

DRAFT

Standard rules SR2025 No 3 – the burial of human remains at natural burial grounds

Introductory note

**This introductory note does not form a part of these standard rules**

When referred to in an environmental permit, these rules will allow the operators of natural burial grounds to bury human remains at medium risk burial rates.

The number of burials per annum must be less than:

* 200 when located on strata which are a secondary B aquifer or secondary undifferentiated aquifer
* 150 when located on strata which are a secondary A aquifer
* 100 when located on strata which are a principal aquifer

There is no burial limit per annum for cemeteries located on unproductive strata.

Where a cemetery is located on strata with different aquifer designations, the restrictions on number of burials per annum as described above apply to the area of the cemetery located on that aquifer designation.

The cemetery must not have more than 1580 burials per hectare, in proportion to the total area of the new cemetery or extension.

The cemetery must not be located within a groundwater Source Protection Zone 1 or 2 or be within 250 metres of any well, spring or borehole that is used to supply water for domestic or food production purposes.

A burial within a cemetery must not be within 10 metres of any field drain (including any dry ditch). And must not be within 30 metres of any spring or watercourse.

A grave must have at least 1 metre clearance between the base of the grave and the top of the water table and must not be undertaken directly into groundwater or in an area susceptible to groundwater flooding. A grave must not be dug in unaltered or unweathered bedrock.

A burial must not be in, or within 50 metres of, a protected site or Ancient Woodland (see details below).

Human remains treated with embalming fluid must not be buried.

Any activity relating to the burial must not cause pollution of surface water or groundwater.

**End of introductory note**

Record of changes

|  |  |  |
| --- | --- | --- |
| Version | Date | Change |
| 1.0 | DATE | Published |

Rules

1 Management

* 1. General management
     1. The operator shall manage and operate the activities:
        1. in accordance with a written management system that identifies and minimises risks of pollution so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and
        2. using sufficient competent persons and resources.
     2. Records demonstrating compliance with condition 1.1.1 shall be maintained.
     3. Any person having duties that are or may be affected by the matters set out in these standard rules shall have convenient access to a copy of the standard rules.

1. Operations
   1. Permitted activities
      1. The only activity authorised by the permit is the activity specified in table 2.1 below.

**Table 2.1 Activities**

| Description of activity | Limits of activity |
| --- | --- |
| The burial of human remains at natural burial grounds at moderate burial rates. | The number of burials per annum must be less than:   * 200 when located on strata which are a secondary B aquifer or secondary undifferentiated aquifer * 150 when located on strata which are a secondary A aquifer * 100 when located on strata which are a principal aquifer   There is no burial limit per annum for cemeteries located on unproductive strata.  Where a cemetery is located on strata with different aquifer designations, the restrictions on number of burials per annum as described above apply to the area of the cemetery located on strata with that aquifer designation.  A burial must not be undertaken directly into groundwater or in an area susceptible to groundwater flooding.  A grave must have at least 1 metre clearance between the base of the grave and the top of the water table.  A grave must not be dug in unaltered or unweathered bedrock.  The cemetery must not have more than 1580 burials per hectare, in proportion to the total area of the new cemetery or extension.  Human remains treated with embalming fluid must not be buried.  Any activity relating to the burial must not cause pollution of surface water or groundwater. |

* 1. The site
     1. The burials shall take place within the cemetery development marked on the site plan attached to the permit.
     2. Burials must not take place within a groundwater Source Protection Zone 1 or 2.
     3. A burial within a cemetery must not be within 10 metres of any field drain, including any dry ditch.
     4. A burial must not be within 30 metres of any spring or watercourse.
     5. A burial must not be in, or within:
        1. 50 metres of a wetland designated as a European site, Ramsar site, or biological Site of Special Scientific Interest (SSSI).
        2. 50 metres of a water-based Local Nature Reserve (LNR).
     6. A burial must not be in an ancient woodland.
     7. The cemetery must not be located within 250 metres of any well, spring or borehole that is used to supply water for domestic or food production purposes.

