



GREAT DUNMOW TOWN COUNCIL

RULES AND REGULATIONS FOR THE CEMETERY AT CHURCH STREET, GREAT DUNMOW, ESSEX

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GREAT DUNMOW TOWN COUNCIL

REGULATIONS FOR THE MANAGEMENT OF THE CEMETERY AT CHURCH STREET, GREAT DUNMOW

Great Dunmow Town Council (the Burial Authority) owns, maintains, and manages the Cemetery and will always aim to keep it to a high standard.

All visitors should be able to find this a peaceful place where they can come to remember their loved ones. They should not have to be distracted or disturbed in any way during their visit. It is expected that visitors will respect the feelings of others.

REGULATIONS

1. All contractors wishing to work in the cemetery must provide evidence of Public Liability and Employers Liability insurance cover on an annual basis. The Town Council reserves the right to refuse access to any contractor if they do not abide by the regulations.
2. No grave or cremated remains plot in the cemetery shall be raised in any manner above the general level of the remaining ground.
3. The Burial Authority will maintain the whole of the turfed area of grave plots and cremated remains plots.
4. The Burial Authority has the right to remedy any breach of the Regulations. The Burial Authority will attempt to contact the grave owner to rectify the breach but reserves the right to take action if this is not possible.
5. No person entering the cemetery shall behave in a manner likely to disrupt the solemn right of burial or cause offence to other cemetery users.
6. No dogs, unless on a lead, are allowed in the cemetery. Owners are responsible for clearing up any mess.
7. No vehicles, except those used to attend funerals, those of official Council business, or mobility vehicles are allowed in the cemetery.
8. The use of bicycles, scooters, skateboards or similar equipment is prohibited within the cemetery grounds.
9. The consumption of alcohol or the use of prohibited substances is not permitted within the cemetery. Any person behaving in a manner that causes disturbance or offence and is reasonably believed to be under the influence of alcohol or prohibited substances may be required to leave the cemetery.
10. People entering the cemetery may not conduct any business or distribute advertising material within the cemetery.
11. The Burial Authority reserves the right to tidy away any item that has deteriorated and so detracts from the appearance of the cemetery.
12. The scattering of ashes is not permitted in the Cemetery.
13. **Rules of Interment**
14. The Notice of Interment or Notice of Interment of Cremated Remains must be delivered to the Burial Authority during normal office hours (9am to 5pm, Monday – Thursday inclusive and 9am – 4pm Friday) at least 2 clear working days prior to the interment taking place (excluding Saturdays, Sundays

and Public & Bank Holidays). The Notice must be made on the form provided by the Burial Authority and all sections must be completed in full giving the information required. In the case of re-opening an existing grave, a copy of the Deed of Grant or written consent of the owner must accompany the Notice.

- 15.** Applications for interments may be made to the Burials Clerk between the hours of 09:00 and 17:00 Monday to Thursday (excluding Bank Holidays) and 09:00 to 16:00 on Fridays.
- 16.** Communications received outside of these hours may not be monitored. No interment booking shall be deemed confirmed until acknowledged by the Burial Authority.
- 17.** The appropriate Certificate of Burial (otherwise known as “the green form”) must be forwarded with the Notice of Interment. The interment will not be allowed to proceed until the appropriate copy of the Certificate is delivered to the Burial Authority. For the purposes of this paragraph, a digital or photocopied copy of the Certificate may be substituted if deemed necessary and agreed with the Burials Clerk on the understanding that the original Certificate must be presented to the Burials Clerk at the interment.
- 18.** The Certificate of Cremated Remains (where available) must be forwarded with the Notice of Interment of Cremated Remains.
- 19.** The certificates must be produced to the Burial Authority before the funeral enters the Cemetery.
- 20.** The nameplate or identification affixed to the coffin or casket shall be checked against the relevant burial documentation by an authorised officer of the Burial Authority at the time of interment.
- 21.** In the case where a Coroner’s Inquest has been held, the Coroner’s Order must be produced. In the case of a stillborn child, a Certificate in accordance with the Births & Deaths Registration Act 1953 must be produced. In the case of a non-viable foetus, a Declaration signed to that effect by a Registered Medical Practitioner, or an Order for Burial from the Coroner must be produced. Originals or copies must be produced before the funeral enters the cemetery – no interment may take place until they are produced.
- 22.** Interments may take place daily at such hours as the Council may from time to time determine or at the convenience of the officiating Minister but will normally exclude Sundays, Bank Holidays and days of national mourning or thanksgiving.
- 23.** All fees for interments and the purchase of Exclusive Right of Burial are to be paid prior to the interment taking place. The Burial Authority reserves the right to review the fees at its discretion.
- 24.** The grave space or cremated remains plot will be allocated by the Burial Authority. The wishes of any applicant may be considered, where possible.
- 25.** The Funeral Director must advise the Burials Clerk when they intend to work in the cemetery. The Funeral Director is responsible for the health and safety of his/her staff at all times whilst in the cemetery.
- 26.** At every burial the Officiating Minister or other person having charge of the funeral shall present the original Certificate of Burial (the “green form”) to the Burials Clerk or the Town Clerk if the original Certificate was not provided at an earlier stage (see Paragraph 13).

