



CRAUFURDLAND LIMITED

RULES and REGULATIONS

regarding the

Operation and Management

of

Private Burial Ground

at

Craufurdland Woods

Midland Farm

Fenwick

Ayrshire

KA3 6BY

Approved by the Directors of Craufurdland
Limited on 18th July 2002
Revised 1st August 2016

1. **Recitals**
 - 1.1 Craufurdland Limited, having its registered office at Craufurdland Castle, Kilmarnock, Ayrshire, KA3 6BS (the "Company") is the heritable proprietor of the Burial Ground at Craufurdland Woods, Midland Farm, Fenwick, Ayrshire, KA3 6BY as shown on the attached location plan (the "Burial Ground").
 - 1.2 The Company has issued and will issue Certificates granting to individuals an exclusive right of burial within the Burial Ground.
 - 1.3 It is right and proper that the Company make and enact these Rules and Regulations for the general management and control of the Burial Ground (the "Rules").
 - 1.4 Each Certificate issued by the Company (the "Certificate") is issued subject to the Rules.

2. **Exclusive right of burial**
 - 2.1 A purchaser of an exclusive right of burial within the Burial Ground shall, on payment of the sum of **£850**, be furnished with a Certificate which shall confer the exclusive right of burial for a period of **50 years** from the date of interment. Production of the Certificate will be taken as authority to exercise such right.
 - 2.2 One person only shall be registered as the holder of a Certificate (the "Holder").
 - 2.3 The Holder will not be able to sell the Certificate or transfer it or assign it except back to the Company.
 - 2.4 Where a Certificate is lost or defaced by the Holder, the Company will issue a duplicate in exchange for a fee of £50.

3. **Forfeiture**
 - 3.1 Failing the interment of the Holder within the period of 50 years from the date of signature by the Holder of the Certificate, the right under the Certificate shall lapse automatically and no notice thereof will require to be given by the Company nor shall any liability attach to the Company.

4. **Interment**
 - 4.1 On the occasion of the death of the Holder, his executor(s), personal representative(s) or next of kin (the "Responsible Person") should advise the Company of the intended burial and shall pay to



the Company the appropriate sum as shown below in respect of the interment:

£450 cost of interment weekdays

£650 cost of interment Saturdays

£750 cost of interment Sundays and Bank Holidays

£150 cost of interment of cremated remains weekdays

**£250 cost of interment of cremated remains weekends
and Bank Holidays**

- 4.2 Notice of proposed interment must be given to the Company by the Responsible Person as early as possible and, in any event, not less than two working days notice (excluding Saturdays, Sundays and Public Holidays) must be given. Such notice should state the name and address, age and date of death of the Holder and the name, address and contact details of the Responsible Person. The day and hour of the proposed interment should be agreed with the Company and such other information reasonably requested by the Company shall be given timeously.
- 4.3 The body of the Holder may not be embalmed.
- 4.4 Upon the arrangements in 4.1 and 4.2 having been implemented, the Company will arrange for the opening of an appropriate plot.
5. **Cremated Remains**
 - 5.1 If so wished by the Holder or by the Responsible Person, the cremated remains of the Holder rather than his or her body may be interred in the plot. Notice of proposed interment must be given in the same manner and subject to the same provisions as in Rule 4.
 - 5.2 Cremated Remains may not be scattered on any part of the Burial Ground.
6. **Records**
 - 6.1 The Company shall keep adequate records in which shall be entered every interment, specifying the plot number, the micro chip number, the date of interment, and the name and age of the Holder.
 - 6.2 A plan of the Burial Ground shall be kept at the office at Midland Farm.
7. **Funeral Arrangements**
 - 7.1 Coffins and, in the case of cremated remains, boxes, must be made of pine, wicker or cardboard and metal handles and/or plaques on the coffins are expressly prohibited as is the use or inclusion of



anything other than biodegradable materials. Any enquiry in respect of this matter should be directed to the Company.

- 7.2 In the event that the Responsible Person instructs professional Undertakers in connection with the Funeral Arrangements of the Holder, the Responsible Person shall pass to the Undertakers a copy of the Rules and, so far as relevant to such arrangements, the Undertakers shall be bound thereby.
- 7.3 In the event that professional Undertakers are not so instructed, the Company may, if requested by the Responsible Person, assist in the making and implementation of such arrangements as may be necessary or appropriate but, in the event of the Company so doing, additional charges will be incurred and the Responsible Person shall be advised accordingly prior to the day of intended interment.
- 7.4 In order to minimise damage and disturbance to the Burial Ground, only close family and friends may attend the interment.

