

**MID ULSTER DISTRICT COUNCIL
CEMETERY MANAGEMENT
RULES & REGULATIONS BOOKLET**

Introduction

These rules and regulations concern the general management, regulations and control of all Council Cemetery facilities operated and managed by Mid Ulster District Council. As the burial authority in control of cemeteries, we are bound by the conditions of the Public Health (Ireland) Act 1878 Part III; Burial Grounds Regulations (Northern Ireland) 1992 Part II No. 5; Local Authorities Cemeteries Order 1977 and we have a legal duty under the Health and Safety at Work Order (NI) 1978; and Management of Health and Safety at Work Regulations (NI) 2000 to ensure that our burial grounds are safe places to work and visit.

Cemeteries

Forthill Cemetery
Cemetery Road, Cookstown

Polepatrick Cemetery
Castledawson Road, Magherafelt

Coolhill Cemetery
Killyman Road, Dungannon

Cottagequinn Cemetery
Old Eglisk Road, Dungannon

Drumcoo Cemetery
Coalisland Road, Dungannon

Contact Details:

Mid Ulster District Council
Burn Road
Cookstown
Co Tyrone
BT80 8DT
Tel No. 03000 132 132
E-mail: info@midulstercouncil.org

Office Opening Hours

Monday to Friday 9.00am – 5.00 pm (booking is essential). Bank holiday opening hours can be found on the website www.midulstercouncil.org. An out of hour's system is available to Funeral Directors.

Interment Arrival Times

Monday to Sunday: 10.30am to 3.00 pm except public holidays below. Interments are available with the exception of Christmas Day.

Fees and payment

Council will review the scale of charges when it considers it necessary to do so. These can be acquired by contacting Cemetery Officer or view them on our website: www.midulstercouncil.org Residents of Mid Ulster District Council will receive a concession on the full price- non-resident fee. Council will accept payment of fees by cash, cheque, BACS or debit/credit cards

Ownership of Graves

Public Graves

Public graves are only available to the Council's Environmental Health Service, Health and Social Care Trusts and other statutory agencies as required. No monument, headstone, plinth, railings or other structures can be erected on or around these graves.

Graves in Proprietary Ground (privately owned graves)

To purchase a grave, you purchase what is regarded as 'Exclusive Rights of Burial' for a grave space. The general rule is that you can only purchase a grave at the time of bereavement however, special circumstance can be considered if the purchase is linked with a funeral plan. It should be noted that when you purchase the exclusive rights of a burial you only purchase the right to bury.

A person who wishes to purchase the exclusive right of burial in a grave shall take responsibility for the maintenance of the plot, and to conform to all rules and regulations in force or thereafter made by the Council. Upon their death, those rights formally transfer to their beneficiaries unless indicated differently in last will and testament. The grave cannot be opened or burial take place without permission of the owner

The owner has the right to erect headstones or other memorials subject to all conditions being met as per rules and regulations. If the person who owns the exclusive rights of burial dies, it is assumed that they have given permission that they can be buried in that grave.

Only one person will be registered as the owner of exclusive rights of burial. It is permissible to inherit exclusive rights of burial, for example if someone is named as a will beneficiary.

The number of burials that can be accommodated in a grave is dependent on a number of factors including ground conditions. Up to three burials may be possible in a standard plot. Council will only guarantee one interment in any one plot. No refund will be made to any purchaser whose plot has limited capacity owing to the existence of rock, or other obstructions found.

Transfer of Burial Rights

There are three situations where it could be possible to transfer the burial of rights

- If the present registered right of burial owner is alive and wishes to transfer right of burial to a specific person they will have to complete a letter of conferment
- If the registered owner is deceased and has left a will bequeathing the burial rights to a specific person, the burial rights will be transferred to that person upon application to the Council and production of the owner's will and grave papers.
- If the registered owner is deceased and has left a will but the will does not state who the exclusive rights of burial should transfer to; or if the deceased registered owner has left no will (dies intestate) the exclusive rights of burial in both cases automatically transfers to the owner's beneficiaries.

