

POTTERNE PARISH COUNCIL

Cemetery Regulations

Brownleaze Cemetery is owned and managed by Potterne Parish Council and is located at:
Brownleaze Lane, Potterne, Devizes SN10 5PA

The Parish Council hopes that all visitors to the Cemetery find it a pleasant and peaceful experience.

The following pages are to guide families and their relatives in the regulations for Brownleaze Cemetery and we ask that you observe the following procedures to ensure the Cemetery can remain a place of tranquillity. The Parish Council reserves the right to amend any of the following regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary subject to the provisions of the Local Authorities' Cemeteries Order 1977.

Visiting the Cemetery:

- The Parish Council carries out regular checks and will take all reasonable precautions to ensure the safety of persons visiting the Cemetery, but all persons entering the Cemetery do so at their own risk. Please advise us of any issues you believe need addressing.
- All visitors must conduct themselves in a quiet and orderly manner at all times and in accordance with the requirements of the Local Authorities' Cemeteries Order.
- All children must be accompanied by an adult.
- No dogs are permitted in the Cemetery with the exception of Guide Dogs, Hearing Dogs or other recognised Assistance Dogs, or with the express permission of the Parish Council.
- The Cemetery is open to the public at all times. However the Parish Council reserves the right to review the opening hours or limit the entry of persons at any time should it become necessary.

Exclusive Right of Burial:

- The Exclusive Right of Burial (EROB) must be purchased in respect of all graves subject to the payment of fees currently prescribed by the Parish Council.
- Following purchase the Parish Council will issue a Burial Grant to the owner of the EROB. *This is an important document and should be kept in a safe place as it will be required to be produced at the time of a burial request and in support of an application for the erection of a memorial.*
- The Burial Grant will be issued for a period of 75 years and entitles the purchaser and/or designated members of their family to be buried in a private grave on which a memorial headstone/vase can be placed at a later date.
- The owner of an EROB must confirm any subsequent change of address to the Parish Council to enable contact during the period of the ownership.
- All applications for burial must be signed by the registered owner of the Exclusive Right of Burial. If the registered owner is deceased, then the beneficiaries of the estate must contact the Clerk to transfer the ownership. The EROB may be assigned by deed or bequeathed by will. The formal transfer must take place before funeral arrangements are made to reopen the grave space or approval granted on any proposed memorial work. **There will be no exception to this.**

- All burial plots shall remain at all times the property of the Parish Council. However, the owner of the EROB is responsible for the maintenance of the grave and any memorial subsequently erected during the period that the right exists.

Transfer of Exclusive Right of Burial:

- Any person who purchases the EROB in any plot shall not convey, assign or transfer such right without the consent of the Parish Council and completion of the appropriate forms.
- The EROB owner (whilst living) may transfer the Exclusive Right of Burial, subject to the proper notice of such transfer being given to the Parish Council. The appropriate transfer form can be obtained from the Clerk and will need to be completed by both parties before being signed and witnessed. The transfer form should then be sent to the Clerk with the appropriate fee. The Parish Council will then register the transfer and provide written confirmation.

Interments:

- No burial shall take place, no memorial shall be placed in the cemetery, and no additional inscription shall be made on a memorial, without the permission of the Parish Council.
- A minimum of five working days' notice of any proposed interment must be given in writing.
- All fees and sums payable must accompany applications or notices of interment. The fees for interment or burial do not include the fee for digging of the grave or plot. This is arranged and paid for through the Funeral Director or direct with a grave digger approved by the Parish Council.
- The Clerk will allocate a numbered plot and maintain a plan of the Burial Ground. The plot to be used will be clearly marked by the Clerk, and no other plot may be used. All plots will be allocated in sequence.
- Reservation of grave plots is not permitted but an Exclusive Right of Burial can be purchased as above
- The Registrar's or Coroner's Certificate for the disposal shall be sent to the officer prior to, or immediate after the funeral has taken place.
- The scattering of ashes is not permitted in the Cemetery.

