

WALTHAM ABBEY TOWN COUNCIL

WALTHAM ABBEY CEMETERY
SEWARDSTONE ROAD, WALTHAM ABBEY

WALTHAM ABBEY GARDEN OF REST
OLD CEMETERY
SEWARDSTONE ROAD, WALTHAM ABBEY

CHURCHYARD GARDEN OF REST
WALTHAM ABBEY CHURCHYARD

REGULATIONS

1. In exercise OF their powers under Section 214 and Schedule 26 of the Local Government Act 1997 and Article 3 of the Local Authorities Cemeteries Order 1977, the Waltham Abbey Town Council hereby makes the following Regulations for the proper management, regulation and control of the Waltham Abbey Cemetery and Garden of Rest.
2. These regulations as amended came into force on 01.01.1998 and reviewed on 20.10.2023

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CEMETERY REGULATIONS

1. NOTICES OF INTERMENT

- 1.1 Notices of interment shall be notified on the appropriate Council forms available free of charge from the office of the Town Clerk at the Town Hall, Waltham Abbey. Notification must reach the Council at least five clear working days before the interment is due to take place and must be given during the hours of 9.00am and 5.00pm Mondays to Fridays (excluding Public Holidays).
- 1.2 Arrangements for interments may initially be made by telephone. The Town 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 their legal representative and the Grant shall be produced together with the Notice of Interment.
- 1.4 All fees and charges are to be paid when the Notice of Interment is given and are to be payable to Waltham Abbey Town Council.

2. INTERMENTS

- 2.1 All interments are to take place on weekdays (excluding Public Holidays) and will take place between 9.30am – 3.30pm.
- 2.2 Only coffins made of wood or other perishable materials may be used.
- 2.3 The interment of non-residents of Waltham Abbey in common graves 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 coffins into graves.
- 2.5 Funeral Directors must arrange, where necessary, for memorials to be removed to allow graves to be re-opened and for the reinstatement of memorials following the interment.

3 REGISTRARS CERTIFICATES AND CORONERS ORDERS

- 3.1 No interment can take place until a Registrars Certificate or Coroners Order has been received by the Cemetery Attendant.

4. OFFICIATING MINISTERS

- 4.1 Arrangements with the officiating minister shall be made by the relatives or the undertaker 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 Town Clerk when the Notice of Interment is given.

5. SELECTION OF GRAVE SPACES

- 5.1 Grave spaces will be utilised as decided by the Town Council, except for those selected by the purchase of the Exclusive Rights of Burial.
- 5.2 Selection of grave spaces is subject to the approval of the Town Clerk, but the wishes of the applicant will be met as far as practicable, within the areas available for use at the time.

6. DEPTHS OF GRAVES

- 6.1 Interments in a grave set apart for the interment of persons aged 12 years and upwards shall be at a depth of 6 feet (double) or 4 feet (single)
- 6.2 Graves may be dug to a maximum depth of 8 feet (treble) when required.
- 6.3 No interment shall take place in any such grave without a covering of earth 6 inches in thickness at least from the surface of the coffin.
- 6.4 In cases of the interment of still-born children or children under 12 years of age and in purchased graves, the first interment shall be at a depth of not less than 4 feet (6.3 above shall also apply to this Regulation).

7. VAULTS AND BRICK LINED GRAVES

- 7.1 No new vaults may be accommodated in the Cemetery. There remain a number of old vaults in the western side of the cemetery which may be re-opened to allow for additional burials. In such cases the following apply.
- 7.2 Each vault re-opened is to be enclosed with walls of brick or stone properly bonded with mortar or other suitable material.
- 7.3 Interments in a vault must, within 24 hours, be sealed in such a way as to prevent the escape of any noxious gases from the interior.
- 7.4 Brick line graves may be allowed at the discretion of the Council.
- 7.5 Any application shall be determined by the Town Clerk and be subject to availability of spaces.

8. PURCHASE OF EXCLUSIVE RIGHT OF BURIAL

- 8.1 The Exclusive Right of Burial for any vacant grave space may be purchased for a period of 100 years.
- 8.2 Grave spaces may only be purchased by residents of the Waltham Abbey Town Council area or persons with a proven prior residential qualification.
- 8.3 If the applicant is a non-resident then the charges are based on the residential charge x 3. For the purpose of determining charges a "Resident" is someone who has resided in the Town for a minimum of 5 years in the last 10 years. Charges for additional interment are based on the status of the initial occupant.
- 8.4 The Exclusive Rights of Burial may be purchased for more than one grave space where they are to be used for the interment of members of the same family.
- 8.5 New grave spaces will be available for up to three interments and measure 9ft by 4ft.
- 8.6 Where an interment is not that of the owner of the Exclusive Rights of Burial, the written consent to the opening of the grave must be made by the owner on the Interment Notice. Nobody shall be buried in any grave until the written consent of the owner has been obtained.

