

EPPING TOWN COUNCIL

**Council Offices
Epping Hall
St John's Road
Epping CM16 5JU**



EPPING CEMETERY

Regulations

**Revised: 1st December 2005
Amended: 15th January 2008**

**Epping Cemetery
Bury Lane
Epping**

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, Epping Town Council hereby makes the following regulations for the proper management, regulation and control of Epping Cemetery.
2. These regulations as amended shall come into force on 15th January 2008.

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1. Introduction

1.1 The Cemetery is divided into two sections, the original burial ground and an extension. The original area has a consecrated and unconsecrated section. The extension is available for burials of people of all or no religions. Both areas have a space reserved for burials according to the rites of the Roman Catholic Faith. A non-denominational Chapel is available for use upon application to the Town Clerk.

1.2 Plans of the Cemetery upon which every grave space is marked, are kept at the office of the Council, and may be inspected during office hours. Grave spaces used or purchased shall be so designated on the plans.

1.3 These regulations have been made by Epping Town Council in order to keep the cemetery in good order and ensure the grounds are kept in good condition.

2. Interpretation

2.1 In the construction of these Regulations the following words and expressions shall have the meanings given, unless such meanings be repugnant to or inconsistent with the context of the regulation in which they appear:

- a. "The Council" means Epping Town Council.
- b. "The Cemetery" means the Cemetery provided by the Council and situated in Bury Lane.
- c. "Grave" means a burial place for coffined remains formed in the ground by excavation and without any internal wall or brickwork stonework or any other artificial lining.
- d. "Cremated remains plot" means a burial place for cremated remains formed in the ground by excavation and without any internal wall, brickwork or stonework or any other artificial lining.
- e. "Scattering of Ashes" means cremated remains, which may be scattered within a designated area.
- f. "Memorial" includes monuments, stones of any description, railings, tablets, crosses (excluding wooden), vases and vessels, however other mementoes such as plastic flowers, teddy bears etc are not allowed. In the Children's Section of the Cemetery small items of remembrances may be allowed but prior approval for items must be obtained from the Town Council.

3. Notices of Interment

3.1 Notice of interment shall be given on the appropriate Council Form available free of charge from Epping Town Council, Epping Hall, St John's Road, Epping CM16 5JU.

Written notification must reach the Council at least three working days before the interment is due to take place. Notice must be given between the hours of 9.00am and 4.30pm on Mondays to Fridays (excluding Public Holidays).

3.2 Provisional arrangements for interments may initially be made by telephone and/or fax. The Council Staff will determine the availability of any time or date proposed for burial. Written confirmation must 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.

3.3 The Council reserves the right to modify this Regulation where circumstances render such a course desirable (whether or not upon payment of an additional fee) and in particular where death has occurred from epidemic or endemic disease or where interments are required to take place immediately upon the certificate of the Coroner or a Medical Practitioner.

3.4 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.

3.5 All charges and fees, made payable to Epping Town Council, are to be paid when the Notice of Interment is given.

4. **Interments**

4.1 Interments may only be carried out at the following times:

Dates	Times
1 st April to 30 th September	Mondays to Thursdays 9.00am to 3.30pm (exclusive of public holidays) Fridays 9.00 to 3.00pm (exclusive of public holidays)
1 st October to 31 st March	Mondays to Fridays 9.00am to 3.00pm (exclusive of public holidays)

4.2 Only coffins and Cremated Remains containers made of wood or other perishable material are to be used.

4.3 Not more than one interment shall take place at the same time except with the consent of the person from whom notice was first received or in any case in which the same Minister officiates at both interments.

4.4 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 and take all reasonable steps to avoid any risk of injury or accident to any person or property.

4.5 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, within six months of the date of burial.

5. Certificates and Receipts

5.1 No interment can take place until a Registrar's Certificate for Disposal, or order of the Coroner, has been received either by the Town Clerk or the Cemetery Superintendent.

6. Officiating Minister

6.1 Arrangements with the Officiating Minister shall be made by the relatives or the Funeral Director and the Council cannot accept any responsibility in connection therewith.

6.2 The name and address of the person officiating must be notified to the Clerk to the Council when the Notice of Interment is given.

7. Grave and Cremated Remains Spaces

7.1 New grave spaces, whether adult or not shall be 2.74 metres (9 ft) long and not less than 1.22 metres (4 ft) or more than 1.37 metres (4 ft 6 ins) wide (except in the case of stillborn children or of coffins not exceeding 1.22 metres (4 ft) in length).

7.2 In the case of stillborn children or of coffins not exceeding 1.22metres (4 ft) in length, the children's section of the cemetery may be available. The Clerk to Council will be pleased to discuss requests for this service.

