

# PAULTON CEMETERY



## PAULTON CEMETERY RULES AND REGULATIONS



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Regulations made by Paulton Parish Council for the management, regulation and control of the Paulton Cemetery. Pursuant to the local Authorities Cemeteries Order (1977) (204) and Local Government Act 1972 sections 214(3) and 266(2) for the management of its Cemetery.

**September 2023**

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## **1. Introduction to the Rules and Regulations**

All Local Authority managed cemeteries are subject to standards and conditions known as Cemetery Rules and Regulations. These are designed to inform all cemetery users of the aspects of the management of the cemeteries and the reasonable requirements applicable to them.

The regulations include the statutory requirements contained within the local Government Act 1972, the Local Authorities Cemeteries Order 1977 (LACO) and the Health and Safety at Work Act together with any other relevant legislation that governs this service.

The Paulton Parish Council reserves the right to make alterations in or addition to these Rules and Regulations.

## **2. Interpretation of Terms**

Throughout these rules and regulations the following definitions apply:

'The Council' means Paulton Parish Council

'The Cemetery' means the cemetery provided by the Council at Bath Road, Paulton

'Clerk' means the person holding the office of Clerk or their Representative

## **3. Parish Council Office Location and Office Hours**

Enquiries regarding the cemetery and burials should be directed to Paulton Parish Council, The Village Hall, Farrington Road, Paulton, Bristol, BS39 7LW to the Clerk of the council.

Email: [clerk@paultonparishcouncil.gov.uk](mailto:clerk@paultonparishcouncil.gov.uk)

Telephone: 01761 413644

The council office is open Monday to Thursday from 9.30am to 4.30pm.

## **4. Burial Registers**

A Register of Burials is kept by the Parish Council in which the name and age of the person buried, the date of the burial and the grave number where buried is registered. Searches in this register may be made and certified extracts obtained during office hours.

## **5. Notice of interment**

All interment requests, applications for grave spaces should be made to the clerk to the Parish Council and must be accompanied by payment of all fees and charges. The Parish Council accepts no liability for the consequences arising from the loss, or delay in delivery of any notice, order or other documents sent by post.

## **6. Interments**

Please note that the undertaker is responsible for:

- a) The digging of the grave and the levelling of the grave within three months of the interment.
- b) The removal of surplus soil from the cemetery.
- c) Maintaining and levelling the grassed area of the grave for up to twelve months after the first and subsequent interments.
- d) Providing a marker on the grave clearly showing the name of the deceased.

## **7. Exclusive Rights of Burial**

The Parish Council may grant the exclusive right of burial in any grave space or cremated remains space upon submission of an application to purchase such rights. Plots for the exclusive rights of burial shall be strictly issued on the basis of the next available.

The purchase of the exclusive right of burial shall be for 75 years, after which all rights revert to the Parish Council.

An Exclusive Right of Burial will be issued in the names of up to 2 people.

The Exclusive Right of Burial entitles the registered owner(s) to:

- Be buried in the grave plot (subject to space being available)
- Authorise burials in the grave plot (subject to space being available)
- Apply for permission to erect a memorial
- Apply for an additional inscription to the memorial.

No burial may take place within a grave and no memorial erected upon without the written consent of the registered owner of the Exclusive Right of Burial of the grave.

Each registered owner of the Exclusive Right of Burial may be buried in the grave subject to space being available.

The consent of the registered owner(s) will be required to enable a memorial to be erected on the grave or permit the burial in the grave of any other person.

The ownership of the Deed of Grant of Exclusive Right of Burial may be transferred either during the owner's lifetime or after death.

It is the responsibility of the owner of the Exclusive Right of Burial to inform the council of any change of address or their intention to transfer ownership of the right.

The Exclusive Right of Burial may be extended for a further 25 years subject to the appropriate fee being paid.

When the Exclusive Right of Burial period comes to an end the purchaser (or his or her heir(s) or successors who have become the deed holder) will have an option of renewing that right, subject to any restrictions which may be in force at the time. Deed

holders will need to apply to renew the Exclusive Right of Burial within 12 months of the grant finishing.

