



Wedmore Burial Ground - Rules & Regulations

These Regulations have been made by Wedmore Parish Council acting as the Burial Authority for the Parish of Wedmore ('the Council'). The Parish Council's Policy is to provide a space for quiet contemplation, whilst supporting biodiversity as the cemetery provides an important green corridor for wildlife. The cemetery will be managed on a naturalistic basis, with grass mown infrequently in some areas. It is intended that Wedmore Burial Ground (the cemetery) is laid to grass as far as possible and should be kept free of anything that impedes the cutting of the grass. This means that kerbs, railings, bird baths and stone chippings are not permitted on or around grave or cremation plots. The Council has a statutory duty to ensure risks within the Council's cemetery are properly managed and these regulations are in place to ensure the safety of all those working at and visiting the cemetery.

Contractors will be asked to provide:

1. Health and Safety Policy and Risk Assessments relating to work in the cemetery to include risk assessments for:

- safe working with vehicles in public areas
- working in confined spaces
- winter weather awareness
- dealing with bodily fluids and contaminants
- working underground
- safe fixing of structures

2. Safe method of working statement for the specific task.

3. Public Liability Insurance and, if applicable, Employers Liability Insurance

These regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other relevant laws or statutes currently in force.

Applications: Applications for burials and interment of cremated remains must be received at the Parish Office at least three clear working days in advance of the day of interment, except for medical or religious reasons. To request a date and time for a booking can be done either in person in the Parish Office or by telephone. Once this is verbally confirmed, an Interment Application Form must be fully completed with all details - failure to complete all sections may result in being returned. An interment will only then be confirmed in writing from the Parish Office. Graves and ashes plots will be allocated in sequence by the Parish Office.

Certificate for Burial or Cremation: No funeral can take place without a "Certificate for Disposal" (Green Form) or the "Coroner's Order for Burial". The appropriate documentation must be provided to the Parish Office a minimum of at least 2 working days before the interment can take place.

In the case of interment of cremated remains (ashes), the "Certificate of Cremation" is required for interment purposes. This is provided by the crematorium where the funeral took place. This must be provided to the Parish Office a minimum of at least 2 working days before the interment can take place. Failure to provide these within the above timeframe, (unless agreed with the Parish Office) will result in the interment being cancelled.

Fees and Charges: The fees and charges payable to the Council contribute towards the upkeep and maintenance of the cemetery and for regular inspections. These are reviewed annually and can be found here www.wedmore-pc.gov.uk/

Parishioners - Single fees apply when the person to be interred, or in respect of whom the right is granted is, or immediately before his/her death was, an inhabitant or parishioner of Wedmore / Or in the case of a stillborn child, where the parents (or one of them) are, or at the time of interment were, such inhabitants or parishioners. Non-parishioners - Are charged at a rate three times the charge made to parishioners. (A non-parishioner is a person who immediately before his or her death was not a parishioner of Wedmore. Infants - In the case of a still-born child or under 12 months, where one or both parents are, or at the time of interment were parishioners of Wedmore, there would be no charge. If the parents were not parishioners, there would be a charge.

Fee Waiver - The Clerk has discretion to waive increased fees for non-parishioners in the case of parishioners of long standing who have been obliged to reside outside the parish during their declining years in order to receive nursing or other residential care.

Regulations in respect of the Cemetery at Cheddar Road, Wedmore, Somerset, made by the Parish Council of Wedmore, pursuant to the Local Authorities' Cemeteries Order 1974, for the management of the Cemetery provided by the Parish Council of Wedmore.

Graves - Graves shall be 5 feet deep for a single burial, 6 feet 6 inches for a double burial and 8 feet for a triple burial. Where an existing burial plot is to be re-opened the Funeral Director must make arrangements for the depth of the existing burial to be checked at least five working days before the proposed date of the re-opening to ensure there is sufficient legal depth for a second burial. There must be no less than 6 inches of soil separating the first and second interment and no less than 3 feet of soil between the top of a casket/coffin and the normal ground level. The Parish Council does not accept any responsibility for historic insufficient grave depth.

