



# **CITY OF WELLS CEMETERY**

## **Rules and Regulations**

**2015 / 2016**

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## **SECTION 1 HOURS OF OPENING**

- (i) The cemetery will be open daily.  
April to September  
Monday to Saturday - 8.00 am to 8.00 pm  
Sundays & National Holidays - 10.00am to 6.00pm  
1<sup>st</sup> October to 31<sup>st</sup> March  
Monday to Saturday - 8.00am to 4.30pm  
Sundays & National Holidays – 10.00am to 4.00pm
- (ii) The office is situated at Cemetery Lodge, 127 Portway, Wells, BA5 1LY  
Telephone - 01749-672049 (Appointments only)
- (iii) Interments may take place on weekdays, Monday to Friday inclusive, between the hours of 9.00am and 3.00pm on Monday to Friday except Christmas Day, Good Friday and other National Holidays. Interments at other times will only be permitted at the discretion of the Cemetery Manager.

## **SECTION 2 NOTICE OF INTERMENTS AND SCATTERING OF ASHES**

- (i) Four clear days' notice in writing, excluding weekends and National Holidays, must be delivered to the Cemetery office between the hours of 10.00am and 1.00 pm and 4.00pm Monday to Friday. *N.B. The Cemetery Manager will only accept a time and date for an interment on a "first come" basis.* Interments at shorter notice will be arranged if possible at the discretion of the Cemetery Manager.
- (ii) Notice of interment must be given on the printed form supplied by the Council on which all the particulars required must be clearly and completely stated. Responsibility for any error therein must rest with the person signing the notice. Forms which are incomplete will not be accepted.
- (iii) When it is desired to purchase the exclusive Right of Burial in a grave, etc., the full name and address of the person to be registered as the owner there of shall be supplied. In the case of a previously purchased grave, the notice of interment must be accompanied by the Deed of Grant. If the Deed of Grant is lost or mislaid the grave will only be opened on the completion of a form of declaration and indemnity obtained from the Cemetery Manager.
- (iv) The selection of the space for interment in all cases shall be subject to the approval of the Cemetery Manager

- (v) Notices of interment will be accepted if sent by post and the Council will not be responsible for any loss or delay which may occur if such notices do not reach the office in time. Notices of interment will also be accepted by telephone providing immediate confirmation is made in writing and complies with Condition 2 (i) and payment of the prescribed fee is made before the interment takes place.
- (vi) The ground has been consecrated with the exception of Sections C,D,E,G,J,L,and N.

### **SECTION 3 CERTIFICATES**

- (i) The appropriate certificate for disposal issued by the Registrar of Births and Deaths, or a Coroner's Order for a Burial, must be given to the Cemetery Manager in reasonable time. A certificate issued by the Cremation Authority will be required for the disposal of cremated remains.

### **SECTION 4 INTERMENTS**

- (i) Coffins or Caskets of material considered suitable by the Cemetery Manager shall be used and must be clearly identified with the name of the deceased.
- (ii) When a burial has taken place the grave will be filled with earth and the surface covered with any flower arrangements delivered to the graveside.
- (iii) The flower arrangements and wreaths, when dead, will be removed by cemetery staff. A temporary wooden cross with the name and grave number of the deceased will be placed on the grave for three months to enable family and friends to locate the grave.

### **SECTION 5 FEES AND PAYMENTS**

- (i) The current list of fees and payments is printed separately. All Cheques should be made payable to **Wells City Council**.
- (ii) FEES. Parishioners resident in the parishes of Wells City and St Cuthbert (Out) will be charged single fees for purchasing an exclusive Right of Burial, interment and construction of a memorial. (This means the person to be interred or the person to whom the Right is granted). Any person not resident in the above stated parishes of Wells City and St Cuthbert (Out) will be charged double fees for purchasing an exclusive Right of Burial, interment and

construction of a memorial. If an exclusive Right of Burial was purchased by a resident of the parishes of Wells City and St Cuthbert (Out) but the person to be interred resides outside these parishes then DOUBLE FEES WILL BE CHARGED for the interment and construction of a memorial. In the case of a double or treble grave each case must be referred to the Clerk but the basic rule relates to the last address of the person to be interred. The point to note in the rules is that the fee, double or single, relates to whom the Right is granted, or to the person to be interred, not to the person who is paying the fee.

The only exceptions to the above:

- (a) Should a member of the public serving in Her Majesty's Armed Services die whilst serving outside the Wells City or St Cuthbert (Out) area, but has been a resident in that area immediately prior to enlisting, single fees will be charged.
- (b) A parishioner whose death occurred whilst residing in a nursing home outside the area, but had been resident in that area within twelve months of death, single fees will be charged.

#### **SECTION 6 ALTERATION OF ARRANGEMENTS**

- (i) Before any alteration to the day or hour previously fixed for an interment to take place, notice thereof shall be given to the Cemetery Manager not later than forty-eight hours before the original time agreed. Any additional expenses incurred by the Council, as a result of such alteration, shall be paid by the person making such alteration, at the time of notification.

#### **SECTION 7 CEMETERY MANAGER TO FIX TIME OF FUNERAL**

- (i) The Cemetery Manager shall fix the time and date of the funeral if another funeral has already been arranged for the date desired.

