



SAFFRON WALDEN TOWN COUNCIL

Rules & Regulations for Radwinter Road Cemetery, Saffron Walden

| Version | Date Adopted Policy | Minute Reference | Review Date |
|----------------|----------------------------|-------------------------|--------------------|
| 1 | August 2014 | | July 2020 |
| 2 | January 2022 | A&S 006-22 | October 2023 |
| 3 | October 2023 | A&S 113-23 | October 2026 |

RULES AND REGULATIONS SAFFRON WALDEN CEMETERY, RADWINTER ROAD, SAFFRON WALDEN, ESSEX

Made pursuant to Section 38 of the Burial Act 1852 and 1977 Cemeteries Act, by Saffron Walden Town Council as the Burial Authority with respect to the Management of the Cemetery provided by them in Radwinter Road, Saffron Walden

DEFINITIONS

1. Throughout these regulations:

“The Council” means Saffron Walden Town Council.

“The Cemetery” means the Cemetery provided by the Council and situate at Radwinter Road, Saffron Walden.

“Grave” means a burial place formed in the ground by excavation and without any internal wall of brickwork or stonework or any other artificial lining.

“Vault” includes underground burial-places of every description except graves to which the word “grave” interpreted as aforesaid applies. Inhabitant” means for the purpose of these regulations a person who

(a) is, or was at the time of his or her decease, rated as the occupier of any premises in Saffron Walden, or

(b) at the time of his or her decease had been a permanent resident in Saffron Walden for the six months immediately preceding.

(c) any person living outside the parish can be interred in Saffron Walden Town Council’s Cemetery at the appropriate set charge.

The “Cemetery Officer” means the person holding the Office of Cemetery Superintendent or the duty authorised Officer under the Council.

Construction of Vaults

2. Every person who in the Cemetery causes a vault to be built for use as a burial place shall cause it to be enclosed with the walls constructed of

(a) good whole bricks or stone properly bonded and solidly put together with good mortar compounded of good lime and clean sand or other suitable material, or with good cement mixed with clean sand, it with good cement; or

(b) other good hard and suitable material properly and solidly put together.

Thickness of Earth over Coffins

3. A person shall not in the Cemetery cause a body to be buried in a grave in such manner that any part of the coffin is at a depth less than 0.914m (three feet) below the level of the ground adjoining the grave.

Separation of Coffins

4. A person shall not in the Cemetery cause a body to be buried in a grave unless the coffin is effectually separated from any other coffin already in the grave by means of a layer of earth not less than 15.24cm (six inches) in thickness.

5. Provided that in any case where two or more bodies of persons, who were members of the same family, are being buried at any one time in a grave, this Regulation shall not be deemed to require the coffin containing such bodies to be separated as aforesaid.

Re-opening of Graves

6. Where in the Cemetery, any grave is re-opened for the purpose of making another interment therein, a person shall not disturb any human remains interred therein or remove therefrom any soil which is offensive.

7. The Council shall have power in the case of any grave space in respect of which the Exclusive Right of Burial has been purchased and in which there is room for further interments to cause or suffer the grave to be opened for the purpose of burying therein the body or bodies of any other person or persons at the expiration of 14 years from the date of the last interment therein.

Interment in Vaults

8. Every person who in the Cemetery buries a body in a vault shall, within a period of TWENTY-FOUR hours after the deposit in the vault of the coffin containing the body, cause the coffin to be wholly and permanently embedded in and covered with a layer or layers of good cement concrete, not less in any part than 15.24cm (SIX INCHES) thickness, or to be wholly and permanently enclosed in a separate cell or receptacle which shall be constructed of slate or stone flagging not less than 5.08cm (TWO INCHES) in thickness, properly jointed in cement, or of good brickwork in cement, and in such a manner as to prevent as far as may be practicable, the escape of any noxious gas from the interior of the cell or receptacle.

Notices of Interment

9. Information may be obtained from, and applications for grave spaces and notices of interments may be made or given to Saffron Walden Town Council, The Town Hall, Saffron Walden, Essex, CB10 1HR, between 09.00 hours and 13.00 hours. No application or notice can be received on Saturday, Sunday, Christmas Day, Boxing Day, Good Friday or any day appointed as a Public Holiday.

10. Notices of Interment shall be given not less than two days previously exclusive of Saturday, Sunday, Christmas Day, Good Friday, Bank Holiday or any day appointed as a Public Holiday, for an earth grave, and three days for a brick grave or vault. When a brick grave or vault is to be re-opened, only two days' notice shall be required. In special cases, and when circumstances admit, the Cemetery Officer is authorised to dispense with the full notice prescribed.

