

ABERDEEN CITY COUNCIL

COMMITTEE	Operational Delivery
DATE	6 September 2018
REPORT TITLE	Cemeteries and Burial Grounds Management Rules
REPORT NUMBER	OPE/18/094
DIRECTOR	Rob Polkinghorne
REPORT AUTHOR	Graham Keith
TERMS OF REFERENCE	3

1. PURPOSE OF REPORT

The report seeks approval to make new Management Rules for Cemeteries and Burial Grounds within the remit of Aberdeen City Council.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Approve the draft Aberdeen City Council (Cemeteries and Burial Grounds) Management Rules 2018 as set out in Appendix 2 subject to the appropriate consultation being undertaken.
- 2.2 Instruct the Chief Officer Operating and Protective Services to carry out a public consultation on the proposed Management Rules.
- 2.3 Instruct the Chief Officer Operating and Protective Services to report back to committee if significant objections and comments are received during the consultation with: (a) the results of the public consultation; and (b) with a recommendation as to the form the Management Rules should take following the public consultation.
- 2.4 Instruct the Chief Officer -Governance to sign the Management Rules on behalf of Aberdeen City Council if no significant objections or comments are lodged following the consultation.

3. BACKGROUND

3.1 Aberdeen City Council have in place Management Rules regulating the use of and conduct of persons within cemeteries and burial grounds (Appendix 1).

3.2 The rules (Appendix 2) have been updated to

- reflect changes in the organisation of Aberdeen City Council specifically a change of title from Bereavement Services Manager to Registrar
- advise that, as machinery is required to be used within cemeteries eg to cut grass, dig graves, remove unstable and dangerous headstones and trees, this machinery will require to travel over lairs and may, on occasion, work on lairs
- reflect the Scottish Outdoor Access Code and permit the admission of dogs, subject to them being on a lead, under control and not disturbing visitors or staff
- update measurements in line with other local authorities with regard to the minimum depth of soil between the surface of the ground and the casket/coffin
- include a maximum height restriction of 1.52 metres (5 feet) for memorial headstones in order to reduce the risk associated with tall structures
- provide an improved and clearer description of ornamentation of the grave and where mementoes and memorabilia can be placed ie the memorial border

3.3 An indicative plan of memorial borders for burial and casket lairs is provided in Appendix 3.

3.4 Management Rules are not a mandatory requirement. Section 112 of the Civic Government (Scotland) Act 1982 details the process by which local authorities can make Management Rules which includes a period of public consultation.

3.5 Formulating Rules

To summarise the procedure, the draft Management Rules will need to be made available for inspection for at least a month to comply with the requirements set out in the Civic Government (Scotland) Act 1982. Members of the public will require to be notified by way of a newspaper advertisement where the draft Management Rules may be inspected and the address to which objections may be sent. Once the notified period for inspection and objection (which cannot be less than a month) is up the Operations and Protective Services will consider (following consultation with officers from Legal Services) whether any changes to the draft Management Rules are required and these changes will be presented to Committee. If Committee approve the draft Management Rules they will not become effective until they are signed by a Proper Officer of Aberdeen City Council.

3.6 Following the consultation and execution of the Management Rules they will remain in force for a period of ten years unless revoked or amended and will be available for public inspection.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

5.1 The Civic Government (Scotland) Act 1982 lays down the process which must be followed when making management rules.

6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	None identified	L	Not applicable
Legal	The update of legislation during the period of the Management Rules may require changes to be implemented Challenge that the legal process has not been followed	L L	Management Rule 8.5 allows the Council to alter the Management Rules Documentation of the process
Employee	The health and safety of operatives and visitors may be compromised if Management Rules are not approved and enforced.	L	Management rules to be clear, concise and enforced.
Customer	Customers may have differing views with regard to memorialisation of their lair	L	The consultation period should allow these views to be expressed and considered
Environment	None identified	L	Not applicable
Technology	None identified	L	Not applicable

Reputational	There may be differing views with regard to what is acceptable for memorialisation of lairs.	L	Management Rules require to be clear and concise and take account of feedback from the consultation
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7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous People	People and communities are protected from harm

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Full EHRIA not required
Privacy Impact Assessment	Not required
<u>Children's Rights Impact Assessment/Duty of Due Regard</u>	Not applicable

