

# COUNCIL CEMETERIES RULES & REGULATIONS

## February 2020



Please keep this information in a safe place with your grave lease

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The Council may vary its rules and regulations at any time and any manner it deems appropriate.

# Introduction

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Antrim and Newtownabbey Borough Council welcomes all visitors to our cemeteries and asks that the respect, peace, dignity and reverence of these facilities are respected. We thank you in advance for your co-operation.

The regulations in the following pages have been created by the Council to ensure that the Cemeteries and Gardens of Remembrance are managed and used in a sensitive and appropriate way for everybody. These are communal space for quiet reflection and remembering our loved ones.

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

# 1. Council Cemeteries

Antrim Cemetery  
Moylena Road, Antrim  
BT41 4PA

Ballyclare Cemetery and  
Garden of Remembrance  
Doagh Road, Ballyclare  
BT39 0BT

Belmont Cemetery  
Belmont Road, Antrim

Carnmoney Cemetery and  
Garden of Remembrance  
Prince Charles Way, Newtownabbey  
BT36 7LG

Crumlin Cemetery  
Crumlin Road, Crumlin

Killbride Cemetery  
Moyra Road, Doagh  
BT39 0SQ

Mallusk Cemetery and  
Garden of Remembrance  
Park Road, Newtownabbey  
BT36 4QF

Rashee Cemetery  
Springvale Road, Ballyclare  
BT39 9JW

Sixmile Cemetery  
Belmont Road, Antrim

Umgall Cemetery  
Umgall Road, Lylehill  
Templepatrick

## Cemetery Opening Hours

April – September 8am to 10pm

October – March 8am to 7pm

**The cemeteries detailed below are closed for burials except in special circumstances and by arrangement with family members:**

Cranfield Cemetery  
Cranfield Road, Randalstown  
BT41 3ND

Drummaul Cemetery  
Caddy Road, Randalstown  
BT41 3DW

Templepatrick Cemetery  
Castle Upton, Templepatrick  
BT39 0AH

Muckamore Cemetery  
Oldstone Road, Antrim  
BT41 4PY

Milltown Cemetery  
Milltown Road

**The cemeteries below are only maintained by the Council. The Council cannot arrange burials, nor do we hold burial records for these cemeteries.**

Alexander Irvine Park, Antrim

Doagh Cemetery

Ballynure Cemetery

## 2. Cemetery Administration Offices and Opening Hours

There is a Cemetery Administration Office in both Antrim and Newtownabbey to deal with all enquiries on burial rights, burials, memorials and searches. You can contact the team at:

Antrim Civic Centre  
50 Stiles Way  
Antrim  
BT41 2UB  
Telephone: 028 9448 1315

Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA  
Telephone: 028 9034 0080

Email: [cemeteries@antrimandnewtownabbey.gov.uk](mailto:cemeteries@antrimandnewtownabbey.gov.uk)  
Web: [www.antrimandnewtownabbey.gov.uk/residents/cemeteries/](http://www.antrimandnewtownabbey.gov.uk/residents/cemeteries/)

Monday to Friday	9.00am to 5.00pm
Saturday	8.30am - 10am (Funeral Directors only)
Sunday	Closed
Public/Statutory Holidays	See website for latest information

## 3. Registering a Death

Before you can arrange a person's burial, you must have registered their death with the Registrar. By law, all deaths occurring in Northern Ireland must be registered in Northern Ireland. You can register a death at any Registration Office in Northern Ireland.

You should register a death as soon as possible to allow funeral arrangements to be made, and no later than five days after the date of death unless the death has been referred to the Coroner.

In Antrim and Newtownabbey, the Registrar's Offices are located at Mossley Mill and Antrim Civic Centre. You can contact these offices for further guidance by telephoning (028) 9034 0179 (Newtownabbey) / (028) 9448 1315 (Antrim).

When attending the Registrar's Office, you will need to bring a Medical Certificate of Cause of Death. This is issued by the doctor who treated the deceased person within the 28 days before their death.