Applications for Burial

11. A notice of interment must be on the form provided by the Town Council. Every notice must be properly filled up and contain a statement of the full First and Surname, and the calling or description of the person to be buried (and if such person is a minor the names of the parents), also the age, date of death, the parish and township in which it occurred, the usual residence of the deceased, the day and hour which it is intended the burial shall take place, the description number and depth of the vault or grave, the name of the person who will conduct the burial service and the dimensions of the coffin.

Hours of Interment

12. Interments may take place daily, (for Saturday and Sunday see table of fees) except Christmas Day, Good Friday, or any day appointed as a Public Holiday between the following times:-

April to September inclusive – 09.00 hours to 15.30 hours

October to March inclusive – 09.00 hours to 15.00 hours.

No interment shall take place in the Cemetery other than between the times specified except in the case of an emergency certified by a Registered Medical Practitioner and then only with the approval of the Council.

Punctuality to be Observed

13. The hours arranged or fixed for a funeral must be punctually observed, so as to prevent, as far as possible, the interference of one funeral by another.

Ministers

14. Any duly authorised or recognised Minister, or other duly authorised person, may officiate at burials, provided the service or ceremony be decorously conducted.

The person having charge of a funeral shall make all arrangements with the person intended to officiate at the interment. The Council undertake no responsibility on this account.

Exclusive Right of Burial

15. No interment shall take place in any grave in Compartments 1-88 and no interment of ashes shall take place in any part of the Cemetery unless the Exclusive Right of Burial is purchased prior to the interment. The fees in accordance with those specified in the table of fees, shall be paid, and particulars of the purchaser's full name and address given to the Council at the time of handing in the notice of interment, unless the grave space shall have been previously purchased. Increased fees shall be paid by a purchaser of a grave space who is not an inhabitant of Saffron Walden but lives in an adjoining parish. There is also an increased fee to pay by a purchaser of a grave space who lives in a non-adjoining parish. A grant in a form approved by the Council will be made to the purchaser. No application for the purchase of a grave space in advance of requirements shall be accepted.

Production of Deed of Grant of Exclusive Right of Burial

16. No vault or grave, in which the Exclusive Right of Burial has been purchased, shall be opened without the production to the Cemetery Officer, at the time of giving notice of interment, of the Deed or Grant of Burial. Provided always that in cases where the Deed or Grant of Right of Burial has been lost or mislaid the grave will be opened on the application of any person whom the Council may consider entitled thereto on such person making a Statutory Declaration and giving an Indemnity to the Council in such terms as it may consider necessary and expedient.

Transfer of Exclusive Right of Burial

17. Grants of Exclusive Right of Burial may be transferred upon the following conditions:-

Every transfer shall be registered with the duly authorised officer or servant of the Council, and where a transfer is made to any person not being an inhabitant of Saffron Walden, the transferee shall, before registration, pay such additional fees as, together with the fees paid by the grantee, shall amount to the sum which would have been payable if the grant had been originally made to the transferee.

Fees

18. All fees shall be paid to the Council upon giving notice of the intended interment, or of the works in respect of which such fees are chargeable.

Double Fees for Non-Inhabitants

19. Increased fees specified in the table of fees shall be paid in respect of the interment of any person not being an inhabitant of Saffron Walden, and the erection of any headstone, curbing, monument or memorial upon the grant or value of any such person, except that certain fees regarding interment and the erection of monuments, as more clearly defined in the table of fees, shall not be doubled where the Exclusive Right of Burial in the grave was acquired at the single fee.

Production of Certificate for Disposal

20. No interment can take place without the production to the Cemetery Officer of the Registrar's Certificate of Disposal or in the cases where an Inquest has been held, the Coroner's Order for Burial. Immediately before an interment, the person officiating thereat shall fill up and sign the Certificate of Burial which shall be handed to the Cemetery Officer.

Interment of Still-Born Children

21. No interment of a still-born child can take place without the production to the Cemetery Officer of a certificate of a Registered Medical Practitioner, or a Registered Midwife, or an order of the Coroner.

Interment to be in Grave Spaces

22. No interment shall take place in any part of the Cemetery, except in the grave spaces as marked out on the plan.

Depth of Graves

23. No grave shall be dug in the first instance less than 1.82m (six feet) in depth except in the case of a grave where the Exclusive Right of Burial has been purchased.

Selected Grave Spaces to be Subject to Approval

24. The selection of grave spaces is, in all cases, to be subject to the approval of the Council.

Digging of Graves

25. All graves shall be dug by a person or persons to be appointed by the Funeral Director or under instruction of Saffron Walden Town Council.