Exclusive Right of Burial (LGA 1972 s.214)

- 27.** The Exclusive Right of Burial in a grave space or cremated remains plot may be purchased for a period of 50 years, at the end of which all rights return to the Burial Authority. The registered owner of the Exclusive Right of Burial may at that time apply to renew for a further period at the discretion of the Burial Authority and subject to payment of the appropriate fees. Once the Exclusive Right of Burial has been purchased, the Burial Authority will issue a Deed of Grant pertaining to the plot to the registered Lessee of the plot/owner of the Exclusive Right of Burial.
- 28.** The Burial Authority reserves the right to apply different fee rates to residents and non-residents of Great Dunmow as defined by the parish boundary.
- 29.** When the owner of the Exclusive Right of Burial dies, the Exclusive Right can be transferred to another person or persons. This would usually be the next of kin or a beneficiary, but it can be other persons if they are able to establish a right. The Burial Authority may be able to assist and should be contacted in the first instance.
- 30.** Where the owner of the grave is to be buried in that grave and no other person wishes to be assigned the rights and responsibilities of the Exclusive Right of Burial, then the executor shall surrender the Exclusive Right to the Burial Authority. Where the Exclusive Right is not available, the executor shall certify that all rights revert to the Burial Authority.
- 31.** At any time, the registered owner of the Exclusive Right of Burial can elect to assign the ownership to another person or persons. Any transfer of ownership shall be subject to the production of satisfactory evidence of title and the approval of the Burial Authority. Such transfer shall be registered in the cemetery records, the appropriate registration fee paid, and the Deed of Grant endorsed by the Burials Clerk or Town Clerk. Enquiries of how this can be done should be made to the Burial Authority.
- 32.** The Deed of Grant is a legal document, and it is the owner's responsibility to keep it in a safe place and keep the Burial Authority advised of any change of address.
- 33.** Communications related to the Grant will be sent to the last address of the Grantee notified to the Burial Authority. If no reply is received within 28 days, or sooner in case of urgency, the Burial Authority will assume that the Grant has lapsed and will take appropriate action in relation to the matter concerned.
- 34.** Where no interment has taken place, and provided that the Exclusive Right of Burial will not lapse within ten years, the owner may surrender it to the Burial Authority and be refunded 75% of the fee paid.

Burials

- 35.** Each burial plot shall consist of a rectangular plot measuring 6 feet (184cm) in length and 3 feet (92cm) wide.
- 36.** When any grave is re-opened for the purpose of making another burial no person shall disturb any human remains previously interred or remove any soil which is offensive.
- 37.** All bodies received for burial shall be enclosed in an appropriate container marked with the name of the deceased. Burial may only take place in a biodegradable coffin, casket, or shroud of a type approved by the Burial Authority.

- 38.** The Funeral Director shall notify the Burial Authority of the dimensions of any such coffin, casket or shroud intended for burial as part of the Notice of Interment in order that the Burial Authority may ensure that the grave may be dug to a depth compliant with the law.
- 39.** As soon as convenient after the interment, the Burial Authority will lay turf over the whole of the grave surface. No person other than a duly authorised officer of the Burial Authority may interfere with or alter the area of the grave.
- 40.** Nothing whatsoever shall be placed, planted, or erected upon or around the turfed area, which will be maintained by the Burial Authority. The area may not be enclosed by kerb stones or fences, nor may the area be covered in loose chippings.
- 41.** Each full grave space can accommodate up to 2 full coffin burials. The Burial Authority will only give permission to re-open an existing grave for a further interment when the registered Lessee/owner of Exclusive Right of Burial makes the request. Where it is the registered Lessee/owner of Exclusive Right of Burial whose remains are to be interred, the Burial Authority will allow the re-opening for the interment only. The Exclusive Right of Burial will then need to be transferred before any further action can be taken; please see Articles 19-26 inclusive.
- 42.** No grave in the Lawn Cemetery shall be raised by turfing or in any other manner above the level of the ground immediately adjoining.
- 43.** As soon as suitable after interment of a body in the Lawn Cemetery the Council shall sow grass or place turf over the whole area of the grave other than the portion thereof forming part of the garden at the head of the grave.