## **8. Transfer of Exclusive Right of Burial**

The transfer of rights of burial, whatever size, must follow a legal process for transferring rights of burial. Rights of burial can only be 'assigned by deed or bequeathed by will', as specified in the Local Authorities Cemeteries Order 1977.

A transfer Right of Ownership to a grave is only valid if it has been registered and agreed by Paulton Parish Council.

If the ownership of the Exclusive Right of Burial is transferred during the lifetime of the owner or another owner is to be added, a Form of Assignment must be completed.

If transfer of ownership is required after the owner has died, this should be included in their will and the person being left the ownership should know where to find the Exclusive Right of Burial certificate.

It is advisable that once the grave owner has been interred within the grave, arrangements are made for the transfer of ownership. No further burials, interment of cremated remains, installation of new memorials or additional inscriptions on memorials will be permitted until ownership has been established.

Possession of the Deed of Grant of Exclusive Right of Burial does not prove ownership of the exclusive rights. The ownership of the Exclusive Right of Burial belongs to the purchaser as registered with the Parish Council at the time of sale of the right or following the registered transfer of ownership.

Where the original purchaser is deceased, the new owner must demonstrate ownership of the grave by producing a valid will, Grant of Probate, Letters of Administration. Or if these are missing, a Statutory Declaration witnessed by Commissioner of Oaths.

If the grant of Exclusive Right of Burial is lost, a Statutory Declaration will be prepared by the Parish Council and must be witnessed by a Commissioner of Oaths such as a solicitor or magistrate.

## **9. Exhumations**

After interment, no body shall be removed from a grave without the production at the Council office of the faculty or licence, in accordance with statutory requirements.

## **10. Scattering of Cremated Remains**

We only allow scattering of cremated remains to be carried out in designated areas. Permission must be requested from Paulton Parish Council.

## **11. Monuments and Gravestones**

Anyone wishing to erect a headstone, monument or tablet and inscription must first

obtain permission from the Parish Council. The application must show a drawing or illustrations of the design and the dimensions as detailed in paragraph 14. This must be accompanied by all fees and charges.

## **12. Maintenance of Graves**

No headstone to be erected until twelve months after the interment. It is the responsibility of the purchaser of the gravestone to ensure the memorial is maintained in a safe and good condition.

After twelve months, if requested, the Parish Council will carry out any necessary levelling of the grassed area at a charge.

No responsibility will be accepted by the Council for any damage that may occur to a headstone or vase.

The undertaker/stone mason is responsible for the removal from the cemetery of any surplus earth.

The grave number must be marked on the memorial by the stonemason.

Please note that for maintenance purposes no vases, receptacles, flowers, plants, lanterns and other items are to be placed down the length of the grave. Items can be placed on the plinth at the base of the memorial but no glass, china or pottery is allowed as these can crack and break in high winds and frosty weather and cause a safety hazard. For the twelve months following a burial an increase in tributes will be permitted. Once this period has passed these must be removed.

Prior consents must be obtained from Paulton Parish Council if, to commemorate a special occasion, family or friends wish, for a maximum period of two weeks, to place additional tributes on a grave.

The planting and naturalisation of early spring flowering bulbs e.g. daffodils, snow drops and crocuses are permitted in the grass area in front of the grave. The grass and leaves will be cut at the discretion of the council's groundsman as part of his routine maintenance of the cemetery.

Flowers that have faded or died will be removed from graves at the discretion of the council.

## **13. Cremated Remains Section**

In the cremated remains section there are to be no flowers other than those in the memorial vase. No additional containers or planting is permitted. No glass, china or pottery is allowed as these can crack and break in high winds and frosty weather and cause a safety hazard. For twelve months following a burial an increase in tributes will be permitted. Once this period has passed these must be removed.

**The council's groundsman is authorised by Paulton Parish Council to remove from graves any items that do not conform to the above regulations.**

## **14. Taking Down Memorials**

The council reserves the right to lay flat or make safe any memorial that has been identified as unsafe and/or likely to cause injury. To remove any memorial that has become or is likely to become dangerous or which is in a derelict or unsightly condition. The Council will take all reasonable steps to contact the grave owner before taking such action.

