

WYMESWOLD PARISH COUNCIL AND BURIAL BOARD

WYMESWOLD CEMETERY RULES AND REGULATIONS

These are the Rules and Regulations made by Wymeswold Parish Council with respect to Wymeswold Cemetery Acting as the Burial Authority regarding the Management of the Cemetery, provided by the said Authority for their Parish. The Clerk shall act as and have all powers and duties for the Cemetery or a responsible Parish Councillor in the Clerk's absence.

Wymeswold Cemetery is located on Rempstone Road, Wymeswold.

The Cemetery is controlled and administered by Wymeswold Parish Council, hereinafter called the "Council", under the Local Government Act 1972 and the Local Authorities' Cemeteries Order 1977. All burials and interments must comply with the above legislation and/or any successor legislation.

CONDITIONS FOR USE

All persons entering the Cemetery will be subject to the orders and control of the Parish Council.

Everyone is welcome to visit the Cemetery, but we ask that all visitors treat the Cemetery with respect by: conducting themselves in a decent, quiet and orderly manner; not interfering with any graves or cremated remains plots, or with any burial taking place; playing no games or sports; taking no alcohol or illegal substances into the Cemetery at any time.

No person shall willfully interfere with any burial taking place, or any grave, memorial, flowers or plants.

Council employees will be pleased to help wherever possible with any queries, but any complaints must be made to the Parish Clerk.

Dogs must be on leads; any dog waste removed and deposited in the nearest bin immediately. Bins are located next to the entrance gate to the Cemetery.

The use of motorcycles, cycles, skateboards, roller blades, roller skates, scooters, or any other vehicle, whether propelled by mechanical or powered means, will not be allowed in the Cemetery, with the exception of mobility scooters and the gravediggers/funeral directors (following approval by the Parish Clerk).

No person shall drop, throw, or otherwise deposit and leave in the Cemetery any wastepaper or refuse of any kind except in the bins provided for the purpose.

The use of lawnmowers/strimmers is only permitted by employees or contractors of Wymeswold Parish Council.

LAYOUT

The Cemetery is divided into Consecrated and Unconsecrated sections and grave spaces with a separate Garden of Remembrance. A plan of the Cemetery showing this arrangement and the grave spaces numbered thereon resides with the Parish Clerk and can be inspected on application to the Parish Clerk to the Burial Authority.

*The rules and regulations and the table of current Cemetery fees along with memorial requirements, are currently on the village website and can also be obtained on application to the Parish Clerk.

EXCLUSIVE RIGHT OF BURIAL

Grants by the Council of exclusive rights of burial in grave spaces in the Cemetery provide the owner of the Grant the right to: be buried in that grave; authorise other burials in that grave (where space is available), or

the interment of cremated remains in that grave, subject to its being contained in a casket/plastic cylinder; erect or place a memorial on that grave subject to the Regulations of the Council relating to memorials; have additional inscriptions placed on a memorial subject to the Regulations of the Council relating to this matter. (Please note that possession of the Grant does not provide ownership of the actual land but only the right).

Grants are made subject to the following **terms and conditions**:

The position of the grave shall be agreed with the Council.

Scattering of cremated remains upon the grave space, to which the Grant refers, will not be allowed at any time.

Wherever possible, all plots will be turfed flat for easy maintenance.

A Deed of Grant will be issued by the Parish Council on payment of the appropriate fee (contained within the table of Cemetery fees).

If the owner of the Deed of Grant dies, it is assumed that they gave permission to have him or herself interred in the grave.

The plot may be used for a period of 100 years only and at the expiry of that period, all the rights of the grantee (i.e. the person purchasing the rights of burial) will cease. Under no circumstances will any Grant be made for periods exceeding 100 years.

If any dispute shall arise as to the date of expiry of the period for which exclusive rights of burial were granted by the Wymeswold Parish Council or a former Local Authority, such date shall be ascertained by reference to records kept by the Council, and the date shown in these records shall be final and conclusive and binding upon any person.

At the end of the said period of 100 years, the right to use the plot shall cease and any person interested may, before the expiry of the said period, give notice in writing to the Council that he/she wishes to retain any memorial erected or placed upon the plot. If no such notice is given or if, after notice has been given, the memorial is not within one month from the expiry of the period of 100 years removed at the expense of the person giving notice, the memorial may be removed by the Council and disposed of in such a manner as the Council shall choose, and proof of the posting of the said notice shall not be deemed to be proof of a receipt thereof by the Council.

This Grant signed on behalf of the Council will at all times be accepted as evidence of the grantee's title to the aforementioned rights of burial.

The Grant will be subject to, in addition to these Regulations, any order that the Secretary of State may, from time to time, make in respect of the management of cemeteries by burial authorities, the Council's table of fees, and any regulations in force for the time being respecting the Cemetery, or the portion thereof in which the plot, which is the subject of the Grant, is situated.

The re-assignment of Exclusive Rights of Burial will only be accepted on receipt of an appropriate, and original, legal arrangement.

Exclusive rights may be surrendered at any time, without refund of the purchase fee, on return of the Deed of Grant to the Parish Council Clerk. If the owner of a Right fails to notify the Parish Council of a change of address and cannot be contacted subsequently, the Deed will be deemed to have been surrendered. Before terminating the Deed, the Parish Clerk will write to the last known address of the owner of the Right. If no reply is received within four weeks of the date of the letter, the Parish Clerk will contact any known relatives who are resident in the Parish to ask them to contact the owner of the Right of Burial.

