



Exclusive Rights of Burial  
Your rights and responsibilities

## Introduction

The leaflet provides information for Exclusive Rights of Burial owners, about their rights and responsibilities.

However, if you would like a full copy of the Cemetery Regulations, please contact the cemeteries office on 01730 234285/234281.

## Legal obligations

All burials must be carried out in accordance with burial law. Whoever signs the Notice of Interment form at the time of the first burial, will become the owner of the exclusive right of burial in the grave. The Deed of Exclusive Right of Burial (EROB) will be sent to you soon after the funeral.

This document does not mean you own the actual land. However, it does protect your rights and the owner of the Deed has the right to:

- A Be buried in the grave, or
- B Authorise further burials in the grave, if space is available

## Exclusive Rights of Burial

The EROB deed is for 30 years and can be renewed every 5 years so that the total of 30 years remains unchanged. However, if the exclusive right is not renewed for, say 10 years, then the total exclusive rights is only valid for 20 years. Renewing the exclusive right is strongly recommended.

A reminder will be sent at the appropriate time.

To ensure continuity of the EROB deed, we recommend that the exclusive right of burial grant is included in any Will and transferred to next of kin or friend (as appropriate).

The Deed of an Exclusive Right of Burial is important. Please keep it in a safe place.

Ownership can be transferred at any time; however, it can be complex so please contact the Council who will be happy to offer advice.

The owner's signature will be required on any application for an interment, or to erect a memorial – this cannot be done by another family member or friend.

## Your grave

The allocated area for a new grave is 6ft 6ins (198cm) long by 2ft 6ins (76cm) wide, which includes the space for you to erect a memorial (maximum 3ft 6ins high by 2ft 6ins wide).

A cremated remains plot is permitted to have a flat cremation tablet 18" x 14" (portrait style, set flat in the ground). All memorials must be kept within this space and as a result, you may wish to consider a bored hole in the tablet to allow for a vase for flowers or a small plant in a pot.

Any articles placed outside the allocated area will be removed, as space between graves is used for access and must be kept clear.

The following items are not permitted

- Stones/gravel etc as this may damage grass cutting equipment.
- Kerb-sets, ledger stones or fencing of any kind around the grave as this prevents maintenance and can create a trip hazard to others.
- Any glass vases or other items, as they will shatter in frosty conditions and create a hazard to visitors and wildlife.
- Wind chimes, lights or any other mementoes which will infringe on the peaceful tranquillity of the cemetery.
- Any other mementoes that will deteriorate over time (e.g. beer cans and soft toys)

Personal mementoes placed on graves are at the risk of the EROB deed owner. The Council will not be held responsible for any damage caused to such items.

Many plants, due to the depth of their roots may prevent the future reopening of the grave.

For this reason we ask grave owners to keep all such planting in pots.

The Council reserves the right to remove any items/ plants which are outside the allocated space.

## After the burial – how to arrange a memorial

After the burial, it will take some time for the soil to settle. Our contractor will, check for settlement, add topsoil where necessary and level it. Once the grave appears to be stable, the contractor will turf/seed the grave – please note some delay may occur if the weather is not suitable.

Catherington, West Liss and Whitehill Cemeteries have concrete runners therefore memorials can be erected immediately.

In Petersfield and Alton Cemeteries, it is necessary to allow the soil to settle (usually 9-12 months) prior to the erection of a memorial. However, a temporary wooden marker is permitted in all cemeteries.

# Declaration

It is important that each person who owns the exclusive rights of burial, accepts the rights and responsibilities which go with ownership.

Please sign this slip and return it to the council to state that you have read and accept this leaflet.

Grave No:
Signed
Print
Date

If you have not understood any part of this leaflet, or would like the leaflet in large print, please contact the Council on 01730 234285.

Only those stone masons registered with BRAMM (British Register of Accredited Memorial Masons - [bramm-uk.org](http://bramm-uk.org)) or NAMM (National Association of Memorial Masons Register - [nammregister.org.uk](http://nammregister.org.uk)) are permitted to erect a memorial. To obtain a list of local masons, please contact the council.

It is necessary to gain written permission from the council for your memorial, before being erected. However, your stonemason or funeral director will be able to advise you on this, as well as the type of stone suitable, designs, style of wording etc.

Legally, the memorial remains in your ownership. You are responsible for its maintenance and safety. The council will not be held responsible for any damage caused to memorials. We do recommend that each deed owner takes memorial insurance against the unlikely event of theft, damage or vandalism. Your stone mason or funeral director can give you information on the type of cover available.

The council has overall responsibility for the health and safety of all visitors to the Cemeteries. This includes testing the stability of headstones every five years.

In certain circumstances, it will be necessary to lay the headstone down or alternatively, make safe with a support. We will contact you, but if your contact details are out of date, a sign will be left by the memorial.

Please note any repairs required in making the memorial safe are your responsibility.

## **Restricted access to your grave**

There are times when we will need to excavate the grave at the side or foot of the grave you have purchased, for other burials. Boards will be placed over the grave and it may be difficult for you to visit for a short period.

Please be prepared for this and rest assured that after the funeral, the grave is cleared and the area left neat and tidy.