9. BACKGROUND PAPERS

9.1 None

10. APPENDICES (if applicable)

10.1 Appendix 1 - Aberdeen City Council (Cemeteries and Burial Grounds) Management Rules 2008 (current Management Rules)

10.2 Appendix 2 - Aberdeen City Council (Cemeteries and Burial Grounds) Management Rules 2018 (proposed draft Management Rules)

10.3 Appendix 3 – Memorial Borders for Burial and Cremation Casket lairs

11. REPORT AUTHOR CONTACT DETAILS

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Appendix 1 - Aberdeen City Council (Cemeteries and Burial Grounds) Management Rules 2008 (current Management Rules)

ABERDEEN CITY COUNCIL (CEMETERIES AND BURIAL GROUNDS) MANAGEMENT RULES 2008

Aberdeen City Council (hereinafter referred to as “the Council”) in exercise of the powers conferred on them by Section 112 of The Civic Government (Scotland) Act 1982 hereby make the following Management Rules which shall apply to all cemeteries and burial grounds under the control of the Council.

1. INTERPRETATION

In these Rules “**the Certificate**” means the Certificate of Right of Burial granted by the Council, or its predecessors in title as proprietors of the cemetery; “**the owner**” means the person to whom the Certificate is granted and his heirs; “**the lair**” means the piece of ground the exclusive right of burial in which is granted by the Certificate; “**Council**” includes any authorised Council employee; and “**Bereavement Services Manager**” means the Officer authorised by the council to act as Registrar of Burials and Cremations, formerly known as the Assistant Registrar (Bereavement Services).

2. THE EXCLUSIVE RIGHT OF BURIAL

2.1 The exclusive right of burial in a lair will, subject to these Rules, be secured to the purchaser and his or her successors. The Bereavement Services Manager shall furnish the purchaser with a Lair Certificate describing the lair. A lairholder duly registered in the books of the Council shall have exclusive right of permitting the lair to be opened and the production of the Certificate will be held as sufficient authority. One person only shall be registered as the holder of a lair or lairs, except in the case of trustees. No lairholder shall be entitled to transfer any or all of their lairs without the sanction of the Council. The Bereavement Services Manager may on application and after due enquiry, issue a duplicate Certificate in the name of the registered lairholder as indicated in the Council’s books on such terms and conditions as seem appropriate.

2.2 On the death of the lairholder, notwithstanding the place of his domicile at his or her death, the right of succession to the lair will be governed by the law of Scotland. The lair is capable of bequest, subject to the proviso that if more than one beneficiary is entitled to claim in terms of the Will, the executors appointed thereunder or in the absence of any executors, the beneficiaries shall nominate one of their number as the lairholder.

In the event that the lairholder dies intestate, the lair forms part of the estate of the lairholder and falls to be distributed in accordance with the terms of Succession (Scotland) Act 1964 as amended and all relevant regulations made thereunder.

The transfer shall be made by an appropriate entry in the Council's books. A memorandum of the transfer may be endorsed upon the lair certificate. The entry in the Council's books shall be conclusive as to the ownership of the right of burial.

- 2.3** The owner shall not be entitled to sell the right granted by the Certificate except to the Council at the current rate.
- 2.4** No heir of the owner or transferee shall have any right or interest in the lair, or liberty to use the same until evidence of title is exhibited to the Council and all purchase and burial dues have been paid.
- 2.5** The person instructing the burial is personally liable for all burial dues and fees.

3. NOTICE OF BURIAL

- 3.1** Notice of an interment, whether of coffin or of cremated remains, must be given to the Bereavement Services Manager on the approved form to allow not less than 2 clear working days between the receipt of the notification following the production of satisfactory evidence of title to the lair and the burial. If the applicant wishes to choose a new lair, the 2 clear working days will commence from the time of choosing the lair. A Saturday may count as a working day on a weekend or a Public Holiday, but not otherwise. The necessary order for digging the grave will then be issued on payment of charges. No interment shall take place out with normal hours unless in the case of urgency and then only with the consent of the Bereavement Services Manager.
- 3.2** All burials must be authorised by the Bereavement Services Manager prior to funeral arrangements being publicly announced.
- 3.3** Arrangements for burials can be made during normal office hours within the Bereavement Services Manager's Office. No arrangements can be made directly with the Cemetery staff.
- 3.4** If the Certificate of Right of Burial cannot be produced, the Bereavement Services Manager will require that an Indemnity Form be completed by the member of the family or executor arranging the burial.
- 3.5** Application for the interment of cremated remains must be made to the Bereavement Services Manager and the same information supplied as in the case of the burial of a coffin.
- 3.6** If the Certificate of Right of Burial cannot be produced, the Bereavement Services Manager may in his or her sole discretion allow the burial to take place on such terms and conditions as may seem appropriate, including the provision of indemnities and/or caution by the person instructing the burial

and no liability shall be incurred by the Council, its Officers, or employees whatsoever.

