

There is no existing legislation that prevents the burial of a body in ground other than a cemetery. Such a burial would only be prevented if it were a risk to public health. This department's role is to establish whether there is any such risk to public health. It is vital that the proposed burial is sited well away from any watercourse, or underground water source such as an aquifer.

Steps must also be taken to ensure that the burial is sited well away from any private water supply that may serve the property or neighbouring properties. If you are in any doubt, I would recommend that you contact this department for further information.

Following a burial on land I would strongly advise that details of the burial be kept with the deeds of the property. Burials must be registered in accordance with the registration of Burials Act 1864. Although a private piece of land would not be a 'burial ground' as mentioned in the Act, it could be argued that it becomes one if a burial takes place on it. This suggests that it would be prudent for such a burial to be recorded in accordance with the Act by taking and preserving particulars of the burial, including a map / detailed plan citing the exact location of the burial.

The keeping of such particulars could help alleviate any future problems with regards the burial should the property ever be sold. It cannot be stressed enough the importance of recording such details on the deeds of the property as this Authority has been involved in cases whereby such details were not recorded, leading to distress for all parties concerned.

Below is a brief list of points to consider:

1. No burial to be permitted within 100m of a borehole or well spring
2. No burial within 10m of a drain, ditch or watercourse (Natural Resources need to be consulted)
3. No burial in waterlogged/poor draining ground
4. Burials must be at least 3 feet underground
5. Electrical and other services must be avoided

6. There is a requirement to record the burial on the deeds of the property. A location map must be attached to the deed to confirm the position of the grave
7. The burial needs to be recorded in the burial register with the Registrar
8. The police should be informed of the burial
9. If the body needs to be moved in the future, a Home Office Licence would be required
10. There are legal ways, by which you can ensure that the grave remains untouched, but this will involve costs and you would need the services of a solicitor.

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I would also advise you to contact the Natural Resources Wales who may be able to provide you with further useful information.