- When more than one body is to be interred in a grave purchased for the use of a family, a layer of earth not less than 6 inches in depth shall be left between each coffin.
- No coffin shall be buried in any grave in such a manner that any part of such coffin shall come within 3 feet 6 inches of the ordinary level of the ground, and no grave shall be more than 10 feet in depth from the surface.
- All graves are to be dug and excavated at the responsibility of the Undertaker and to the satisfaction of the Clerk to the Burial Authority. Space between rows to be 9 feet 6 inches.
- Whenever a burial has taken place. The grave shall forthwith be filled with earth, and due course levelled, the surface re-turfed and surplus earth removed. This work must be completed within twelve months of the burial.
- The burial of cremated remains where no grave exists shall be in the portion of the cemetery set aside for this purpose, in a grave 12 inches by 12 inches the depth to be not less than 2 feet below the ground level.
- Application for such burial to be made to the Clerk to the Burial Authority in the manner prescribed in Regulation 4.
- The grave shall be dug immediately below the numbered stone of the space allocated by the Clerk and centred on that stone.
- Cremated remains may not be scattered in any part of the cemetery.

Memorials - All materials, gravestones and crosses must be carried into the burial ground by hand or conveyed on handcarts or trucks having rubber tyres.

- An ink drawing to scale of every headstone or cross giving the register number of the grave space, together with a short specification of materials to be used and a copy of every proposed inscription, shall be submitted to the Burial Authority for approval and the appropriate fees paid before the execution of any work.
- Materials to be used are restricted to stone, marble, or wood.
- The grave space number shall be placed on every headstone or cross in 1-inch incised figures at least 6 inches above level of the ground.
- No headstone to be erected within 6 months of burial. All headstones must be kept in line.
- Headstones or crosses only will be permitted and these must not exceed 3 feet 6 inches in height, the maximum thickness of the stone not exceeding one foot from front to back. No kerbstones will be permitted.
- In that portion of the cemetery set aside for the burial of cremated remains memorials may only be in the form of a flat stone let into and level with the ground and measuring 12 inches by 12 inches.
- An ink drawing to scale of the stone memorial showing the inscription proposed, and giving the register number of the grave space, shall be submitted to the Burial Authority for approval before any order is given to a monumental mason.

If desired, flower vases can be cemented on to the block above the memorial stone provided the size of the base is less than 6 inches by 6 inches. Glass vases should not be used, as if broken they constitute a danger and the Burial Authority reserves the right to remove them.

Nothing of the foregoing shall prevent the burial of cremated remains in any existing grave with the consent of the relative concerned, the depth to be not less than 2 feet below the ground level of the said grave. Application for such burial to be made to the Clerk to the Burial Authority in the manner prescribed in Regulation 4.

- The Burial Authority will keep in order all parts of the cemetery, but headstones or crosses and graves in respect of which exclusive rights of burial have been granted shall be kept in repair by the owner or relative concerned.
- The Burial Authority reserves the right at all times to remove wreaths on any grave space and any plants growing thereon.
- Only fresh or silk artificial flowers or wreaths may be placed in the cemetery.
- To facilitate grass cutting, flower vases should be placed at the head of the grave or on the plinth of the head stone.
- Any headstone or cross not kept in order, condition and repair, which in the opinion of the Burial Authority constitutes a danger by reason of its condition, will be removed or otherwise dealt with at the discretion of the Burial Authority,

provided that where the name and address of the owner or relative concerned is known to the Burial Authority three months' notice of neglect or want of repair shall be given before action is taken.

- The official register of graves and burials shall be kept at the office of the Clerk to the Burial Authority and shall be open for inspection by any person, by appointment with the Clerk, free of charge. A certified extract from the register of burials may be obtained on payment of a fee of £5 in respect of each burial. Application for a search to be made in the register must be accompanied by a fee of £5 in respect of each burial.
- The cemetery shall be open daily from 10am until one hour before sunset. Children will only be admitted if in the care of a responsible adult.
- The attention of all persons is drawn to Regulations 17, 18 and 19, restricting the erection of memorials and it is emphasised that no order should be placed with a monumental mason before the sanction of the Burial Authority is obtained.
- The Undertaker shall ensure that the portion of the Disposal Certificate to be sent to the Registrar shall be retained by the officiating Minister and that the remaining portion shall be handed to the Clerk to the Burial Authority.