7.3. New cremated remains spaces shall be not more than 61 cm (2 ft) square, and will be a minimum of 7.5 cm (3 ins) from adjacent spaces.

7.4. The selection of a grave space or a cremated remains plot for purchase of the exclusive right of burial shall be subject to the approval of the Council. The wishes of relatives will be met as far as may be deemed practicable.

7.5 New graves will normally have room for two coffined interments.

7.6 New cremated remains plots will normally have room for two cremated remains interments.

7.7 New graves may also, by arrangement with the Town Council, be used for a combination of one coffined burial and up to eight cremated remains interments.

7.8 If there is a requirement for a coffined burial and cremated remains burials in the same grave, the coffined interment must be the first burial before the cremated remains burials.

8. Grave Digging

8.1 All graves shall be dug on the instructions of the Council.

8.2 The depth of every grave shall be recorded in the Register of Burials to be kept by the Clerk. Each grave shall be dug as near as may be in the middle of the grave space.

9. Depth of Graves

9.1 The depth to which graves will be excavated for interments is to be determined by the Town Clerk (*in accordance with Part 1, 2nd Schedule, to The Local Authorities' Cemeteries Order 1977, Statutory Instrument 1977/204*).

9.2. The first interment in each grave set apart for the interment of persons aged 12 years and upwards shall be at a depth of not less than 2 metres (6 ft 6 ins) and no interment shall take place in any such grave without a covering of earth 91 cm (3 ft) in thickness at least, measuring from the surface of the coffin to the ordinary level of the ground (91 cm (3 ft) soil, 45 cm (1 ft 6 ins) coffin, 15 cm soil (6 ins), 45 cm (1 ft 6 ins) coffin – 2 metres (6 ft 6 ins)).

9.3 No such grave shall be reopened for another interment until after 7 years from the date of the previous interment, save for a further member of the same family in pursuance of permission obtained under No. 7.4 of these Regulations.

9.4 In the case of interment of a child under 12 years of age the above regulation shall apply except that the depth shall be not less than 1.52 metres (5 ft)

9.5 Each cremated remains casket will be placed at a minimum depth of 45 cm (1 ft 6 ins) below the ordinary level of the ground

9.6 All graves are to be dug by gravediggers appointed or authorised by the Council.

10. Vaults

10.1 There is no provision for interment in vaults at Epping Cemetery.

10.2 There is no provision for interment in walled graves at Epping Cemetery.

11. Coffins and Additional Interments

11.1 Coffins of wood or other material of the like perishable character shall be used in the graves.

11.2 Graves are normally dug to accommodate two interments in accordance with Part 1, 2nd Schedule, to The Local Cemeteries Order 1977, Statutory Instrument 1977/204. If the size of the coffin for the first interment exceeds the measurements, the grave shall be for a single burial only.

11.3 A layer of earth 15 cm (6ins) in thickness, at least, shall be left between each coffin in the same grave.

11.4 If on reopening any grave the soil be found to be offensive, such soil shall not be disturbed, and in no case shall human remains be removed from any grave, except in the case of a properly authorised exhumation.

12. Purchase of Exclusive Rights of Burial

12.1. Subject to the provisions of No. 7.4 of these Regulations the Exclusive Right of Burial in any vacant grave space or cremated remains plot required for immediate or future use may be purchased at any time by any inhabitant or non-inhabitant subject to the payment of the fees for the time being prescribed by the Council. Such right shall endure for 75 years.

12.2 Whilst such purchases are not restricted to the residents of the Town of Epping, graves purchased by or for the use of persons outside this area are subject to additional charges. (See table of fees and charges).

12.3 Non-inhabitants may purchase, subject to availability, Exclusive Rights of Burial in any vacant grave space or cremated remains plot for family members still living in Epping subject to the payment of the fees for the time being prescribed by the Council. However such requests may require inhabitants to produce evidence such as proof of residence before the Exclusive Right of Burial is issued.

12.4 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 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.

12.5. No child's grave space may be purchased, but children may be interred in adult grave spaces.

12.6. The scattering of ashes will be permitted but only on the garden area immediately outside the chapel by arrangement with the Town Clerk.

12.7 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.

12.8 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 Council to be registered by the Town Clerk.

12.9 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.

13. Maintenance of Graves - General

13.1 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.

13.2 Private arrangements with any employee of the Council for the planting of flowers upon or maintenance of graves or for other work is forbidden, but upon application made to the Town Clerk and upon payment of the prescribed fees, the Council will undertake the maintenance of graves.

14. Maintenance of Grave Spaces in the Original Burial Area

14.1 In the original burial area, flowers and wreaths placed on the grave on the day of the funeral will be removed by staff approximately one week after the funeral has taken place.