1. Emissions and monitoring
   1. Emissions to water
      1. The limits given in table S3.1 shall not be exceeded.

**Table S3.1 Point source emission to groundwater – emission limits and monitoring requirements**

| Emission point and source | Parameter | Limit (including unit) | Monitoring frequency and standard or method |
| --- | --- | --- | --- |
| The burial of human remains. | Visual appearance and other environmental effects | Burials must so far as is reasonably practicable have no significant adverse visible effect on the water environment. | See table 3.3 |

* 1. Emissions of substances not controlled by emission limits
     1. For the activity referenced in Table 2.1, the operator shall take appropriate measures as far as is reasonably practicable:
        1. to prevent the input of hazardous substances to groundwater; and
        2. to limit the input of such non-hazardous pollutants to groundwater so as to ensure that inputs do not cause pollution of groundwater.
  2. Monitoring
     1. The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake monitoring for the parameters, at the locations and at not less than the frequencies specified in table S3.3.
     2. The operator shall maintain records of all monitoring required by these standard rules.

**Table S3.3 Activities – monitoring requirements**

| Monitoring point | Parameter | Monitoring frequency | Monitoring method | Other specifications |
| --- | --- | --- | --- | --- |
| Any water features within the boundary of the cemetery site. | Visual appearance and other environmental effects | Weekly | Visual examination | Burials must so far as is reasonably practicable have no significant adverse visible effect on the water environment. |

1. Information
   1. Records
      1. All records required to be made by conditions 3.3.2 and 4.3.2 shall:

(a) be legible;

(b) be made as soon as reasonably practicable;

(c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and

(d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made.

* + 1. The operator shall maintain convenient access, in either electronic or hard copy, to the records, plan and management system required to be maintained by these standard rules.
  1. Reporting
     1. The operator shall send all reports and notifications required by these standard rules to the Environment Agency using the contact details supplied in writing by the Environment Agency.
  2. Notifications
     1. The Environment Agency shall be notified as soon as reasonably practicable following detection, within the site of the regulated facility of:
        1. any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution; and any breach of a limit specified in these standard rules. Any other significant adverse environmental effects, which may have been caused by the activity, shall also be notified to the Environment Agency as soon as reasonably practicable following detection.
     2. Written confirmation of actual or potential pollution incidents and breaches of emission limits shall be submitted within 24 hours.
     3. The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

(a) any change in the operator’s trading name, registered name or registered office address; and

(b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

(a) any change in the operator’s name or address; and

(b) any steps taken with a view to the dissolution of the operator.

* + 1. Where the operator proposes to make a change in the nature of the activity by the addition of, or allowing the introduction of, a substance to the activity to an extent that the operator considers could have a significant adverse environmental effect on the groundwater or any other receiving waters, and the change is not the subject of an application for approval under the EP Regulations or under the terms of this permit:

(a) the Environment Agency shall be notified in writing at least 14 days before the addition or allowing the introduction; and

(b) the notification shall contain a description of the proposed change.

* 1. Interpretation
     1. In these standard rules the expressions listed below shall have the meaning given.
     2. In these standard rules references to reports and notifications mean written reports and notifications, except where reference is made to notification being made “as soon as reasonably practicable”, in which case it may be provided by telephone.

“accident” means an accident that may result in pollution.

“ancient woodland” means any area that has been wooded continuously since at least 1600 AD, including ancient semi-natural woodland and plantations on ancient woodland sites.

“biological SSSI” means for the purpose of these standard rules either:

* + - 1. a SSSI which has been designated due to the presence of flora or fauna.
      2. a SSSI that contains surface water or springs that can provide habitat for flora or fauna

“emissions of substances not controlled by emission limits” means emissions of substances to air, water or land from the permitted activities, which are not controlled by an emission limit.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“European site” means a European site within the meaning of Regulation 8 of the Conservation of Habitats and Species Regulations 2017.

