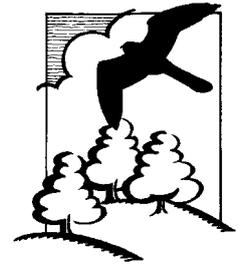


Hawkhurst Parish Council acting as the Burial Authority for Hawkhurst



Hawkhurst Cemetery, Hastings Road

Background & history

It is important to note that Hawkhurst Parish Council as a local government organisation is secular and not spiritual. The Parish Council should not be confused with the Church of England's St Laurence Church within the Diocese of Canterbury.

Hawkhurst Parish Council acts as the Burial Authority for Hawkhurst, open to all residents of the Parish.

The Council owns and operates a cemetery along Hastings Road. This was opened in 1939 and the first burial was a local Priest on 20th December 1939, there are 3 war graves in the Cemetery.

The Hawkhurst Cemetery currently covers "8 acres, 1 rod and 8 perches". It has an area of consecrated ground that is for burial or the interment of ashes of people who were members of the Church of England; the rest of the site can be used of members of other faiths or those of none. Ashes may also be spread in parts of the site.

A woodland cemetery was established in 1994 in which we plant native tree species and encourage wildflowers. This is a beautiful setting in all seasons.

The rules and regulations for the control and proper management of the Hawkhurst Cemetery are made under various Acts such as the Burial Act 1852 and the provisions of the Local Authorities Cemeteries Order 1977 (as amended). The Council reserves the right to alter, add to or amend the Regulations from time to time as necessary. If you need help in interpreting the rules and regulations, please contact the Clerk.

The Clerk can be contacted at:

Address: The Office at the Moor, Hawkhurst, Kent TN18 4NT
Tel: 01580 752 058
Email: parish.clerk@hawkhurst-pc.gov.uk

Please contact the Parish Office for information relating to the selection and purchase of graves in Hawkhurst Cemetery.

When a grave is purchased this refers to The Exclusive Right of Burial means a specific plot is held for you for 99 years. The owner of the exclusive right, or others authorised to act on their behalf, can decide who can be buried in that specific plot for the duration of the right. For example, you may wish both you and your spouse to have the right to be in the same plot.

It is important to note that once a plot has been used for a burial or interment then it is in effect yours in perpetuity. Those buried or interred will be there forever. No remains are ever disturbed unless legally directed so to do – e.g. a court orders an exhumation.

Fees and charges are reviewed annually and can be found on the website along with the forms that need to be completed.

The selection of the place of burial or interment is in all cases is subject to the approval of the Burial Authority, but the wishes of the individuals concerned will be met as far as practicable.

All burials and interments of ashes should be arranged through the services of a funeral director. This note also contains specific information for funeral directors and monumental masons.

It is important to note that none of the following can take place without specific permission of the Burial Authority:

- burials or exhumations;
- burial of ashes;
- erection or fixing of a memorial;
- inscription on a memorial;
- renovation of a memorial;
- removal and /or replacement of a memorial; and,
- planting or removing trees and plants.

Cemetery location

Hawkhurst Cemetery, Hastings Road, Hawkhurst, Kent. A map showing the location can be seen here

<https://www.google.co.uk/maps/@51.0300524,0.5043421,825m/data=!3m1!1e3>

Hastings Cemetery can be accessed by car and on foot. The site currently has limited parking for around six cars. Leaving the cemetery by car requires caution as the sight-lines are poor and traffic can travel fast along the Hastings Road.

The walking route from Moor to the cemetery is about 0.6 miles via a public pavement. Although the pavement is the responsibility of Tunbridge Wells Borough Council, the Parish Council will inspect the hedging and condition of the path and ensure that the walk from the Moor to the cemetery remains a pleasant walk.

A detailed plan showing graves use and availability can be seen at the Parish Office by appointment.

Cemetery opening hours

Hawkhurst Cemetery is open to visitors every day including weekends and public holidays from sunrise to sunset. Outside of these hours, the cemetery is considered closed. The Burial Authority has the right to close the cemetery at any time without prior notice.

Conduct in cemeteries

Firstly, be safe. The nature of the cemetery means that the ground to be uneven therefore it is recommended that flat shoes should be worn and attention should be given for any trip

hazards. All visitors attending a grave are asked, where possible, to keep to the footpaths and respect the cemetery at all times. In particular, visitors are requested not to interfere with shrubs or flowers growing within the Cemetery.

