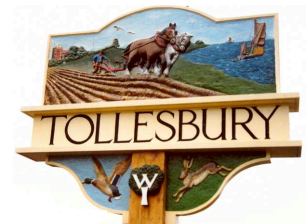


TOLLESBURY PARISH COUNCIL

www.essexinfo.net/tollesbury-parish-Council



TOLLESBURY CEMETERY

West Street • Tollesbury

CEMETERY REGULATIONS

1. In exercise of its powers under Section 214 and Schedule 26 to the Local Government Act 1972: and article 3 of the Local Authorities Cemeteries Order 1977, Tollesbury Parish Council hereby makes the following regulations for the proper management, regulation and control of Tollesbury Cemetery.
2. These regulations shall come into force on _____ 2014.

Clerk: Michelle Curtis, 4 Valkyrie Close, Tollesbury, Maldon, Essex CM9 8SL
Tel: 01621 869039 e-mail: tollesburypc@btinternet.com

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CEMETERY REGULATIONS

1. NOTICES OF INTERMENT

- 1.1 Notice of interment shall be given on the appropriate Council Forms available free of charge from Tollesbury Parish Council, 4 Valkyrie Close Tollesbury, Essex CM9 8SL. Written notification must reach the Council at least three working days before the interment is due to take place and must be given during the hours of 9.00 and 17.00 between Mondays and Fridays (excluding Public Holidays).
- 1.2 Provisional arrangements for interments may initially be made by telephone and or fax. The Parish Clerk will determine the availability of any time or date proposed for burial. Written confirmation must follow to reach the Council as detailed above. The Council will not accept any responsibility for any error or delay consequent to any Notice being sent by post.
- 1.3 For a grave where the Exclusive Right of Burial has been granted, the Notice of Interment shall be signed by the registered owner or his/her legal representative, and in the event of the owner being the deceased, the Grant shall be produced, where possible, together with the Notice of Interment.
- 1.4 All charges and fees are to be paid when the Notice of Interment is given, and are to be made payable to Tollesbury Parish Council.

2. INTERMENTS

- 2.1 All interments will take place on weekdays (excluding Public Holidays), and will take place between 09.00 and 15.30 (time of arrival at the Cemetery).
- 2.2 Only coffins made of wood or other perishable material are to be used.
- 2.3 The interment in common graves of non-residents of the Maldon District is not permitted.
- 2.4 Funeral Directors shall come under the direction of the Council's representative on entering the cemetery. They must provide sufficient bearers for carrying and lowering of coffins into graves.
- 2.5 Funeral Directors must arrange, where necessary, for memorials to be removed to allow graves to be reopened, and for the reinstatement of memorials following the interment.

3. CORONER'S ORDERS AND CERTIFICATES OF DISPOSAL

- 3.1 No interment can take place until a Registrar's Certificate for Disposal, or a Coroner's Order for Burial has been received by the Parish Clerk, or alternatively an appropriate Statutory Declaration has been completed. (Section 1, Births & Deaths Registration Act 1926).

4. OFFICIATING MINISTERS

- 4.1 Arrangements with the Officiating Minister shall be made by the relatives or the Funeral Director, and the Council cannot accept any responsibility in connection therein.
- 4.2 However, the name and address of the person officiating must be notified to the Parish Clerk when the Notice of Interment is given.

5. SELECTION OF GRAVES AND CREMATED REMAINS PLOTS

- 5.1 Grave spaces and cremated remains plots will be utilised as determined by the Council, except for those selected by the purchaser of the Exclusive Rights of Burial. Selection of grave spaces and plots is subject to the approval of the Parish Clerk, but the wishes of applicants will be met as far as practicable, within the areas available for use at the time.

6. DEPTHS OF GRAVES

- 6.1 The depth to which graves will be excavated for interments, is to be determined by the Parish Clerk, (in accordance with Part 1, 2nd Schedule, to the 1977 Cemeteries Order).
- 6.2 In normal circumstances, graves will be dug to accommodate three interments.
- 6.3 All graves are to be dug by gravediggers appointed or authorised by the Council.

7. SIZES OF PLOTS (metric equivalents are approximate)

- 7.1 New grave spaces in the lawn areas will be available for up to three interments (coffin burials) and measure nine feet (2.7m) by four feet (1.2m). In addition, up to four urns or caskets containing cremated remains may be interred in a grave space.

8. VAULTS

- 8.1 There is no provision for interment in vaults at Tollesbury Cemetery.
- 8.2 There is no provision for interment in walled graves at Tollesbury Cemetery.