Cremated Remains

- 44.** Each cremated remains plot shall consist of a square plot measuring 24 inches (61cm) on each side.
- 45.** Each cremated remains plot can accommodate up to 2 sets of cremated remains. The Burial Authority will only give permission to re-open an existing cremated remains plot when the registered Lessee/owner of Exclusive Right of Burial (Cremated Remains) makes the request. Where it is the registered Lessee/owner of Exclusive Right of Burial (Cremated Remains) whose cremated remains are to be interred, the Burial Authority will allow the re-opening for the interment only. The Exclusive Right of Burial will then need to be transferred before any further action can be taken; please see Articles 19-26 inclusive.
- 46.** Cremated remains received for interment shall be placed in a casket or other vessel marked with the name of the deceased. The Burial Authority shall be notified of the dimensions of this casket or other vessel as part of the Notification of Interment (Cremated Remains) in order that the Burial Authority may ensure that the interment site may be dug to a suitable depth.
- 47.** In cases where no casket or other vessel is desired to be interred, cremated remains may be deposited from said vessel into the dug interment site without containment. This paragraph does not contravene Article 10 or Article 38.
- 48.** Nothing whatsoever shall be placed or erected upon or around the turf area, which will be maintained by the Burial Authority. The area may not be enclosed by kerb stones or fences, nor may the area be covered in loose chippings.

- 49.** The cemetery is designated for the interment of human remains only. The interment or placement of animal remains, including ashes, is not permitted within any grave, plot, or area of the cemetery.

Reserved Plots

- 50.** Reserved plots, whether reserved for burials or for cremated remains, shall be marked by a slate plaque measuring 12 inches (30cm) long by 6 inches (15cm) wide on which shall be engraved 'RESERVED PLOT' and the plot number. The Burial Authority shall arrange the provision and installation of the plaque for which a fee will be charged.

Ministers and Form of Service

- 51.** Any duly authorised or recognised Minister or other duly authorised person may officiate at interments and any form of service may be used provided it is conducted in a respectful and orderly manner and does not exceed 30 minutes in duration. Arrangements for the attendance of Ministers or other duly authorised persons are the responsibility of the person(s) arranging the funeral.
- 52.** The time arranged for the interment must be punctually observed to prevent the interference of one service with another.

Floral and Other Tributes

- 53.** From the day of the interment, flowers and wreaths may remain on the grave or cremated remains plot for fourteen calendar days, after which they will be removed and disposed of by the Burial Authority.
- 54.** Seasonal items such as Christmas wreaths may remain in situ until the first week of February, after which they may be removed and disposed of by the Burial Authority unless prior arrangements have been made for their collection.
- 55.** No flowers, plants, shrubs, or trees of any description may be planted on grave plots, cremated remains plots or any other part of the cemetery.
- 56.** Items made from glass, metal, pottery, wood, or any other material that may shatter and cause a Health and Safety risk may not be placed anywhere in the cemetery. This includes wire mesh fences which are not permitted for the same reason.
- 57.** No wind chimes, lights, balloons, bird feeders, flags or similar items are permitted in the cemetery.
- 58.** Should items be placed on the turfed area and/or items in Articles 40, 54, 55, 56 and 57 be placed on a grave or cremated remains plot, the Burial Authority will attempt to contact the Lessee/owner of Exclusive Right of Burial to arrange the removal of such items. If it is not possible to make such contact, the Burial Authority may remove such items and store them for a period of 21 days, after which time the Burial Authority will dispose of them.

Gravestones, Monuments, Tablets and Inscriptions

- 59.** The Cemetery shall be maintained as a Lawn Cemetery and no monument other than a headstone will be allowed.
- 60.** Applications to erect a memorial will only be considered where the Exclusive Right of Burial has been purchased.