In both cases where the owner is deceased, the following is required:

- A completed cemetery Indemnity letter;
- Grave papers;
- If there is more than one relative (next of kin) to whom burial rights could transfer to, the Council will require written consent of a transfer form signed by all parties stating they do not object to the transfer of right of burial to that particular family member.

The Council will not become involved in any disputes regarding allocation of burial rights. This must be resolved between the parties. All transfers are subject to payment of the appropriate fee

How to arrange a Burial

Registering the Death

By law, all deaths occurring in Northern Ireland must be registered with the General Register Office (Northern Ireland). A death which occurs in Northern Ireland can be registered in any of the Registrar's Offices in Northern Ireland. To allow funeral arrangements to be made the death should be registered no later than five days after the date of death unless the death has been referred to the Coroner.

When registering the death a medical certificate of cause of death should be provided by the Doctor who treated the deceased person within 28 days to their death.

If the deceased person was not seen by a Doctor within 28 days, or the death was not by natural illness it will be referred to the Coroner. In this case, the Registrar or Funeral Director will provide guidance. Funeral arrangements should not be arranged prior to consent from the Coroner.

Once the death is registered, the Registrar's office will provide along with other documentation, a GRO 21. This allows a burial or cremation to take place. Information on local Registrar's Offices can be found at www.midulstercouncil.org

Obtaining Exclusive Rights of Burial (buying a new grave)

A person wishing to purchase the exclusive right of burial is required to complete a grave application form that can be obtained from Cemetery Officer. A Funeral Director or family member can complete this form on behalf of the applicant; however, it is the responsibility of the purchaser to ensure all information is correct and accurate. .

Grant of Exclusive Rights of Burial (Grave Paper or Deed)

A grant of Exclusive Right of Burial will be sent to the applicant when all required fees have been paid. This process takes between six to eight weeks from burial date. All beneficiaries can arrange to see the register at any reasonable time by contacting Cemetery Officer. Council should be notified of any change of circumstances.

Replacement Grave Papers

A letter must be sent to Council requesting replacement papers. This must be accompanied with proof of identification, such as a Passport or Driving Licence. If the application is on behalf of the grave owner, a letter of indemnity must be completed. All replacement papers are subject to an appropriate fee

Applying to Open a Plot for Interments

A person requiring having an interment made in any grave shall provide the following particulars for registration:-

- Forename and Surname;
- Date of death;
- Sex;
- Age;
- Religion (including no religion);
- Last place of residence; and
- Marital Status or 'the child of'
- Place of death

The information should also include the name and address of the person having the management of the interment (usually a Funeral Director). In the case of proprietary ground, the application shall give the plot number of the plot required to be opened. For new plots, Council will allocate a plot number.

An application for interment accompanied by a Certificate of Registry or Notice of death (GRO21 form) which you will have received when you registered the death at the Registrar's Office, or the statutory order for burial from the Coroner.

Funeral Directors must advise the Cemeteries Officer of the accurate size and width of the Coffin/Casket before the opening of the plot. Only persons authorised by the Council shall be permitted to open or prepare any plot for interment. Two Council Cemetery staff will attend at the graveside at the time of interment.

Testing Graves for Opening

When Council receives an application to open a grave, they will check the Cemetery records to ensure the burial can take place. If cemetery records indicate there may be a problem, Council will invoke the following process:-

- Check all regulations are being met
- Check ground conditions
- Check depth of remaining top cover

If Council is certain that the burial cannot take place, the Cemeteries Officers decision is final. If an existing plot cannot be use, a new plot must be purchased.

Depth & Direction of Plots

The depth of a new grave will be 274cm (nine feet) as long as ground conditions will permit. No coffin shall be laid in any grave nearer to the surface of the ground than 1 metre measured from the upper surface of the last interment. All burials shall be separated from other coffins by a layer of earth not less than 30cm. Each grave space will be 1.20metres by 2.40metres. The number of burials that can be accommodated in a grave space is dependent on a number of factors including ground conditions.

Up to three burials may be possible in a standard plot although Council will only guarantee one interment in any one plot.

