



## **Axbridge Town Council**

### **Cemetery Regulations**

**(Appendix G of Standing Orders)**

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**Last Updated:**

**Regulations: 21<sup>st</sup> June 2021**

**Fees: 21<sup>st</sup> October 2019**





## AXBRIDGE TOWN COUNCIL—BURIAL AUTHORITY

### CEMETERY RULES AND FEES

#### **Regulations for Burial Ground**

Regulations made by the Axbridge Town Council in the County of Somerset under Article 3 of the Local Authorities Cemeteries Order 1977 for the Management of the Burial Ground for which the Town Council is the Burial Authority.

#### **1. Interpretation:**

In these regulations, unless the context otherwise requires, the following expressions shall have the meanings assigned to them: -

'The Burial Ground' means the cemetery and garden of remembrance, which is mainly laid to lawn with only headstones & plinths for each grave space or plot

'The Council' means the Town Council for the Town of Axbridge acting as Burial Authority for the said Parish

'Clerk' means the person for the time being appointed by the Council to act on its behalf

'Minister' means any person officiating as such at an interment

'Grave' means a burial place formed in the ground by excavation and without any internal wall of brickwork, stonework or other permanent lining

'Grave Space' means the area of land in which a grave has or will be excavated

'Grave Number' means the area of land in which space in the records of the Council

'Memorial' means any ornament erected, constructed, placed or laid for the purpose of a memorial over or upon any grave or space

## 2. Hours of Admission:

The Burial Ground shall be open to the public at all times

## 3. Conduct in Burial Ground:

(1) All persons shall conduct themselves in a quiet, decent and orderly manner and no person shall remove or take away any plants or flowers without lawful authority

(2) Any person who wilfully destroys or injures any property within, or forming part of the Burial Ground, or plays at any games or sports therein, or wilfully and unlawfully disturbs any persons assembled for the purpose of attending any funeral, or commits any nuisance within the Burial Ground shall be liable to prosecution under Article 19 of the Local Authorities Cemeteries Order 1977

(3) No person shall deposit litter or other waste material within the Burial Ground, except within the receptacle provided for that purpose

## 4. Dogs and Other Pets:

No dogs or other pets shall be taken into the Burial Ground except Guide Dogs and Hearing Dogs

## 5. Funerals Control:

The conduct of any Funeral in the Burial Ground shall be subject to the control and supervision of the Clerk

## 6. Funerals Special Occasions:

The arrangements for any ceremonies of a special or unusual nature shall be subject to the prior approval in writing of the Council

## 7. Public Health Requirements:

The person arranging a burial shall notify the Clerk in all cases where the deceased suffered from a notifiable infectious disease or was exposed to radiation

## 8. Notice of Interment and Reserved Plots:

(1) Notice of every interment shall be given to the Clerk and all fees and charges shall then be paid

(2) Notice of interment may be accepted by telephone but shall be subject to confirmation in writing immediately afterwards

(3) Notice of interment shall be given on the printed form supplied by the Clerk on which all the particulars requested shall be clearly stated; responsibility for any error or omission shall rest upon the person signing the notice

(4) Not less than 48 hours notice shall be given for an interment. A longer period of notice may be required where, in the opinion of the Clerk, a grave cannot be prepared within the minimum period of notice

(5) After notice has been given, any alteration required in the arrangement will be subject to the consent of the Clerk. An additional charge may be imposed if such alteration is likely to involve the Council in any additional expense

(6) The selection of the space for interment in all cases shall be subject to the approval of the Burial Authority and by reference to the Clerk to the Authority. The next plot in rotation will be used and the only space which may be reserved by any person is the plot next in rotation (subject to the discretion of the Burial Authority where practicable or exceptional circumstances apply).

