



# Coggeshall Parish Council

## Cemetery Regulations

- 1 In exercise of its powers under Section 214 and Schedule 26 to the Local Government Act 1982, and article 3 of the Local Authorities Cemeteries Order 1977, **Coggeshall Parish Council** hereby makes the following regulations for the proper management, regulation and control of Coggeshall Cemetery Burial Ground.
- 2 These regulations come into force on 1<sup>st</sup> April 2007

# Cemetery Regulations

## **1. NOTICES OF INTERMENT AND BURIAL OF ASHES**

- 1.1 Notice of interment shall be given on the appropriate Council Forms available free of charge from Coggeshall Parish Council, The Council Office, Stoneham Street, Coggeshall, Essex. CO6 1UH. Written notification must reach the Parish Council at least three working days before the interment is due to take place and must be given during the hours of between the hours of 0930 and 1400 Monday to Friday (excluding Bank Holidays)
- 1.2 Provisional arrangements for interments may initially be made by telephone and/or fax. The Clerk to the Parish Council will determine the availability of any time or date proposed for burial. Written confirmation must follow to reach the Parish Council as detailed above. The Parish 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 the Grant shall be produced 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 Coggeshall Parish Council.

## **2 INTERMENTS AND BURIAL OF ASHES**

- 2.1 All interments will take place on weekdays (excluding Public Holidays), and will take place between 0900 and 1500 (time of arrival at the Cemetery.)
- 2.2 Only coffins made of wood or other perishable material are to be used.
- 2.3 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.
- 2.4 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.

### **CORONER'S ORDERS AND CERTIFICATES OF DISPOSAL**

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

### **OFFICIATING MINISTERS**

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

### **SELECTION OF GRAVES AND CREMATED REMAINS PLOTS.**

- 5.1 Grave spaces and cremated remains plots will be utilised as determined by the Parish Council (except for those selected by the previous purchaser of the Exclusive Rights of Burial). Selection of grave spaces and plots is subject to the approval of the Clerk to the Council.

### **DEPTHS OF GRAVES**

- 6.1 The depth to which graves will be excavated for interments, is to be determined by the Clerk to the Council, (in accordance with Part 1, 2<sup>nd</sup> Schedule, to the 1977 Cemeteries Order.)
- 6.2 Cremated remains plots will normally accommodate 2 caskets or urns to be placed at a depth determined by the Clerk to the Council.
- 6.3 All graves are to be dug by gravediggers approved by the Parish Council.

### **VAULTS**

There is no provision for interment in vaults at Coggeshall Cemetery.

## **8 PURCHASE OF EXCLUSIVE RIGHTS OF BURIAL**

- 8.1 The Exclusive Right of Burial for any vacant grave or cremated remains plot may be purchased for a period of 50 years. These periods may be extended in units of five years, on payment of the appropriate fee, either at the time of purchase or subsequently, up to a maximum of 75 years at any one time. Whilst such purchases are not restricted to the residents of the Parish of Coggeshall, for those outside this area, additional charges will be made. (See the Table of Fees and Charges.) The Exclusive Rights of Burial may be purchased for more than one grave where they are to be used for the interment of members of the same family, or of close family friends, except in Section E where spaces are allotted in strict numerical order.
- 8.2 New grave spaces will be available for up to two interments 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. Allocation of these plots will be in sequence.
- 8.3 Cremated remains plots may accommodate a maximum of two caskets or urns, and measure two feet by two feet (600mm x 600mm) and allocation will be in sequence.
- 8.4 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 given by the owner of the Notice of Interment. No body shall be buried, or ashes interred in any grave until the written consent of the owner has been obtained.
- 8.5 After the interment of the owner of a grave or cremated remains plot, the personal representative must produce Probate of the Will of the deceased person, or Letters of Administration to the Estate, or other evidence the Parish 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.
- 8.6 Owners of an Exclusive Right of Burial shall not under any circumstances dispose of the rights without the consent in writing of the Parish Council. The Deed of Grant of Exclusive Right or 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 provided to the Parish Council to be registered by the Clerk to the Council.

- 8.7 The grant of Exclusive Right of Burial shall not prevent the Council from passing over, placing materials or equipment upon, or maintaining the surface of any grave or plot in the course of cemetery management.

## **9 MAINTENANCE OF GRAVE SPACES**

- 9.1 Whenever a burial takes place in the 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. 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 Parish Council will remove all dead flowers and wreaths approximately two weeks after the funeral has taken place.
- 9.2 Owners of traditional graves (other than in Section E) may place flower containers on graves, provided that they are of a durable material and that they do not exceed one foot (300mm) in height and three in number. Containers made of glass, wood, plastic or fibreglass are not considered durable material and are not permitted.

## **10 MAINTENANCE OF CREMATED REMAINS AREAS**

- 10.1 Owners of cremated remains plots may place one flower container on plots, provided it is of a durable material and that does not exceed one foot in height. Containers made of glass, wood, plastic or fibreglass are not considered durable material and are not allowed. Owners should ensure that items placed on plots do not encroach onto, or limit access to, neighbouring plots. The Parish 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.
- 10.2 The Parish Council will maintain the area in a tidy condition, in keeping with the surrounding grassed area.

## **11 COMMEMORATION AND MEMORIALS – GENERAL**

- 11.1 This Cemetery is the setting for an historic church, which is listed as being of special architectural and historical interest under the planning legislation, and care has to be taken to ensure that nothing incongruous or detrimental to that setting is introduced into the churchyard.

