

## Cemetery Regulations Policy

Watchet Town Council is the Burial Authority responsible for the Cemetery in Brendon Road, Watchet and for the maintenance of the closed churchyard of St Decumans Church. Throughout these regulations the word Council refers to Watchet Town Council Burial Authority and Memorial refers to a headstone or any other structure sited on the grave plot

### HOURS OF INTERMENT

- Between 10am and 6pm from 25 March to 29 September
- Between 10am and 4pm from 29 September to 25 March
- NO Interments are permitted on Sundays, Christmas Day or Good Friday

### SALE OF EXCLUSIVE RIGHTS TO GRAVE SPACES

- **No burial may take place without the purchase of Exclusive Rights and prior authorisation from the Council**
- 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, are permitted to inter into the grave space, or erect a memorial and only after obtaining permission from the Council
- A grant of Exclusive Right of Burial (EROB) 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 of Burial 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

### 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.

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

### MEMORIALS

#### MEMORIAL PERMITS

- If you purchase the Exclusive Right of Burial, you will have the right to **apply** to erect a memorial on the grave. Memorials are not permitted on unpurchased graves or without permission via a Memorial Permit from the Council Burial Authority, Memorials sited without the correct permissions will be removed without notice.
- Memorials must be applied for via an accredited Memorial Mason **only** using a Memorial Permit Application Form, work carried out by any other person will not be permitted to ensure the Council comply with Cemetery Legislation.
- Watchet Town Council **only** allow Masons who work to BS 8415 regulation 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 or plot without all of the following:
  - A signed Memorial Permit Application by the holders of the Exclusive Right of Burial to the grave
  - The memorial mason/funeral director submitting the correct signed 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.
- Memorials should be fixed following BS 8415 regulation standards.

**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**

### **ADDITIONAL MEMORIAL INFORMATION**

The following conditions apply to **all** sections of the Cemetery:

- Plants are only permitted if planted into a durable pot and placed at the base of the Headstone as long as not encroaching on any neighboring grave plot
- Fresh or silk flowers are permitted after the fixing of the headstone provided they placed within a vase at the base of the Headstone
- No items, plants, kerbing, or decorative items are to be placed on or planted into the lawn area of the grave plot beyond the headstone. *Please contact the Council office if you require further clarification.*
- Memorial Ornaments are to be confined to the base of the Headstone only
- Small Solar lights are permitted provided they are self-contained, low-level units and placed firmly into the ground immediately next to the base of the Headstone and not placed over the full plot
- Objects of Glass, or breakable material, and plastic artificial flowers are not permitted.

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. Please contact the office to discuss any requirements that fall outside of the standard Cemetery regulations.

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

### **MEMORIAL MAINTENANCE**

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.

### **MEMORIAL SAFETY**

Watchet Town Council has a statutory duty under the Local Authorities Cemeteries Order 1977 and Health and Safety at 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. For further information please request a copy of the Memorial Safety Inspection Process available from the Council Office.

### **HEADSTONES - All Headstones must be fixed and anchored following BS 8415 regulation standards**

#### **MAIN LAWN CEMETERY**

- 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 or a removable fresh or silk floral display laid over the grave plot. These items 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 or full grave floral display, 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).

**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**

#### **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.

#### **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.**

#### **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 Assets Committee (or such Committee as shall have responsibility for Cemetery matters) and the groundsman 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 Assets 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 groundsman 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.

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.

**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.

Fees are charged based on the residential address at the time of death. Watchet fees are for persons who resided 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 at the time of death (except in circumstances as detailed above) the charges are 1.75 times higher and in all other cases, the charges are 2.5 times higher.

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.