Exclusive Right of Burial:

It is important to understand that when you buy a grave what you are purchasing is the Exclusive Right of Burial for a grave for an agreed period of time. You are not purchasing any land and no ownership of land is transferred to you. A Deed of Grant of Exclusive Right of Burial is issued by the Burial Authority in respect of every exclusive right purchased. Any person who purchases the exclusive right of burial for a grave space/cremation plot, shall not convey, assign or transfer such right without the consent of the Burial Authority.

The Deed grants you the right to:

- Be buried in a designated grave if space is available (includes cremated remains)
- Authorise further burials in the grave where space is available, or for the interment of cremated remains
- Apply for a permit to place an inscribed memorial on the grave or apply for an additional inscription to be added.

By law, a purchased grave may only be opened for the burial of the Deed owner or for the burial of another person with the written permission of the Deed holder. The Deed must be transferred by legal process should somebody else wish to arrange a further burial in the grave or add a memorial/additional inscription. You should keep your Deed safe as it forms part of your estate.

The Council's Statutory Registers contain the details of the registered grave owners. It is important that grave owners keep safe their Deed of Grant as this is a legal document containing the grave details. The Council issues this document when the grave is first purchased, and it should be produced for each burial. Possession of the Deed does not in itself signify ownership of the grave. *A situation often arises where registered owner(s) are deceased and other family members want to arrange a further burial to take place in the grave, erect a memorial on the grave or add an inscription onto an existing memorial. In order for the burial or memorial request to proceed the Exclusive Right of Burial needs to be transferred to the person(s) entitled to the right.*

Period of Exclusive Right of Burial: Exclusive Rights of Burial give an exclusive right to burial in the ground for a period of 50 years which may be extended for a further period not exceeding 49 years.

The payment of a single fee in the case of a parishioner does not automatically mean that only single fees will be charged upon interment and/or other services if the purchaser becomes a non-parishioner in the intervening years.

At or before the end of the fifty-year period the exclusive right to burial may be renewed by the then owner of the right. A renewal fee will be payable, and the new grant will be subject to the burial regulations then in force.

The Council reserves the right, which shall be exercised only with the utmost sensitivity and discretion, to permit further burials in the available space remaining in a grave in respect of which the exclusive right of burial has expired, with the agreement of the persons arranging an interment, notwithstanding the body to be buried therein is not connected in any way with the previous interment.

Transfers: The grave owner can assign the Exclusive Right of Burial, during their lifetime, to another individual on completion of a Form of Assignment. This form is available from Council and must be signed by the owner and witnessed by the Parish Clerk/Deputy Clerk.

Deceased owner left a valid Will *If the deceased grave owner has made a valid Will and left an estate of sufficient value to require the Grant of Probate, ownership of the grave can be transferred to the executor. The executor must produce a sealed copy of the Grant of Probate. If the Executor wishes to transfer the deed to someone else, then an Assent of Executor or Administrator form must be completed. This form is*

available from Executor and witnessed by the Parish Clerk/Deputy Clerk.

If the estate is not of sufficient value to obtain a Grant of Probate, ownership may be transferred to the executor named in the Will by Statutory Declaration (see below) and the production of the Will. If the Executor then wishes to transfer the deed to someone else then they can do so by completing a Form of Assignment.

Deceased owner did not leave a Will or the Will was not valid If there is no Will, or the Will is not valid and the estate is of sufficient value as to require a Grant of Letters of Administration, ownership of the grave can be transferred to the personal representative of the deceased. The applicant must produce a Letter of Administration Form. It is then the administrator's responsibility to identify the correct person for transfer of ownership and assent the transfer by completing an Assent of Executor or Administrator form.