9. PURCHASE OF EXCLUSIVE RIGHTS OF BURIAL

- 9.1 The Exclusive Right of Burial for any vacant grave may be purchased for a period of 100 years. The period may be extended in units of five years, on payment of the appropriate fee, provided that, at any one time, the outstanding period does not exceed 50 years in respect of a grave space.

Whilst such purchases are not restricted to the residents of the Parish of Tollesbury, for those outside this area, additional charges will be made. (See the Table of Fees and Charges).

- 9.2 Subject to availability, the Exclusive Rights of Burial for grave spaces, may be purchased 'in reserve' for future use.
- 9.3 Where any interment is not that of the owner of the Exclusive Right of Burial, the written consent to the opening of the grave must be made by the owner on the Notice of Interment. No body shall be buried, or cremated remains interred in any grave until the written consent of the owner has been obtained. Scattering of Cremated Remains on graves or in any part of the Cemetery is strictly prohibited.
- 9.4 After the interment of the owner of an Exclusive Right of Burial, the personal representative must produce Probate of the Will of the deceased person, or Letters of Administration to the Estate, or other evidence the Council requires, so that the change of ownership can be registered. No further interments may be accepted, and no applications to place, or add any inscription to, a memorial may be considered until the Exclusive Right of Burial has been transferred. This restriction also applies where the memorial or additional inscription refers to the deceased owner.
- 9.5 Owners of an Exclusive Right of Burial shall not under any circumstances dispose of the rights without the consent in writing of the Council. The Deed of Grant of Exclusive Right of Burial shall be considered to form part of the personal estate of the grantee and may be assigned in their lifetime or bequeathed by Will. Every such assignment or Probate of Will shall be produced to the Parish Clerk.
- 9.6 The grant of Exclusive Right of Burial to any person shall not prevent the Council or its servants from passing over, placing materials or equipment upon, or maintaining the surface of any grave or plot in the course of cemetery management.

10. MAINTENANCE OF GRAVE SPACES

- 10.1 Whenever a burial takes place in the Lawn Cemetery, the grave will be filled with earth and, after a period of time to allow for natural subsidence, the surface shall be covered with topsoil and seeded or covered with turf.

- 10.2 Nothing may be placed on the grassed area of the grave, except on the day of the funeral, when flowers and wreaths may be placed on the grave. However, the staff at the cemetery will remove all dead flowers and wreaths approximately one week after the funeral has taken place.
- 10.3 Owners of graves may place flower containers on graves, provided that they are of a durable material and that they do not exceed one foot (300 mm) in height and three in number. Containers made of glass, wood, plastic or fibreglass are not considered durable material and are not permitted. Temporary planting on traditional graves is permitted whilst arrangements are being made for the erection of a memorial. Shrubs or bushes, including roses, are not permitted. The Council reserves the right to remove, or require the owner to remove, any item which encroaches on or affects access to other plots, or in any way constitutes a risk to public safety.
- 10.4 No surrounds whatsoever are permitted on any grave space.

11. COMMEMORATION AND MEMORIALS - GENERAL

- 11.1 Memorials may only be erected over grave spaces for which the Exclusive Right of Burial has been granted. Grave or plot owners wishing to place a memorial must make application as detailed below to the Parish Clerk. The necessary work to place the memorial may only take place after approval by the Parish Clerk. (Most local masons keep a supply of application forms).
- 11.2 All memorials shall be constructed from durable stone, marble or granite. Memorials of soft stone or wood are not permitted. (But see paragraph 11.5 regarding temporary memorials).
- 11.3 All memorials remain the responsibility of the registered owner. The Council cannot accept any responsibility for any damage or breakage which may occur. Owners are encouraged to seek independent advice regarding insurance cover for memorials. Your mason should be able to advise on memorial insurance.
- 11.4 Applications to erect a memorial, or to carry out any work on an existing memorial, must be made to the Cemetery Registrar, together with the appropriate fee. (Memorial Application Forms are available free of charge from the Parish Clerk). Any stonemason wishing to carry out any work in the Cemetery must be BRAMM Registered and adhere to the BRAMM Accreditation Scheme. Such applications must provide the following information:
- a) A dimensional drawing or illustration of the proposal.
 - b) Details of the landing or foundation (where appropriate).
 - c) A copy of every proposed inscription.
- 11.5 Provided that it is the owner's intention to make an application for the placement of a permanent memorial on a grave in accordance with the Regulations, it is permissible to place on a grave space for which the Exclusive Rights of Burial have been granted, a temporary memorial provided that it complies with the following specifications and a temporary permit has been issued:
- a) The temporary memorial shall be in the shape of a simple cross and shall be constructed of hardwood.
 - b) The dimensions shall be as follows (metric equivalents are approximate): Cross Section: Between one inch (25 mm) and three inches (75 mm). Height: Between one foot (300 mm) and three feet (900 mm) from ground level to the top of the cross, with no more than one third of the overall height below ground level Width: No greater than two feet six inches (750 mm)
 - c) If the condition of the temporary memorial deteriorates the provisions of regulation 11.9 will apply.
 - d) Temporary memorials shall be replaced by permanent memorials within nine months from the date of the interment, unless specific written authority is obtained

from the Council to extend this period.