14.2 Owners of graves in the original burial area may place flower containers on graves, provided that they are of a durable material. No plant, flower or shrub shall be allowed to be more than 91cms (3 ft) from ground level in height or to project over the space occupied by a grave, and the Council reserves the right to prune, cut down or remove any plant, flower or shrub, if such removal is deemed to be necessary. Containers made of glass, wood, plastic or fibreglass are not permitted.

15. Dimensions of Memorials in the Original Burial Area

15.1 Flat or full kerb memorials are permissible and are to have dimensions not exceeding the following:

Length : 2 metres (6 ft 6 ins)

Width : 76 cm (2 ft 6 ins)

15.2 The following are the maximum dimensions permissible for headstones or vertical memorials:

Maximum height	:	1.20 metres (3ft 11ins)
Maximum thickness	:	15 cm (6 ins)
Maximum width	:	75 cm (2ft 5ins)

15.3 No monument, gravestone, memorial, tablet, curb, fence, railings or the like, shall be placed or erected upon or about the area of any grave except such headstones and bases as are permitted by the regulations.

15.4 To avoid any doubt headstones or memorials must be erected to remain upright when a lateral force of 35kg is applied to its apex.

16. Maintenance of Grave Spaces in the Lawned Extension

16.1 In the lawned part of the cemetery, 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. These will be removed by staff approximately one week after the funeral has taken place.

16.2 No planting or any other decoration (including toys and other mementoes) will be allowed on or adjacent to the grave except on the memorial beam or other place as directed by the Town Clerk.

17. Dimensions of Memorials in the Lawned Extension

17.1 There shall be no mounds on graves. A headstone or cross type memorial of white marble, granite (grey, black, blue and red pearl) or nabresina, of which the overall size is 76 cm (2ft 6ins) high x 61 cm (2ft) wide x 10 cm (4ins) thick, will be permitted, no kerbstones are allowed. A base to incorporate a maximum of one stone vase measuring 20 cm (8 ins) high x 17.8 cm (7 ins) wide x 17.8 cm (7 ins) deep may be fitted, but the maximum area which it will be allowed to occupy is 76 cm (2 ft 6ins) wide x 10 cm (4 ins) thick x 30.5 cm (1 ft) deep. Therefore the maximum overall height of the memorial will be 86 cm (2 ft 10 ins).

17.2 All headstones must be securely fitted to the base provided by the Council using the slots provided. If, however, a memorial fixing beam is not provided, memorials must be of monolith construction only. Headstones or memorials must be erected to remain upright when a lateral force of 35kg is applied to its apex.

17.3 No monument, gravestone, memorial, tablet, curb, fence, railings or the like, shall be placed or erected upon or about the area of any grave except such headstones and bases as are permitted by the regulations.

18. Maintenance of Cremated Remains Plots

18.1 Owners of cremated remains plots may place flower containers on plots, provided they are of a durable material and that they do not exceed 30cm (1 ft) in height. Containers made of glass, wood, plastic or fibreglass are not permitted. Owners should ensure that items placed on plots do not encroach onto, or limit access to, neighbouring plots. The Council reserves the right to remove, or require the owner to remove, any items which encroach on or affect access to other plots, or in any way constitute a risk to public safety.

18.2 In those cases where plot owners choose not to place flowers, the Council will maintain the area in a tidy condition, in keeping with the surrounding grassed area.

19. Dimensions of Memorials in Cremated Remains Area

19.1 These are to be of the horizontal type and must not exceed the following dimensions:

Width	:	61 cm (2 ft)
Length	:	61 cm (2 ft)
Thickness	:	5½ cm (2 ins)

20. Dimensions of Memorials in Children's Section

20.1 White marble, granite (grey, black, blue and red pearl) or nabresina, will be permitted and must not exceed the following dimensions:

Width	:	46 cm (1ft 6ins)
Length	:	46 cm (1ft 6ins)
Height	:	up to 61 cm (2ft) maximum

21. Dimensions of Memorials in Scattering of Ashes Area

21.1 A brass plaque, measuring 15 cm (6 ins) by 7.5 cm (3 ins) may be obtained from the Council to commemorate deceased persons whose ashes are scattered in the designated area. The plaque will be affixed to the external walls of the chapel. Further details are available on application to the Town Clerk.

22. Commemoration and Memorials – General

22.1 Only Memorial Masons, which have been approved for entry on the British Register of Accredited Memorial Masons may provide or work on memorials at Epping Cemetery. In exceptional circumstances, and where existing memorials require repair, the Town Clerk may grant permission for others to carry out such repairs, but only if such other persons will, in writing undertake to carry out such works in accordance with BS8415 which complies with the provisions of the BRAMM Scheme and the Code of Practice issued by the National Association of Memorial Masons.