4. BURIALS

- 4.1** No owner shall be entitled to have the lair opened to a greater depth than 2.14 metres (7 feet) and no burial shall be made without there being at least 0.76 metres (2 feet 6 inches) of soil between the surface of the ground and the coffin.
- 4.2** Only three adult burials will be permitted in each lair, although cremation caskets may also be interred in the lair.
- 4.3** The Council alone have power to declare a lair to be full. No further burials shall be permitted in any such lair so declared to be full.
- 4.4** The digging of graves, the infilling of graves and the preparing for the laying of foundations for monuments shall be effected by the employees of the Council only.
- 4.5** Memorial wreaths shall be removed at such time as the Council in its discretion considers appropriate.
- 4.6** No burials will be permitted where the body has not been placed in a coffin.
- 4.7** The Council may, but only where necessary for good working practice and the health and safety of grounds staff, require to site a box containing soil from an adjacent grave on top of a lair. This procedure will be carried out in a manner which protects the lair on which the box is laid and that lair will be returned to its previous condition with all due respect and care as soon as reasonably practicable after completion of the burial in the adjacent grave.

5. BURIALS OF CREMATED REMAINS

- 5.1** Cremated remains may not be scattered in any part of a cemetery or burial ground.
- 5.2** No cremation caskets may be interred in a lair without there being at least 0.76 metres (2 feet 6 inches) of soil between the surface of the ground and the casket.
- 5.3** Only two cremation caskets may be interred in a lair which is identified on the Certificate as a "casket lair". The Bereavement Services Manager may in his or her sole discretion allow additional interments to take place in the casket lair.
- 5.4** The Council alone have the power to declare a casket lair to be full. No further burials shall be permitted in any such lair so declared to be full.

6. MONUMENTS

6.1 A lairholder shall be entitled to have a headstone or other monument erected but such monument shall not protrude in any way over that part of the lair to be opened for burial. No erection of or inscription on any monument shall be permitted until approved by the Bereavement Services Manager to whom a specific written statement, with a drawing of what is proposed, shall be submitted. Kerbs, copes, cornerstones, fences around the lair, etc shall not be permitted. Monuments may be erected only at such times as are permitted by the Cemetery staff. Erection of all monuments is subject to registration in accordance with Rule 6.3. The lairholder is liable for the risks of any damage by or to any monument on the lair, and for all reasonable costs incurred by the Council in removing and returning to the lairholder any monument not authorised in accordance with this Rule 6.

6.2 All monuments shall be fixed in accordance with the National Association of Monumental Masons' Codes of Practices and appendices thereto.

6.3 No monument shall be erected or worked on within a Cemetery or Burial Ground except by a mason who is able to satisfy the Council that they:

- (i) are covered by public liability insurance to a value of not less than £5 million;
- (ii) are qualified in monumental mason work to a recognised national standard;
- (iii) are suitably experienced to carry out monumental mason work safely and to the standard expected of a competent worker in that trade;
- (iv) have received and understand these Management Rules;
- (v) will comply with the National Association of Monumental Masons' Code of Practice or a comparable equivalent standard;
- (vi) have not been barred from working in a local authority cemetery or burial ground anywhere in the United Kingdom within the two years prior to application.

The Council may introduce a detailed Memorial Mason Registration Scheme which shall contain such reasonable conditions as the Council may determine. On the coming into force of such a Registration Scheme no monument shall be erected or worked on within a Cemetery or Burial Ground except by a mason registered under the Scheme.

6.4 The Section and Number of the lair shall be cut on the side of the monument at the expense of the lairholder.

6.5 The maximum dimensions of a monument on a casket lair shall not exceed 0.91 metres (3 feet) high and 0.61 metres (2 feet) wide.

6.6 The lairholder shall maintain monuments in a neat, safe and proper condition of which the Bereavement Services Manager shall be the sole judge. Failing attention to this requirement within fourteen days after written notice to the lairholder at their last known address the Council shall be entitled, at the lairholder's expense either to repair the monuments or to cause to have them

moved and until the cost of such repairs or removal is paid the right to use the lair shall be withheld.

