

Gulworthy Parish Council

Cemetery Terms and Conditions

Adopted 3rd February 2020 & revised August 2021 & January 2025 (minute 12.1)

Fees

For fees for parishioners and non-parishioners refer to the current Gulworthy table of burial fees.

Parishioner and Non-Parishioner

For term “Parishioners” shall mean a person who normally resides in the parish of Gulworthy or who has resided within the Parish of Gulworthy within 3 years of the date of death. In addition, this definition of parishioner also applies in the case of a still born child where one of the parents is, at the time of interment such a parishioner. The term “Non-Parishioner” shall mean a person that has always resided outside the parish of Gulworthy.

Purchase of Exclusive Rights

It should be clearly understood that “purchased graves” are those to which the “Exclusive Right of Burial” has been purchased. This gives the purchaser the Right to be buried in the grave, space permitting and to apply for a memorial to be erected. The purchase refers to the Right of Burial and not to the actual purchase of the land itself. The land used for the grave space remains the property of the Burial Authority (Gulworthy Parish Council). Exclusive Right, by law, may not be granted for more than 75 years. These Rights are sold, or to be more correct “granted,” together with the Right to erect a memorial on the grave in accordance with the Rules and Regulations of the cemetery. It is an illegal act for a grantee, or anyone else, to erect a headstone with its inscription without paying the required fee or by failing to follow the regulations for such matters published by the Burial Authority. A headstone / memorial is erected at the sole responsibility of the grantee of the Exclusive Right of Burial and remains so for the entire period of the lease (including maintenance). The Burial Authority shall not be held responsible for any damage to, or caused by, the memorial howsoever incurred. The Burial Authority will undertake routine safety inspections and reserves the right to repair or make safe any memorial which is deemed to be a hazard to other users of the cemetery. The Burial Authority will notify a surviving grantee in writing of any deficiency regarding their headstone. Such communications will be sent to the last address held on the records maintained by the burial Authority. As the obligation of the Burial Authority is limited to matters of Health & Safety and does not include issues regarding restoration, it is clearly good practice for an Exclusive Right to be transferred to another family member on the death of the last grantee or sooner if that is deemed appropriate. A Grant of Exclusive Right of Burial may be purchased at any time. Such a Grant is for a period of 75 years from the date of purchase. The Exclusive Right of Burial can be issued in the names of up to 3 people.

A Deed for the grave rights is issued to the purchaser(s) on payment of the appropriate fee. Official identification will be required and witnessed by the Burial Clerk when a purchase of Exclusive Right of Burial is made. It is important that the purchaser(s) of the Rights to a grave space keep safe their Exclusive Rights of Burial Deed and it is suggested that this document is stored with the grantee's Will and other important documents. Possession of the Right of Burial Deed does not in itself signify ownership. The unexpired period of the Exclusive Right of Burial may be transferred on the death(s) of the registered grantees to the person or persons entitled to receive it. In order to establish grave ownership, the person or persons wishing to take up ownership, must be able to produce a Grant of Probate or Letters of Administration. If these legal documents have not been applied for or issued, ownership may be transferred by Statutory Declaration to the Executor named in the Will. Transfer of an Exclusive Right of Burial is recorded on the appropriate Assignment Form available from the Burial Clerk.

Note, that for the purpose of Purchase of Exclusive Right of Burial the status of "Parishioner" as listed under charges in the Table of Burial Fees shall now also apply in respect of burial plots purchased by or for persons living in Residential Nursing Homes outside of the Parish, provided that the names of such persons have appeared on the Electoral Roll for Gulworthy within the period relating to the previous year from the date of purchase. Any queries arising in connection with the interpretation of this definition should be referred to the Burial Clerk.

Exclusive Right of Burial of Cremated Remains

Plot size is sold as 18" x 18" or metric equivalent in a site selected by the Parish Council (generally the next adjoining space in the area reserved for the interment of ashes.)

Interments

1. It is the responsibility of the Funeral Director to ensure that a grave is dug in accordance with Health and Safety Regulations and that a risk assessment has been carried out.
2. Each burial shall not be less than 1.83m(6foot) in depth, unless it is interring ashes in an urn or a still born child.