INTERMENTS

Residents of the Parish, and those who die within the Parish boundary, have a right to be buried in the Cemetery subject to the payment of the appropriate fee. Anyone who dies in a retirement or care home, in hospital or with family, outside the Parish but who was previously resident in the Parish immediately before they moved into a retirement or care home, into hospital or with family, will be treated as if they were still resident in the Parish at the time of death. Everyone else will be classed as a non-resident by the Council.

The selection of grave spaces is in all cases subject to the approval of the Council. No interment shall take place in any part of the Cemetery except in the grave spaces marked out on the plan.

No less than 72 hours' notice (excluding weekends and public holidays) is required for every interment and must be given to the Clerk to the Burial Authority. Such notice shall be confirmed in writing on the prescribed form; Notice of Interment. The Council will not accept any responsibility for verbal arrangements, where such arrangements have not been confirmed in writing.

The Council will not accept responsibility for the consequences arising from the loss or delay of any such Notice, order or other document sent by post, nor for the accuracy of the details contained in the Notice of Interment.

A certificate of disposal issued by the Council of Births and Deaths or a Coroner's Order for burial must be delivered to the Council before the interment shall be allowed to proceed.

In the case of interment of cremated remains, a certificate for burial purposes, issued by the Cremation Authority, will be required.

Coffins should be of wood or other perishable material, and must comply with any conditions that may, from time to time, be required by the Council, particularly in relation to health and safety issues.

All graves will be prepared by persons approved by the Council.

Where more than one burial takes place in a grave there shall be a layer of earth of not less than 15cm (6 inches) in thickness, plus the thickness of the coffin board, between each coffin.

When any grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein, or remove there from, any soil that is contaminated.

After interment, no body or cremated remains may be removed from a grave without the production of the ecclesiastical faculty and/or licence for exhumation required by law. The original documents will be required for this purpose.

Interments may take place with or without the services of a Clergyman or Minister of Religion, and the Council is not responsible for such arrangements. Ceremonies of a special nature are subject to the approval of the Council and every interment must take place with due reverence to the occasion.

The Council has the right to exclude from the Cemetery, on the occasion of a funeral, any person or persons not being mourners or officially connected with such funeral.

The person responsible for the funeral must arrange for the relevant grave or cremation plot to be dug; fill up and level the ground and remove all rubbish, surplus soil and materials, and make good all injury which in the progress of the works may be done to any adjacent grave or memorial stone, or to any portion of the Cemetery or property of the Council.

INTERMENT OF CREMATED REMAINS (Ashes)

Cremated remains will normally be interred in that part of the Cemetery set aside for the purpose (Garden of Remembrance), except where it is wished to use an existing burial plot.

When interring ashes in an existing burial plot only two can be allowed at the discretion of the Parish Council.

Where any grave is reopened for the interment of cremated remains, no person shall disturb any human remains interred therein or remove any contaminated soil.

GARDEN OF REMEMBRANCE

A Garden of Remembrance has been designated by the Council for the interment of cremated remains. These shall be buried in a casket or plastic cylinder in a plot suitable for two interments. The position of the plot shall be determined by the Council.

MEMORIALS

No memorial shall be placed in Wymeswold Cemetery without the consent in writing of the Council first having been obtained through the Parish Clerk.

Any memorial placed or erected on the plot shall be of such dimensions as the Council shall approve and may bear a suitable inscription provided that such inscription is not, in the opinion of the Council, libelous or likely to cause offence to any person or body of persons.

Consent includes a condition for the memorial to be maintained. All gravestones, memorials and vases of any description (including memorial benches that have been sited in the Cemetery following written approval by the Council) are to be kept in good repair by the owners, and if not repaired after due notice, may be removed, or repaired with costs being recharged to the owners, by order of the Burial Authority. Consent granted under regulation 10 of the Local Authorities Cemeteries Order 1977, constitutes a legal right which passes to the heirs of the person to whom it was originally granted.

The details of the memorial sizing requirements and fees are contained in the table of Cemetery fees available on the village website and on application to the Parish Clerk.

***All** memorials should have the grave number and area of the Cemetery (ie. **A125**) engraved on it.

Memorials remain the property of the deed holder. The Parish Council is not liable for damage, however caused, and it is the deed holder's responsibility to maintain the memorial to current Health & Safety standards.

Any unauthorised memorials, including grave surrounds, are subject to removal by the Council without notice and the cost of removal and disposal shall be charged to the owner of the Right of Burial or other responsible person.

FLOWERS, PLANTS

No plants are allowed to be planted into the ground of the graves/plots/Garden of Remembrance. Only removable pots with plants/flowers are allowed on the graves/plots/Garden of Remembrance. **No** plants with tap roots are allowed in pots on the graves/plots/Garden of Remembrance.

Cut flowers may be placed in a suitable container at the head of the grave.
Dead flowers and rubbish should be placed in the bin provided in the Cemetery.

Water is available for use at the Cemetery.

FEES

A table of Cemetery fees and charges due to the Council in respect of burials, interments and memorials is shown on the village website and by application to the Parish Clerk.

All payments are due in advance.

The Council reserves to itself the right from time to time to make any alterations in the foregoing regulations and the Scale of Fees and Charges.

These Rules and Regulations were made by Wymeswold Parish Council and agreed at the Wymeswold Parish Council meeting held on 5th December 2022.

Review date for these regulations will be December 2023.