No refund will be made to any purchaser whose plot has limited capacity owing to the existence of rock, or other obstructions found.

The request for a particular orientation of your burial will be considered where possible.

Receiving the Burial Order

Once Council has received the application for a burial together with fees, instruction will be issued for the opening of the plot.

On arrival at the Cemetery, Council Staff will check the burial details and direct the Funeral Director to the plot section and number. A supplementary charge may be charged where a funeral arranged to take place within Councils fixed working hours does not arrive on time, leading to Cemetery staff having to work outside Councils fixed working hours to complete the burial.

The Burial of Ashes

The burial of ashes can be arranged directly with Council by a family member, appointed Funeral Director or an appropriate person. For details on cost and fees you can contact our Cemetery Administrator's Office or visit Council website www.midulstercouncil.org

Signing the Register of Burials

Once the burial has taken place, the person managing the burial is legally required to sign the Register of Burials.

Burials resulting from Epidemic

In the event of the District being affected by a pandemic or epidemic of disease, the Council may make special orders regulating the order of interments, and the period of notice required. Council may also make special arrangements for burials to take place outside normal operating hours.

Exhumation

No grave shall be opened, nor shall the remains of an individual be removed from a grave nor transferred from one place of burial to another, not exhumed, except under the conditions specially provided for in law, and except with prior written consent of the Council and upon payment of the prescribed fees.

Requesting an Exhumation

To apply for an exhumation a request must be in writing to the Cemeteries Officer. Council will apply for an application for Exhumation Form from the relevant Government Department. This should be completed by the applicant and forward to the Cemeteries Officer. Head of Property Services will assess the application and make recommendation to the Council's Senior Management Team.

If your application for exhumation is approved by the Council's Senior Management Team the application would be passed to the responsible Government Department. The Department will notify Council and the Director of Public Health, who will in turn will then notify the applicant

If your application is approved, there is six months to arrange the exhumation. If the exhumation is not completed within the six months permission must be re sought. Police Service for Northern Ireland must be informed of a planned exhumation and are required to attend. A member of Council's Environmental Health Team will attend to ensure that dignity and respect is maintained throughout the exhumation process (Burial Grounds (NI) 1992). Council will charge a fee for exhumation. This fee does not include the cost of a new coffin, the removal by a Funeral Director, or the cost of re-burial.

Lawn Sections

Lawn sections at cemeteries across Mid Ulster District Council District are laid in a lawn type system that provides a space at the head of each grave for the placing of a memorial stone and in front of the memorial stone for placing of stones or flowers. The remaining portion of each plot shall be sown or planted with grass, which must be left clear at all times for cutting purposes.

Responsibilities of the Grave Owner

Each purchaser of the right of burial in any plot must ensure that the plot and any memorial is kept in good order and repair, to the satisfaction of the Council.

Should the owner of the plot fail to do so, Council may carry out maintenance and repairs at the expense of the purchaser/grave owner and may refuse to permit the plot to be opened until costs of such repairs or removal have been paid.

When tending the plot, please keep waste to a minimum. Do not allow waste to fall onto any surrounding plots land do not disturb any floral arrangements or monuments belonging to surrounding plot owners. Waste bins are placed around all cemeteries; you should not use these bins for household waste or heavy waste such as soil or turf.

If heavy waste is left behind, either on or nearby a plot, you have been tending, Council may charge the registered owner of the plot for the removal.

All types of fresh wreaths, sprays, bouquets and posies must be cleared within 30 days of being laid, if such items have not been cleared, Council staff will be instructed to remove all such items from the cemetery plots.

You must not place a symbol, flag or emblem on any grave at any time that is likely to disrupt a good and harmonious environment.

Memorials and Monuments

If you wish to erect a memorial (headstone) on your plot, you must apply to the Cemetery Officer for an application form (a memorial mason/sculptor can also do this on your behalf). A copy of the fees can be found on www.midulstercouncil.org

The application must be accompanied with a detailed plan and particulars of the memorial. Each drawing submitted must specify the proposed inscription, materials you wish to use, plot number and the name and address of the proprietor. All memorials/headstones must be made of stone or other non-perishable material such as granite. Temporary hardwood memorials can be erected but only for the first year.