If the deceased person was not seen by a doctor within the 28 days, or if the death was not caused by natural illness, it is referred to the Coroner. In this case the Registrar or a Funeral Director will provide you with guidance. If a death is referred to the Coroner, funeral arrangements cannot be made until consent has been given by the Coroner.

Once you have registered the death, the Registrar will give you (among other documents) a GRO 21 form. This form allows a burial or cremation to take place.

## 4. Opening Graves for Burial

When there is a death your Funeral Director will normally liaise with Council on your behalf to arrange a grave to be opened and they must provide the paperwork as set out below.

The burial of ashes can be arranged directly with the Council by a family member or an appropriate person.

The following paperwork is required:

- a. **GRO 21** (issued when a death is registered), **Coroner's Authority for Burial** (issued to the Funeral Director on your behalf from the Coroner's Office), or a **Cremation Certificate** (issued by the crematorium when collecting ashes)
- b. **Authorisation to Open Form** (available from Cemetery Office or Funeral Director)
- c. **Proof of residency** (only if claiming resident status and must be dated within preceding 7 years – see section 8)
- d. **Grave Lease\*** (not required for new graves)
- e. **Payment of fees**

The Cemetery Office must receive all appropriate fee and paperwork before a burial can take place.

*\* The family will be required to complete an Indemnity Form if a grave lease is not available.*

If the grave owner is deceased or cannot be established/traced, please contact the cemetery office to discuss this as a Form of Indemnity or an Affidavit will be required to open the grave.

### 4.1 Notice periods

If you wish to arrange a burial, at least 48hrs notice is normally required. However, in some cases 24hrs notice may be accommodated, as outlined in the table below.

Type of burial	Your preferred time for the burial	Amount of notice we require
Re-opening of existing grave	Any day we are open for burials	At least 48hrs notice is normally required
Burials in new grave	Monday at or before 3pm	No later than 3.30pm on the Friday before
	Tuesday, Wednesday, Thursday, Friday	At least 24hrs notice
	Saturday at or before 11am	At least 24hrs notice

**Please Note:** The Council is not responsible for any delay in burial if the funeral arrives early or late.

Ministers and clergy of the various religions are permitted to perform ceremonies at the graveside for burial.

## 4.2 Burials arising from an epidemic

In case of an outbreak of any pandemic or epidemic of disease in the Borough, the Director of Operations may make arrangements regulating the order of burials and the length of notice required. The Director may also make special arrangements for burials to take place outside normal operating hours.

## 5. Ownership of Burial Rights to a Grave

A grave can only be purchased for an immediate burial, except in the case of a terminal illness. In these circumstances a grave can be pre-purchased by or on behalf of someone with a terminal illness upon receipt of the appropriate application form and medical advice. Please contact the Cemetery Office to discuss this.

A person can purchase the burial rights to one grave and they must be over 18 years of age. This is the only person the Council can recognise as the legal Registered Owner of the burial rights for the time being. By buying the right of burial the Registered Owner shall agree to conform to all rules and regulations in force or thereafter to be made by Antrim and Newtownabbey Borough Council for the regulation, management and control of the cemetery. When the exclusive rights of burial are purchased, you will be issued with a grave lease.

**Please note:** In purchasing the rights of burial, the land is not purchased, it remains the property of the Council.

The following points relate to the ownership of burial rights and should be noted:

- Only the Registered Owner can authorise the opening of the grave for burial, erection of a memorial and the cutting of an inscription. Only one person shall be registered as the owner of the burial rights. The Council will not become involved in family disputes relating to the burial rights or transfer of burial rights.
- Burial rights can be purchased by a Resident of the Borough or a Non-Resident and the respective fees in effect at the time of purchase will apply.
- In the event of the death of the registered owner there will be an automatic right to burial, subject to the completion of the documents set out in section 4.
- The grave lease should be kept in a safe place as it will be required to be produced for future openings and memorial applications.
- If you lose the Grave Lease, and you are the owner, a duplicate can be obtained, free of charge, by contacting the Cemetery Office. You will be required to provide some details about yourself and the relevant grave for verification purposes.
- New grave plots are allocated in strict rotation and the Council shall determine in which order the sections are to be sold.
- The Cemetery Office maintains a record of all registered owners of the burial rights to a grave.
- Burial rights may not be transferred privately as only the Council can transfer the right of burial. Registered owners are not permitted to sell burial rights.

