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South Petherton Parish Council Cemetery

Rules and Regulations – April 2024 to present date.

Adopted by South Petherton Parish Council.
Review date – May 2025

- 1. Interpretation.** In these Rules and Regulations, unless the context otherwise requires, the following expressions shall have the meanings assigned to them.

Council. Shall mean those Parish Councillors of South Petherton Parish Council to act as a Burial Authority.

Cemetery Clerk. Shall mean the person for the time being holding the Office of Clerk to the Council or the person who shall be acting for him on his behalf or under his direction.

Minister. Shall mean the person officiating as such at an interment in the Cemetery

Grave. Shall mean the burial place formed in the ground by excavation and with/without any internal wall of brickwork.

- 2. Hours of Admission.** The Cemetery is open to the public from dawn to sunset, whichever is earlier.

- 3. Purchase of Graves**

The Exclusive Right of Burial in a private grave is held for 100 years from the date of purchase. Grantees (Grave Owners) should inform the Clerk if they change address

The Exclusive Right of Burial entitles the deed holder to determine who is buried in the grave and whether a memorial can be erected on the grave (Subject to a permit being granted by the Clerk).

A maximum of two people can become owners of the Grant of Exclusive Rights of Burial of a grave space.

Should the registered owner of Exclusive Rights of Burial be deceased, a transfer of ownership must be arranged before any new interments can take place, or erection of any memorial. (Statutory Declaration would be required).

- 4. Conduct of Persons in the Cemetery.**

All persons admitted to the Cemetery will be subject to the orders and control of the Clerk, or any current member of the Council visiting the Cemetery for any purpose.

All Persons must conduct themselves in a quiet, decent and orderly manner in the Cemetery. Any persons stealing plants or flowers will be prosecuted.

Dogs are only allowed in the Cemetery if on a lead at all times & all fouling cleared up & removed immediately.

Vehicles will only be allowed into the Cemetery when absolutely necessary. Vehicles are to be driven on the main driveway through the centre of the Cemetery, and are only to use the turning circle at the bottom for turning. Driving or passing on the grass is prohibited. Vehicles that need to use any other areas than this must have the prior consent of the Clerk.

Any person who wilfully destroys, damages any property belonging to, or connected with the Cemetery, or plays at any game or sport, discharges firearms (Except at a Military Funeral) in the Cemetery, or wilfully disturbs any persons assembled for the purpose of attending any Funeral therein, or commits any nuisance within the Cemetery, is liable on summary conviction.

5. Memorials

It is recommended that no Memorial be erected until at least 6 months have lapsed, to allow for ground settlement, 12 months is more desirable.

Memorials may be erected on graves but in the first instance a drawing showing, dimensions, proposed inscriptions, and description of the memorial accompanied by an application signed by the owner of the EROB on by the prescribed form must be forwarded to the Clerk for approval. Memorials should have the number of the grave space cut thereon.

No memorial may be erected until a permit has been granted and the Clerk may refuse to admit or may order the removal of any memorial not complying with the permitted conditions.

Materials: Plot surroundings and kerbstones made of stone may be erected on graves but applications must be forwarded to the Clerk for approval and paid for before any installation happens.

Any surroundings that have not been given approval by the Clerk may be removed at the Councils discretion.

Any surrounding fencing not made of stone i.e. wood, wire etc will not be given approval. This is to ensure cemetery maintenance workers are able to maintain the ground without damaging plots.

Grave areas will be levelled and turfed. If no headstone is erected, a vase may be placed at the head of the grave.

Memorial Wall All memorial stones to be erected in this section to be of one size only.

6. Planting, Removal of Flowers and Shrubs and Trees, including Ornaments.

Planting of shrubs or trees is not permitted without express permission of the Clerk. Only cut flowers or bulbs in a suitable vase.

Subject to the approval of the Clerk, flower holders/ornaments or certain types of vase may be placed on graves, but the Clerk may remove any such articles which are broken or have become unsightly.

7. Benches or other structures

No benches or other structures may be erected or placed within the Cemetery, without permission of the Clerk.

8. Control of Funerals. The conduct of Funerals inside the Cemetery shall be subject to the control of the Clerk.

9. Ceremonies. Ceremonies of a special nature are subject to the approval of the Clerk.

10. Large Congregations and Bands.

In every case in which a burial is one which a large number of persons may be expected to assemble, or which is likely to be attended by a band of music or banners, the facts must be notified to the Clerk by the person making the Funeral arrangements at least twenty- four hours before the funeral.

In the case of a funeral attended by a band of music, the band must cease playing at the Cemetery gates unless permission to play in the Cemetery has been obtained by writing from the Clerk.