- 6.7** Nothing shall be planted on a lair without the consent of the Bereavement Services Manager. In granting such permission, the Bereavement Services Manager will take into account the type of plant and its location. Any plant or bush planted without permission, if considered unsuitable, may be removed by the Cemetery staff. The Council will not be responsible for the maintenance of any plants or shrubs.
- 6.8** Lairholders may, where practicable, be permitted by the Bereavement Services Manager to place one vase or suitable container for flowers in the headground to the grave, in addition to any permitted mementos (see 6.9 below). Such container will be of stone or metal and any containers constructed of a material considered to be unsuitable may be removed immediately by the Cemetery staff.
- 6.9** For Health and Safety reasons, any vase or memento (e.g. toys, photographs, etc.) placed in the head ground of a lair must be at least 75mm (3 inches) from the grassed edge to allow for ground maintenance (this includes pebbles/gravel etc.).
No glass, mesh/netting, food, drink or any noise emitting items (e.g. wind chimes) will be allowed. **These will be removed immediately and without prior notice by the Cemetery staff.**

7. PREVENTION OF NUISANCE

- 7.1** Visitors must not pull flowers, or in any way damage shrubs or trees.
- 7.2** The Bereavement Services Manager or other person in charge for the time being shall be entitled to remove any person inebriated or who may conduct himself improperly or who may cause damage.
- 7.3** No dogs shall be admitted except for Guide Dogs for the Blind.
- 7.4** No person within a Cemetery or Burial Ground shall feed birds or animals by hand or any other means, or throw, place or otherwise deposit or leave any foodstuff or other edible matter.

8. GENERAL

- 8.1** The Council will keep Registers in which will be entered every burial specifying the lair, the depth of the grave, the date of the burial, the name and age of the person buried and all other necessary information.
- 8.2** The Burial Grounds shall be opened to the public daily, during such hours and subject to restrictions as the Council may fix.

- 8.3** Children under 12 years of age must be accompanied by their parents or guardians.
- 8.4** Car parking facilities provided by the Council shall only be used by persons visiting that Cemetery or Burial Ground either:
- (i) on the Council's business; or
 - (ii) to attend an interment; or
 - (iii) to visit a grave.
- 8.5** The Council shall be at liberty to alter these Rules from time to time as they may see fit and make and enforce such others as they may consider appropriate for the proper or better management of the cemeteries.
- 8.6** The Council shall be at liberty to alter the charges made for burials and allied services from time to time.
- 8.7** These Management Rules shall be cited as Aberdeen City Council (Cemeteries and Burial Grounds) Management Rules 2008.
- 8.8** These Management Rules shall come into force on the date of their execution and shall remain in force for a period of 10 years thereafter unless earlier revoked or amended.
- 8.9** The Aberdeen City Council (Cemeteries and Burial Grounds) Management Rules 2005, made by the Council on 29 April 2005, are hereby revoked.

Appendix 2 - Aberdeen City Council (Cemeteries and Burial Grounds) Management Rules 2018 (proposed draft Management Rules)

ABERDEEN CITY COUNCIL (CEMETERIES AND BURIAL GROUNDS) MANAGEMENT RULES 2018

Aberdeen City Council (hereinafter referred to as “the Council”) in exercise of the powers conferred on them by Section 112 of The Civic Government (Scotland) Act 1982 hereby make the following Management Rules which shall apply to all cemeteries and burial grounds under the control of the Council.

1. INTERPRETATION

In these Rules “**the Certificate**” means the Certificate of Right of Burial granted by the Council, or its predecessors in title as proprietors of the cemetery; “**the owner**” means the person to whom the Certificate is granted and his heirs; “**the lair**” means the piece of ground the exclusive right of burial in which is granted by the Certificate; “**Council**” includes any authorised Council employee; and “**Registrar**” means the Officer authorised by the council to act as Registrar of Burials and Cremations.

2. THE EXCLUSIVE RIGHT OF BURIAL

2.1 The exclusive right of burial in a lair will, subject to these Rules, be secured to the purchaser and his or her successors. The Registrar shall furnish the purchaser with a Lair Certificate describing the lair. A lairholder duly registered in the books of the Council shall have exclusive right of permitting the lair to be opened and the production of the Certificate will be held as sufficient authority. One person only shall be registered as the holder of a lair or lairs, except in the case of trustees. No lairholder shall be entitled to transfer any or all of their lairs without the sanction of the Council. The Registrar may on application and after due enquiry, issue a duplicate Certificate in the name of the registered lairholder as indicated in the Council’s books on such terms and conditions as seem appropriate.