The wording of inscriptions and the use of emblems will be subject to strict conditions in line with our legal duties of equality and the promotion of good relations. Council will not authorise inscriptions that contain sectarian, racist or inappropriate wording or imagery. Any inscriptions at a later stage, approval must be sought in advance.

If a memorial/headstone has been erected and the plot owner has not sought permission, Council may remove the memorial and charge the plot owner a fee. If an inscription is made on any memorial without Council granting permission, Council may remove the memorial and charge the plot owner a fee. If Council cannot contact the owner of the plot, the plot will not be opened until all outstanding fees have been made

Responsibilities of the Memorial Mason/Sculptor

The Management, Regulation and Control of Burial Grounds Policy has been formulated for the safe management of Council Cemeteries and memorials. The policy clarifies Mid Ulster District Council's position in all areas of Cemetery and Memorial Management.

Monumental masons/sculptors wishing to work within Council's Cemeteries must carry out all works to the standard of the following: BS8415:2005 – British Register of Accredited Memorial Masons (BRAMM) National Association of Memorial Masons (NAMM). All of the above codes of practice inform monumental masons/sculptors how to achieve the British standing.

Memorial Application & Permit (Masons & Sculptors)

All memorial/headstone applications must contain the following information:

- A detailed plan of the memorial
- The exact dimensions
- The type of material
- The full inscription details
- The applicant's name and address
- The applicant's relationship to the plot owner or deceased person.

Council will consider the application and will inform applicant of any decision. If the application has been approved, all work must be completed within one year from date of approval. Once Council has agreed an application, they will provide a memorial permit to carry out the work notification to the specific memorial. The person carrying out the work must keep the permit with them at all times while working in the Cemetery.

Fees (Masons & Sculptors)

Council charge a fee to erect memorials/headstones this fee must be accompanied with the memorial application. A copy of fees can be obtained from the Cemeteries Officer or www.midulstercouncil.org

Working hours (Masons & Sculptors)

The permitted working hours for erecting memorials are during the following hours: Monday to Friday 9am -3.45pm. Any memorial mason/sculptor working outside the working hours stated will be asked to leave the Cemetery. Any breached of the Terms and Conditions of the Mid Ulster District Council Management Regulations and control of Burial Grounds may result in refusing permission to the contractor to undertake future work

Restrictions and Placement of Memorials (Masons & Sculptors)

All memorials/headstones or other erections must be placed on a solid foundation which is provided at the head of each plot (within lawn sections only). The height of memorials/headstones will be measured from the highest point of the ground within the boundary of the plot, to the top of the memorial. No memorials shall exceed 1.20 metres in height measuring from the uppermost part of the foundation. For determining this height any object forming part of the headstone e.g. across etc. shall be deemed to form part of the headstone. Memorials placed on a single grave shall not exceed 0.90 metres in width if placed on a double grave shall not exceed 2.00 metres in width. All memorials shall not exceed 0.30 metres in breadth.

When erecting a temporary wooden memorial, it must be made of a hard wood. It should be placed on a solid foundation that is provided at the head of each plot (within lawn sections only) and can be no greater in height than 1.0 metres

Miniature surrounds are not permitted to be placed in front of a memorial in a lawn section and will be removed. Full surrounds are not permitted to be placed around any plot in a lawn section and will be removed. Council may charge a fee for undertaking this work. If the removed surrounds are not claimed within six (6) months, Council will dispose of them. The plot in question will not be opened until all outstanding fees have been paid.

Council will not allow the erection of pillars, railings, fences, plinths, hoops, artificial grass matting, surrounds ropes, flagstones, concrete edging, kerbing, ornaments, flower pots or any other structures that are used to enclose a lawn plot. Council staff will be instructed to remove any of these items as they obstruct our staff from cutting the grass. Council will charge a fee for undertaking this work.

All memorials/headstones must have the section and the number of the plot, along with the masons/sculptors name engraved or marked in clear characters at the base of the memorial/headstone.