#### **SECTION 8 CONDUCT**

- (i) Children under 14 years of age will not be admitted to the cemetery except under the care of a responsible person.
- (ii) Visitors must conduct themselves in a quiet and orderly manner and must keep to the roads and paths except when visiting a grave.
- (iii) No Dogs should be brought into the cemetery, except Guide Dogs

- (iv) Motor vehicles will only be permitted in the areas designated by the Council. Motor vehicles will only be permitted in the prohibited areas if on cemetery business.
- (v) No person, not being a person authorised by the Council, shall enter or remain in the cemetery at any hour when it is closed to the public.
- (vi) Members of the public are not permitted to use any mechanical or electrically driven machinery in the cemetery,
- (vii) No arrangements must be made with, or fees paid to, any employee of the Council for any private service or work in the cemetery,
- (vii) All litter must be deposited in the bins provided or taken away from the cemetery.

#### **SECTION 9 EXHUMATIONS**

- (i) In addition to all consents and payments required by law, arrangements for an exhumation must be made with the Cemetery Manager.

#### **SECTION 10 CREMATED REMAINS**

- (i) Cremated remains may only be interred in a previously purchased grave or scattered in the Garden of Remembrance. A fee will be payable for permission to scatter remains and notice must be given in accordance with Section 2 (ii).

#### **SECTION 11 GRAVE SPACES**

- (i) In Sections M and N no kerbs or gardens or planting of any kind will be allowed. The grave space will be grassed over within four months of the interment date. No shrubs, plants trees or bushes may be planted on a grave space.
- (ii) In other Sections of the cemetery the grave space must not exceed six feet (measured from the back of the headstone if installed) by two feet. No bushes or trees are allowed. The Council reserve the right to prune, cut down or remove any shrub, plant or flower, or turf over the grave area at any time when, in their opinion, the grave is unsightly or overgrown.

- (iii) Dead flowers, weeds and other matter taken off grave spaces must be put in the appropriate bins provided. Wreaths should be placed beside the rubbish bins.
- (iv) All grave spaces should be kept in a neat and orderly condition and the Council may carry out any necessary work should the owners neglect to do so. The cost of the work being charged to the owner, and no grave will be reopened upon which any such charge remains unpaid.

## **SECTION 12 FLOWER CONTAINERS**

- (i) With the exception of Section 'O' and the Garden of Remembrance and ON THOSE GRAVES WHICH ALREADY HAVE A MEMORIAL IN PLACE, flower containers may be placed upon a grave space after payment of the appropriate fee. The containers shall not be made of glass, pottery or plastic and shall not exceed twelve inches in height or width. No vases are allowed where a headstone or memorial has been erected.

## **SECTION 13 MEMORIALS**

- (i) Memorials are only allowed to be erected upon the grave for which the exclusive Right of Burial has been purchased.
- (ii) Application for permission to erect memorials, cut inscriptions or carry out work on existing memorials must be submitted to the Cemetery Manager, **IN DUPLICATE**, together with drawings showing full dimensions accompanied by a specification and details of every inscription.
- (iii) No work must be commissioned, or carried out, before the application has been approved by the Cemetery Manager, and the appropriate fee has been paid.
- (iv) All memorials of whatever description admitted to the cemetery or permitted to be erected shall remain at the sole risk of the owner thereof and the Council shall not be responsible for any damage or breakage which may occur to the same through any cause whatsoever.
- (v) No memorial shall be removed, altered or interfered with after it has been erected in the cemetery according to the design submitted to and approved by the Cemetery Manager, nor shall any additional inscription be cut thereon with the approval of the Cemetery Manager.

- (vi) A copy, **IN DUPLICATE**, of every additional inscription must be submitted to the Cemetery Manager, the prescribed fee paid and the official approval obtained before work is commenced.
- (vii) All memorials and fixing must comply with the current British Standard Code Or Working Practice.
- (viii) Memorials and vases of quarried materials shall have the number of the grave space placed on the reverse side of the memorials one inch above the base line in one inch block letters and figures. Monumental masons may only display their name in the letters not exceeding half-an-inch on the back of the base. This regulation also applies to all memorials removed for the purpose of additional inscriptions.
- (ix) No photograph may be affixed to a memorial without prior consent and should not exceed five inches high by three inches wide.
- (x) The Council shall have the power to remove at the expense of the owner/ stonemason any memorial which shall have been placed within the cemetery without the necessary consent, and/or does not comply with the Cemetery Rules and Regulations.
- (xi) All memorials must comply with Health and Safety regulations. They will be checked annually by cemetery staff. Any Memorial found to be unsafe will be laid flat on the grave. After twelve months we reserve the right to remove these memorials if they have not been repaired by the owner, or person responsible.