(7) Where a space is reserved, the appropriate documentation shall be given to the clerk and all fees and charges shall then be paid

#### 9. Payment of Fees:

All fees and charges shall be paid to the Clerk

#### 10. Document delivery:

The Council accept no liability for any consequences arising from the loss or delay in delivery of any notice, order or other document sent by post

#### 11. Hours of Interments:

Interments may be made at all reasonable hours but as agreed with the Clerk

#### 12. Certificates Required:

(1) A certificate of disposal issued by the Registrar or Deputy Registrar of Births and Deaths, or a Coroner's order for burial, shall be delivered to the Clerk at the time of Interment. Any persons procuring a burial who fail to deliver such certificate or order shall be required to make a written declaration in the prescribed form in accordance with the Registrar of Births, Deaths and Marriages Regulations 1968. A person failing to comply with these requirements shall be liable to prosecution

(2) A certificate of disposal issued by a Registrar or Deputy Registrar of Births and Deaths or a Coroner's Order in respect of a stillborn child shall be delivered to the Clerk when the body is brought for interment

#### 13. Officiating Minister:

The person arranging a burial shall be responsible for the attendance of a Minister of Religion to officiate at the burial service and for the payment of the requisite fee

#### 14. Exhumation:

After interment, a body, or casket containing the ashes of a body, shall not be removed from a grave without the production to the Clerk of the necessary faculty of licence, in accordance with statutory requirements

#### 15. Coffins and Caskets

(1) A body shall not be accepted for interment unless it is enclosed in a coffin or casket

(2) A coffin or casket must be made of biodegradable materials (with the exception of the fittings). Metal coffins or caskets will not be allowed except in exceptional circumstances. Details of any special type of coffin or container to be used shall be notified in writing to the Clerk with the Notice of Interment. The Council reserves the right to refuse to accept a coffin or container of unusual or extraordinary design.

#### 16. Grave Spaces: Excavations and Measurements etc

(1) All graves are dug and excavated at the responsibility of the Undertaker, and to the satisfaction of the Burial Authority

(2) A grave space shall measure 9 feet 6 inches by 4 feet 6 inches (2.90 metres x 1.37 metres). The required excavation for an adult may be to a maximum depth sufficient for two interments. The grave shall be 5 feet (1.53 metres) deep for a single burial and 6 feet 6 inches (1.98 metres) for a double burial. Internal walls of brickwork, stonework, or other permanent lining shall not be permitted

(3) 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 (15cm) in depth shall be left between each coffin

(4) 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 (1.07 metres) of the ordinary level of the ground

(5) No grave or grave space shall be raised above the level of the ground immediately adjoining the grave or grave space

(6) Whenever a burial has taken place, the grave shall forthwith be filled with earth, and in due course levelled, the surface covered with turf, and surplus earth removed. This work must be completed within six months of the burial

(7) The burial of cremated remains where no grave exists shall be in that portion of the Cemetery set aside for this purpose (The Garden of Remembrance), the depth to be not less than two feet (0.60 metres) below the ground level

(8) Cremation plots will be allocated on a site measuring 24"x24" (60cm x 60cm) to enable 2 sets of ashes to be buried side by side. The foundation base will measure 24"x24"x2" (60cm x 60cm x 5cm), these will be supplied and levelled by the Town Council. The memorial tablets will measure 18"x18"x4"x2" (45cm x 45cm x 10cm x 5cm) with or without a flower container incorporated within

(9) The interment of human body organs and tissue is permissible in the Garden of Remembrance

(10) Cremated remains may not be scattered in any part of the cemetery

**(11) The owner of a grave space shall not set out and plant the grave space, or allow others to do so, except as permitted by Council in writing**

**(12) The Council do not permit stones or any other obstructions, on graves or plots, that would hinder grass cutting or the day to day workings of the facility**

13) The placing of flowers or memorabilia will be restricted to the base of the headstone or grave marker. The headstone foundation base or grave marker slab should be an appropriate size for the headstone (usually 3 feet wide and 1 foot 6 inches long (90cm x 45cm) and be installed on the western edge of the plot (to be in line with others in the row). Flowers or memorabilia to be contained within that area

14) The Council does not permit the 'edging' of the grave space, fencing or kerbstones, nor any obstruction to grass cutting including loose chippings. Flat stones laid horizontally will not be allowed.