2.2 On the death of the lairholder, notwithstanding the place of his domicile at his or her death, the right of succession to the lair will be governed by the law of Scotland. The lair is capable of bequest, subject to the proviso that if more than one beneficiary is entitled to claim in terms of the Will, the executors appointed thereunder or in the absence of any executors, the beneficiaries shall nominate one of their number as the lairholder.

In the event that the lairholder dies intestate, the lair forms part of the estate of the lairholder and falls to be distributed in accordance with the terms of Succession (Scotland) Act 1964 as amended and all relevant regulations made thereunder.

The transfer shall be made by an appropriate entry in the Council's books. A memorandum of the transfer may be endorsed upon the lair certificate. The entry in the Council's books shall be conclusive as to the ownership of the right of burial.

- 2.3** The owner shall not be entitled to sell the right granted by the Certificate except to the Council at the current rate.
- 2.4** No heir of the owner or transferee shall have any right or interest in the lair, or liberty to use the same until evidence of title is exhibited to the Council and all purchase and burial dues have been paid.
- 2.5** The person instructing the burial is personally liable for all burial dues and fees.

3. NOTICE OF BURIAL

- 3.1** Notice of an interment, whether of coffin or of cremated remains, must be given to the Registrar on the approved form to allow not less than 2 clear working days between the receipt of the notification following the production of satisfactory evidence of title to the lair and the burial. If the applicant wishes to choose a new lair, the 2 clear working days will commence from the time of choosing the lair. A Saturday may count as a working day on a weekend or a Public Holiday, but not otherwise. The necessary order for digging the grave will then be issued on payment of charges. No interment shall take place out with normal hours unless in the case of urgency and then only with the consent of the Registrar.
- 3.2** All burials must be authorised by the Registrar prior to funeral arrangements being publicly announced.
- 3.3** Arrangements for burials can be made during normal office hours within the Registrar's Office. No arrangements can be made directly with the Cemetery staff.
- 3.4** If the Certificate of Right of Burial cannot be produced, the Registrar will require that an Indemnity Form be completed by the member of the family or executor arranging the burial.
- 3.5** Application for the interment of cremated remains must be made to the Registrar and the same information supplied as in the case of the burial of a coffin.
- 3.6** If the Certificate of Right of Burial cannot be produced, the Registrar may in his or her sole discretion allow the burial to take place on such terms and conditions as may seem appropriate, including the provision of indemnities and/or caution by the person instructing the burial and no liability shall be incurred by the Council, its Officers, or employees whatsoever.

4. BURIALS

- 4.1** No owner shall be entitled to have the lair opened to a greater depth than 2.14 metres (7 feet) and no burial shall be made without there being at least 0.61 metres (2 feet) of soil between the surface of the ground and the coffin.
- 4.2** Only three adult burials will be permitted in each lair, although cremation caskets may also be interred in the lair.
- 4.3** The Council alone have power to declare a lair to be full. No further burials shall be permitted in any such lair so declared to be full.
- 4.4** The digging of graves, the infilling of graves and the preparing for the laying of foundations for memorials shall be effected by the employees of the Council only.
- 4.5** Memorial flowers and wreaths shall be removed at such time as the Council in its discretion considers appropriate.
- 4.6** No burials will be permitted where the body has not been placed in a coffin.
- 4.7** The Council may, but only where necessary for good working practice and the health and safety of grounds staff, require to site a box containing soil from an adjacent grave on top of a lair. This procedure will be carried out in a manner which protects the lair on which the box is laid and that lair will be returned to its previous condition with all due respect and care as soon as reasonably practicable after completion of the burial in the adjacent grave.
- 4.8** The Council and its contractors may require to use machinery to travel over and work on lairs. Where heavy machinery is used and the ground is very soft, boards will be laid to protect the ground.