#### **SECTION 14 DIMENSIONS OF MEMORIALS**

- (i) A headstone must not exceed 870mm (thirty-four inches) in height (including base) and 610mm (twenty-four inches) in width and must be no less than 75mm (three inches) thick. A headstone 460mm (eighteen inches) high must be no less than 50mm (two inches) thick. A base is not to exceed 760mm (thirty inches) wide and 305mm (twelve inches) deep, and 100mm (four inches) thick, and can include a flower container.
- (ii) A headstone must rest on a foundation slab (not necessarily of quarried stone). This will be fixed flush with the turf, will be 915mm (thirty-six inches) wide, not less than 75mm (three inches) thick and extend to between 75mm (three inches) and 125mm (five inches) to the front and the rear of the base so that a mower may pass freely over it.



- (iii) Vases must be contained within the memorial,
- (iv) In Section `O' the memorial stone shall be 460mm (eighteen inches) wide and 305mm (twelve inches) deep, 100mm (four inches) high at the back tapering to 50mm (two inches) at the front, of natural quarried stone, incorporating a flower container (no separate vase will be allowed). The stone shall be mounted on a concrete base 610mm (twenty-four inches) wide and 460mm (eighteen inches) deep and at least 50mm (two inches) thick. The base shall be fixed flush with the turf to allow a mower to pass directly over it. The bases shall be laid end to end and back to back.
- (v) No flower vases or containers of any description are allowed in the Garden of Remembrance except by prior permission.
- (vi) A bronze plaque to be placed in the Garden of Remembrance must be five inches by three inches. The back must be flush with no protrusions for fixing.
- (vii) Section `A', row B, is reserved for still-born/infants up to twelve months old. A headstone in this section shall not exceed 380mm (fifteen inches) in height and 305mm (twelve inches) in width with a minimum thickness of 50mm (two inches). The base is not to exceed 405mm (sixteen inches) in width and 305mm (twelve inches) in depth with a minimum thickness of 75mm (three inches), can include a flower container, no separate vase will be allowed. The foundation slab shall be 610mm (twenty-four inches) by 460mm (eighteen inches) with a minimum thickness of 50mm (two inches). slab will be laid flush with the turf to allow a mower to pass directly over it.

## **SECTION 15 ERECTION OF MEMORIALS**

- (i) **Memorials may only be fixed in the cemetery during normal office hours.**
- (ii) Any monumental mason who removes a memorial for the purpose of carrying out an interment or for any other purpose must replace the same within twelve weeks or make alternative arrangements with the Cemetery Manager
- (iii) No hewing or dressing of memorials will be permitted within the cemetery and all materials shall be conveyed in a manner which will not cause a nuisance or damage the grounds of paths. All refuse and materials must be removed in a like manner.
- (iv) **For stonemasons to avoid their arrangements conflicting with a funeral service and to ensure that someone is available to show location of grave,**

**two days' prior notice by telephone should be given stating approximate time of arrival.**

- (v) **On arrival at Cemetery all memorials are to be checked by the Cemetery Manager prior to fixing.**

#### **SECTION 16 USE OF CHAPEL**

The chapel to the west of the main path has been provided for services of all denominations and any duly authorised minister may officiate therein, provided the service is conducted with propriety. The fee set will be payable in advance of use of the chapel

#### **SECTION 17 COMPLAINTS**

Members of the public who wish to raise any point/s regarding the running or condition of the Cemetery should contact the Cemetery Manager either in person or in writing. He will respond within forty-eight hours to, either acknowledge the point/s raised or, confirm action is being taken to resolve the point/s raised.

#### **SECTION 18 GREEN BURIALS**

Section S in the Cemetery is reserved as a natural meadow exclusively for the purpose of Green Burial only.

The following Rules and Regulations apply,

- (i) All Interments are single depth only
- (ii) All coffins/caskets/shrouds must be Biodegradable
- (iii) Flowers and wreaths may be placed on the grave at time of burial only, these will be removed after a period of twenty eight days.
- (iv) All graves will be grassed over and wild flowers sown.
- (v) No permanent marking of the graves are permitted, this includes memorials, plaques, vases or any other form of identification.
- (vi) Pre purchase plots are available by arrangement with the Cemetery Manager.

## **SECTION 19 TRANSFER OF GRAVE OWNERSHIP**

The Council must comply with the current law relating to ownership of graves and burials.

When a grave has been purchased a Grant of Rights is issued and the name of the Registered Grave Owner is recorded in the Cemetery records as the person owning the burial rights for a period of 50 years, subject to any extension.

The Grave Grant is an important document and must be produced in the event of any future interment. It is essential therefore, to keep the Grant in a safe place to avoid any delay in the future.

The grave owner can assign the Grant of Right of Burial during their lifetime to another individual.

When the Registered Grave Owner dies, the title of the grave passes to the executors or administrator of their estate. If no executor or administrator has been appointed the title passes to his or her next of kin.

It is important to be aware that Burial law prohibits the opening of a grave for burial, including the burial of cremated remains, or to place cremated remains upon the surface of a grave without the permission of the registered owner, unless the burial is for that of the grave owner.

The erection of a permanent memorial on a grave, and the inscriptions on that grave can only be authorised by the Registered Grave Owner and is subject to compliance with the cemetery rules.

Where the owner has been buried, then without exception a new owner must first be registered to re-open the grave for burial or to place a memorial or additional inscription upon an existing memorial.

# Wells City Council - Transfer of grave ownership