15) Artificial flowers or wreaths may not be placed in the burial ground

16) If a plot has been reserved and it is found that it unable to be dug due to underlying ground conditions, then an alternative plot will be offered or monies returned. This will be for the full term of the exclusive rights of burial

### 17. Memorials and Markers:

(1) Application for permission to erect or place a memorial or marker on a grave space shall be made to the Clerk and be accompanied by details of wording and marking plus requisite fee. All memorials must conform to British Standards BS 8415 and the National Association of Memorial Masons' Code of Working Practice

(2) Where exclusive right of burial has been granted a headstone may be erected, it shall not exceed 1.06 metres in height by 0.76 metres wide by 0.45 metres deep (3 feet 6 inches x 2 feet 6 inches x 1 foot 6 inches) (including headstone, headstone base and foundation base). The headstone foundation base or grave marker slab should be an appropriate size for the headstone (usually 3 feet wide and 1 foot 6 inches long (0.90m x 0.45m) and be installed on the western edge of the plot (to be in line with others in the row). No headstone to be erected within six months of burial

3) The foundation base in the Garden of Remembrance will measure 24" x 24" x 2" (60cm x 60cm x 5cm) (and will be supplied and levelled by the Council subject to requisite fee). The memorial tablets in the Garden of Remembrance will measure 18"x 18" x 4" x 2" (45cm x 45cm x 10cm x 5cm) with or without a flower container incorporated within. No planting is permitted in the ground surrounding the base. Application for permission to erect or place a memorial tablet on such a plot must be made to the Clerk and be accompanied by details of wording and marking plus requisite fee. All memorials must be kept in line

(4) All memorials must carry the grave number engraved in a clearly visible position (on the rear of every headstone)

(5) The Council will keep in order all parts of the cemetery, but headstones or crosses or graves in respect of which exclusive rights of burial have been granted shall be kept in repair by the owner or relative concerned. The Council reserves the right at all times to remove wreaths on any grave space, and any plants growing thereon. Any headstone, memorial or cross not kept in good order, condition and repair, will be removed or otherwise dealt with at the discretion of the Council, provided that where the name and address of the owner or relative concerned is known to the Council, three months' notice of neglect or want of repair shall be given before action is taken

### 18. Execution of Memorial Work:

(1) All work in connection with provision of memorials or markers shall be carried out under the control and direction of the Clerk



(2) Persons undertaking the fixing or laying of memorials or markers shall provide all equipment for the work and, on completion of the work, such equipment and any surplus materials shall be removed forthwith and the grave space and surrounding area left in a tidy

(3) No workmen, vehicles or materials required for constructional or maintenance purposes in respect of memorials or otherwise shall be received into the Burial Ground on Sundays and Public Holidays

#### 19. Damage and Loss:

The Council do not accept responsibility for any damage or loss occasioned to any person, vehicle, equipment or otherwise within the Burial Ground

#### 20. Private Graves:

(1) The exclusive right of burial in a private grave shall be for a term of one hundred years

(2) A grant of exclusive right of burial in a private grave for a term of one hundred years shall be made to the purchaser of such a right, and that person shall be registered in the Council records of the cemetery as the owner of the grave space

(3) The exclusive right of burial shall not be assigned or transferred without the prior consent of the Council and the execution of a Deed of Assignment, the appropriate fee shall be charged for registering the transfer and endorsing the Grant

(4) When notice is given of the first interment in a private grave, the person responsible for making the arrangements shall indicate whether the grave will be required for one, or two or three persons. , and the number of interments in that grave shall be limited accordingly. This limitation shall not apply to the interment of ashes

(5) If it is desired to re-open a private grave, the grant of exclusive right of burial shall be produced or other authority of the owner for the opening shall be given in the form prescribed by the Council

#### 21. Public Graves:

Consent for an interment in a public grave shall not include any right or privilege apart from the right to make a single interment in a grave to be selected by the Clerk (memorials not usually allowed)

#### 22. Amendment of Regulations:

The Council reserves the right to revoke or amend any of the foregoing Regulations from time to

time

The foregoing Regulations were amended by the Axbridge Town Council, Burial Authority on 21<sup>st</sup> June 2021 and will come into operation on that date.

Signed (Mayor) .....