8. **Memorials**

- 8.1 No tomb, monument, memorial stone or otherwise may be erected on the plot or within the Burial Ground. If wished, the Responsible Person may lay a wooden or natural stone plaque on which there is engraved the name and date of death of the Holder but such plaque shall not exceed 6 inches by 6 inches by 1 inch and shall be laid within the plot flush with the ground level so as not to impede or restrict the grass-cutting or other maintenance activities of the Company.
- 8.2 Wooden crosses, kerbs, copes, railings, fences, gravel, corner-stones etc or any other such ornamental addition to the plot is strictly prohibited as is the placing on the plot of artificial wreaths or flowers.
- 8.3 The Company shall locate a microchip beneath the surface of the plot so that its location may be identified. The microchip operates by radio frequency and has an indefinite life.
- 8.4 The Company, at its own expense, shall plant, at a suitable time in the season, woodland bulbs between the plots and a tree or shrub within each plot and, where the tree or shrub is not selected (from a list held by the Company) either by the Holder or by the Responsible Person, the choice shall be made by the Company.
- 8.5 In the event of the Responsible Person or the family of the Holder so wishing, additional planting on the plot may be permitted by the Company in advance and in writing.



9. **Maintenance**
- 9.1 The maintenance of the Burial Ground shall be entirely a matter for the Company, it being declared that the intention of the Company is that the Burial Ground shall, over the years, become a natural woodland area.
10. **General**
- 10.1 The Burial Ground shall remain open at all times unless closed by the Company in cases of emergency or to permit of essential maintenance works.
- 10.2 No person shall enter or leave the Burial Ground except by the entrances and exits provided for that purpose. Gates should be closed immediately after entry and exit.
- 10.3 Children under 16 years of age visiting the Burial Ground must be accompanied by an adult.
- 10.4 No dog shall be admitted to the Burial Ground with the exception of a Guide Dog being used as such.
- 10.5 At the time of the Company making the Rules, no Value Added or similar tax, duty or levy ("tax") need be applied to any payment whether under a Certificate or under the Rules ("a payment"). If, as a consequence of subsequent legislation, any tax shall be applicable to a payment, a payment shall be deemed to be exclusive of tax and the tax shall be paid to the Company by the Holder or by the Responsible Person, as the case may be.
- 10.6 The car parking facilities at the Burial Ground are limited and must be used responsibly in the interests of all. Instructions from the Company regarding the use of the car park must be complied with. All vehicles must be driven carefully within the Burial Ground, only within the designated areas, and at a speed not exceeding 5 miles per hour. The Company shall not be responsible or liable for any damage to vehicles, howsoever arising and vehicles entering the Burial Ground are driven at the risk of the owner/driver.
11. **Nuisance**
- 11.1 No person shall:
- 11.1.1 use any profane or offensive language or behave in an offensive, disorderly or insulting manner within the Burial Ground;



- 11.1.2 wilfully or carelessly obstruct, disturb or interrupt an officer or servant of the Company in the exercise of his duties;
 - 11.1.3 wilfully or improperly interfere with any other person visiting the Burial Ground;
 - 11.1.4 disobey any instruction given by an officer or servant of the Company to ensure the safety and comfort of persons using the Burial Ground;
 - 11.1.5 bring into the Burial Ground any object which may be considered by the Company to be dangerous or offensive;
or
 - 11.1.6 climb upon any tree or walk through or over any plant or shrub.
- 11.2 Cycling, skateboarding, roller-blading or any such similar activity is expressly prohibited within the Burial Ground.

12. **Contravention**

- 12.1 Should an officer or servant of the Company have reasonable grounds for believing that a person has contravened, is contravening or is about to contravene any of the Rules, he may expel that person from the Burial Ground.

13. **Variation of the Rules**

- 13.1 The Company shall be at liberty to alter the Rules from time to time as it shall think fit and to make and enforce such other rules as it may consider necessary or desirable for the proper or better management of the Burial Ground but shall not be entitled to reduce its obligations under the Rules or reduce or restrict the rights of the Holder or, where appropriate, of the Responsible Person.

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