If the estate is not of sufficient value to obtain a Grant of Probate, ownership may be transferred to the executor named in the Will by Statutory Declaration (see below) and if the Executor then wishes to transfer the deed to someone else then they can do so by completing a Form of Assignment. If the estate is of insufficient value to require a Grant of Letters of Administration, the rules of intestacy apply as laid down in the Administration of Estate Act 1925. The applicant for transfer of ownership should complete a Statutory Declaration.

Statutory Declarations Statutory Declarations are legal documents and must be signed in the presence of a Magistrate or Commissioner for Oaths. The Statutory Declaration should clearly set out the facts regarding the original purchase of the Exclusive Right of Burial, the death of the registered owner, intestate or otherwise and the relationship of the applicant to the registered owner. The original Deed of Grant and a certified copy of the owner's death certificate should accompany the Declaration. Where the Deed has been lost, suitable wording should be incorporated within the declaration to that effect. It is essential that the written agreement of all the next of kin of the deceased owner to the transfer of ownership should also be obtained (see Renunciation below) and attached to the Declaration. If a Statutory Declaration needs to be completed, Wedmore Parish Council will provide the appropriate wording for the Declaration, but it is the responsibility of the person making the Declaration to have it witnessed by a Magistrate or Commissioner for Oaths. Where a Statutory Declaration is required this will incur separate charges not determined by the Parish Council.

Renunciation - what does this mean? Used together with a Statutory Declaration when a grave is being claimed by more than one person i.e., the deceased may have three children and next of kin and one or more of those children wishes to give up their Rights to the ownership. A renunciation form needs to be completed and is available from Wedmore Parish Council

Family disputes Where a family dispute results in a stalemate and relevant consents are withheld, the ownership cannot be transferred, and no further burials will be allowed, or memorial applications processed. The various next of kin need to reach an agreement.

Guide as to who is next of kin in succession order:-

1. The surviving lawful husband or wife
2. The children of the deceased
3. The grandchildren of the deceased
4. The father and mother of the deceased
5. Whole blood brothers and sisters of the deceased
6. Whole blood nephews and nieces of the deceased
7. Half-blood brothers and sisters of the deceased
8. Half-blood nephews and nieces of the deceased
9. Grandparents
10. Whole blood uncles and aunts of the deceased
11. Children of whole blood uncles and aunts of the deceased (full cousins)
12. Half-blood uncles and aunts of the deceased
13. Children of half-blood uncles and aunts of the deceased (half-blood cousins)
14. Other persons with an interest in the estate may apply.

Production of Grant or Deed required before reopening - No grave in which the Exclusive Right of Burial has been purchased can be re-opened without the production of the Grant and the written consent of the owner or their personal representative.

Fees - The transfer of Exclusive Rights of Burial is charged at £50.

Certificates - All certificates supplied with transfer applications must be originals or certified copies.

Digging of Graves & Cremation Plots: The Council does not arrange for graves to be dug.

Grave diggers must not carry out any works until a date and time has been agreed with the Parish Office and proof of public liability and if applicable, employer's liability insurance provided to the Council in advance.

Grave diggers must always use shoring and make the grave safe overnight using a metal cover securely staked into the ground. Grave depths must be checked, and the overnight safety arrangements approved by a member of the Council staff before the grave digger leaves site.

No spoil must be deposited on an adjacent grave or plot at any time. Graves and plots must be re-turfed at the conclusion of the interment. Mounds must be levelled after 12 months.

Interment in Graves:

- The grave size is 9' x 4' and a child's grave measures a maximum of 6' x 3'
- For interment of coffins (caskets) larger than 6' 6" x 2' 6", two single plots, side by side must be purchased at the appropriate fee

- The minimum depth for all plots is double depth (7 feet) There must be at least 3 feet of earth between the surface of the surrounding ground and the top of the last coffin
- No coffin shall be buried in a grave in which an interment has already taken place unless the coffin containing the body is effectually separated from any coffin already placed and remaining in the grave by a layer of earth not less than 6 inches in thickness
- No human remains interred therein shall be disturbed
- No contaminated soil will be removed from a grave
- Coffins shall be made of suitable biodegradable materials (excluding fittings) and no metal or other non-biodegradable coffins will be allowed
- A maximum of two coffins and six cremated remains can be placed in a burial plot

Interment of Cremated Remains:

- The cremation plot measures 2' x 2' and may contain a maximum of 2 caskets, side by side
- It is preferred that cremated remains are interred free of any casket or urns. Should a container be used it must be made of suitable biodegradable materials and no metal or other non-biodegradable caskets will be allowed
- The specific position of the cremated remains within the plot must be as approved by the Office so that it can be recorded correctly

Any form of religious service may be used, but any other ceremony is subject to the approval of the Council. Alternatively, the coffin may be committed without a service.