- The unauthorised burial of ashes is not permitted. Any opening of a grave must be requested through the Cemetery Office.
- Where there is limited access to a grave and cemetery staff may need to use machinery and equipment to prepare other graves for burial, and every effort will be made to return graves to their original condition.

## 6. Requesting an Exhumation

Exhumations are rare and cannot take place without having the necessary legal authorisations. To apply for an exhumation, please contact the Cemetery Office at Mossley Mill or Antrim Civic Centre.

For the Council to undertake an exhumation, you will require:

- Agreement from the Council, following consultation with Environmental Health to ensure compliance with relevant legislation.
- Approval from the Department for Communities

We will arrange a meeting with you and complete an Application for Exhumation.

Following consideration by the Council, and if approval is granted, your application will be submitted to the Department for Communities and we will communicate its decision to you. Approvals are valid for six months from the date of issue. If you have not arranged the exhumation with the Council within six months you must re-apply.

By law, the Police Service of Northern Ireland (PSNI) must be notified of plans for an exhumation and the Council will arrange this.

For exhumation fees, please visit the Council's website:

[www.antrimandnewtownabby.gov.uk/cemeteries](http://www.antrimandnewtownabby.gov.uk/cemeteries)

## 7. Public Burials

A public burial plot will be made available by the Council for those who have died in the Borough with no relatives to take care of arrangements. This situation is managed under our Welfare / Public Health Funeral Policy.

After the Coroner's Office for Northern Ireland and the PSNI have conducted the appropriate investigations and conclude that the person had no next of kin, or that the next of kin has relinquished responsibility; full responsibility for the burial will pass to the Council. The Council will appoint a Funeral Director to carry out the burial, in a public burial plot, as identified by the Council in any Cemetery within the Borough.

## 8. Resident Status

A person may claim resident status by providing proof of residency in the Borough in the preceding seven years. Proof of residency requires the presentation of official original documents (not photocopies) that confirm an applicant's address in the Borough, dated within the last seven years and may include:

- Driver's licence
- Utility bill
- Bank/Post Office/Building Society Statement
- Credit/Debit card statement
- Mortgage statement
- Rates bill

*\* Resident status will be established for former residents who had no choice but to relocate outside the borough for reasons beyond their control, related to their care, following receipt of confirmation from a suitable care provider.*

Anyone who is unable to provide proof of residency will be charged as non-Residents.

The Council reserves the right to check any addresses using the Land & Property Services search facility to determine if the address is within the Council boundary.

**\*Definition of Resident** - a person who has **permanently resided** in the Borough of Antrim and Newtownabbey in the preceding seven years.

**Definition of a Non-Resident** - a person who **has not permanently resided** in the Borough of Antrim and Newtownabbey in the preceding seven years.

## 9. Fees

The fee(s) payable will be that in force at the time of purchase of the burial rights and/or the grave opening. The fees shall be as prescribed by the Council and shall be revised when the Council deems it necessary to do so. The current fees are available on the Council website [www.antrimandnewtownabby.gov.uk/cemeteries](http://www.antrimandnewtownabby.gov.uk/cemeteries)

The **fees payable for the purchase of a grave** will be determined by the residency status of the person purchasing the burial rights.

The **fees payable for the opening of the grave** will be determined by the residency status of the deceased (i.e, if the deceased is a resident, resident fees apply; if the deceased is a non-resident, non-resident fees apply)

Refunds **cannot be claimed** after payment has been received.

