

WINCANTON CEMETERY REGULATIONS

GRAVEYARD AND GARDEN OF REMEMBRANCE

Wincanton Town Council welcomes visitors to Wincanton Cemetery.

The Graveyard and Garden of Remembrance is meant specifically for parishioners and those with previously established rights of burial in the Parish.

The Cemetery is a place for peace and reflection. It is also a workplace. Accordingly, we ask all users of the Cemetery to respect the needs of others and to follow these guidelines.

The regulations include the statutory requirement contained within the Local Government Act 1972 and the Local Authorities Cemeteries Order 1977.

1. Cemetery Opening Hours

The Cemetery is open to visitors from 9am all week. The Cemetery closes for visitors at the following times:

1st April to 30th September – 7pm

1st October to 31st March – 5pm

As the gates will be closed at these times, all visitors and their vehicles must vacate the Cemetery prior to these times in order to secure the Cemetery. Access to the cemetery is via Cemetery Lane which is closed off at 4pm Oct-Mar & 5pm Apr-Sept.

Wincanton Town Council reserves the right to exclude the public if it should be necessary on any particular occasion. Such days and hours may be varied by Wincanton Town Council from time to time, notice whereof will be given in the Cemetery.

2. Notice of Interment

- a. All Interment requests must be made on the Notice of Interment form supplied by Wincanton Town Council.
- b. The Notice of Interment must be delivered to Town Hall office at least two working days (48 hours) prior to the time the interment is due to take place.
- c. Interments will only be permitted to take place on Monday to Fridays, excluding Bank Holidays: **1st April to 30th September – 9am – 3.30pm**
1st October to 31st March – 9am – 3pm.
- d. Interments **will not** be allowed on Saturdays, Sundays, Christmas Day, Good Friday or Public Holidays. In cases of emergency where a burial must take place on one of these days a medical certificate must be produced to confirm that the immediate burial is necessary on the grounds of public health
- e. Any requests, which have been made on the telephone, must be immediately confirmed in writing. Wincanton Town Council cannot be held responsible for any misunderstandings, which may arise as a result of a telephone instruction only.
- f. Any additional expense incurred by Wincanton Town Council as a result of incorrect information having been supplied will be charged to the person making the application.
- g. Interments may take place with or without the services of a clergyman or minister of religion.
- h. Fees and charges will be applied as agreed by Wincanton Town Council at the current time and must be paid for at the time of the order unless otherwise agreed.

- i. It will be the responsibility of the Funeral Director to ensure that graves are properly excavated in the correct place and that to inform Wincanton Town Council of the Grave Digger employed. In the event of an error causing the loss of any burial plot, the Funeral Director will be liable to compensate the Council. Plots should be back-filled properly in order to prevent shrinking. The Council reserves the right to inspect six months after interment to check whether any sinking of the grave has occurred. In this event, the Funeral Director will be asked to back-fill the plot to the required level.
- j. Wincanton Town Council is not responsible for the arranging or undertaking grave digging. Insurance cover for contractors undertaking grave digging is the responsibility of the said contractors, and Wincanton Town Council will accept no liability.
- k. Any damage to any boundary, headstone or other structure or any damage whatsoever, caused during the construction of any plot or during the erection, removal or replacement of any structure whatsoever, shall be repaired by and at the expense of the person causing the same.

3. Cremated Remains

A suitable receptacle containing the ashes of a cremated person may be buried in any plot in the Cemetery for which the Exclusive Right of Burial has been purchased, or in a plot measuring 18 inches x 18 inches in the Garden of Remembrance. Plots in the Garden of Remembrance are available at single and double depths. Memorials are permitted at a size of 12 inches x 18 inches and no more than 4 inches high.

4. Grave Ownership & Deed of Grant of Exclusive Right of Burial

- a. On the purchase of the Exclusive Right of Burial in a grave, a Deed of Grant is issued to the owner. This person shall be registered in the records held by Wincanton Town Council as the owner(s) of the grave. A Deed of Grant is a legal document and shall be for the period as stated in the Deed of Grant. (Currently 100 years).
- b. The maximum number of names that may appear on a Deed of Grant is three.
- c. Burial Rights may be purchased in advance or at the time of arranging an interment.
- d. Whilst the ownership of the land remains with Wincanton Town Council, the purchase of the Exclusive Right of Burial gives the grave owner(s) the right to:
 - Be buried in that grave
 - Arrange further burials in that grave (subject to sufficient space being available)
 - Place or replace a memorial, subject to approval of the application by Wincanton Town Council
 - Add an additional inscription to an existing memorial, subject to approval of the application by Wincanton Town Council
- e. The signature of the living grave owner(s) is always required before permission for any of the above is granted by Wincanton Town Council.
- f. When the grave owner is deceased a transfer of burial rights is required to establish a new legal owner.
- g. It is the responsibility of the grave owner to inform the Town Council of any change of address in order that contact can be maintained.

5. Transfer of Grave Ownership

- a. Any transfer of the Exclusive Right of Burial shall not be deemed valid unless such a transfer has been registered at Wincanton Town Council.
- b. Where the current grave owner is alive and wishes to transfer ownership to another person or persons, a Form of Assignment needs to be completed.