The cemetery representative will check the coffin plaque details against the appropriate certificate produced for disposal to ensure correctness.

No body or cremated remains (ashes) may be removed from a grave without the production of a letter of consent from the Secretary of State, or the ecclesiastical faculty and/or Justice of the Peace. A formal letter of consent or licence for exhumation is required by law. Original documents will be required for this purpose.

Times of Interment: The hours appointed for interments shall be 10.00am until 3.00pm daily between May and October and 10.00am until 2.30pm between November and April on weekdays, not including Bank Holidays. Saturday, Sundays and Bank Holidays can be arranged at the discretion of the Clerk but will incur an additional fee of three times the normal interment charge. Interments – Deed holders must be aware that some disruption may occur to the surface of a grave if an adjacent grave is opened. This may be unavoidable. Disruption will be kept to a minimum and the grave will be tidied afterwards, as much as possible.

Scattering of Ashes - The unauthorised disposal of cremated remains within the council's cemeteries is deemed a criminal offence and those found to be carrying this out will be prosecuted.

Burial of Bodies: All bodies should be respectfully covered with the name of the deceased indelibly fixed. In the case of still-born children, the names of the parents may also be indelibly fixed to the covering or coffin.

Death from Infectious Diseases -In all cases of death from infectious diseases the body shall be taken direct from the hearse to the grave.

Memorials: Only BRAMM and NAMM registered stonemasons who have provided a copy of adequate public liability insurance will be approved to carry out work in the cemetery.

- All memorials are subject to the Council's Memorial Regulations. The Memorial Regulations and Table of Fees are available here www.wedmore-pc.gov.uk
- Memorials must be made from natural materials.
- Existing memorials must not be removed without prior written permission from the Parish Office.
- Memorials will be inspected after installation. Any memorial that does not comply with the regulations, the approved application or has been misrepresented must be removed immediately by the Stonemason. This will be at their own cost and may result in further sanctions by the Council.
- Some older existing graves and ashes plots may have larger and different style memorials. This is due to historical practice or regulations and does not set a precedent for new memorial applications.

Exclusive Right of Burial must be purchased for a burial or cremated remains plot before a memorial can be installed or replaced. This also applies to existing plots where Exclusive Right of Burial may not have been purchased at the time of the original burial of ashes interment.

Written permission of the holder of the Exclusive Right of Burial must be obtained before any memorial application can be approved by the Council. Please see Appendix 2 for the Rules and Regulations for Memorials and Tablets.

State of Repair: Exclusive Right of Burial holders have a duty to ensure the grave and memorial are kept in good repair and safe. Notice of an issue will be sent in writing to the registered owner at the address held in our records. If the necessary remedial action is not taken within 3 months, the Council reserves the right to take over the maintenance of the grave or plot. The Council would make good the plot or memorial, at the expense of the owner or may remove the memorial. If payment for works/removal are not forthcoming, then appropriate action will be taken.

Grave/Cremation Plot Enclosures: Memorials must be placed in the position determined by the Council. No form of grave/cremation plot enclosure is allowed. This includes railings, chains, wooden edging of any description, earth edging and glass wreath cases. The Council reserves the right to remove any unauthorised items and hold them for collection by the owner within 14 days of notification and to then dispose of them.

Trees, Shrubs and Artificial Flowers: The planting of trees, shrubs and bushes is not permitted in the cemetery as these undermine memorials and make them unsafe. If any tree, plant or shrub is planted in any part of the Cemetery, it will be removed. Wreaths and cut flowers may be laid directly on graves/cremation plots. Artificial flowers are not permitted, excepting Remembrance Day poppies and Christmas Wreaths. The staff responsible for the maintenance of the cemetery may remove flowers that appear withered and may also remove objects not complying with these regulations. Please remove dead flowers when tending a grave or ashes plot. Litter and compost bins are provided.

