**MOST FREQUENT QUESTIONS ANSWERED**

**Can I get help with funeral costs?**

If you are on a low income, you may be eligible for help with cost of the funeral, please see our document on “Details on how to claim with funeral costs if you are on a low income” on our website <http://www.winchester.gov.uk/community-recreation/cemetery-fees>

**Why do graves have to be dug so deeply?**

Graves have to be a sufficient depth to allow for multiple burials if required. They need to be deep enough to allow for the coffin/casket, a layer of earth, which legally needs to remain undisturbed and an additional coffin (if relevant) and the final layer of earth that must cover the last interment.

**When will I be able to erect a memorial?**

There may be a period stipulated in the cemetery regulations to allow time for the ground to settle and consolidate. During this period, cemetery staff will monitor any sinkage and top-up with topsoil until settlement stops. This period differs around the country due to differing soil types and conditions usually between six months to a year. You should ensure that your memorial mason adopts the National Association of Memorial Masons (NAMM) Code of Practice or the British Register of Accredited Memorial Masons (BRAMM)

**Are graves filled in immediately after a funeral or are they left until the next day?**

Graves are prepared for burial at least one full day before the funeral and are always covered with boards overnight. The Institute of Cemetery and Crematorium Management (ICCM) Guiding Principles for Burial Services state that immediately after the mourners have left the graveside, the grave must be entirely backfilled and made tidy and this work is always completed on the day of the burial, and the coffins will not be left uncovered overnight.

**I understand that some people wait while the grave is back filled in. Why is this?**

Some cultures require that the grave must be filled in while relatives watch. Alternatively, they may wish to undertake the backfilling of the grave themselves. It is essential that the cemetery is made aware of these requirements when the burial is first arranged. This will ensure that the family's wishes are met, and their safety is protected during the backfilling process.

**Why have I only been sold the grave for a set period? As I want the grave forever.**

The law specifies that graves cannot be sold in perpetuity anymore and each authority can set their own period, however, the law does allow ownership to be extended. When the period of ownership is due to expire, you can renew your lease when it expires.

**I own the grave can anyone else be buried in it if I do not want them to?**

No. Graves cannot be opened without the written permission of the registered owner of the grave. The only exception is when the registered owner is to be buried and then the ownership will need to be transferred. The law protects your rights as registered owner of the grave.

**The grave has been purchased for two people and there is only one person in the grave, and I now want two more burials in the same grave.**

When a grave is purchased to take two full body burials, the depth to which the grave is excavated for the first burial must take into account the need for the second burial. There are legal requirements as to how much earth must be left on top of the last coffin. It is, therefore, not possible to put an extra coffin into the grave without breaking the law. However, after the grave is full for coffined burial, up to six cremated remains caskets or urns may still be buried within the grave.

**How many ashes casket can I have in a cremation plot?**

You can have up to two cremation caskets only in a cremation plot.

**What happens when the lease expires?**

When you buy a grave, you purchase the exclusive Rights of Burial in that grave for a set period only and not the land the grave is within. At the end of the period, you should be given the option of renewing the Rights. At the end of the period of rights to erect and maintain a memorial, if you do not want to renew the lease cemetery staff will give you a set period to remove the memorial, after which time they can lawfully remove it.

If you decide to renew the lease, this may be on condition that the memorial receives a full inspection and stability test, and any defects found are repaired.

**Why can I not have what I want on the grave?**

When a new grave is purchased it is not the ownership of the land itself that is purchased, but the rights to have burials take place. These rights are granted, together with the rights to erect a memorial on the grave, in accordance with the rules and regulations of the cemetery.

**Who is responsible for the memorial?**

The burial authority is responsible for maintaining the cemetery in a safe condition. However, you are responsible for maintaining your memorial in a safe condition throughout the period of the Right to Erect and Maintain a Memorial. Cemetery staff will routinely inspect your memorial and if found to be unstable and likely to cause injury may cordon it off, lay it flat or have a temporary support installed. You will be notified in writing and it will be your responsibility to arrange repair within a set time. If your memorial is still under guarantee, the memorial mason will be responsible for repairs at no extra cost to you. If you ignore the notice, your memorial may be laid flat, and you will not be allowed to renew the lease until repairs are made. After further notification, if no repairs are made to the memorial, it may be lawfully removed from the cemetery.

Your memorial mason also has a responsibility to provide a memorial of merchantable quality and to erect it in a safe manner. You should insist that the memorial is erected in accordance with the NAMM or BRAMM Code of Practice, and seek a guarantee from your memorial mason.

**What happens when all the owners have died?**

Ownership of the exclusive Right of Burial in a grave can be transferred from a deceased owner via that owner's estate. The means of transfer can be very complex and, while there is a procedure to follow, each case must be looked at individually. If you need to transfer ownership when all owners are deceased, you must contact the cemetery office. Staff will arrange for a transfer with due compliance with the law.

**Why is a permit needed to erect a memorial?**

The written authority of the owner of the grave must be given on a permit/application form, before the proposed erection of a memorial. Cemetery staff will check that memorials conform to cemetery regulations with regard to size and fixings and check stability under health and safety regulations. This helps protect your interests, although you will remain responsible for the maintenance of the memorial in the future. You can ask your memorial mason for a workmanship guarantee or details of insurance.

Some authorities issue a separate Right to Erect and Maintain a Memorial, which can be purchased on submission of the application to erect a memorial. Other authorities may combine the Memorial Rights with the Burial Rights at the time of the burial.

**I want to bury cremated remains in the grave: why do I have to decide whether there will be any more burials later, before this can be done?**

It is against the law to disturb human remains (including cremated remains in a casket or urn) without a license. Therefore, no further burials will be possible in the grave until a license has been obtained. Cremated remains can be buried in the grave at full depth, in which case they will not be disturbed by further full body burials, but by having to excavate a grave to this depth there will be additional charges for opening the grave.

**Do I have to buy a headstone or grave marker?**

The cemetery will put a temporary identification marker on your loved one's grave, but it is only intended as a placeholder until a permanent headstone or grave marker is set in place. Without one, your loved one's burial site will, when this temporary marker becomes illegible or is somehow removed, appear "unmarked".