

Cemetery Regulations Policy

Watchet Town Council is the Burial Authority in charge of the Cemetery in Brendon Road, Watchet and is also responsible for the maintenance of the closed churchyard of St Decumans Church. Throughout these regulations the word Council refers to Watchet Town Council.

SALE OF EXCLUSIVE RIGHTS TO GRAVE SPACES

- **No burial may take place without the purchase of Exclusive Rights**
- It is the policy of the Council to sell the Exclusive Right of Burial for a plot for a period of 75 years from the date of purchase.
- The exclusive right of burial is the right to inter into a grave space, not the purchase of the land. No one, other than the purchaser/s, is permitted to inter into the grave space, or erect a memorial.
- A grant of Exclusive Right will be confirmed by the issue of a Deed of Grant. This is a legal document which confirms with the purchaser their right to burial within a defined grave space within the Cemetery for the specified period. If the Rights are due to lapse but the plot is still required, an extension of an additional 75 years can be arranged within the last 10 years of the duration of the deed, at an additional cost. After the Rights have lapsed, and if no extension is sought, grave ownership returns to Watchet Town Council, and the Council is able to resell the unused plot.
- Renewing or extending the Deed of Grant of Exclusive Right is highly recommended. However, with the volume of Exclusive Rights held, Watchet Town Council are not able to send reminders and it is the responsibility of the Deed holder to contact the Council.
- Exclusive Rights to Burial can be transferred (see Deed of Transfer of Grant of Exclusive Rights of Burial for more information)
- Exclusive right of burial for a child up to 5 years will be for a period of 75 years from interment.
- All fees and charges must be paid in advance at the time of delivery of the application of interment

RETROSPECTIVE PURCHASE & RE-SALE OF EXCLUSIVE RIGHTS TO BURY, AS CONFERRED BY DEED

- See Appendix 1

ADDITIONAL INFORMATION

The owner of exclusive rights is responsible for the purchase and maintenance of any memorial on the grave space. The burial authority strongly recommends that insurance cover for a period of not less than five years is taken out. The reserving of grave spaces is only permitted on certain edges of the working plots. Cemetery staff will allocate the next available space and their decision is final.

TRANSFERRING OWNERSHIP OF THE EXCLUSIVE RIGHTS OF BURIAL

- In the following circumstances transfer of the ownership of the Exclusive Rights of Burial will be required:
- The registered owner decides to assign the grave to someone else.
- An application is made for a burial in the grave but the registered owner is previously deceased.
- An application to place a memorial/additional inscription on the grave is made but the registered owner is previously deceased.
- If the registered owner recently died. This makes future arrangements easier if there is a living registered owner.

The above circumstances would require completion of relevant legal forms which can be obtained at the Watchet Town Council offices.

MEMORIALS

Memorial permits

- If you purchase Rights to a grave you will have the right to apply to erect a memorial on the grave. Memorials are not permitted on unpurchased graves and will be removed without further notice.
- Watchet Town Council only allow masons who work to industry standards and are registered with either the National Association of Memorial Masons (NAMM) or the British Register of Accredited Memorial Masons (BRAMM) to work in our cemeteries.
- Please note that no work can be carried out on a memorial without:
 - Signed authority of the person holding the Right of Burial to the grave
 - The memorial mason/funeral director submitting the correct Memorial Permit application form and payment to the Council
 - The Council issuing a permit
- All memorials remain the responsibility of the registered grave owner and must be maintained in good order.

Memorial safety

Watchet Town Council has a statutory duty under the Local Authorities Cemeteries Order 1977 and Health and Safety at

Any Correspondence Relating To This Document Must Be Addressed To:

The Clerk to The Watchet Town Council, Watchet Visitor Centre, Harbour Road, Watchet, Somerset, TA23 0AQ

Work Act 1974 to ensure that risks within our Cemetery are properly managed. In order to fulfil this requirement all memorials are

subject to safety inspections. Any memorial installed in our Cemetery will be inspected and tested every 5 years to ensure that it is safe. This will include a test to ensure the memorial can withstand a reasonable pressure without falling over. Where an inspection reveals a memorial to be unsafe, the Council are legally required to make safe any hazard. Please note Watchet Town Council will not carry out any repairs. This may involve laying flat the headstone. Owners of unsafe memorials will be notified in writing at their last known address of the situation. Owners are then responsible for contacting a qualified memorial mason in order to carry out any necessary repairs.

Unauthorised memorials

In accordance with the Local Authorities Cemeteries Order 1977, the Council reserve the right to remove from the Cemetery an unauthorised memorial. The Council may remove unauthorised items at any time without giving further notice.

In addition, the following conditions apply:

GRAVES STONES

- Headstones for burials shall be of durable natural stone, granite, marble or other similar materials, with maximum dimensions of 763mm x 610mm x 75mm (2ft 6in high x 2ft wide x 3in) to 100mm (4in) thick. The dimension of a matching base must be no more than 763mm x 305mm (2ft 6in wide x 12in) back to front x 100mm (4in) thick.
- If requested, a wedge-style tablet with or without provision for a vase inlet, for burials shall be of durable natural stone, granite, marble or other similar materials, with maximum dimensions of 18" wide x 18" back to front and be 4" deep at the back sloping down to 2" deep at the front. It must be fitted to a concrete foundation of an appropriate size to prevent sinking.
- The grave number must be indicated on the rear of headstone.
- Headstones will be sited central to the head of the grave space, but in the event of adjoining spaces being occupied by one family, permission may be granted for headstones to be sited adjacent to each other, subject to the over-riding consideration of convenience of ground maintenance.
- Until it is deemed suitable for the siting of a headstone after settlement of a new grave, a temporary wooden marker may be placed at the head of the grave. This item must be removed upon the installation of a permanent headstone. If a temporary marker is not replaced by a headstone after the groundsmen considers settlement is complete, the Council reserves the right to remove the temporary marker, although reference will be made to the appropriate officiating funeral director before such action is taken.