It is an offence (under the Local Authorities Cemeteries Order 1977) for anyone to wilfully:

- create any disturbance in a cemetery;
- commit any nuisance in a cemetery;
- interfere with any burial taking place in a cemetery;
- interfere with any grave or vault, any tombstone or other memorial, or any flowers or plants in any such matter;
- play any game or sport in a cemetery; and,
- enter or remain in a cemetery when it is closed to the public, unless authorised by the Council so to do.

The Council reserves the right to refuse access to a cemetery if anyone is intoxicated or showing signs of drug abuse that could lead them to cause a public nuisance or disorder. No person is to vandalise any grave, memorial, wall, fence, tree, plant or shrub in the cemetery.

All visitors should enter and exit the cemeteries using the main entrance or pedestrian gates.

Children under the age of 12 are not authorised to visit the cemetery unless under the supervision of a responsible adult.

No person may canvass, promote or sell their services to visitors in a cemetery.

Dogs are welcome in the cemetery to attend a funeral or accompany someone who is visiting a grave but must be kept on a short lead. Ideally dogs should have been walked before attending the cemetery so they can attend to calls of nature elsewhere. If a dog fouls, the owner must clean up any dog faeces and dispose of it in the litter bin located outside the main cemetery gate or remove from site. Failure to clean up after your dog may result in a fine or prosecution.

Ground maintenance

The Parish Council will properly maintain the cemetery boundary fencing and the historic lynch gate.

We want the cemetery to be a place where people can come to pay their respects and reflect on the life of their loved-ones in a peaceful Kent countryside cemetery. It is not our aim to have a highly manicured site, but rather for it to be pretty, tidy, respectful and rustic. A cemetery that is sacred for people and supports the local ecology ensuring that trees, hedgerows, wildflowers, birds, reptiles, insects and bats can thrive. We will not use pesticides and will limit mowing, particularly in the woodland cemetery. Overall the ambition is to maintain the cemetery as a 'living cemetery', managed for people and the local flora and fauna.

Grass cutting, leaf and litter clearing, upkeep of trees, shrubs, flower beds and hedges will be carried out by the Council or their contractor, at a frequency determined by the Council. The Council reserves the right to prune, cut down or remove any shrub, tree, plant or flowers if, in the opinion of the Clerk, they have become unsightly, overgrown or

dangerous in any area of the cemetery.

Graves will be cared for so they are kept tidy and safe for those walking through the cemetery.

Persons shall be allowed to place on any grave space floral decorations (BUT NOT TO PLANT FLOWERS OR SHRUBS OR PLACE ANY EXTRANEIOUS OBJECTS).

The Council reserves the absolute right to remove anything they consider undesirable or unsightly. The Council also reserves the right to remove any inscription attached to floral decorations which is in their opinion objectionable

The Council has the right to remove from graves: flowers, wreaths, weeds, rubbish, glass objects and other decorations which have either perished and/or are a hazard or encroach on an adjacent grave space and dispose of such items without prior notice to the owner.

Cemetery charges

The cost of maintaining the cemetery comes partly from the charges made for burials, interment of ashes, erection of memorials, benches and any shortfall is covered by the Parish Council as part of the Parish Council precept.

It is the policy of the Council not to operate the cemetery commercially for a profit.

The cemetery is open for anyone not just those who have lived in Hawkhurst Parish Council area.

People who immediately before their death were an inhabitant of the Hawkhurst Parish Council area are charged half the rate of non-residents. People who have recently moved away from the Parish and/or have a strong connection to the area may be considered for the residents' rates. In some cases of hardship, we may waive or reduce the cost. In all cases the decision on what to charge is a matter for the Burial Authority, their decision is final.

There is no charge for the burial of children who were still born or who did not attain the age of 18.

Fees and charges must be paid at the time of giving notice of booking and paid before the work to which they relate is started. Cheques should be made payable to Hawkhurst Parish Council and sent The Clerk, Hawkhurst Parish Council, The Office at the Moor, Hawkhurst, Kent TN18 4NT.

It is important to note that the fees do not include the digging of the grave. This should be organised by the Funeral Director.