8.7 After the interment of the owner of a grave, the personal representatives must produce Probate or 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 may 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.

9. MAINTENANCE OF GRAVE SPACES

9.1 Wherever an interment has taken place the grave will be filled with earth and after a period of time to allow for natural subsidence, the surface shall be covered with turf. After a reasonable time, a memorial may be placed or flowers, shrubs or other suitable vegetation may be planted on the grave space. No plant, flower or shrub shall be allowed to be more than 3ft from the ground level in height or project over any adjoining grave space. The Council reserves the right to prune, cut down or remove any plant, flower or shrub if such action is deemed necessary.

9.2 The Council reserve the right to remove all dead flowers and wreaths from grave plots.

9.3 Private arrangements with any employee of the Council for the planting and/or maintenance of graves or for any other work within the Cemetery is strictly forbidden. However, upon application to the Town Clerk and receipt of the prescribed fees the Council will undertake the planting and/or maintenance of graves.

10. COMMEMORATION AND MEMORIALS

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

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

10.3 All memorials remain the responsibility of the registered owner. The Council cannot accept any responsibility for any theft, damage or breakage which may occur.

10.4 Applications to erect a memorial must be made to the Town Clerk together with the prescribed fee. (Memorial application forms are available from the Town Clerk). Such applications must provide the following information.

- a) A dimensional drawing or illustration of the proposed memorial.
- b) Details of the landing (where appropriate).
- c) A copy of every proposed inscription.

10.5 Provided that an application has been submitted 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.

- 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: -
 - Cross Section:** Between 1 inch and 2 inches square
 - Height:** Between 1ft and 3ft from the ground level to the top of the cross with no more than one third of the overall height being below ground level.
 - Width:** No greater than 2ft 6 inches.
- c) If the condition of the memorial deteriorates, the provisions of Regulation 10.9 will apply.
- d) Temporary memorials shall be replaced by permanent memorials within 12 months of the date of interment, unless specific written authority is obtained from the Council to extend this period.

10.6 All memorials must have the grave or plot number conspicuously marked on it, at the applicants' expense, in letters not exceeding 1 inch in height.

10.7 Vases of an approved design and material may only be placed adjacent to existing headstones. In such instances, written permission of the Council must be received before any vase may be placed on any grave space. Applications should be made on the Memorial Application and forwarded to the Town Clerk.

10.8 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 galvanized dowels or other prescribed methods. Copper or galvanized cramps are to be used to fix kerbs.

10.9 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.

10.10 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.

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

	<u>Grave</u>	<u>Brick Lined Grave</u>	<u>Infant/Children's Grave</u>
Length	6' 6"	9' 0"	4' 0"
Width	2' 6"	4' 6"	2' 0"

Headstones are permitted and are to have dimensions not exceeding the following:-

	<u>Grave</u>	<u>Brick Lined Grave</u>	<u>Infant/Children's Grave</u>
Height	3' 0"	4' 6"	2' 6"
Width	2' 6"	4' 6"	2' 0"
Thickness	4"	4"	3"

10.12 Any application for memorial seats shall be determined by the Town Clerk and be subject to availability of space.

11. MAINTENANCE OF GOOD ORDER

- 11.1 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.
- 11.2 Except for guide dogs, no animals are to be allowed in the Cemetery.
- 11.3 Smoking in the vicinity of a grave whilst an interment is taking place is not permitted.
- 11.4 All vehicles entering the Cemetery must use the designated roads and parking areas. Access for vehicles to other areas of the Cemetery is not allowed unless prior permission is granted by an Officer of the Council. The person in charge of a vehicle is to be liable for making good any damage that may occur. 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 and paths. No vehicle shall remain in the Cemetery longer than is necessary for loading or unloading.
- 11.5 Soliciting orders within the Cemetery for the erection or repair of memorials or for any other work, is strictly prohibited.
- 11.6 Council employees are not permitted to receive gratuities.
- 11.7 Reports of any incivility or breach of the regulations should be reported to the Town Clerk or a member of the Cemetery staff.

12. FEES AND CHARGES

- 12.1 All fees and charges are those made by the Council and in force at the time.
- 12.2 A copy of the fees and charges may be obtained from the Town Clerk or found on the Town Council's website: www.walthamabbey-tc.gov.uk or telephone 01992 714949.