The wording of inscriptions and the use of emblems will be subject to strict conditions in line legal duties of equality and the promotion of good relations. Council will not authorise inscriptions that contain sectarian, racist or inappropriate wording or imagery.

Any monumental mason/sculptor erecting a memorial/headstone or undertaking remedial work must remove all debris after the memorial is put in place. This must be done immediately and no expense to Council

Cemetery Register

Any monumental mason/sculptor wishing to erect a memorial/headstone at Council cemeteries must sign the Cemetery Register if applicable on arrival and show the memorial permit. Any personnel accompanying the mason/sculptor must also sign the Cemetery Register. If it is not possible to sign the Cemetery Register on arrival, please notify the Cemeteries Officer and advise and confirm time of arrival.

All masons/sculptors working within Council cemeteries must wear the suitable Health and Safety PPE including Hi Vis clothing. On completing of the authorised work, personnel must sign out of the cemetery.

Memorial Safety Inspection Programme

Council carry out Memorial Safety Inspections, should a memorial fail an inspection the grave owner will be contacted to rectify and make safe within a reasonable time. Council may then take immediate action should it believe that the memorial carries an immediate risk to the public or its staff. All costs incurred by Council must be met by the grave owner. Failure to meet this cost may result in the plot not being accessed for future burials

Acceptable Behaviour in Cemeteries

Visitors can access the cemeteries from dawn to dusk on any day; vehicular access is only permitted during the cemeteries opening times. All visitors to cemeteries must conduct themselves in a quiet and orderly manner at all times and must adhere by the rule and regulations, failure to do so may result in requesting the person(s) to leave the cemetery and prohibit their return.

A speed limit for any vehicle within Council cemeteries is 10mph. Drivers should take care when passing surrounds and memorials, members of the public and avoid areas where interment is taking place.

No inebriated or riotous person shall be permitted to enter the grounds of the cemetery. Trespassers shall be liable to prosecution for infringement of these regulations. All children must be accompanied by a responsible adult.

Council does not permit any games or sport within our cemeteries. No person shall be permitted to use a metal detector in any of our cemeteries.

No notices or advertisements are to be posted on any cemetery buildings, walls, fences, memorials or monuments without Council permission.

Council will not permit the discharge of any firearms at a funeral in the cemetery unless authorised by Council.

The selling of flowers, shrubs or plants is prohibited unless authorised by Council.

Dogs are permitted but must be on a lead and under control. It is the owner's responsibility to clean up after their dogs.