- 11.6 Every memorial must have the grave or plot number conspicuously marked on it, at the applicant's expense, in permanent lettering not exceeding one inch (25mm) high.
- 11.7 In respect of graves in the lawn areas, vases of an approved design and material may only be placed adjacent to existing headstones. In such instances, written permission from the Council must be received before any vase may be placed on any grave space. Applications should be made on the Memorial Application Form and forwarded to the office of the Cemetery Registrar. Please note that vases placed on grave spaces must not encroach onto adjacent plots. (see Section 10.3).
- 11.8 All memorials are to have a sufficient foundation constructed of concrete or stone. Each headstone must be fixed to its base by means of copper or galvanised dowels, or joggled to ensure stability and be fitted with a ground anchor by a BRAMM registered stonemason.
- 11.9 All memorials are to be kept in good repair. The Council reserves the right to remove, or require the owner to remove, any memorial which is not maintained in an adequate or safe condition.
- 11.10 All memorials removed in order to allow additional interments to take place, shall be removed from the Cemetery. The responsibility for the correct removal and replacement lies with the owner of the Exclusive Rights of Burial, or with the person who requested the interment.

12. MEMORIALS IN THE LAWN BURIAL AREA - DIMENSIONS

- 12.1 The following are the maximum dimensions permissible for headstones or vertical memorials in the lawn cemetery areas.

Maximum height	:	Three feet (900 mm)
Maximum thickness	:	Four inches (100 mm)
Maximum width	:	Two feet six inches (750 mm)

All such memorials are to be fixed on a base of the same material with the following dimensions:

Maximum depth	:	One foot (300 mm)
Maximum thickness	:	Four inches (100 mm)
Maximum width	:	Two feet six inches (750 mm)

- 12.2 Up to two flower vases may be included by setting the upright part of the memorial closer to the back edge of the base. Not exceeding 24 inches in height.

13. GARDEN OF REMEMBRANCE

- 13.1 An area of the Cemetery has been set aside for Cremated Remains to be placed, The Garden of Remembrance.
- 13.2 Cremated Remains may be buried below the surface of the soil, provided that those Cremated Remains so buried are not enclosed in any form of container.
- 13.3 A rose bush may be purchased for planting in the beds, subject to availability. The Council will determine the variety and positioning of each rose bush.
- 13.4 Only plaques conforming to an approved design and bearing an inscription approved by the Council will be permitted. Advice on approved designs can be obtained from the Parish Clerk.

- 13.5 The Grant of Rights for rose bushes and memorial plaques shall endure for five years from the date of grant.
- 14. MAINTENANCE OF GOOD ORDER**
- 14.1 All persons are to conduct themselves in a quiet and orderly manner. Children under the age of 10 years may only be admitted if accompanied by a responsible adult, and no person in a state of intoxication shall be allowed access. The playing of any game or sport is prohibited. (Article 18, 1977 Cemeteries Order).
- 14.2 Except for guide dogs, no animals are to be allowed into the cemetery.
- 14.3 Smoking in the vicinity of a grave or cremated remains plot whilst an interment is taking place is not permitted.
- 14.4 All vehicles entering the cemetery may not exceed 10 miles per hour and must use the designated parking areas. Access for vehicles to other areas of the cemeteries is not allowed unless prior permission has been granted by an Officer of the Council. The person in charge of any vehicle is to be liable for the cost of making good any damage that may occur.
- 14.5 Where possible, all materials or tools to be brought to the grounds should be carried by hand, or in such a manner that will avoid damage to roads or paths. No trade vehicle shall remain in the cemetery longer than is necessary for loading or unloading.
- 14.6 No memorial shall be installed or other work carried out unless an appointment has been made for the representative of the Council to be present. Failure to make an appointment may lead to sanctions against the Contractor concerned.
- 14.7 Soliciting orders within the Cemetery for the erection or repair of memorials, or for any other work, is strictly prohibited.
- 14.8 Reports of any incivility, or breach of the regulations, should be passed to the Parish Clerk, or to a member of the Cemetery staff.
- 14.9 Please note that Council employees are not permitted to accept any gratuities.
- 14.10 **Scattering of Cremated Remains on graves or in any part of the Cemetery is STRICTLY PROHIBITED.**

By Order of the Council