## 10. Transfer of Burial Rights

Where the registered owner of the burial rights wishes to transfer the rights to a specific person they may do so by completing a Transfer Form (available from the Cemetery Office).

The Transfer Form should be completed at either Antrim Civic Centre or Mossley Mill, Cemetery Office. Photographic ID and fee (if applicable) is also required, otherwise no right of burial can be transferred.

Information on fees is available via [www.antrimandnewtownabby.gov.uk/cemeteries](http://www.antrimandnewtownabby.gov.uk/cemeteries)

**Please note:** a transfer is free of charge where the burial right is transferred to a resident of the Borough (proof of residency will be required).

If the rights are being transferred to a Non-Resident a fee will apply, except where the person is the Spouse, Child or Sibling of the deceased.

- **If the deceased registered owner leaves a Will**

Where the registered owner is deceased and has left a Will bequeathing burial rights to a specific person then the burial rights will be transferred to that person free of charge upon application to the Council and production of the owner's Will. **It is recommended that all registered owners make such provision in their Will.**

- **If the deceased registered owner leaves no Will (dies intestate)**

Where the registered owner is deceased and has left no Will, the burial rights can be transferred as follows:

- An application for a transfer can be made by the next of kin and should be completed at either Antrim Civic Centre or Mossley Mill Cemetery Office. Photographic ID and fee (if applicable) are also required.
- In the case of one surviving next of kin, the Council will transfer the burial right to them following the completion of the application. If there is more than one next of kin, the Council will require the written consent from all those persons stating that they do not object to the transfer of right of burial to a particular person.

The following will be required:

- A Transfer Form from the person wishing the grave to be transferred into their name.
- A Form of No Objection from all surviving next of kin agreeing to the transfer.

If the claimant cannot contact all the other potential claimants for any reason an affidavit from their Solicitor will be required, stating the circumstances of their claim and indemnifying the Council against any future claims.

**Please note that the Council will not become involved in any dispute regarding the transfer of Burial Rights. This must be privately resolved between the parties.**

## 11. Capacity of Graves

A grave will normally hold up to three standard size coffins however no guarantee of this can be given.

In certain sections of Carnmoney Main Cemetery a maximum of three standard coffins is guaranteed. Please check with the Cemetery Office.

Please note that ground conditions vary in cemeteries and there are a number of factors that can affect the original estimated capacity of a grave.

Within a grave there may be additional capacity for the burial of small caskets containing cremated remains, please contact the Cemetery office to discuss this further.

### 11.1 Testing Graves for Opening

When the Council receives an application to open a grave, the grave capacity will be checked back to historical records, to assess if any further burials can take place. It should be noted that ground conditions vary in cemeteries and there are a number of factors that can affect the original estimated capacity of a grave.

Where there is doubt over the remaining capacity, the grave depth for remaining burials can be tested on request, in two stages.

#### Stage 1 - Rod Test

In the first instance a rod test will be carried out. This is an unobtrusive method to test the depth of a grave using a metal rod, without having to open the grave. Normally, a rod test gives a reliable result, however, in the event that the rod test is inconclusive, the only reliable option is a test dig. There is no cost for this rod test.

#### Stage 2 - Test Dig

A test dig is the only conclusive method to assess the remaining grave depth. The test dig process requires the opening of a grave to enable a physical assessment of the remaining space. The fees for a test dig can be found at [www.antrimandnewtownabby.gov.uk/cemeteries](http://www.antrimandnewtownabby.gov.uk/cemeteries).

Please note, the depth of a new grave is usually 274cm (nine feet), as long as the ground conditions permit. By law, a depth of at least 70cm (2.2 feet) must be left from the upper surface of the coffin to the surface of the ground.

## 12. Erection of Headstones, Surrounds and Memorial Tablets

The erection of all headstones and surrounds (where permitted) is subject to the prior approval of the Council.