Green Burials

An Exclusive right of burial will apply in the designated 'Green Burial' area with exception for the following conditions; A headstone/memorial is not permitted. The use of Bio-degradable coffins and shrouds to be used. The avoidance of chemicals and embalming fluids wherever possible. Ornaments that consume natural resources, plastic of any type and artificial flowers are not permitted.

Ledger (floor) Stones

A Ledger stone may not exceed the size of the burial plot, size of ledger stone may not exceed 30"x 78" or metric equivalent, it also must not protrude above the surrounding ground level. The type of stone must be in keeping with the surrounding landscape and must contain natural elements. The burial authority is to approve the type of materials used and inscriptions.

Regulations for Headstones and Memorials

- 1.** Headstones on an earth grave must not exceed a maximum size of 36 inches high, 24 inches wide and 4 inches deep or metric equivalent.
- 2.** The pattern of a headstone on an earth grave must be such as to incorporate a minimum of one flower vase within its foot.
- 3.** In order to ensure compliance with current Health & Safety requirements all memorials should be installed in accordance with NAMM code of working practice; complying with current BS 8415 guidance.
- 4.** Graves are not allowed to have kerbs or earth mounds. Separate flower containers are not permitted. On the grounds of Health & Safety any glass, plastic and other brittle materials are expressly forbidden and the Parish Council reserves the right to remove and dispose of any found in the Cemetery.
- 5.** The dressing of graves is not permitted. This includes scarves, ribbons, toys, ornaments, tinsel etc. Any such items found on a grave will be removed and disposed of.
- 6.** Memorial tablets above cremated remains must not exceed a maximum size of 21” x 21” or metric equivalent.
- 7.** Cremated remains must be interred in a bio-degradable container.
- 8.** Headstones may contain a motif significant to the deceased provided it remains within the maximum size allowed for a headstone in Gulworthy Parish Cemetery and will be subject to the approval of the Burial Authority.
- 9.** Any inscription must be simple, reverent and must be in keeping with what would be expected in a rural cemetery. An inscription may contain a limited factual statement about the deceased. The Burial authority of Gulworthy Parish Council reserves the right to refuse any application which does not conform to these requirements. Further guidance on these matters should be sought from the Burial Clerk.
- 10.** The Burial authority recognises that, immediately after an interment, the number of floral tributes may completely cover the grave space. Once these floral tributes are sufficiently degraded they will be removed for recycling and / or disposal. Subsequent floral tributes laid on such a grave should be limited in number and placed only at the head of the grave where a headstone will eventually be placed. Artificial flowers are not permitted.
- 11.** The planting of shrubs, plants and flowers on or around graves is not permitted.
- 12.** Headstones and memorial tablets should be of granite or other stone local to the area. Any deviation from this preferred standard is strictly at the discretion of the Burial authority of Gulworthy Parish Council and is non-negotiable.
- 13.** The Parish Council reserves the right to remove floral tributes including those made of artificial materials when degraded by the elements.
- 14.** It is permissible to place a small flower vase of a pattern recommended by a qualified, registered monumental mason on a plot used for the interment of ashes.
- 15.** From March 2020 an unmarked grave (i.e. one with no headstone or tablet) will be numbered by the council but this excludes graves in the designated Green (ecology) area.
- 16.** Maintenance of memorials is the responsibility of the owners and this should be carried out on a regular basis.

General

1. The Burial Authority reserve the right to top up any sunken grave they perceive is needed without prior permission.
2. The cemetery is open to visitors at all times, but the council reserves the right to close the cemetery if the necessity arises.
3. All surplus spoil must be removed from the cemetery.
4. No work in the cemetery may proceed until the grave plot has been marked out by the burial clerk, in addition the appropriate fees must have been paid in full and written authorisation received, duly signed by the burial clerk.
5. The Council reserves the right to amend these regulations with immediate effect.

Copies of these regulations are available on the Parish Council website www.gulworthyparishcouncil.gov.uk and will be sent to the funeral director and the representatives of the deceased. They are also available from the Parish Council office Tel. 07942286125 or email: clerk@gulworthyparishcouncil.gov.uk