The fees and charges are agreed annually by the Parish Council and the latest charges and fees can be found on the front page of the application form.

There is also a Government scheme to assist with funeral payments and details of that can be found here <https://www.gov.uk/funeral-payments>

Cemetery regulations

Hawkhurst Cemetery Regulations – updated January 2021

It is important to note that:

- the deceased must be transported to the graveside in coffin/casket, solid box, container, closed van or other suitable means - it is not permitted to transport an uncovered body into the cemetery;
- any open grave is a potential danger and should not be entered by anyone other than authorised staff of the grave-digger;
- any containers left on the grave must be of a non-breakable material;
- any items left on the graves are at the owners own risk;
- the Council cannot be held responsible for any breakages however caused;
- the Council may remove any articles from any grave that are likely to cause risk, damage or offence or which may interfere with the Councils maintenance of the site; and,
- memorials cannot be erected without prior permission from the Clerk.

Lawn Graves

A lawn grave is a grave that remains as grass with the exception of the area at the top end of each row of graves where headstones may be erected with the Council's permission. A space of 12" (30cm) deep in front of the memorial may be cultivated and planted with seasonal plants. Any fencing or edging must be kept within the 18" border. The planting of annuals and seasonal bulbs or miniature shrubs to the height of 12" (30cm) are permitted within the headstone border but must not be allowed to encroach on the lawn area of the grave or any neighbouring grave space. The grave area must be maintained as grass lawn. Artificial grass is not allowed on the grave space. Kerbs or any other memorial/artefact placed on the lawn section of the grave are not permitted and the Council has the right to remove any such items without prior notice to the owner.

Kerb Graves

Kerb Grave are in the older sections of the cemetery and were at the time permitted to have both a headstone and a kerb memorial placed on the grave. The planting of annual and seasonal bulbs or miniature shrubs to the height of 12" (30 cm) are permitted within the grave space but must not be allowed to encroach on any neighbouring grave space.

The Council no longer gives permission for Kerb Graves. But if one is desired for particular family tradition or other reasons then you can appeal to the Burial Authority via the Clerk.

Woodland cemetery

The woodland section is dedicated for natural burials. This section of the cemetery is designed to look and feel like a natural woodland area. Burials are carried out only using biodegradable materials. This means that any body wrappings/clothing must be made of natural fibres and the coffin/casket must be made of non-toxic biodegradable materials

The use of embalming fluid is not permitted, save for when environmentally safe non-toxic biodegradable balm is used.

The Council will provide and install a wooden marker post with a memorial plaque. This will be the only item allowed on the grave. Traditional type memorials such as headstones are not permitted in the woodland section of the cemeteries. The Council has a right to remove any other memorial or artefact from the grave area without notice to the owner.

If a grave has been allocated a memorial tree, the plantings will normally be arranged for the autumn and winter months. The family will be invited to agree the date and attend the tree planting. If they wish to hold a ceremony at the time of the tree planting this would be their responsibility to organise.

Where graves have been allocated a memorial tree only British native woodland trees can be planted. These include: Flowering Cherry, Ash, Beech, Lime, Oak, Silver Birch – for further information on British native trees visit the Woodland Trust <https://www.woodlandtrust.org.uk/visiting-woods/trees-woods-and-wildlife/british-trees/a-z-of-uk-native-trees/>

Children's section

There is an area designated for infant graves in which children aged up to 5 years old may be buried or their cremated remains inured. The Council makes no charge of any kind for the burial, or the interment / scattering of ashes of a still born child or a child who has not attained the age of 18 in their part or in any other part of the cemetery.

On these graves it is permitted to have:

- a small headstone; and,
- small ornaments and decorations such as toys, teddies or windmills that may be temporarily fenced.

However, the following are not permitted:

- large ornaments, toys or any other artefact such as cots;
- breakable, glass or sharp items;
- headstones or kerb memorials that are brightly coloured; or
- headstones that are not traditional in nature of style.

The selection of the place of interment is subject to the approval of the Burial Authority, but the wishes of the family will be met as far as practicable.

Burial plots – exclusive rights

To be buried or interred you need to purchase what is called an 'Exclusive Right of Burial'. This can be done in advance or at the point of need (i.e. when someone has died).

