



Porlock Parish Council

Cemetery Regulations

1. Introduction

1.1. These regulations apply to all Cemeteries/Burial Grounds owned and/or managed by the Council.

1.2. Currently the sites include:

Hawkcombe Cemetery

The closed Churchyard at St Dubricius Church

2. Contact Details

2.1. All funeral bookings, general enquiries and comments regarding the Cemetery/Burial Ground should be directed to:

Clerk to the Council clerk@porlockparishcouncil.gov.uk

Please see our website home page for the current office opening hours www.porlockparishcouncil.gov.uk

2.2. These Regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other appropriate regulations currently in force.

3. Admission to the Burial Grounds

3.1. The Hawkcombe Cemetery and the closed Churchyard at St Dubricius are open for visitors every day of the year.

3.2. The Cemetery/Burial Grounds are places of peace and quiet reflection. They are also workplaces. Visitors to the sites are welcome, but please respect the special nature of the sites, the needs of other users, and safety factors. No games, sports, riding of bicycles, skateboards, roller blades or similar are allowed in the burial grounds. No consumption of alcohol or drugs may take place within the burial grounds, and anybody under the effects of such substances will not be admitted.

- 3.3. Any person creating a nuisance or a disturbance, such as interfering with a funeral, grave, headstone, flowers, trees, etc., will be required to leave the Cemetery/burial ground immediately and may be the subject of subsequent legal action.
- 3.4. Children under the age of 14 are welcome in the Cemetery/burial ground but must be supervised by a responsible adult. It is particularly important that children are not allowed to climb on any monuments within the Cemetery/burial ground.
- 3.5. Dogs on leads are permitted in the Cemetery/burial ground but must be kept under control and owners must dispose of dog faeces hygienically.
- 3.6. Visitors with disabilities or other special requirements should contact the Clerk who will be pleased to assist.

4. General Regulations

- 4.1. No employee of the Council is allowed to take any gratuity, or to undertake paid private work of any kind in connection with the Cemetery/burial ground either in their own time or during their employed hours.
- 4.2. No person shall canvass or solicit business in the burial grounds.
- 4.3. All fees for interments or memorial works must be paid in full to the Council in advance.
- 4.4. The Council will publish a scale of fees and charges annually. All fees will be doubled in respect of residents from outside the parish. A resident of Porlock is defined as somebody who a) was a resident of the parish immediately prior to their death or b) lived in the parish for over ten years and moved out of the parish less than 5 years before their death or moved out to be cared for.
- 4.5. The Council reserves the right to amend these regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.

5. Graves

- 5.1. Graves are available in the Cemetery which consists of consecrated and unconsecrated sections. The selection of grave spaces shall be at the final discretion of the Council, but the wishes of applicants will be met wherever possible.
- 5.2. Due to the rocky nature of the ground within the Cemetery, it is only possible to sell single depth grave spaces.
- 5.3. Every interment shall take place either in a private or public grave, at the discretion of the Council. Private graves are graves to which an Exclusive Right of Burial has been issued. Public graves are graves which remain in the ownership of the Council and to which no specific rights have been granted.
- 5.4. The Exclusive Right of Burial for a grave can be purchased for a period of 75 years calculated from the actual date of interment. The Exclusive Right of Burial also allows a memorial to be placed on the grave.