Re-opening of Graves and Cremation Plots:

- Proof of ownership for the Burial plot to be used for the interment, being either the deed issued at the time of purchase or details of transfer of ownership issued to the legal successor of the owner MUST also be produced prior to re-opening of the plot. If this deed cannot be located a Statutory declaration must be completed and witnessed by a Magistrate or Commissioner of Oaths prior to any interment taking place.

Headstones, memorial stones and plaques:

Older existing graves/cremation plots may have larger/additional memorials. This is historical and is not considered to have set a precedent for memorials.

- Memorials may only be placed on graves/cremation plots for which an exclusive right of burial has been granted and only by the holder of that right.
- All headstones must be kept in line.
- Before the erection of any memorial or other work relating to a burial plot, an application must be made to the Parish Council on the appropriate form provided or otherwise agreed by the Parish Council. This application must include a drawing/sketch with measurements and nature of the proposed memorial, along with full details of proposed inscription. Subject to approval and on payment of the appropriate fees, authorisation will be granted. No memorial may be erected or inscription made unless approved by the Parish Council.
- Additional inscriptions may be added to an existing memorial, subject to approval by the Parish Council of an application which details the additional wording and is accompanied by the appropriate fee.
- The Parish Council has the right to refuse permission for the erection of memorials it considers unsuitable.
- The following memorials will be allowed:
 - Full graves: One headstone with base; headstone not exceeding 30" x 24" x 4", base not exceeding 4" x 24" x 12"
 - Cremated remains: One headstone with base; headstone not exceeding 27" x 21" x 3", base not exceeding 3" x 24" x 12"
 - One vase to stand on the base, not exceeding 12" in height
- Kerb stones or any other structure on or around the grave are not permitted (except where already in place on earlier plots). This is to ensure that the area between each grave can be easily maintained.
- All memorials are erected at the sole responsibility of the owner and the Parish Council shall not be held responsible for any damage to or caused by the memorial, however incurred.
- The memorial remains the responsibility of the grave owner during the lease period of the grave.
- In accordance with the Local Authorities Cemeteries Order 1977, the Parish Council reserve the right to remove from the cemetery any unauthorised memorial.

Care of Graves and Memorials:

- The applicant or family of the deceased is responsible for the care of the grave and memorial.
- Grave spaces must be kept in a neat and tidy condition, and all litter must be removed from the site.
- Once artificial flowers begin to deteriorate, they should be removed or replaced. The Parish Council reserve the right to remove deteriorated artificial flowers from the plot to prevent them being scattered throughout the cemetery.
- All flower holders or other items left on graves must be made of non-breakable material.
- Any items left on graves are at the owners' risk and the Parish Council cannot be held responsible for any damage to them however caused.
- The Parish Council may remove any articles from any grave that are likely to cause risk, damage or offence to other visitors to the Cemetery or which interfere with the Parish Council's maintenance of the site.

- Should a memorial be considered by the Parish Council to have become dangerous in terms of representing a risk to cemetery visitors or passers-by, the Parish Council has the right to carry out any steps considered necessary to make it safe, including its removal. This may involve laying flat the headstone. Please note the Parish Council will not carry out any repairs.
- Please do not place anything other than green waste in the skip.

Fees and charges:

- The Parish Council maintains an up-to-date schedule of fees, a copy of which is available on the Parish Council website and on request from the Clerk.
- All fees and charges must be paid in advance to the Clerk except where an agreement is in place with the Parish Council.
- The fee incurred will be dependent on whether or not the deceased was a Potterne parishioner. This applies to all fees including memorials and additional inscriptions. Persons who are not ordinarily resident in the parish will be charged at double the parishioner rate.

Cemetery Records:

- Plans of the cemetery showing the various sections and individual grave spaces, and Burial Registers are held by the Clerk and are available for inspection by contacting the Clerk.
- Copies of certified entries or searches for information contained within the registers can be requested and are subject to the payment of a nominal fee.

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

Any complaint relating to any aspect of the Cemetery facilities should be made in writing to the Clerk to the Parish Council:

Karon Van Den Bergh, 5 Gundry Close, Devizes, Wiltshire SN10 3SH

Email: clerk@potterne.info

Tel: 01380 727693