Signed (Clerk) .....

Previous revision dates: 19<sup>th</sup> June 2000 (in force on 1<sup>st</sup> July 2000), 16<sup>th</sup> September 2013; 21<sup>st</sup> July 2014, 18<sup>th</sup> July 2016, 15<sup>th</sup> August 2016 and 16<sup>th</sup> September 2019, 21<sup>st</sup> October 2019, 7<sup>th</sup> September 2020 and 21<sup>st</sup> June 2021

**Adopted by Council on 21<sup>st</sup> June 2021 (minute 35.21(b) refers)**

**Last Review Date: 21<sup>st</sup> June 2021**

**APPENDIX A**

**AXBRIDGE TOWN CEMETERY**

**TABLE OF FEES AND CHARGES**

Where the interment, exclusive right of burial or erection of memorial costs relate to a stillborn child born after 24 weeks of pregnancy, or of a child whose age at the time of death did not exceed eighteen years, there will be no cost to the family, with the costs referred to below being reclaimed by the burial authority from the Children's Funeral Fund

**PART 1 - INTERMENTS**

The fees indicated in this part do not include the fee for the digging of the grave.

**For the interment of**

**a) the body of a stillborn child born after 24 weeks of pregnancy, or of a child whose age at the time of death did not exceed one year (*or cremated remains*)**

Parishioner:	£10.00	Non- Parishioner	£10.00
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**b) the body of a child whose age at the time of death exceeded one year and did not exceed eighteen years:**

Parishioner:	£60.00	Non-Parishioner	£150.00
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**c) the body of a person whose age at the time of death exceeded eighteen years:**

Parishioner:	£120.00	Non-Parishioner:	£300.00
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**d) cremated remains in existing earthen grave:**

Parishioner:	£40.00	Non-Parishioner	£80.00
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Please note this fee is halved for a child whose age at the time of death exceeded one year and did not exceed eighteen years.

**e) cremated remains in the Garden of Remembrance:**

Parishioner:	£ 80.00	Non-Parishioner	£160.00
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Please note this fee is halved for a child whose age at the time of death exceeded one year and did not exceed eighteen years.

**PART 2 - GRANT OF EXCLUSIVE RIGHTS OF BURIAL IN EARTHEN GRAVE**

The fees indicated in this part include the Deed of Grant and all expenses thereof.

**For the exclusive right of burial for a period of 100 years**

**a) in an earthen grave**

Parishioner:	£120.00	Non-Parishioner:	£300.00
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**b) of cremated remains in the Garden of Remembrance**

Parishioner:	£80.00	Non-Parishioner:	£160.00
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**PART 3 – MONUMENTS, GRAVESTONES AND MONUMENTAL INSCRIPTIONS**

**For the right to erect or place a headstone or cross on a grave with approved inscription:**

Parishioner:	£75.00	Non-Parishioner:	£150.00
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**PART 4 – SEARCH FEES**

Searching Register of Burials	£10.00
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For every Certified Copy of Entry	£10.00
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## **PART 5 - GARDEN OF REMEMBRANCE**

For the right to erect or place a memorial/memorial plate and marker on the foundation base in the Garden of Remembrance, with approved inscription

Memorials/memorial plates and markers: Parishioner: £55.00 Non-Parishioner:£110.00

Foundation Base: Fee: £40.00 (supplied and levelled by the Town Council)

The foundation base will measure 24"x24"x2". The memorial tablets will measure 18"x18"x4"x2" (45cm x 45cm x 10cm x 5cm) with or without a flower container incorporated within. No planting is permitted in the ground surrounding the base.

All other rules regarding memorials are the same as for the main cemetery and can be found on page 6.

The interment of human body organs and tissue is permissible

**Previous revision dates:** 20<sup>th</sup> Oct 2008, 15<sup>th</sup> Aug 2011, 16<sup>th</sup> Nov 2015 (from 1<sup>st</sup> Dec 2015) and 21<sup>st</sup> October 2019

**Adopted by Council on: 21<sup>st</sup> October 2019**

**Last Review Date: 21<sup>st</sup> October 2019**