5. BURIALS OF CREMATED REMAINS

- 5.1** Cremated remains may not be scattered in any part of a cemetery or burial ground.
- 5.2** No cremation caskets may be interred in a lair without there being at least 300mm of soil between the surface of the ground and the casket.
- 5.3** Only two cremation caskets may be interred in a lair which is identified on the Certificate as a "casket lair". The Registrar may in his or her sole discretion allow additional interments to take place in the casket lair.
- 5.4** The Council alone have the power to declare a casket lair to be full. No further burials shall be permitted in any such lair so declared to be full.

6. MEMORIALS

6.1 A lairholder shall be entitled to have a headstone or other memorial erected but such memorial shall not protrude in any way over that part of the lair to be opened for burial. No erection of or inscription on any memorial shall be permitted until approved by the Registrar to whom a specific written statement, with a drawing of what is proposed, shall be submitted. Memorials may be erected only at such times as are permitted by the Cemetery staff. Erection of all memorials is subject to registration in accordance with Rule 6.3. The lairholder is liable for the risks of any damage by or to any memorial on the lair, and for all reasonable costs incurred by the Council in removing and returning to the lairholder any memorial not authorised in accordance with this Rule 6.

6.2 All memorials shall be fixed in accordance with the National Association of Monumental Masons' Codes of Practices or a comparable equivalent standard.

6.3 No memorial shall be erected or worked on within a Cemetery or Burial Ground except by a mason who is able to satisfy the Council that they:

- (i) are covered by public liability insurance to a value of not less than £5 million;
- (ii) are qualified in monumental mason work to a recognised national standard;
- (iii) are suitably experienced to carry out monumental mason work safely and to the standard expected of a competent worker in that trade;
- (iv) have received and understand these Management Rules;
- (v) will comply with the National Association of Monumental Masons' Code of Practice or a comparable equivalent standard;
- (vi) have not been barred from working in a local authority cemetery or burial ground anywhere in the United Kingdom within the two years prior to application.

The Council may introduce a detailed Memorial Mason Registration Scheme which shall contain such reasonable conditions as the Council may determine. On the coming into force of such a Registration Scheme no memorial shall be erected or worked on within a Cemetery or Burial Ground except by a mason registered under the Scheme.

6.4 The Section and Number of the lair shall be cut on the side of the memorial at the expense of the lairholder.

6.5 The maximum dimensions of a memorial on a casket lair shall not exceed 0.91 metres (3 feet) high and 0.61 metres (2 feet) wide. The maximum dimensions of a memorial on a burial lair shall not exceed 1.52 metres (5 feet) high.

6.6 The lairholder shall maintain memorials in a neat, safe and proper condition of which the Registrar shall be the sole judge. Failing attention to this requirement within fourteen days after written notice to the lairholder at their last known address the Council shall be entitled, at the lairholder's expense

either to repair the memorials or to cause to have them moved and until the cost of such repairs or removal is paid the right to use the lair shall be withheld.

- 6.7** Nothing shall be planted on a lair without the consent of the Registrar. In granting such permission, the Registrar will take into account the type of plant and its location. Any plant or bush planted without permission, if considered unsuitable, may be removed by the Cemetery staff. The Council will not be responsible for the maintenance of any plants or shrubs.
- 6.8** Lairholders may, where practicable, be permitted by the Registrar to place one vase or suitable container for flowers in the headground to the grave, in addition to any permitted mementos (see 6.9 below). Such container will be of stone or metal and any containers constructed of a material considered to be unsuitable may be removed immediately by the Cemetery staff.
- 6.9** Memorabilia, mementoes and ornamentation of the lair must be kept within the memorial border. The memorial border is the area of ground at the head of the lair adjacent to the headstone and 75mm (3 inches) from the designated grass edge. Kerbs, copes, corner stones, railings, pebbles/gravel etc are only permitted in the approved memorial border. Pebbles/gravel must be contained by a solid border that is 50mm higher than the gravel to ensure there is no spillage to the surrounding area. The lairholder will be responsible for the maintenance of the area within a solid border or fenced off area. The memorial border for burial lairs will be a maximum of 600mm from the designated backline or centre line of the foundation strip. The memorial border for casket lairs will be a maximum of 500mm from the backline or centre line of the foundation strip.
No glass, mesh/netting, food, drink or any noise emitting items (e.g. wind chimes) will be allowed. **Unauthorised items or items placed out-with the memorial border will be removed immediately and without prior notice by the Cemetery staff.**