Only the registered owner can apply for a headstone or surround to be erected. A monumental sculptor will normally do this on your behalf and they must complete the appropriate application form, available from the Cemetery Office. A fee is payable with the application.

Each cemetery has regulations governing the size and construction of headstones and surrounds. These differ throughout the cemeteries and the monumental sculptors must check the exact size of the plot before commissioning any works.

### **Carnmoney, Ballyclare, Rashee & Mallusk**

Maximum width – 43.2" (3' 6")

Maximum height - 46.8" (3' 9")

Maximum depth – 12"

**Please note:** The most recent sections released in Carnmoney Main Cemetery (MA/MB/MC/MD) have a maximum width of 36" (3ft)

### **Antrim, Belmont, Crumlin & Sixmile**

Maximum width – 48" (4ft)

Maximum height – 48" (4ft)

Maximum depth – 12"

### **Please note the following:**

- headstones, surrounds and memorial tablets must be of natural stone, granite, marble or other approved material and must be placed on a solid foundation of the prescribed dimensions.
- headstones and surrounds must be dowelled and pinned and not glued.
- concrete tops inside surrounds can only be to a maximum depth of two inches.

If you decide to use a monumental sculptor from outside the Borough who is unfamiliar with the regulations, please check with the Cemetery Office before proceeding.

**Monumental Sculptors must not carry out any work until Council approval has been received.**

**Any works undertaken without prior Council approval are strictly prohibited.**

A monumental sculptor who places a structure on a grave must cause as little disturbance as possible and must immediately remove all surplus materials from the cemetery on completion of the work. No disturbance must be made to any adjoining plots. In the event of damage to adjoining graves the costs will be charged to the monumental sculptor to rectify the damage.

The responsibility for maintaining a headstone and surround in safe condition is that of the owner. The Council reserves the right to take action where memorials are found to be unsafe in the interests of health and safety up to and including removal.

If damage is caused to a grave by the Council, we will contact the owner (where contact details permit) and undertake to fix the damage as promptly as possible, returning the grave as found.

## 12.1 Memorials, flower holders and other mementos

Memorials, flower holders and other mementos are placed on graves at the owner's sole risk and the Council cannot accept responsibility for loss or damage. Owners are responsible for keeping these in good order. Please note mementos should be placed on headstone plinths to avoid damage and to enable the ease of maintenance. Where there is no grave surround, neither glass nor plastic objects should be placed on graves.

Please note that following a burial, flowers and wreaths can be placed at the grave for up to 20 days, after which they will be removed to allow for the ongoing maintenance of the cemetery. Christmas wreaths will be removed at the beginning of February.

Please also note that no planting is permitted.

## 12.2 Memorial safety inspection programme

The Council is committed to making sure that its cemeteries are safe places to visit and work in. As part of our memorial safety inspection programme, the Council will check the safety of all memorials.

It is the grave owner's responsibility to make sure that memorials are properly maintained.

## 13. Lawn Cemeteries

Belmont, Sixmile and newer sections of Ballyclare, Carnmoney and Rashee are lawn cemeteries. Therefore surrounds, railings, hoops, fences or garden edgings (or similar) are **prohibited**. In addition, stone chippings or wood chippings must not be placed on or near a grave.

In Belmont and Sixmile Cemeteries headstones and mementos can only be placed on the plinth provided and the planting of flowers, trees or shrubs is not permitted.

In Ballyclare, Carnmoney and Rashee Cemeteries where there is an area of 3ft x 3ft at the base of the plinth memorials, mementos & flowers are permitted.

Unauthorised use of herbicides (e.g. weed killer) in or around graves or on the surrounding grass areas is strictly prohibited.

In the event an item breaches the rules & regulations of the cemetery it may need to be removed and where possible, the owner will be informed.

## 14. Garden of Remembrance

A Garden of remembrance is an area within a cemetery which has plots that only take caskets/urns containing ashes. In most cases a maximum of 4 caskets of ashes can be buried.