GENERAL

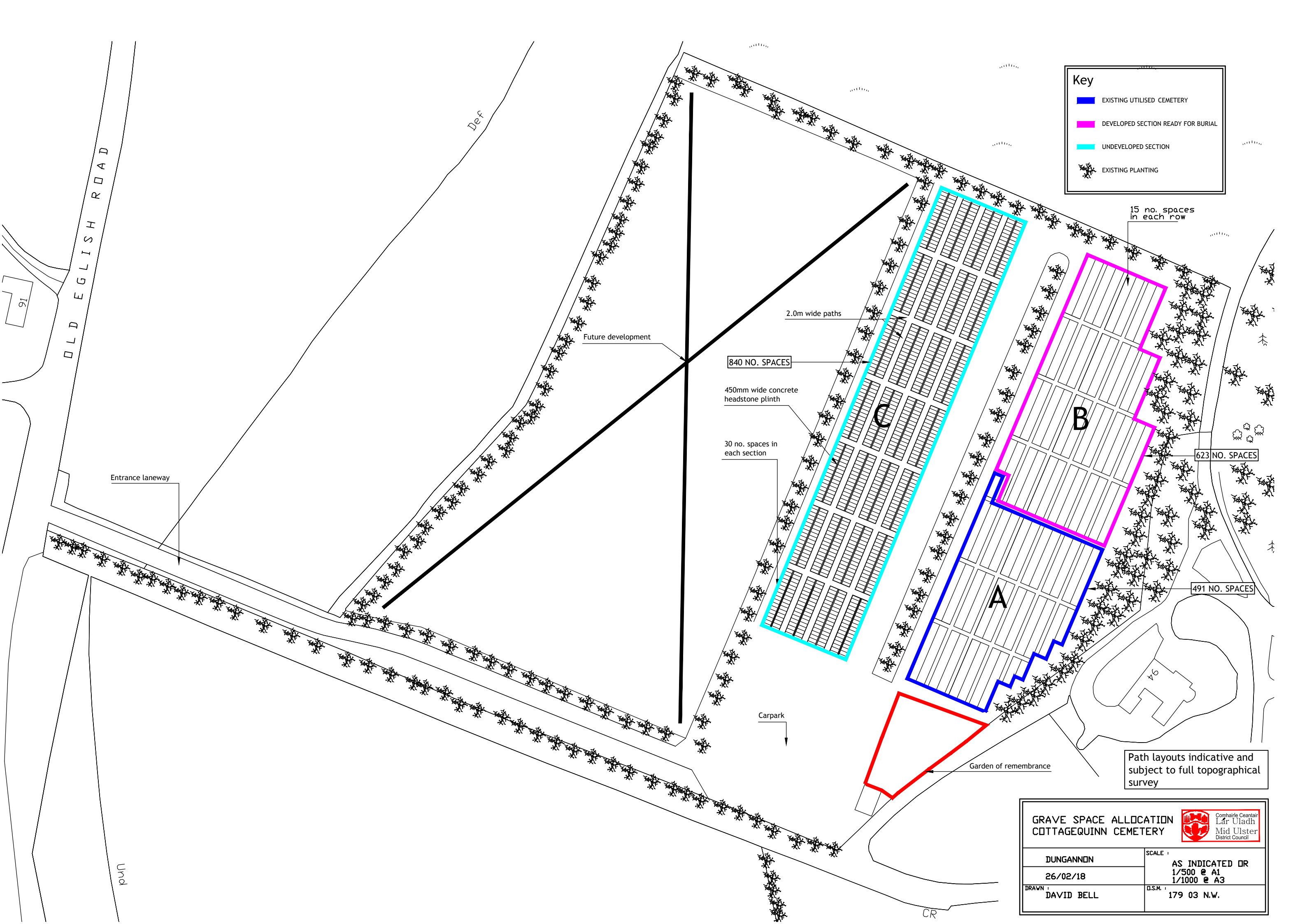
In these Rules "The Council" means the Mid Ulster District Council.

Ministers and Clergymen of the various religious denominations are at liberty to officiate at the graves of persons of their own communion and to perform ceremonies of their respective churches or bodies.

In the normal course of events, only funeral hearses and official funeral cars may enter the Cemetery beyond the car parking area (except for council vehicles and monumental sculptors with prior permission to be in the cemetery). However, in the case of elderly, disabled or infirm visitors, arrangement can be made with the Cemetery Officer or Supervisor to have access with a vehicle beyond the car parking area. In such cases those afforded this facility must only drive vehicles on roads and pathways. **Vehicles must not be driven on grass areas.**

These rules are subject to amendment or alteration from time to time, as the Council shall see fit.

The foregoing Rules shall remain in force, and be binding on the right of burial in the Cemeteries, and all other persons, until same be altered by the Council.