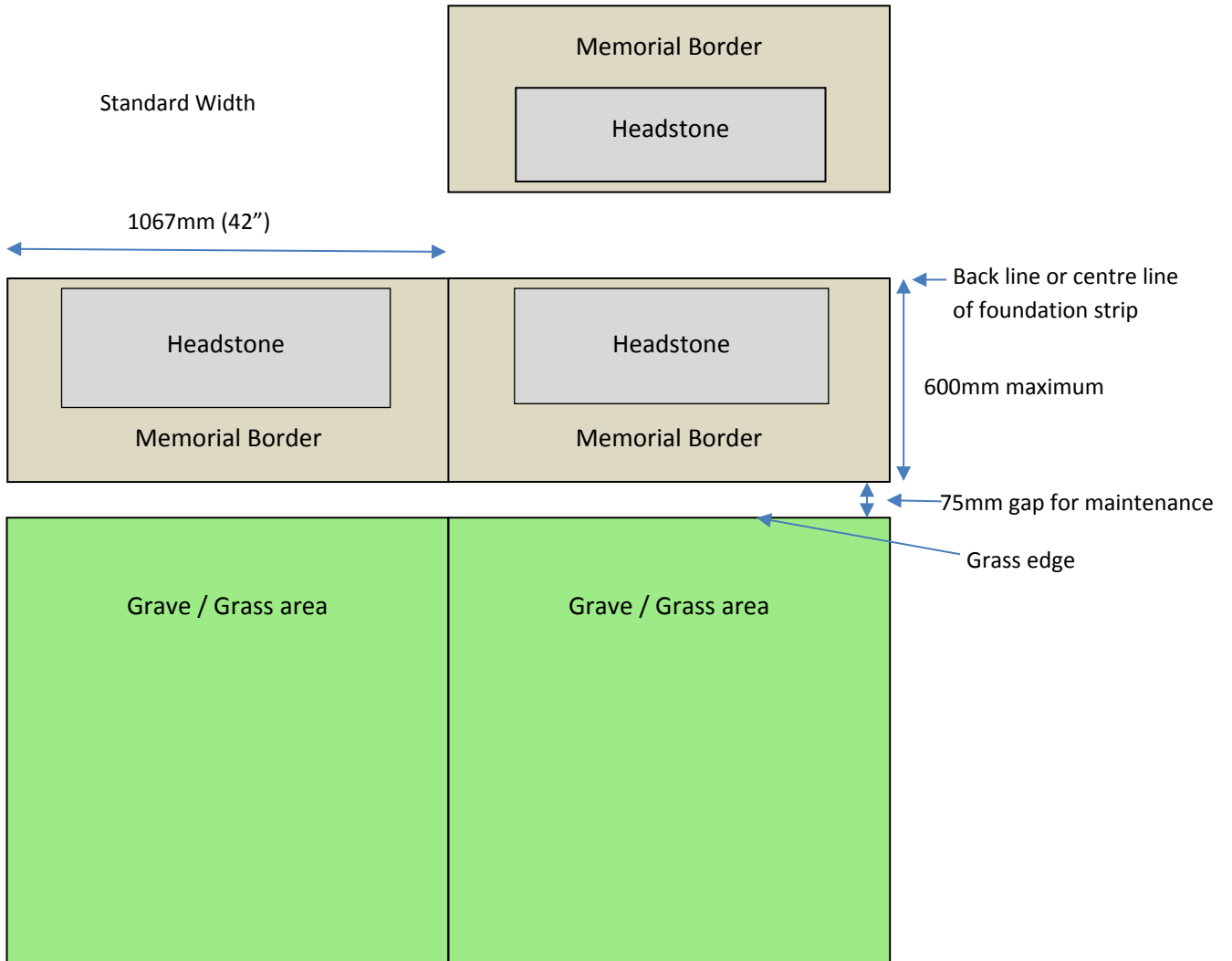
7. PREVENTION OF NUISANCE

- 7.1** Visitors must not pull flowers, or in any way damage shrubs or trees.
- 7.2** The Registrar or other person in charge for the time being shall be entitled to remove any person inebriated or who may conduct himself improperly or who may cause damage.
- 7.3** Dogs shall only be admitted if they are kept under proper, close control or on a short lead and they are not disturbing any visitors or staff.
- 7.4** No person within a Cemetery or Burial Ground shall feed birds or animals by hand or any other means, or throw, place or otherwise deposit or leave any foodstuff or other edible matter.