- 61.** The payment of fees for the purchase of Exclusive Right of Burial and for the erection of a headstone approved by the Burial Authority does not entitle the purchaser to enclose any grave space or cremated remains plot nor to erect any other monument.
- 62.** Every gravestone, monument tablet and inscription shall be subject to a permit being issued by the Burial Authority, which reserves the right to remove anything erected without written consent or which varies from a written consent. The expenses of removal will be charged to the person who erected the unauthorised memorial.
- 63.** A copy of every inscription and a drawing showing the form and dimensions of every gravestone, monument or tablet proposed to be erected shall be submitted on the form provided by the Burial Authority, signed by the registered Lessee/owner of Exclusive Right of Burial or Exclusive Right of Burial (Cremated Remains), and accompanied by the appropriate fee.
- 64.** Each headstone must incorporate an engraving of the grave plot number as recorded on the Deed of Grant.
- 65.** Headstones must be put up in line with the headstones of adjoining graves and in a position approved by the Burial Authority.
- 66.** In the burial section of the cemetery headstones must not exceed 2 feet 6 inches (76cm) in width, and 3 feet (91cm) in height. Headstones shall be one yard (90cm) apart.
- 67.** In the cremated remains section of the cemetery one per plot of the following are permitted:
 - i. Headstones, including 'book' designs, must not exceed 20 inches (51cm) high including the height of the base, 20 inches (51cm) wide, and their bases must not exceed 24 inches (61cm) long and 24 inches (61cm) wide.
 - ii. Vases not exceeding seven inches (18cm) high by 12 inches (30cm) wide by 7 inches (18cm) deep.
 - iii. Flat ground level plaques not exceeding 18 inches square (46cm). Plaques shall be 18 inches (46cm) apart. Flower receptacles or any other item placed on plaques must be approved by the Burial Authority who will remove any items considered to be inappropriate.
- 68.** Headstones may only be erected in accordance with the National Association of Memorial Masons Code of Practice and British Standard BS 8415.
- 69.** Work on memorials in the cemetery can only be carried out between 9am and 5.00pm Monday to Thursday and between 9am and 4pm on Friday. The stonemason must advise the Burial Authority of when they intend to be working in the cemeteries.
- 70.** Once the work is completed, the Burial Authority may carry out any test or check to verify compliance with the regulations and permit and may require the mason to attend and assist. The mason will immediately carry out any remedial action on any memorial failing such a test.
- 71.** Once a memorial is erected it remains the property of the Lessee/owner of Exclusive Right of Burial or Exclusive Right of Burial (Cremated Remains) of the burial or cremated remains plot who is responsible for its maintenance. The Burial Authority will carry out regular inspections of all memorials in the cemetery and will advise memorial owners, if possible, if a memorial requires attention. If the memorial owner takes no action, or the Burial Authority is unable to contact the memorial owner, the Burial Authority reserves the right to carry out any work necessary to make a memorial safe and to recover the cost from the owner of the memorial. The Burial Authority reserves

the right to refuse the opening of any grave or cremated remains plot until all sums due for such work are paid.

- 72.** The Burial Authority reserves the right to inspect and test any memorial within the cemetery at any time to ensure it is safe and compliant.
- 73.** Inspections will be carried out in accordance with guidance issued by the Health and Safety Executive (HSE) and best practice standards of the Institute of Cemetery and Crematorium Management (ICCM).
- 74.** Testing will be undertaken by suitably trained personnel and will include visual inspection and a manual stability test.
- 75.** Where a memorial is found to be unsafe, the Burial Authority will take appropriate action to make it safe. This may include staking, cordoning off, or laying the memorial flat.
- 76.** The registered owner of the Exclusive Right of Burial shall be responsible for arranging and funding any necessary repairs.
- 77.** Where the owner cannot be contacted after reasonable efforts, the Burial Authority may take immediate action to make the memorial safe in the interests of public safety. Any costs incurred may be recoverable from the owner.
- 78.** All applications for additional inscriptions, cleaning work or repair work to memorials must be made by the registered owner of the Exclusive Right of Burial and be approved by the Burial Authority before any work can be carried out.
- 79.** All memorials required to be removed prior to burial must be removed or taken down in sufficient time for the ground to be opened for the interment, and subsequently re-fixed by and at the expense of the memorial owner to the satisfaction of the Burial Authority.
- 80.** The Town Council will not be responsible for any damage, defacement, or loss, however caused, to any memorial. This is the responsibility of the owner and insurance can be obtained to cover these occurrences. The only exception to this is if the damage is caused by the Council's employees or contractors carrying out maintenance work.

Registers

- 81.** Registers of all Burials, the Interments of Cremated Remains, the Grants of Exclusive Right of Burial, and Memorials shall be maintained by the Burial Authority and are open to inspection by appointment at the Town Council Offices between the hours of 9am and 5pm Monday to Thursday and between 9am and 4pm on Friday, excluding Bank Holidays.

Regulations and Scale of Fees

- 82.** Regulations are a necessary requirement for the effective management of cemeteries. They help the Burial Authority to deliver high standards of service and provide a peaceful environment for the bereaved. We request that all visitors to the cemetery follow these regulations.
- 83.** Copies of these Regulations, the current scale of fees and charges and a plan of the cemetery marked with the grave numbers may be inspected at the Town Council Offices between the hours of 9am and 5pm Monday to Thursday and between 9am and 4pm on Friday excluding Bank Holidays.

There is no charge for the interment of persons under the age of eighteen years.

- 84.** The Council reserves the right from time to time to alter or amend these Regulations or the Scale of Fees.