- 5.5. Private graves and Exclusive Right of Burial can be reserved in advance of need but payment must always be made at the time of reservation. As there are no double depth graves, an adjacent space to an existing plot may also be reserved, in which case the Exclusive Right of Burial will be confirmed by the Deed of Grant. The Exclusive Right of Burial can only be transferred to another person or persons who are entitled and via the legal process adopted by the Council.
- 5.6. Memorials will only be permitted on purchased graves. Memorials must conform to the regulations given at 9 below.
- 5.7. The Cemetery offers Lawn Graves and Cremated Remains Graves.
Lawn graves are laid to lawn and a headstone only is allowed with a small space at the head of the grave available for flowers. No new kerbs, fences or surrounds are permitted on the Lawn Graves although an existing single kerb set can be extended to a double kerb set, if the plot holder owns the adjacent plot. Cremated Remains Graves in the Garden of Rest are for the burial of cremated remains only. Fresh flowers and artificial flowers are permitted (not plastic) and flower holders must be of a non-breakable material.
- 5.8. All graves will be excavated and prepared for interment by the Council or their appointed contractors only. A completed Notice of Interment must be provided prior to any grave space being dug. No other person or company will be allowed to undertake any excavation within the Cemetery/burial ground except with the express permission of the Clerk. The depth of each grave will be determined by the Council in accordance with the provisions of the Local Authorities Cemeteries Order 1977.
- 5.9. The Council will mark the space where the grave is located and grave diggers must only excavate within the template shown. The standard size of a grave space is 6ft x 3ft but for graves in NP3 from No. 200 onwards the size has been increased to 8ft x 4ft. Any graves dug in the top 8 rows of the slope in NP3 must be dug by hand. **This is in the interests of Health & Safety.** All excess soil from the digging of a grave must be put in the compound provided and **not under any circumstances** be distributed in other parts of the Cemetery.
- 5.10. Following the interment, the Council will level the grave and either re-turf or topsoil and seed it as appropriate to the season.

6. Coffins

- 6.1. Coffins and urns for burial must be made from suitable bio-degradable materials such as wood, wicker, cane, bamboo, wool, cardboard etc. The Council also permits shroud burial.

7. Booking of Interments

- 7.1. A provisional booking for a funeral may be made by email to the Council offices.
- 7.2. The provisional booking should be followed up by the submission of a completed Notice of Interment (form supplied by the Parish Council) to the Council Offices at least 48 working hours in advance of the intended date and time of the funeral. Receipt of the fully and correctly completed Notice of Interment will act as confirmation of the provisional booking. All fees and charges must accompany the Notice of Interment.

- 7.3. In respect of private graves, the Deed of Grant for the Exclusive Right of Burial will be registered in the name of the applicant for the burial indicated on the Notice of Interment and signed by that person.
- 7.4. The **exact size** of the coffin, casket or container must be given in writing to the Council as soon as possible after the provisional booking, together with any other pertinent information relating to its size and shape (e.g. locking bar handles, casket shape, wicker coffin etc). The Council will subsequently add a suitable amount to the given size in order to determine the dimensions of the grave to be excavated.
- 7.5. As much information relating to the funeral as possible must be given to the Council in advance, especially if it is unusual, e.g. large number of mourners expected, motorbike cavalcade, jazz band, piper etc.
- 7.6. Only single depth lawn graves are allowed. If a cremated remains grave is purchased and is to be reopened for a further interment, or if cremated remains are to be interred in a purchased lawn grave, the written permission of the registered grave owner must be given, except where the burial is that of the registered grave owner.
- 7.7. It is the responsibility of the person making the funeral arrangements to ensure that any memorial on the grave is removed from it at least 48 working hours prior to the date and time of the funeral, as required.
- 7.8. The Certificate given by the Registrar of Births and Deaths or an order of the Coroner must be delivered to the Council Offices prior to the funeral by post or email.
- 7.9. The Council will determine the appropriate fees to be paid for the funeral, which must be paid fully in advance.

8. Interments

- 8.1. No interments are permitted on Sundays, Christmas Day or Good Friday.
- 8.2. All funerals will be subject to the control of the Council's designated Council representative.
- 8.3. The time appointed for an interment must be punctually observed. The Council reserves the right to delay a late arriving funeral in the event that it impacts on another service.
- 8.4. It is the responsibility of the person making the funeral arrangements to organize a Minister or Officiant for the funeral if one is required.
- 8.5. Any floral tributes from the funeral will be placed on top of the grave following backfilling and will remain in situ until in the opinion of the Council they become unsightly.

9. Memorials

- 9.1. The Council will carry out regular Memorial safety inspections and make safe unstable memorials. Masons carrying out work in the burial grounds must comply with the Cemetery regulations.