Personal Effects: The cemetery is an area for quiet reflection for many people and objects such as balloons, plastic novelties or personal effects may cause upset or offence. Such items are discouraged and, after a period of three months from the date of burial, will be removed. Similarly, candles and any breakable objects particularly glass items, are not permitted due to safety risks to visitors and wildlife. Such items may be removed by the Council and held for collection for 14 days before being disposed of.

Permission for Seats/Benches: The Council will consider any request made in writing to the Clerk, for the siting of trees, seats, benches etc. Any acceptance is made at the Council's discretion however the upkeep will rest solely with the applicant.

Allowance of Dogs and Horses within the Cemetery Dogs are permitted in the Cemetery grounds but must be kept on a lead at all times. Please be respectful to other users and do not allow your dog to urinate against memorials. If your dog defecates in the cemetery, please remove the faeces. Horses are not permitted in the Cemetery at any time.

Smoking We would respectfully request that smoking is restricted to outside of the cemetery boundary to reduce the disposal of cigarette ends.

Conduct within the Cemetery No vehicles are allowed in the Cemetery apart from the official Funeral cars (hearse and following car) as restricted space and no car parking available.

All visitors are asked to keep to the footpaths attending a grave and, generally, respect the Cemetery at all times.

To respect the needs of others, visitors are asked not to wilfully create any disturbance in the Cemetery or behave in a way that may be a nuisance to others. In particular, the playing of games and sports is not permitted.

The Council reserves the right to exclude any person from the Cemetery.

Children under the age of 14 are not normally permitted in the Cemetery unless they are under the care and control of a responsible person.

We welcome enquiries irrespective of race or religion. Wherever possible we will strive to accommodate any specific requirements. However, on occasions this may not be possible.

Filming- Filming or recording within the cemetery boundary is not permitted unless agreed in writing by the Clerk of the Council.

Cemetery Registers and Plans of the Burial Ground - The Registers of all burials and plans of the Wedmore Burial Ground are kept at the Council Offices. These relate to interments from 1960, earlier records are held by the church.

As soon as is reasonably practicable, all details relating to a burial are recorded within the registers held at the Council Office. Registers of all burials and plans of the cemetery grounds are kept at the Council office.

Copies of certified entries or searches for information contained within the registers can be requested and are subject to the payment of a fee. Staff will undertake the search and provide the applicant with all details (where found) within 10 working days. The information can be provided by phone, email or by the making of an appointment at the Council Office.

Fees and Charges - Fees for all cemetery services will be determined by the Council annually and are available upon request from Wedmore Parish Council. The fees are also displayed on our website. The Council reserves the right to revise these fees and charges at any time.

Waste Management and Recycling - The Council aims to provide and promote good waste management and recycling facilities within the Cemetery. General waste bins are provided for flower tributes, wrapping and waste. The Council recycles the grass cuttings and any turf within the cemetery.

Miscellaneous - To avoid accidents and to retain a well maintained appearance, damaged/broken or discarded items found on all burial areas will be removed and disposed of.

The Council reserves the right to remove, cut down or prune any plant or shrub if it becomes neglected, unsightly or overgrown or when it is necessary to enable the grave, or surrounding graves, to be used again.

Employees of the Council are not permitted to request or receive gratuities.

The foregoing Rules and Regulations will come into operation on and as from 10th March 2020. All previous Rules and Regulations previously made by the Council are hereby superseded. The Council reserves the right from time to time to make alterations, additions or amendments to these Rules and Regulations and the fees and charges specified herein. These rules and regulations will be reviewed at least once per year. The decision of the Parish Council will be final in all cases. If you have any queries or need further information please don't hesitate to contact the Parish Office on 019334 713087 or email clerk@wedmore-pc.gov.uk Application forms and copies of all cemetery and memorial regulations are available on www.wedmore-pc.gov.uk The Council reserves the right to amend these regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.