The Exclusive Right of Burial means a specific plot is held for you for 99 years.

The owner of the exclusive right, or others authorised to act on their behalf, can decide who can be buried in that specific plot for the duration of the right. For example, you may wish both you and your spouse to have the right to be in the same plot.

It is important to note that once a plot has been used for a burial or interment then it is in effect yours in perpetuity. Those buried or interred will be there forever. No remains are ever disturbed unless legally directed so to do – e.g. a court orders an exhumation.

If you buy an exclusive right of burial in advance and at the end of 99 years, the plot has not been used for a burial or interment then we would try to contact you to see if another period of exclusive right is wanted. If another period is not purchased, then the empty plot will be available for others.

Any Exclusive Right of Burial granted may be transferred by a grantee to another person but the transfer must be agreed and recorded by the Council. Such right may also be bequeathed by will whose executors must confirm its accuracy in writing. In either case a transfer fee may be payable.

No interment can take place in any grave unless a prior grant of Exclusive Right to Burial in that grave has been made. The name and address of the owner of this right must be given to the Council at the time of giving notice of the interment.

Owning an Exclusive Right of Burial for a grave does not give ownership of the actual land, but does give the owner the right to:

- be buried in that grave if space is available (double depth graves allow two burials in one plot);
- authorise further burials in that grave, where space is available, or the interment of cremated remains in that grave; and,
- place a memorial on that grave, subject to the Burial Authority's Regulations relating to memorials and inscriptions.

The Exclusive Right of Burial document and should be kept in a safe place.

Memorials / Tablets

No headstone can be erected upon any grave if the Exclusive Right of Burial has not been granted. This entitles the grantee, their Executor, Administrator, or Next of Kin to erect a memorial. However, before any memorial can be installed, or works undertaken to an existing memorial, an application from the memorial mason or funeral director must be submitted on the Parish Council Memorial Application form for approval by the Parish Office.

The maximum dimensions of the headstone is 2'6" (75cm) high x 2'6" (61cm) wide.

The maximum dimensions of a tablet is 1'6" (45cm) high x 1'2" (33cm) wide.

All memorial work carried out must be in accordance with the relevant Code of Working Practice of the National Association of Memorial Masons (NAMMS) and Hawkhurst Cemetery Regulations.

The stonemason will be required to supply to the Clerk a copy of their NAMMS certificate together with current insurance certificates before any permits will be issued.

Headstones must be in keeping with the cemetery appearance and only natural colours are allowed. There will be no permission granted for a brightly coloured memorial, any that are not of a traditional style or any that are made of glass or materials that will become fragile and breakable when exposed to the variety of weather conditions.

Drawings to scale of every headstone with a statement of the proposed position on the grave space and the proposed material, and a copy of every inscription shall be submitted to the Burial Authority for their approval, and be deposited with the Clerk, and no headstone shall be allowed to be erected or placed in the Cemetery without such approval.

Designs and inscriptions must be submitted to the Council on the appropriate form.

Stonemasons must not inscribe any inscription until it has been approved, or start a monument until the dimensions and other details have been submitted to the Clerk with the fees and approval has been granted.

Only inscriptions on the face of the memorial are permitted. The Council reserves the right to refuse permission for a memorial where the inscription is, in their opinion unsuitable. The decision of the Burial Authority is final and not subject to debate.

Every grave that has a current Exclusive Right of Burial and a monument or memorial placed on the grave, must be kept in good repair and condition by the owner and remains at the owner's sole risk. The Council is not responsible for any damage or injury which may occur to the memorial or caused by the memorial to a person visiting or working in the cemetery grounds.

The Council may remove, without notice, any monument, memorial, stone, tree, shrub, plant or item erected or placed in the cemetery in contravention of these regulations or reaches a condition that that can be a health and safety risk.

Erecting a Memorial

The 'Application for Permission to Erect a Memorial' must be signed by the registered owners of the graves on which the memorial(s) are to be placed.

The section, number and other distinguishing marks (if any) corresponding with the Interment Book must be cut at the foot of all headstones in not less than 1 inch letters so placed as to be always visible.

No monuments, memorials or materials may be taken into a cemetery before sunrise on any working day or at any time on Good Friday, Easter Sunday, or Christmas Day, unless with the prior consent of the Clerk.