- 9.2. All memorials fixed in the Cemetery/burial ground must comply with British Standard 8415 (Latest version) and the BRAMM Blue Book (Latest version).
- 9.3. Ground anchors and fixing systems used in the construction of memorials must have a certificate of compliance with BS8415 (Latest version).
- 9.4. Only those memorial masons businesses that are BRAMM accredited, and those memorial masons that hold a current BRAMM Fixer Licence, will be able to work in the Cemetery/burial ground. Fixers who do not hold a BRAMM Fixer Licence will only be permitted to work under the direct supervision of a mason who holds a BRAMM Fixer Licence.
- 9.5. Memorials will only be permitted on purchased graves.
- 9.6. Memorials other than those fixed by a BRAMM accredited memorial mason are not allowed. Fences cannot be erected around a grave nor the space defined.
- 9.7. Before any memorial may be erected or works undertaken to an existing memorial, an application must be submitted to the Clerk on the appropriate form supplied by the Council. The grave owner must sign the form to give their permission for the proposed memorial/works.
- 9.8. Memorials must be constructed of materials suitable to the environment and period of grave lease. The Council reserves the right to reject an application for any memorial that it deems unsuitable.
- 9.9. The maximum height of lawn memorials is 3', the maximum width is 2' and the depth is 12". The memorial must be a minimum of 3" thick. A vase is permitted not exceeding 12" in height. A tablet or vase in the Garden of Rest (cremated remains) should not exceed 12" by 18".
- 9.10. Fees charged shall be for the first inscription. There will be an additional fee for each additional inscription.
- 9.11. The grave number must be indicated on the rear of the headstone. The memorial mason may only inscribe the company name on the reverse of the stone. No trademark, phone number or other advertising will be allowed.
- 9.12. Memorial masons must remove all arisings from the Cemetery/burial ground at the conclusion of their work and must leave the area in a tidy condition. It is not possible for memorials to be stored in the Cemetery/burial ground prior to re-fixing following a burial – all such memorials must be removed from the site by the memorial mason appointed to remove the memorials prior to the grave being excavated.

10. Care of Graves and Memorials

- 10.1. All memorials are erected at the sole responsibility of the owner and the Council shall not be held responsible for any damage to or caused by the memorial, howsoever incurred. The memorial remains the responsibility of the grave owner during the lease period of the grave. The Council reserves the right to repair or make safe any memorial which becomes unsafe or falls into disrepair, and to recover any expenses from the registered owner. The Council will undertake routine safety checks on all memorials and will notify the grave owner at the last registered address of any necessary works to make the memorial safe. The grave owner will be given a

period of 6 months from the date of the letter to affect the necessary repairs. The Council reserves the right to temporarily make safe any memorials that pose a threat until such works are completed. If the grave owner does not arrange for the repairs to be made, the Council may repair or remove the memorial at the owner's expense.

- 10.2. Grave spaces must be kept in a neat and tidy condition, and all litter must be removed from the site.
- 10.3. All flower holders or other permitted items left on graves must be made of non-breakable material. Any items left on graves are at the owners' risk and the Council cannot be held responsible for any damage to them howsoever caused. The Council may remove any articles from any grave that are likely to cause risk, damage or offence to other visitors to the Cemetery/burial ground or which interfere with the Council's maintenance of the site. Grave owners will be permitted to place personal items on either side of the memorial and/or on a one foot strip to the front of the memorial. Grave owners are requested to adhere to this rule so as to enable maintenance of the grass areas without risk of damaging any personal items.
- 10.4. No trees, shrubs or plants may be planted on graves. The Council may remove any plants that it considers unsuitable or that infringe on other grave spaces or interfere with the Council's maintenance work.

11. Grounds maintenance

- 11.1. The Cemetery and the Churchyard shall be maintained by a self-employed contractor appointed by the Council and maintained to a standard determined by the Council.
- 11.2. The Council shall ensure at the appropriate time each year that the contractor is adequately covered by Public Liability insurance and a copy of the insurance document shall be made and retained by the Clerk.
- 11.3. Once settlement of a new grave is complete the excess soil will be removed and the grave levelled.
- 11.4. In the interests of public safety, a Risk Assessment of the site will be undertaken annually at the Cemetery and the Churchyard.
- 11.5. In the interests of public safety, all trees in the Cemetery and the Churchyard will be subjected to an annual inspection as part of the Risk Assessment and any work required will be carried out in accordance with ENPA policy.
- 11.6. Guidance regarding rubbish disposal at the Cemetery and the Churchyard is publicly displayed and should be adhered to.
- 11.7. Notices warning visitors to take care on the steeper slopes of the Cemetery will be prominently displayed.