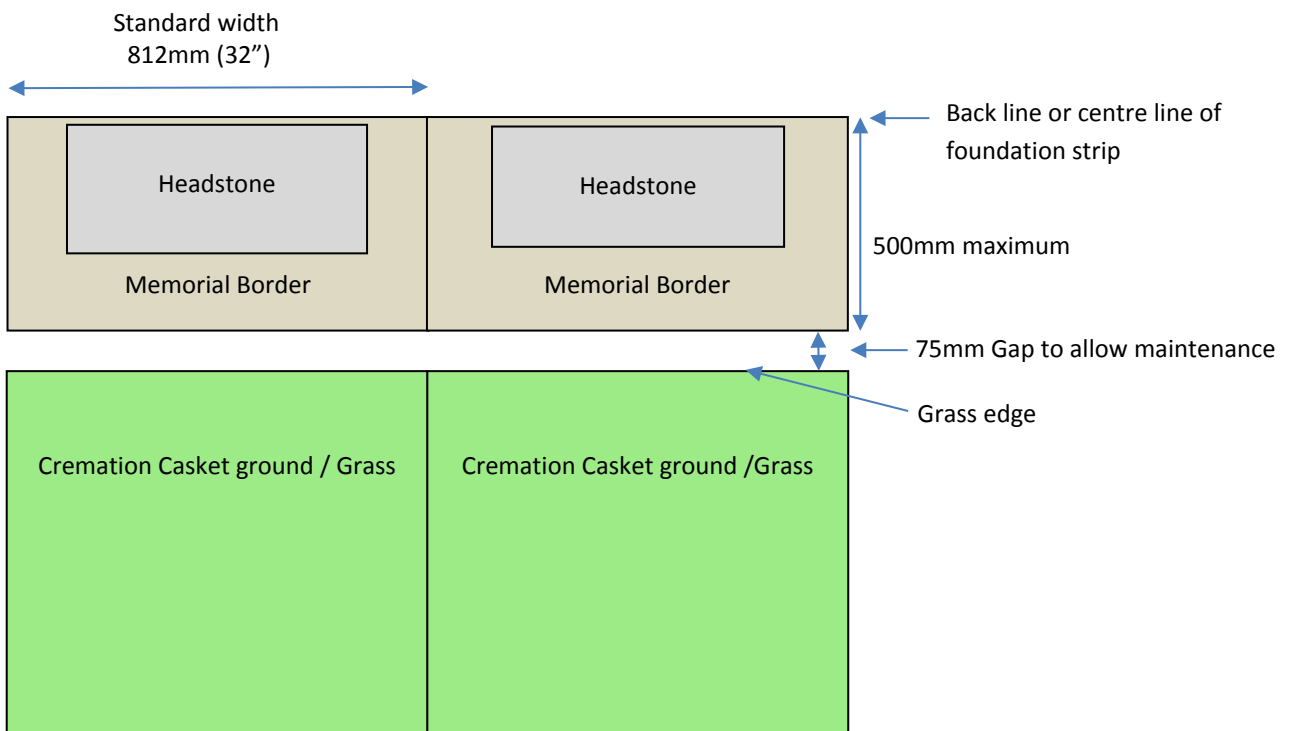
8. GENERAL

- 8.1** The Council will keep Registers in which will be entered every burial specifying the lair, the depth of the grave, the date of the burial, the name and age of the person buried and all other necessary information.
- 8.2** The Burial Grounds shall be opened to the public daily, during such hours and subject to restrictions as the Council may fix.
- 8.3** Children under 12 years of age must be accompanied by their parents or guardians.
- 8.4** Car parking facilities provided by the Council shall only be used by persons visiting that Cemetery or Burial Ground either:
- (i) on the Council's business; or
 - (ii) to attend an interment; or
 - (iii) to visit a grave.
- 8.5** The Council shall be at liberty to alter these Rules from time to time as they may see fit and make and enforce such others as they may consider appropriate for the proper or better management of the cemeteries.
- 8.6** The Council shall be at liberty to alter the charges made for burials and allied services from time to time.
- 8.7** These Management Rules shall be cited as Aberdeen City Council (Cemeteries and Burial Grounds) Management Rules 2018.
- 8.8** These Management Rules shall come into force on the date of their execution and shall remain in force for a period of 10 years thereafter unless earlier revoked or amended.

Appendix 3 Memorial Border – Standard Burial Lair



Memorial Border – Standard Cremation Casket Lair



Note: Drawings not to scale