- 11.2 Memorials may only be erected over grave spaces and cremated remains plots for which the Exclusive Right of Burial has been granted and are not permitted on Public Graves. Grave or plot owners wishing to place a memorial must make application, as detailed in 11.7, to the Clerk to the Council. The necessary work to place the memorial may only take place after approval by the Clerk to the Council.
- 11.3 Headstones which blend with the church in colour and texture are to be welcomed. Within Section E kerbstones and footstones are not permitted (See 12.1).
- 11.4 All memorials shall be constructed from durable stone, marble or granite. Memorials of soft stone or wood are not permitted.
- 11.5 All memorials remain the responsibility of the registered owner. The Parish 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. Information on this subject is available from most monumental stone masons.
- 11.6 Applications to erect a memorial, or to carry out any work on an existing memorial, must be made to the Clerk to the Council, together with the appropriate fee. (Memorial Application Forms are available free of charge from the Clerk to the Council.) Such applications must provide the following information
- a) A dimensional drawing or illustration of the proposal
  - b) A copy of every proposed inscription
- If a photograph is to be included on a gravestone or memorial it must be no bigger than 3 inches wide by 4 inches high.
- 11.7 Provided that an application has been approved 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

Cross Section:	Between one inch (25mm) and two inches (50mm) square
Height:	Between one foot (300mm) and three feet (900mm) from the 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 (750mm)

If the condition of the temporary memorial deteriorates the provision of Regulation 11.10 will apply.

- c) Temporary memorials shall be replaced by permanent memorials within twelve months from the date of the interment, unless specific written authority is obtained from the Council to extend this period.
- 11.8 In respect of graves, vases of an approved design and material may only be placed adjacent to existing headstones. In such instances, written permission from the Parish Council must be received before any vase may be placed on any grave space. Applications should be made on a Memorial Application Form and forwarded to the office of the Clerk to the Council. Please note that vases placed on grave spaces must not encroach onto adjacent plots.
- 11.9 All memorials are to have a sufficient foundation constructed of concrete or stone. Each headstone must be fixed to its base in accordance with the Health & Safety guidelines in force at the time.
- 11.10 All memorials are to be kept in good repair. The Parish Council reserves the right to remove, or require the owner to remove, any memorial which is not maintained in an adequate or safe condition.
- 11.11 It is the responsibility of the monumental stonemason to ensure that his customer receives a copy of the memorial application which has been approved by the Parish Council.
- 11.12 All memorials removed in order to allow additional interments to take place, shall be placed in positions indicated by the Parish Council, and should be refitted without avoidable delay. 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. The Parish Council must be informed of any removal.
- 11.13 No double headstones, double vertical or double memorials are allowed in the cemetery.

## **12 MEMORIALS IN THE NEW CEMETERY AREA**

### **12.1 Section E**

Only headstones or crosses are permitted in Section E to ease maintenance.

No kerbs or footstones will be permitted. Any container for flowers must be incorporated within the headstone area.

After a period of time to allow for natural subsidence, the surface shall be covered with topsoil and seeded.

Within 12 months of the date of interment (unless specific written authority is obtained from the Council) the permanent memorial should be in place.

**No planting of flowers, bulbs trees or shrubs on the plot is permitted.**

Applicants for memorials in Section E will be given a simple written guide to the regulations when they make application for a memorial.

### **13 MEMORIALS IN THE GARDEN OF REMEMBRANCE**

13.1 Memorials in the Cremated Remains area are to be of the horizontal type\*, set centrally on the plot and must have dimensions not exceeding:

Width: One foot (300mm)

Length : One foot (300mm)

Thickness: Two inches (30mm) \*

\* A horizontal memorial may have a sloped surface, provided that the back thickness does not exceed four inches and the front thickness two inches.

### **14 MEMORIAL TREES IN NEW BURIAL GROUND (SECTION E)**

14.1 The memorial trees in Section E may be dedicated for a set period of years on payment of the appropriate fee. This may be renewed by the payment of the fee in force at the time of renewal. In the event of non-payment the Council may re-allocate the tree at their discretion.

14.2 The tree remains the property of Coggeshall Parish Council who will maintain the tree in appropriate condition.

14.3 A memorial plaque may be supplied and placed by the purchaser of the tree. The size, material and wording is to be subject to Council approval. No monument other than a plaque will be allowed.

### **15 MAINTENANCE OF GOOD ORDER**

15.1 All persons are to conduct themselves in a quiet and orderly manner. 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*)

- 15.2 Dogs must be kept on a leash and any foul mess must be removed by the dog handler. Waste bins are provided for this purpose.
- 15.3 Smoking in the vicinity of a grave or cremated remains plot whilst an interment is taking place is not permitted.
- 15.4 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 cemetery is not allowed unless prior permission is granted by the Clerk to the Council. Where possible, all materials or tools to be brought to the burial ground should be carried by hand, or in such a manner that will avoid damage to roads or paths. The person in charge of any vehicle is to be liable for making good any damage that may occur. No vehicle shall remain in the cemetery longer than is necessary for loading or unloading.
- 15.5 Soliciting orders within the Cemetery for the erection or repair of memorials, or for any other work, is strictly prohibited.
- 15.6 Reports of any incivility, or breach of the regulations, should be passed to the Clerk to the Council.
- 15.7 Please note that Parish Council employees are not permitted to accept any gratuities.
- 15.8 Scattering of Cremated Remains on graves or in any part of the Cemetery is strictly prohibited.

*Clerk to the Council*

## **REVIEWS**

These Regulations are subject to annual review.

<b>DATE</b>	<b>REVIEWED BY</b>	<b>COUNCIL APPROVAL DATE</b>