GARDENS OF REST FOR CREMATED REMAINS

13. NOTICE OF INTERMENT

- 13.1 Notices of interment shall be notified on the appropriate Council forms available free of charge from the office of the Town Clerk at the Town Hall, Waltham Abbey. Notification must reach the Council at least five clear working days before the interment is due to take place and must be given during the hours of 9.00am and 5.00pm Mondays to Fridays (excluding Public Holidays)
- 13.2 Arrangements for interments may initially be made by telephone. The Town 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.
- 13.3 For a cremated remains plot where the Exclusive Right of Burial has been granted, the Notice of Interment shall be signed by the registered owner or their legal representative and the Grant shall be produced together with the Notice of Interment.
- 13.4 All fees and charges are to be paid when the Notice of Interment is given and are to be payable to Waltham Abbey Town Council.

14. INTERMENTS

- 14.1 All interments are to take place on weekdays (excluding Public Holidays) and will take place between 9.30am – 3.30pm Monday to Friday.

15. CERTIFICATES OF DISPOSAL

- 15.1 No interment can take place until a Certificate of Disposal for Cremated Remains has been received by the Cemetery Attendant.

16. OFFICIATING MINISTER

- 16.1 If a Minister is required to officiate at the interment, arrangements should be made by the relatives, or Funeral Directors where applicable.
- 16.2 However, the name and address of the person officiating must be notified to the Town Clerk when the Notice of Interment is given.

17. SELECTION OF CREMATED REMAINS PLOT

- 17.1 Cremated Remains plots will be utilised as decided by the Town Council.

18. DEPTHS OF PLOTS

- 18.1 Plots in the Churchyard Garden of Rest shall be dug for a single interment only.
- 18.2 Plots in the Sewardstone Road Garden of Rest shall be dug for a maximum of three interments if required.

19. PURCHASE OF EXCLUSIVE RIGHTS OF BURIAL

- 19.1 Plots in the Churchyard Garden of Rest are not subject to purchase of Exclusive Rights of Burial.
- 19.2 The Exclusive Rights of Burial for vacant plots in the Sewardstone Road Garden of Rest may be purchased for a period of 100 years.
- 19.3 Plots may only be purchased by residents of the Waltham Abbey Town Council area or persons with a proven prior residential qualification.
- 19.4 If the applicant is a non-resident then the charges are based on the residential charge x 3. For the purpose of determining charges a "Resident" is someone who has resided in the Town for a minimum of 5 years in the last 10 years. Charges for additional interments are based on the status of the initial occupant.
- 19.5 Plots in the Churchyard Garden of Rest will be available for one interment and measure 18"x12".
- 19.6 Plots in the Sewardstone Road Garden of Rest will be available for up to three interments and measure 18"x18".
- 19.7 Where an interment is not that of the owner of the Exclusive Rights of Burial, the written consent to the opening of the grave must be made by the owner on the Interment Notice. Nobody shall be buried in any grave until the written consent of the owner has been obtained.
- 19.8 After the interment of the owner of a grave, the personal representatives must produce Probate or 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 may 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.
- 19.9 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 of Probate or Will shall be produced to the Council to be registered by the Town Clerk.

20. MAINTENANCE OF PLOTS

- 20.1 The memorial on each plot may contain one flower vase or container set on the memorial or into the memorial as an integral part of the stone.
- 20.2 Wreaths may not be deposited on or adjacent to the plot, neither will glass jars, pots, artificial flowers, ornaments be permitted.
- 20.3 The Council reserves the right to remove any glass jars, pots, artificial flowers, ornaments or additional vases and whilst any such articles be retained for a reasonable time and may be reclaimed on application to the Cemetery Staff, no responsibility can be accepted by the Council, its servants or agents for the safe custody thereof.

20.4 No planting shall be carried out in the grassed areas around memorial stones, nor shall any trees or shrubs be planted within the Gardens of Rest.

20.5 Whilst every reasonable care and precaution is taken by the Council to avoid damage to memorial stones and vases when grassed areas are being cut, no responsibility for loss or damage, howsoever caused, can be accepted by the Council.

21. MEMORIAL PLAQUES

21.1 Person responsible for ordering interments in the Gardens of Rest shall also bear responsibility for the provision of a suitable flat memorial of Portland Stone, marble or other suitable stone.

21.2 Memorial stones should be ordered in good time so that they may be placed in position on the plot at the time of the interment.

21.3 Memorial stones shall be of the dimensions set out below: -

Churchyard Garden of Rest	18" x 12" x 2"
Sewardstone Road Garden of Rest	18" x 18" x 2"

22. MAINTENANCE OF GOOD ORDER

22.1 Regulations as set out in Regulation 11 shall also apply to the Gardens of Rest.

23. FEES AND CHARGES

23.1 The regulations as set out in Regulation 12 shall also apply to the Gardens of Rest.