- c. When the grave owner is deceased a transfer of ownership may take place by submitting one of the following:
- Sealed Copy of Probate
 - Letters of Administration
 - Proof of a named Executor
 - Completion of a Statutory Declaration

6. Grave Maintenance

- a. Grave spaces must be kept in a neat and tidy condition and any litter should be removed from the site.
- b. All graves provide in the Cemetery will be turfed flat and mown by the Council, a soil border may be planted near the memorial stone not exceeding 600mm in width and 300mm in length, this must not include tree planting.
- c. No man-made kerbstones or railing of any kind (stone, wooden, plastic or otherwise) are permitted around the graves or cremations.
- d. No trees are to be planted without the permission of Wincanton Town Council.
- e. No other vases, planters, pot plants, flower case of glass or plastic nor any jar or container shall be placed on or near any grave or memorial, as these will interfere with ground maintenance.
- f. No dressings of the graves or memorial stones are permitted. This includes scarves, ribbons, soft toys, ornaments, tinsel etc.
- g. The Council reserves the right at any time to remove any unauthorised item placed upon the grave space.
- h. Stone chippings and bark mulch is not permitted on the graves or cremation plots.
- i. In all cases, dead flowers and other rubbish must be placed in the waste bins provided. No stones or soil must be placed in these bins.
- j. Where, in the opinion of Wincanton Town Council, any grave or cremation plot is neglected so as to be detrimental to adjacent graves and the general appearance of the Cemetery, Wincanton Town Council reserves the right, after due notice where possible, to level off such grave/cremation plot and re-turf.

7. Memorials

- a. Memorials can only be erected on grave spaces where the Exclusive Right of Burial has been purchased. Memorials should be sound and normally of natural stone.
- b. All memorials are subject to Wincanton Town Council approval prior to being installed within the Cemetery.
- c. All memorial work undertaken must be in accordance with the National Association of Memorial Masons (NAMM) Code of Working Practice. The Monumental Mason will be responsible for leaving the grave area in a clean and tidy condition once work is completed and is responsible for any damage that may be caused to any surrounding ground or memorial as a direct result of the installation. Memorial installation cannot take place until a date and time has been agreed with the Town Council
- d. A memorial which may be either:
- (i) A memorial headstone (without kerbs) not exceeding 4ft x 2 ft 6"
 - (ii) A Vase/Tablet not exceeding 12" x 18" x 4"
- e. All applications should be made to Wincanton Town Council and the application must include a detailed drawing showing all dimension sizes, the type of material to be used and full inscription details.
- f. All memorials installed within the Cemetery must have the grave number inscribed on the back of memorial, in letters not exceeding 15mm high, before installation. Memorial Masons that do not abide by this condition will be refused installation.
- g. No hewing or dressing of stone is permitted in the cemetery. As far as is practical, all materials should be prepared ready for fixing, prior to arrival at the cemetery.

- h. A temporary wooden cross maybe erected until ground conditions permit the erection of a permanent memorial.
- i. Memorial applications incur a memorial fee, payable to Wincanton Town Council.
- j. No fee will be charged for the erection of the memorials provided by the Imperial War Graves Commission (which eventually replace the Wooden Graves) on Service Graves.
- k. No fee will be charged for private memorials erected by relatives over Service Graves nor for inscriptions on memorials commemorating members serving in HM Forces at time of death.
- l. Wincanton Town Council will remove at the expense of the grave owner any memorial or kerbstone that has been installed without the necessary authorisation.

8. Memorial Maintenance

- a. All memorials are erected at the **sole responsibility** of the grave owner, or their lawful successors
- b. All memorials are the responsibility of the registered owner including damage by vandalism, theft of memorials or vases, cracking or subsidence of footings.
- c. Grave owners must ensure all memorials are kept clean and in good repair. Wincanton Town Council periodically inspects the cemetery to determine the condition of memorials. Any memorial classified as unsafe will be reported to the grave owner for them to arrange immediate repair. If this request is not complied with within three months, the Council may lay the memorial flat to remove the danger of instability.
- d. If the grave owner cannot be identified/contacted the Council reserves the right to repair or make safe any memorial which is allowed to fall into disrepair or become unsightly or dangerous and recover expenses from the registered owner or the owner's beneficiaries.
- e. Wincanton Town Council has the power to remove any memorial, which they deem objectionable or of unauthorised type or size or which may have fallen into decay or is classified unsafe.
- f. Wincanton Town Council will not be responsible for any damage to monuments, gravestones and other structures other than damage occasioned by the negligence of its officers, agents or workmen.

9. General Rules


- a. Under no circumstances are dogs, other than Guide dogs allowed in the Cemetery.
- b. All visitors are asked to keep to the footpaths and driveways attending a grave. Visitors are requested not to pick, cut, fell or remove any shrub, tree or flowers growing within the Cemetery or to interfere with any monument, headstone, grave or memorial.
- c. Children under the age of 12 are not normally permitted in the Cemetery unless accompanied by a responsible adult.
- d. Out of respect to others, visitors are asked not to create any disturbance in the Cemetery or behave in a way that may be a nuisance to others including the playing of games/sports, or music. The Council reserves the right to exclude any person from the Cemetery.
- e. Soliciting for orders within the Cemetery regarding any monument headstone or other structure, or for any other work connected with graves, is strictly prohibited. Wincanton Town Council reserves the right to exclude from the Cemetery, any person or company or firm on whose behalf any person has been found soliciting
- f. The Council reserves the right to make from time to time any alterations to the Information and Regulations specified herein


11. Non Parishioners

Non Parishioners wishing to be interred into an existing family grave will generally incur double fees.. At the discretion of the Clerk, the interment of a non parishioner may be

considered, where they were formerly a long-standing resident but were obliged to reside outside the parish during their declining years.

For enquiries or complaints in relation to any cemetery matter please contact The Town Clerk who will be pleased to render whatever advice or help is needed. Wincanton Town Council is located at the Town Hall. The Town Hall is open Monday to Thursday 9am to 1pm and 2pm to 4pm; and Fridays 9am to 12 noon.

 The Town Clerk, Wincanton Town Council, Town Hall, Market Place, Wincanton, Somerset BA9 9LD.

 Telephone: 01963 31693

 Email: townclerk@wincantontowncouncil.gov.uk

 Website: www.wincantontowncouncil.gov.uk