CHILDREN'S CEMETERY

Headstones must be upright, of durable natural stone, granite, marble or other similar materials, no more than 610mm x 457mm x 75mm (24in high x 18in wide x 3in thick). A matching base may be supplied no greater than 610mm x 300mm x 75mm (24in wide x 12in back to front x 3in thick).

GARDEN OF REST

Headstones for cremations must be 300mm x 300mm x 75mm (12ins x 12in x 3in) thick with top corners angled 50mm (2in) cut off and 50mm (2in) down of honed finish and of natural grey stone. The headstone will sit on a matching natural grey stone base flush with the ground 405mm x 355mm (16in x 14in) and not less than 1in thick incorporating a front vase container to sit on a concrete base.

MEMORIAL PLAQUES

The council has created a dedicated area within the cemetery where memorial plaques can be placed in memory of people of Watchet whose remains are interred elsewhere. Application should be made to the Council Office in the first instance where more details will be available.

PLANTING OF COMMEMORATIVE TREES AND SHRUBS

The Council welcomes the opportunity to place such commemorations but reserves the right to rule on the type of tree or shrub and the position thereof. Reference should be made by any applicant to the Clerk to the Council who will consult with the Chairman for the time being of the Finance and General Purposes Committee (or such Committee as shall have responsibility for Cemetery matters) and the groundsmen responsible for the Cemetery.

Requests for interment of loose cremated remains under such planting will be viewed sympathetically.

If cremated remains are placed in this way, a memorial plaque must be sited at the base of the tree stating name and date of death or other inscription as approved by the Chairman for the time being of the Finance and General Purposes Committee (or such committee as shall have responsibility for Cemetery matters). Commemorative plaques may be sited adjacent to any such planting after consultation with the Clerk to the Council.

It is the policy of the Council that the Council's groundsmen shall be responsible for the purchase and planting of such trees or shrubs, with the costs thereof being invoiced to the Executor or Personal Representative of the deceased.

Commemorative plaques shall be provided and sited by such Memorial Companies as approved by Watchet Town Council.

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If a tree or shrub perishes, the council staff shall endeavor to contact the purchaser to inform them, and the council shall reserve the right to remove the dead tree or shrub. It is the right of the purchaser to replace the tree or shrub at their own cost if they so wish and a new application is required. If ashes were scattered in the roots of the tree or shrub, the plaque must remain in situ and the tree may not be replaced.

COMMEMORATIVE BENCHES

The Council permits the installation of a commemorative bench in specified areas only. Applicants must write to the Council in the first instance, stating their request. The Council reserves the right to designate the design and composition, positioning and fixing of the bench. The upkeep of commemorative benches will be the responsibility of those to whom permission is granted to install them.

The Council reserves the right of removal if a bench is deemed a danger to the public, and it shall be the applicant's responsibility to replace the bench in this case, if they so wish. A new application is required if the applicant wishes to replace the bench.

GRAVE ORNAMENTS/MAINTENANCE

In general:

Memorial ornaments on graves should be confined to the base of the headstone.

Floral decorations should be fresh, not artificial, flowers or plants, in a suitable container.

Watchet Town Council understands that for some bereaved families it is helpful in the grieving process to add personal items to graves, which depart from the above, particularly during the early time of mourning or marking special occasions in the calendar. These actions will be respected.

The Council, however, reserves the right to remove any items which, in its view,

- May present a safety risk to Council employees or cemetery visitors
- Are liable to be blown about the cemetery as litter, particularly non-bio-degradable items
- Have become broken, untidy or unsightly
 - Impede the straightforward mowing and strimming of grass, unless grass on the area is regularly tended by the grave owners
- Spread beyond the grave space
- Emit excessive noise

The Ground maintenance staff regularly mow and trim the cemetery to ensure it is kept to a high standard. Care is taken not to damage items placed on the grave but on occasions this is unavoidable. Please follow the above guidance to prevent this. The Council takes no responsibility whatsoever for loss of or damage to items placed on graves. The clearance of grass cuttings that scatter on to a headstone or ornaments after strimming is the responsibility of the Deed holder and/or next of kin.

NO DOGS (except guide dogs, dogs for the disabled or canine partners for independence) are permitted in the cemetery

NO VEHICLES (except funeral and maintenance vehicles) are permitted in the cemetery without prior permission.

FEES

The Council will charge for Exclusive rights of burial, interments, and installation of memorials in accordance with the Schedule of Fees.

Fixed fees detailed on the Invoice apply to a **permanent resident within the town boundary of Watchet** at the time of death, except in respect of a person who was a resident of Watchet until they moved out of the area due to circumstances over which they had no control. In all other cases we will require fees to be paid based on the permanent residential address before moving into residential care.

For persons living within the Williton Parish boundary the below charges should be doubled.

In all other cases, the below charges should be trebled.

The Council reserves the right to amend any of the foregoing regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.