22.2 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 below to the Town Clerk. The necessary work to place the memorial may only take place after approval by the Town Clerk.

22.3 All memorials shall be constructed from durable stone, marble or granite. Memorials of soft stone, plastics or wood are not permitted.

22.4 All memorials remain the responsibility of the registered owner. The Council cannot accept any responsibility for any damage or breakage unless such damage occurs as a direct result of the action of a Council employee employed at the time on the business of Council. The Council will not accept claims for damage caused by Council staff engaged in checking memorials for stability or laying memorials found to be unstable.

22.5 Applications to erect a memorial, or to carry out any work on an existing memorial, must be made to the Town Clerk, together with the appropriate fee. (Memorial Applications Forms are available free of charge from the Town Clerk). 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.

22.6 Every memorial must have the grave or plot number conspicuously marked on it, at the applicant's expense, in permanent lettering not exceeding 2.5 cm (1 in) high.

22.7 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.

22.8 All memorials removed in order to allow additional interments to take place, shall be placed in positions indicated by the Cemetery staff, 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.

22.9 No double headstones, double vertical or double memorials are allowed in the cemetery.

22.10 The Council reserves the right to remove neglected and unused containers or dead flowers.

22.12 Soliciting orders in the Cemetery for the erection or repair of memorials or for any other work is strictly prohibited.

22.13 All memorials, when commenced shall be proceeded with from day to day until completed, or the order for the erection thereof will become void.

22.14 No memorials of any description will be allowed to be taken from the Cemetery except by special order of the Council.

22.15 Council may make temporary grave markers available. No temporary grave marker other than that provided will be allowed in the cemetery and any other temporary marker will be removed. The temporary grave markers provided by Council may be placed on any plot on which there is no memorial stone for a period of up to 7 months from the date of an interment. Following this time they will be removed. Temporary grave markers are non-denominational and will contain only the plot number, the name of the deceased and the date of death.

23. Maintenance of Good Order

23.1 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, The Local Authorities' Cemeteries Order 1977, Statutory Instrument 1977/204, Burial, England and Wales*).

23.2 Every person who shall wilfully destroy or damage any building, wall or fence belonging to the Cemetery, or destroy or injure any tree, plant or shrub therein, or who shall daub or disfigure any wall thereof, or climb over the walls, fences or gates or put up any placard therein, or on any wall thereof, or wilfully destroy, injure or deface any memorial or inscription, or do any other wilful damage, or who shall play at any game or sport, or discharge firearms (save at a military funeral) or wilfully or unlawfully disturb any persons assembled for the purpose of burying any body, or who shall commit any nuisance within the Cemetery is liable to be fined in accordance with Article 19 of the Local Authorities' Cemeteries Order 1977, Statutory Instrument 1977/204, Burial, England and Wales.

23.3 A person shall not, in any part of the Cemetery, by any act or indecent behaviour prevent, interrupt, or delay the decent and solemn burial of any body.

23.4 Except for guide dogs, no animals are to be allowed into the cemetery.

23.5 Smoking in the vicinity of a grave or cremated remains plot whilst an interment is taking place is not permitted.

23.6 All vehicles entering the cemetery may not exceed 5 miles per hour. Access for vehicles to the cemetery is not allowed unless prior permission has been granted by the Town Clerk. The person in charge of any vehicle is to be liable for the cost of making good any damage that may occur.

23.7 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 and unloading.

23.8 All mortar to be used in the Cemetery shall be brought to the Cemetery ready made and shall be placed for use upon bankers.

23.9 Masons and others engaged in work at the Cemetery shall remove all dirt or rubbish to the satisfaction of the Town Clerk. If this regulation is not observed the Council shall remove such dirt or rubbish and recover the cost as a civil debt.

24. Administration

24.1 Notices or applications required by these Regulations to be submitted to the Town Clerk shall be made on the Council's prescribed forms which may be obtained free of charge upon application at the office of the Council.

24.2 Searches may be made in the record books kept by the Council but the Council shall not be deemed to be under any obligation or liability to supply any information which a reasonable search in the records available shall fail to reveal.

24.3 No gratuities are allowed to be demanded or received by employees.

24.4 An offensive body or the body of a person who shall have died from any infectious disease shall not be taken into the chapel.

24.5 The Council reserves the right to alter or vary the foregoing Regulations, or to deviate therefrom in any particular instances, if it shall appear to the Council desirable so to do.

24.6 These Regulations shall come into force on the fifteenth day of January, two thousand and eight, on which date all previous Regulations shall be rescinded.