## **15. Memorial Specifications**

### **In the burial section:**

A headstone, tablet, book or scroll not exceeding 3ft 6ins in height on a base not exceeding 3ft in width and 18ins in depth. This can incorporate a stone or marble vase with inscription, not exceeding 18ins in height, at head of grave. The book or scroll should not extend beyond the base. A plinth not exceeding 12ins in depth, 3ft in width and 2 ins in height may be placed at the base of the memorial. Vases up to 7ins in width, 7ins in depth and 7ins in height may be placed on the plinth or on a pebble base at the front of the headstone. All vases and flowers must be placed either on the plinth or on the pebble base. The pebble base will be provided by the parish.

### **In the cremated remains section:**

A flat base stone 2ft by 2ft and 2ins in height. On the base stone can be placed a tablet, book, scroll, stone or marble vase with inscription, not to exceed 1ft 9ins by 1ft 9ins. Total height not to exceed 18ins.

## **16. Alteration of Memorials**

No memorial shall be altered or interfered with after it has been erected in the cemetery according to the design submitted and approved by the Council, nor shall any additional inscription be cut thereon without the consent of the Council. A copy of every additional inscription must be submitted to the Council and accompanied by all fees before the work is commenced.

## **17. Unauthorised Memorials**

The Council shall have power to remove, at the expense of the owner, any memorial which has been placed within the cemetery without the necessary authority, and at the like expense delete any unauthorised inscription appearing on any memorial within the cemetery.

## **18. Removal of Memorials**

No memorials shall be removed from the cemetery without the consent of the Council, and until all fees are paid in respect of such memorial.

## **19. Allowance of Dogs within the Cemetery**

Dogs are permitted in the cemetery grounds but must be kept on a lead at all times. Please do not allow your dog to urinate against memorials. If your dog fouls in the cemetery, please remove and place in an appropriate bin.

## **20. Waste Management**

The Council aims to provide and promote good waste management. General waste bins are provided for flower tributes, wrapping and waste.

## **21. Gratuities**

Employees of the Council are not permitted to request or receive gratuities.

### **Paulton Cemetery Fees and Charges**

The Parish Council shall review the fees and charges annually. Details are available from the Council office or on the Parish Council's website. If a non-parishioner previously lived in Paulton for 10 years or more prior to moving out of the Parish, resident interment rates will apply.

#### **Interments**

\*Interment fees are double for non-residents

|   |        |
|---|--------|
| For the interment of a body in an earthen grave | £49.47 |
|---|--------|

|  |        |
|--|--------|
| For the interment of cremated remains in a grave | £29.58 |
|--|--------|

|   |        |
|---|--------|
| For the scattering of ashes in the cemetery | £29.58 |
|---|--------|

#### **Exclusive Rights of Burial in earthen graves**

\*Exclusive Rights of Burial fees are double for non-residents

|   |         |
|---|---------|
| For the exclusive right of burial, for 75 years, in an earthen grave 7ft 6ins by 3ft by 3ft ins wide: | £223.89 |
|---|---------|

|  |         |
|--|---------|
| For the exclusive right of burial, for 75 years, of cremated remains in an earthen grave 3ft by 3ft in the cremated remains section: | £109.14 |
|--|---------|

|   |        |
|---|--------|
| Transfer of the Exclusive Right of Burial | £45.00 |
|---|--------|

|  |        |
|--|--------|
| To extend the Exclusive Right of Burial for a further 25 years | £50.00 |
|--|--------|

Please note that non-parishioners are not permitted to reserve burial or cremated remains plots in the cemetery in advance of interments.



\*Memorial fees are double for non-residents

### **Monuments and Gravestones**

|                                    |         |
|------------------------------------|---------|
| A headstone, tablet book or scroll | £109.14 |
|------------------------------------|---------|

|                            |        |
|----------------------------|--------|
| For each added inscription | £29.58 |
|----------------------------|--------|

### **Maintenance of Graves**

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|--|--------|
| After twelve months, levelling of the grassed area | £49.47 |
|--|--------|

Please note:

Persons who were residents of the Bloomfield Care Centre will be charged non-parishioners fees unless it is known that they lived on the Parish prior to entering the care centre.