A plot in the Garden of Remembrance can only be purchased for an immediate burial, except in the case of a terminal illness. In these circumstances a burial right can be pre-purchased by or on behalf of someone with a terminal illness upon receipt of the appropriate application form and medical advice. Please contact the Cemetery Office to discuss this further.

A flower holder is permitted for fresh or artificial flowers. It is advised that this is bedded into the ground behind each memorial tablet and not left freestanding as this will damage the container.

No surrounds, railings, edgings, shrubs etc may be placed on a garden of remembrance plot.

Memorial tablets must be laid subject to the following conditions:

- a) A person having the right of burial in a plot in the Garden of Remembrance and who proposes to place a memorial tablet on it, must complete the appropriate application form, submit plans and the relevant fee to the Council. No memorial tablet may be placed on the plot without the Council's written approval.
- b) A person laying the memorial tablet must ensure that it is bedded firmly into the lawn with the upper surface level with the soil surface and that the ground surface on which it is to be laid has been compacted sufficiently to avoid subsidence. Concrete, stones or other solid material **must not** be placed under the tablet to form a permanent foundation.
- c) Immediately upon completion of the work, the person or their agent must remove any spoil or waste material.

In **Ballyclare** all memorial tablets must be of natural dark grey or black polished stone and must measure no more than 60cm x 50cm x 6cm.

In **Carnmoney** and **Mallusk** all memorial tablets must be of natural dark grey or black polished stone and must measure no more than 40cm x 40cm x 4cm.

Please note that following a burial, flowers and wreaths can be placed at the burial plot for up to 20 days, after which they will be removed to allow for the ongoing maintenance of the cemetery. Christmas wreaths will be removed at the beginning of February.

Glass covered wreaths may not be placed on plots.

In the event that an item breaches the rules & regulations of the cemetery it may need to be removed and where possible, the owner will be informed.

## 15. Vehicles in Cemeteries

Please park in designated car parks where these are available. Care should be taken when driving in cemeteries to prevent any damage to graves, headstones or surrounds.

## 16. Respect in Cemeteries

A cemetery is a place of quiet reflection, which should be respected at all times.

The Council requests that you do not:

- Walk or trespass on any grave
- Interfere with any headstone
- Damage any trees, plants or shrubs
- Use a metal detector in any cemetery
- Solicit custom or orders for work in connection with any grave or memorial on a grave
- Sell flowers, shrubs or plants unless authorised by Council

In the unlikely event of disrespectful behaviour, the Council will take action against and/or report any person to the police anyone who:

- Deliberately destroys or damages any building, wall or fence
- Destroys any tree, shrub or plant
- Disfigures any wall or puts any poster on a wall
- Deliberately destroys, damages or defaces any of the monuments, tablets, inscriptions or gravestones, or any other deliberate damage
- Plays any games or sports
- Discharges firearms (except at a military funeral), or deliberately disturbs people gathered there to bury a body

Please report any accidental damage to onsite cemetery staff or the cemetery office.

Dogs are welcome in cemeteries and they must be on leads and under control at all times. Please respect the area and clean up after your dog.

## 17. Contact Details of the Registered Owner

It is helpful that the cemetery records are kept up to date. This allows us to contact the registered owner without any delay should we need to.

It is therefore appreciated that you inform us of any change in details by contacting the cemetery office. This can be done in person, by telephone or email.

# Useful links

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Antrim Civic Centre  
50 Stiles Way  
Antrim  
BT41 2UB  
Telephone: 028 9448 1315

Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA  
Telephone: 028 9034 0080

Email: [cemeteries@antrimandnewtownabbey.gov.uk](mailto:cemeteries@antrimandnewtownabbey.gov.uk)

Web: [www.antrimandnewtownabbey.gov.uk/residents/cemeteries/](http://www.antrimandnewtownabbey.gov.uk/residents/cemeteries/)