Memorials must be fixed so that the backs of them stand in line with those on a base. Memorials fixed without basement stones must be in line with those fixed in basement stones.

All monuments and materials must be carried into the cemetery in such a way as not to cause any damage to roads, walkways or grass areas.

Everyone employed in fixing, painting, or restoring memorials, must leave the cemetery by an hour before sunset.

All materials must be carefully removed from vehicles and neatly piled or placed in or near where they are to be used.

All surplus materials, rubble and rubbish must be removed from the cemetery grounds immediately following any work undertaken and where a removal of a memorial has been required prior to an interment the area should be cleared in time for the funeral cortege arrival.

Ground anchor systems must be used in the erection of headstones and must be approved by the Clerk. The structure must be ground anchored by an approved method and most suitable for the soil condition. Fixings generally shall be in accordance with the current Code of Working Practice of the National Association of Memorial Masons.

Memorial safety

All memorials are the sole responsibility of the registered owner including damage by vandalism, theft of memorials or vases, cracking or subsidence of footings. All monuments, tablets, enclosures, headstones and all places of burial shall be kept in good and stable condition by the owners of them, and, if not, the Burial Authority, shall be entitled to take possession of them and to remove or alter any such monuments, tablets, enclosures and headstones in any way they may deem necessary or desirable for the order and safety of the burial ground.

The Health & Safety at Work Act 1974 requires all burial authorities to ensure that memorials are safe so that the potential for injury to those visiting and working in the cemetery is reduced.

Memorials remain in the ownership of the grantee of the Exclusive Right of Burial who is responsible for all future maintenance. In the event the grantee of the Exclusive Right of Burial is deceased then the next of kin is responsible for all future maintenance.

The Council will undertake a programme of annual inspections.

If a memorial is identified as at risk this may result in the memorial being laid flat or a stake and protective band placed around the memorial to make the memorial temporarily safe. Areas where there are several memorials identified as at risk, then the area may be cordoned off to prevent public access.

Notification will be sent to the owner of any headstone/memorial that is identified during the inspection or at any other time that it has been identified at risk and requires remedial works.

If the name and/or address of the owner is not known where records have not been updated, a notice shall be considered properly served if placed upon the grave space, monument or memorial and published on the Parish Council website and/or other forums and/or press as the Council deem suitable.

No stone of any description will be allowed to be taken from the Cemetery except by special order of the Burial Authority. It is criminal for anyone to remove, alter or disturb a monument, headstone, tombstone, flat stone, gravestone or memorial inscription without the Council's consent.

If the owner or another person removes any protective banding or barriers without approved repairs being carried out they will be responsible for any injury or death caused by unsafe memorials.

Burial and interment regulations

The Registrar's Certificate of the death (Commonly known as The Green Form), or the Coroner's Warrant (Form 101 - when an inquest has been held) must be delivered to the

Parish Office prior to the interment of the body; and before the burial of any still-born child the requisite certificate (Form 18) must be delivered to the Parish Office. The name of the parish or district from which the body is removed and all other information required must be stated at the time of paying the Fees and Charges.

In the case of cremated remains, the crematorium will issue a certificate stating that the death has been registered and that all forms and certificates relating to the cremation are held at the crematorium. A copy of this certificate or of the Certificate of Cremation must be delivered to the Parish Office prior to the interment of the ashes.

No interment can take place unless the Council has received a "Certificate of Disposal" from the Registrar of Births and Deaths or an "Order for Burial" from the Coroner, or a "Certificate of Cremation" from a crematorium, as appropriate.

Reservations for burial services must be made to the Clerk providing a minimum of 4 working days' notification, except in emergencies. All Fees and Charges must be paid to the Clerk at the time any notice or order is given and before notice is accepted.

Reservations are considered "provisional" until the formal document 'Notice of Interment' is received.

The Council will not accept any responsibility for any delay of information or documents or any misunderstanding if instructions are not provided on formal documents.

We accept notice of burial as 'confirmed' when we receive all forms and certificates to fulfil both statutory and the Burial Authority requirements.

The completed 'Notice of Interment' document should be received no later than two full working days before the proposed date of the funeral, this excludes Saturdays, Sundays and Public Holidays. The period of notice may be waived for recognised religious reasons. No body may be buried, or cremated remains interred unless the grave owner signs the interment form except where the deceased is the grave owner.