“embalming fluid” means liquids used to delay the decomposition of human remains.

“dry ditch” means a ditch that receives surface water run-off from surrounding land, and typically runs dry for most or part of the year.

“field drain” means for the purpose of these standard rules either:

* + - 1. a ditch or open land drain that receives surface water run-off from surrounding land, and typically contains water for most of the year.
      2. a pipe or permeable horizon installed below the ground surface at a depth typically greater than 700mm at any point, which is used to drain water from soils.

“grave” means an area of land within the cemetery that has be excavated to allow a human burial.

“groundwater” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

“groundwater flooding” means flooding where the water table beneath the ground rises and causes water to seep out at ground level.

“groundwater Source Protection Zone 1” means a zone—

(a) within 50m of a point at which water is abstracted for domestic or food production purposes from any underground strata, or

(b) defined by a 50-day travel time for groundwater to reach a groundwater abstraction point that is used to supply water for domestic or food production purposes,

whichever is larger.

“groundwater Source Protection Zone 2” means a zone—

(a) within—

(i) 250m of a point at which water is abstracted for domestic or food production purposes from underground strata where the maximum allowable annual volume as authorised by a licence under section 24 of the Water Resources Act 1991(8) or allowed by virtue of section 27 of that Act (as the case may be) divided by 365 is less than 2,000 m3 per day, or

(ii) 500m of a point at which water is abstracted for domestic or food production purposes from underground strata where the maximum allowable annual volume as authorised by a licence under section 24 of the Water Resources Act 1991 divided by 365 is equal to or greater than 2,000 m3 per day, or

(b) defined by a 400-day travel time for groundwater to reach a groundwater abstraction point that is used to supply water for domestic or food production purposes,

whichever is larger.

“Local Nature Reserve” means an area designated by a local authority under the National Parks and Access to the Countryside Act 1949.

“principal aquifer” means geological strata which—

* exhibit a high intergranular or fracture permeability, and
* provide a high level of water storage and support water supply or base flow to rivers, lakes and wetlands on a strategic scale.

“pollution” means the direct or indirect introduction, as a result of human activity, of substances, heat or biological entities or micro-organisms into air, water or land which may—

(a) be harmful to human health or the quality of aquatic ecosystems or terrestrial ecosystems directly depending on aquatic ecosystems,

(b) result in damage to material property, or

(c) impair or interfere with amenities or other legitimate uses of the environment

“Ramsar site” means a wetland of international importance, designated under the Ramsar Convention (an international agreement signed in Ramsar, Iran, in 1971). It is government policy to treat Ramsar sites the same as European sites.

“secondary A aquifer” means permeable strata capable of supporting water supplies at a local rather than strategic scale.

“Secondary B aquifer” means predominantly lower permeability strata including where they have, in part, the ability to store and yield limited amounts of groundwater by virtue of localised features such as fissures, thin permeable horizons or weathering.

“Secondary undifferentiated rocks” means rock deposits or strata with variable permeability and storage properties which are not consistently a secondary A aquifer or secondary B aquifer.

“significant adverse visible effect” means dead or distressed fish, other animals, or plants; appreciable deposit of solid material; significant fungal or algal growth; appreciable discolouration.

“significant pollution” means a category 1 or category 2 incident indicated by the Common Incident Classification Scheme (CICS).

“SSSI” means Site of Special Scientific Interest within the meaning of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

“unaltered or unweathered bedrock” means hard, solid rock that has not been significantly altered by weathering processes.

“water-based Local Nature Reserve” means a Local Nature Reserve containing water features or ecosystems that are directly dependent on groundwater.

“watercourse” means for the purposes of these standard rules means a relevant river or watercourse as defined by the Water Resources Act 1991.

“water features” means boreholes, wells, adits, springs, seepage and wetland areas, ponds, lakes and watercourses.

“water table” means the level below which the ground is saturated with groundwater.

“year” means calendar year commencing on 1st January.

**End of standard rules**