11. Notice of Interment.

- Notice of Interment will be accepted by telephone, but must be confirmed in writing immediately, together with all fees and charges due.
- Notice of Interment must be given on the printed forms supplied, on which all particulars required must be clearly stated. Responsibility for any error or omission will rest upon the person signing the notice.
- Not less than seventy-two hours' notice is required for interment in a private grave, exclusive in each case of Sunday, Good Friday, Christmas Day, and Bank Holidays. An Interment at shorter notice will, if possible, be arranged in an exceptional case by the Clerk, but an extra charge may be made to cover the extra work involved.
- After notice of an Interment has been given, any alteration required to the arrangements will be subject to an additional charge if the notice period of notice is thereby reduced or if as a result the Committee or Clerk incur any additional expense

12. Documents sent by the Post.

The Committee will not accept any responsibility for the consequences arising from the loss or delay of any notice order, or other documents sent by post.

13. Hours of Interments

The Cemetery is open for Interments from 9.30am until 4pm Monday to Friday. Interments at other hours may be arranged in special circumstances on payment of an additional fee. Except in cases of emergency, no Interments are permitted on Sundays, Good Friday, Christmas day or Bank Holidays.

14. Punctuality to be observed

The time given on the Notice of Interment should be when the Funeral arrives at the Cemetery, the Clerk is aware of issues travelling and will allow the interment to be 45 minutes late, without additional cost.

15. Certificates required

A registrars Certificate (Green Disposal form) or a Coroners Order for Burial must be delivered to the Clerk at the latest during the time of Interment.

Any person failing to deliver the appropriate certificate will be required to make a written declaration in the prescribed form in accordance within the provisions of Section 1 of the

Births and Deaths Registration Act 1953. Failure to comply with these requirements is an offence punishable on summary conviction by fine not exceeding fifty pounds (£50)

A registrars Certificate or a Coroners Order in respect of a still born child or a child under one month must be delivered to the Clerk or his representative when a body is brought for interment. A midwives certificate will not be accepted.

16. Officiating Minister

The person arranging a burial must be responsible for the attendance of a Minister to Officiate at the burial service

17. Exhumation

No human remains will be removed from any grave after committal has taken place, without the proper authority from the Home Office and / or the Ecclesiastical Court.

In the first instance a request for Exhumation should be made to the Clerk before any application for licence or faculty is made.

The Exhumation will be carried out in strict accordance with Statutory provisions and any conditions imposed by the Secretary of State for the Home Office or the Ecclesiastical Court and any restrictions added by the local Area Health Officer. Nothing in these regulations should be construed as authorising the disturbance of Human Remains without the appropriate authority. Human Remains within these regulations is deemed to include cremated remains.

18. Wooden Coffins

No coffin other than wood be allowed in the grave, any special requests must be approved in writing by the Clerk.

19. Excavation of Graves

All work in connection with the excavation of a grave will be carried out by persons approved by the Clerk.

Excavation of Works. Persons undertaking the erection of memorials must prepare all the work for fixing before entering the Cemetery and must provide all the equipment for the work.

Work inside the Cemetery will be subject to the direction of the Clerk.

Admission of workmen, vehicles, and materials. No workmen will be admitted, or materials received into the Cemetery on Sunday, Good Friday, Christmas Day, Bank Holidays, or after 12 noon on a Saturday unless special permission is granted by the Clerk.

Carts or trucks must not remain in the cemetery longer than is necessary for loading or unloading.

Damage. By erection of materials, any damage done in connection with the erection of any memorial will be the responsibility of the person doing such damage.

The Council will not accept any responsibility for any damage to memorials resulting from storm, wind, frost, lightening, subsidence, or any cause other than their own negligence.

Soliciting Orders. Soliciting any orders within the Cemetery for the erection of repair for any memorials, or any other work connected with the graves is strictly prohibited.

Removal. The owner of a private grave is responsible for the removal and replacement of all memorials and stones when such grave is reopened.

20. Neglect of Graves or Memorials

The Council reserve the right to level mounded graves should the owners neglect to keep them in a good order, or to maintain the ground where subsidence has occurred through settlement or animal activity.

The Council also reserves the right to remove, refix, or refine any memorial of stone which is in their opinion, has become unsafe or dilapidated, or which, in their opinion is not kept in proper repair, or ask the owner to remove it. The owner of the grave is liable for the expense incurred in doing so.

21. Flowers etc, not to be taken out of the Cemetery

No flowers, shrubs or trees may be taken out of the Cemetery, without permission of the Clerk.

22. Amendments of Regulations. The Parish Council reserves the right to amend any of the foregoing Rules and Regulations

All up to date records of Registered Burials, Copies of Exclusive Rights of Burials, and an up to date plan to identify each grave space will be kept by the Parish Clerk.