The Council reserves the right to delay or cancel any interment where, in its opinion, ownership of the Exclusive Right of Burial is disputed.

Ordinary coffins of wood or other biodegradable material shall be used for the interment.

The standard grave is 8ft 10" 2.7m (8'10") by 1.2m (3'11") and every grave shall be 2.1m (6'10") from the surface level. If the deceased person needs a larger plot, then two plot must be purchased. In no case shall the upper part of any coffin be less than four feet below the ordinary level of the ground.

The Burial Authority will permit further burial therein subject to rights of purchase.

No urn or other receptacle containing cremation ashes can be interred unless the Exclusive Right of Burial has been purchased. It may be possible to intern cremated remains in an existing grave, provided the person making the request is the rightful owner of the grant of the Exclusive Right of Burial. In no case shall the upper part of any urn containing cremated remains be less than two feet below the ordinary level of the ground.

No raised ground will be permitted to any grave, and it shall be the responsibility of the undertaker and the person ordering the opening of the grave to check the grave subsequently and render the surface level.

The undertaker and the person ordering the opening of the grave shall arrange for the grave, on being closed, to be turfed or re-turfed, and all surplus soil shall be removed as may be necessary. The Burial Authority's decision as to whether such work shall be necessary, or satisfactorily carried out, shall be final.

If any damage is caused by the bringing in or taking out of any materials, the person or persons by or in consequence of whose orders such materials are brought in or taken out will be required to make good such damage. Any contractor working in the cemetery must maintain a policy of public liability insurance with cover of a minimum of £5 million against all claims and actions.

Interment

To organise a date for an interment, contact the Clerk. Interments can take place on any day, other than public holidays as agreed with the Clerk.

Excavation of all graves is the responsibility of the Funeral Director. The grave will be excavated in accordance with the Cemeteries Act, and all current applicable Health and Safety Legislation. Gravediggers may place soil on graves on an adjacent plot for a burial without any notice. But will remove the soil immediately following a funeral and leave the area tidy.

The Grantee (owner of grave) or his/her representative or appointed Funeral Director should advise the Council if the deceased to be buried has died of an infectious disease which may require special arrangements.

No burial can take place before and hour after sunrise, nor may they extend beyond an hour before sunset. A recognised minister, or any other authorised person, may officiate at interments providing the ceremony is conducted with decorum. The time booked for a funeral is when the procession arrives at the cemetery; and, should be adhered to in order to prevent one funeral interfering with another.

The Funeral Director or person arranging the funeral is responsible for providing sufficient bearers to transfer the coffin from the hearse to the graveside.

Un-coffined burials may take place provided a body is properly shrouded, death has not been due to a notifiable or infectious disease, and it is for a single interment or a last interment in a multiple grave.

All coffins/caskets must be made of perishable materials. Coffins/caskets made of or lined with materials such as metal or plastic are not permitted.

A wooden cross and a plaque can be placed on a new grave prior to a permanent memorial being erected. The Council have the right to remove the cross if it deteriorates to a poor condition or when a memorial is erected on the grave.

Scattering cremated remains

With permission cremated remains may be scattered in certain parts of the cemetery. However, the unauthorised disposal of cremated remains is a criminal offence and those responsible may be prosecuted.

Burial of Ashes

Ashes can be buried within graves in the main cemetery, within graves in the Woodland Cemetery or within part of the site set aside for the interment of Ashes when an Exclusive Right of Burial has been granted. The selection of the place of interment is subject to the approval of the Burial Authority, but the wishes of the family will be met as far as may be deemed practicable.

Ashes-only plots are 45 cm x 60 cm and can hold two caskets. In no case shall the upper part of any urn containing cremated remains be less than two feet below the ordinary level of the ground. A cremation tablet 45 cm wide x 32.5 cm deep may be laid in the centre of the plot and inscribed with names and dates. The planting of plants is not allowed due to the plot size.

Exhumations

It is unlawful to disturb any remains buried in the Cemetery unless all legal requirements are complied with. For un-consecrated land, a licence from the Ministry of Justice is required. In the case of consecrated land, a faculty from the Diocese of Canterbury must be obtained.