responsible for any damage to, or caused by a memorial, howsoever incurred. The memorial remains the responsibility of the grave owner during the lease period of the grave.

A rolling 5-year inspection programme of memorial safety testing operates in our cemetery, in full compliance with national guidance and our legal requirements under health and safety legislation. The Council reserves the right to repair or make safe any memorial which is identified as unsafe or falls into disrepair, and if necessary, recover any expenses from the registered owner. Where the grave owner is notified, they will be given a period of 3 months from the date of the letter to affect the necessary repairs. The Clerk or authorized officer reserves the right to temporarily make safe any memorials that pose a threat until such works are completed. If the grave owner does not arrange for the repairs to be made, the Council may repair or make safe the memorial at the owner's expense. As the memorial remains the responsibility of the grave owner, they will be responsible to pay such expenses claimed by the Council.

Grave spaces must be kept in a neat and tidy condition by the deed holder or visitors to the grave.

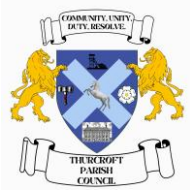
### **16. Maintenance of New Graves**

New graves will be 'topped up' with soil as required by the Council during the settlement period, which can take 12 months. Once settlement has been completed a layer of topsoil and grass seed will be applied to the grave. Pots and plants placed on the grave may prevent this work being completed. The Council is considerate and wishes to support bereaved families, therefore, removable decorative items may be placed within the first 12 inches of the headstone. The Council reserves the right to remove any items placed on graves that cause a hindrance to maintenance.

### **17. Care of Graves and Memorials**

In the interests of safety and the comfort of other visitors to the cemetery, items of glass, pottery, tin or plastic, garden hooks, bricks, blocks, wire mesh, artificial grass or plastic fences or any other object or materials which are fragile, easily breakable or which generate noise, pose a safety hazard or impede access or maintenance, will be removed. Glass/breakable object(s) on graves/cremated remains plots can pose a danger to others, particularly if they break or shatter.

To allow lawned graves to be maintained to a high standard, removable decorative items may be placed within the first 12 inches of the headstone. Any obstructions to grass cutting will result in



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## Thurcroft Parish Council

# THURCROFT CEMETERY RULES AND REGULATION

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lower standards of maintenance for all.

Any additional items placed on graves in traditional sections must be within the confines of any permitted area, as defined by the memorial permit for the grave. Additional items should not inhibit the walkways or extend onto anyone else's grave.

Any items left on traditional graves are at the owners' risk and the Council cannot be held responsible for any damage to them howsoever caused.

Only professionally made surrounds are permitted in certain parts of the Cemetery, an application must be made to the Council for approval before installation. No wooden, concrete, wire, plastic, artificial grass or metallic items are permitted without the express permission of the Clerk. The Council reserves the right to remove inappropriate objects, placed within and outside of the grave space.

### **Plants and Shrubs on Graves**

To allow lawned graves to be maintained to a high standard, no plants or shrubs are permitted.

To avoid headstones being overgrown and disturbed, no plants may be placed on ashes plots or graves.

### **Memorial Benches**

To allow their use by all visitors, benches must be kept clear of items such as plant stands or ornaments. Unauthorised benches may not meet cemetery standards or be placed in a designated space, so will have to be removed from the cemetery.

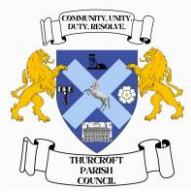
The Council cannot accept any liability for the loss of, or damage caused to any bench in the cemetery.

### **Memorial Plaques**

A plaque can be purchased for our obelisk or bench. The plaques will follow on from each other, and the plaque's position on the bench/obelisk will be determined by the council. No pictures will be allowed on the plaques, the font and colour of the lettering will be consistent, and all wording will be approved by the council. The plaques will remain indefinitely in the cemetery. An application form is available from the council chambers, or on our website.

### **18. Complaints**

Any complaints should be made in writing to the Clerk at the above address and will be dealt with in accordance with the Council's complaints procedure.



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## Thurcroft Parish Council

# THURCROFT CEMETERY RULES AND REGULATION

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### 19. Further information

Further information about the Cemetery along with all forms and fees can be found on the Council's website <https://www.thurcroftparishcouncil.gov.uk>.