Key

EXISTING UTILISED CEMETERY

DEVELOPED SECTION READY FOR BURIAL

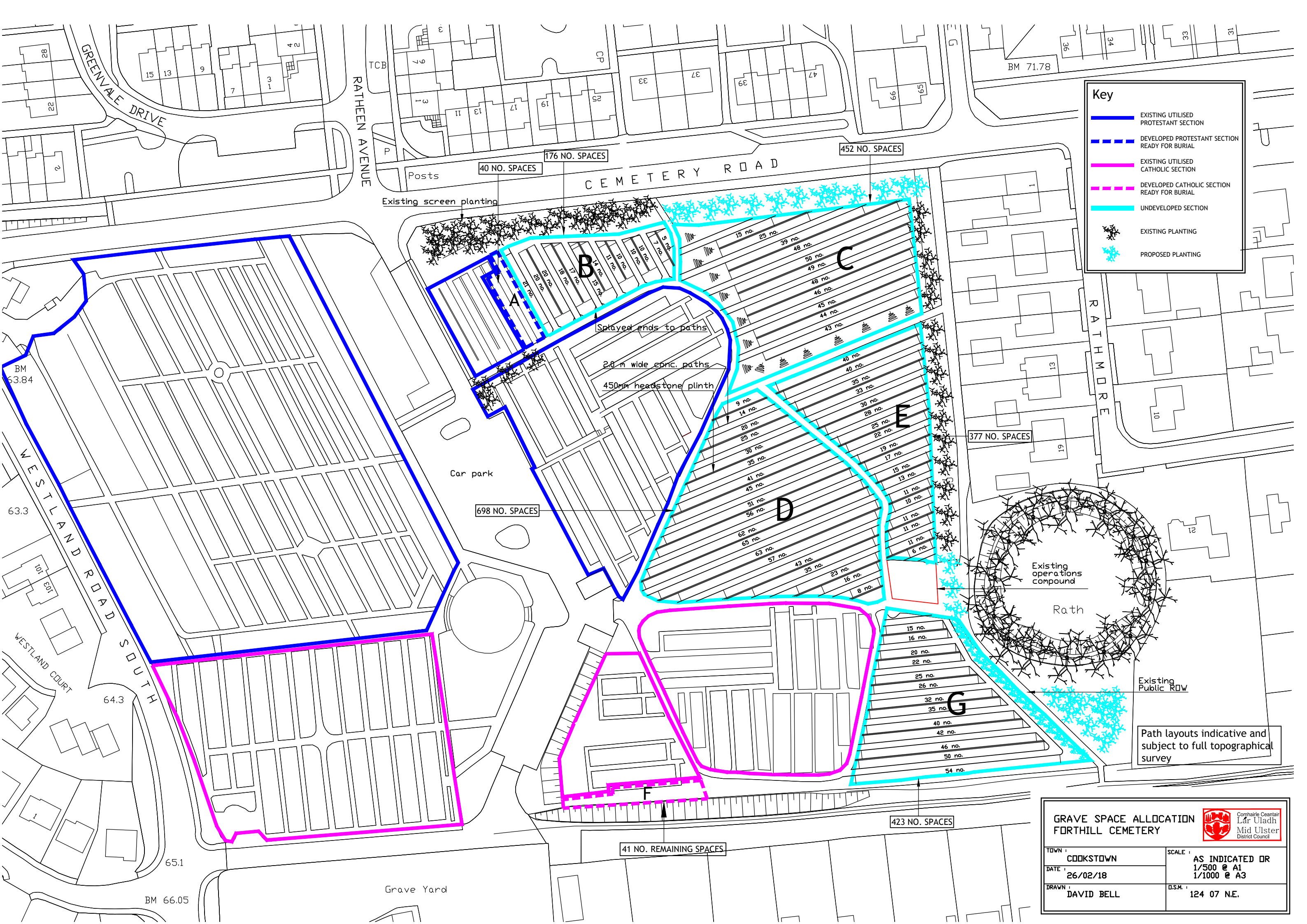
UNDEVELOPED SECTION

EXISTING PLANTING

GRAVE SPACE ALLOCATION
COTTAGEQUINN CEMETERY


Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

DUNGANNON	SCALE : AS INDICATED OR 1/500 @ A1 1/1000 @ A3
26/02/18	D.S.M. : 179 03 N.W.
DRAWN : DAVID BELL	



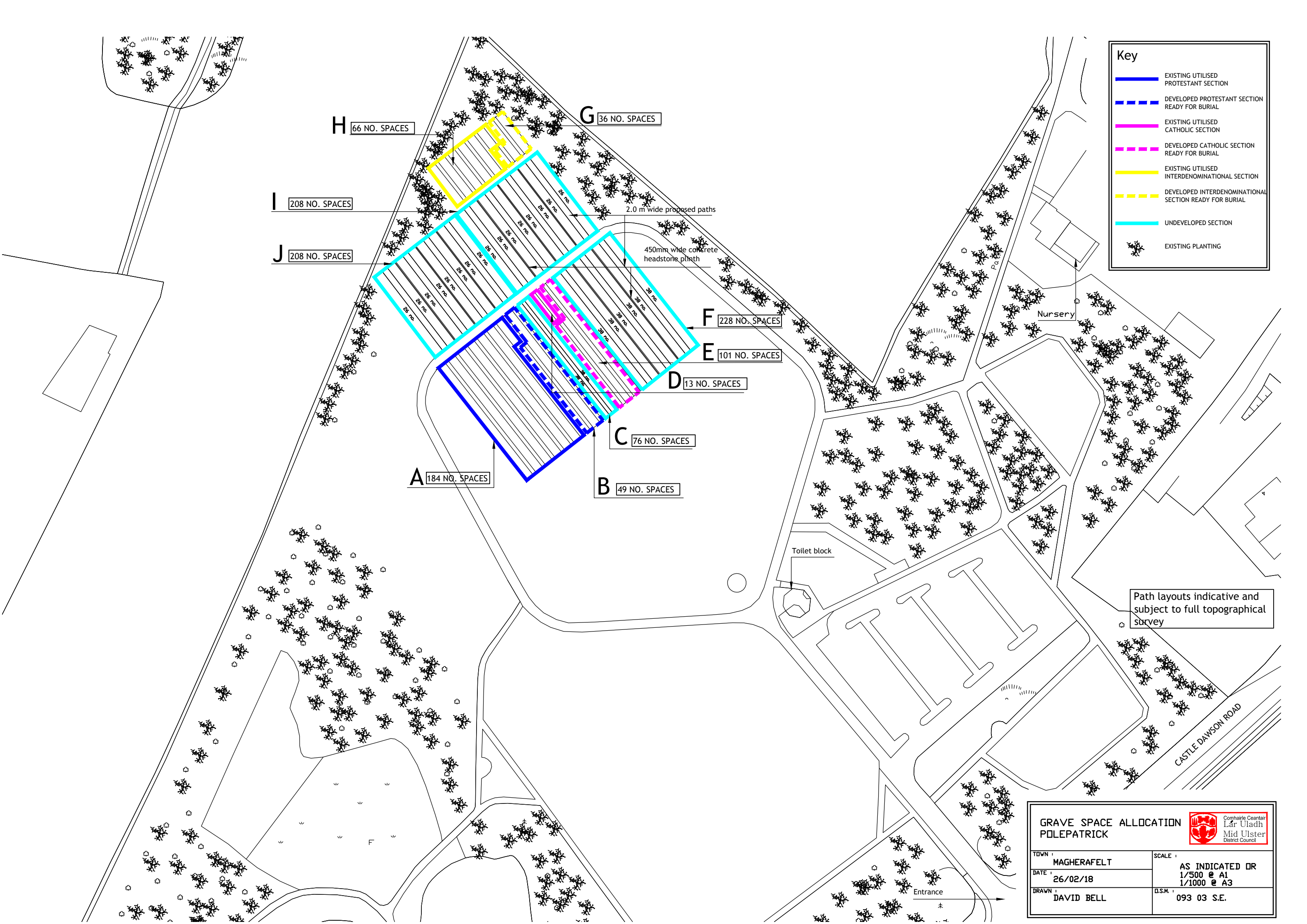
GRAVE SPACE ALLOCATION

FORTHILL CEMETERY




Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

TOWN	COOKSTOWN	SCALE	AS INDICATED OR 1/500 @ A1 1/1000 @ A3
DATE	26/02/18	D.S.M.	124 07 N.E.
DRAWN	DAVID BELL		



GRAVE SPACE ALLOCATION
POLEPATRICK



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

TOWN : MAGHERAFELT	SCALE : AS INDICATED OR 1/500 @ A1 1/1000 @ A3
DATE : 26/02/18	D.S.M. : 093 03 S.E.
DRAWN : DAVID BELL	