26. Only qualified grave diggers registered with Saffron Walden Town Council can be used.

Construction of Brick Graves and Vaults

27. All vaults and brick graves shall be excavated for, constructed, and repaired by the order, and at the expense of the persons requiring the same, but under the directions of the Cemetery Officer. All persons employed by the purchaser or any Exclusive Right of Burial in a grave or vault space in perpetuity, or having the right to erect or fix any monument, shall perform their work strictly and entirely under the direction of the Cemetery Officer, and shall at the cost of such purchaser, fill up and level the ground, and remove all bricks, stone or other rubbish and materials and cart away the superfluous soil on the ground at the disposal of the Council, as may be required by the Cemetery Officer, and also make good all injury which in the progress of the works may be done to any adjacent vault or grave or to any tomb or memorial stone, or to any portion of the property of the Council. All mortar to be used in the Cemetery shall be brought to the ground ready-made, and shall be placed for use upon bankers. No building or other material shall be taken into or out of the Cemetery except through the gateway. No vehicles except those engaged by the Council will be allowed in the Cemetery other than funeral corteges and masons' carts except by special permission from the Cemetery Officer.

Monuments, Memorials etc.

28. No monument, gravestone enclosure, tablet or other memorial shall be erected in the Cemetery and no inscriptions shall be added to any such memorial without a previous grant of the right to do so and such right will be limited to grave spaces in which the grant of Exclusive Right of Burial has been granted. A drawing (upon forms which will be supplied on application) of every monument or gravestone and a copy of all proposed inscriptions shall be submitted to the Council for approval. The number of the grave corresponding with the register shall also be placed on each monument or gravestone.

29. When memorial stones, other than a vase or tablet are required to be erected on children's graves the memorial in the case of a headstone shall not exceed 0.610m x 0.610 m (2'x2') and no footstone shall be permitted.

Tombs

30. In all cases where a tomb or ledge stone is placed over a brick grave, a brick foundation shall be carried from the brickwork in the grave to the surface of the ground.

Gravestones, etc, to be kept in repair

31. All gravestones, monuments, tombs, tablets, memorials, palisades, and curbs are to be kept in repair by the owners, and if not repaired after due notice, the Council may order the same to be laid down or removed to another part of the Cemetery. If no owner can be found to whom such notice can be given, then at the expiration of three months after advertisement in a local or County newspaper, the right to such gravestone, monument, tomb, tablet, memorial, palisades, or curb shall belong to the Council to be dealt with as they deem fit. Such gravestone, monuments, tombs, tablets, memorial, palisades or curbs shall not be removed from the Cemetery.

Memorial, etc, on unpurchased graves

32. The Council shall have power in the case of any grave space in respect of which the Exclusive Right of Burial has not been purchased to remove from any such grave space any headstone, curbing, monument or other memorial erected or placed thereon.

Re-purchase of Graves

33. The Council only shall have power to re-purchase from and at the request of the person possessing the Exclusive Right of Burial therein, any grave space no longer required by its owner, and such re-purchase shall be at the same fee as charged for the original purchase. Third party re-sale is not permitted.

Planting Graves

34. No trees shall be planted in any part of the Cemetery except by the Council. No shrubs which, when grown, will exceed 0.91m (three feet) in height will be allowed on any grave space and any planting and cultivation will be subject to the approval of the Council and all overgrown trees or shrubs will be pruned or removed by their order.

Maintenance of Graves in Perpetuity

35. Inhabitants of the parish of Saffron Walden may arrange with the Council for the maintenance of grave spaces on payment of annual fees in respect thereof. Maintenance will consist of the cutting of grass and re-turfing of the space when necessary.

Registers

36. A register of all burials will be held at the Town Council offices which may be searched on any week day (Monday to Friday) from 10.00hours to 12noon.

37. A register of all Grants of Exclusive Rights of Burial in graves spaces issued by the Council will be kept at the Town Council offices, The Town Hall, Saffron Walden, CB10 1HR. Searches may be made on any week day (Monday to Friday) from 10.00hours to 12 noon.

Plan

38. A plan of the Cemetery, with the several grave spaces marked thereon is deposited and may be seen at the Town Council offices, The Town Hall, Saffron Walden, CB10 1HR, free of charge. Copies of the Rules and Regulations with respect to the management of the Cemetery and the Table of Fees and Charges for the use of the same, may be obtained on application at the Council Offices on payment of the required fee.

Removal of Offenders

39. The Cemetery Officer or his/her agent may remove any person who shall be improperly deviate from the roads or paths, or who shall injure the turf, shrubs, or plants or any tombs, erections, or inscription, or otherwise misconduct themselves within the Cemetery.

Indecent Behaviour

40. A person shall not in the Cemetery by any violent or indecent behaviour, prevent, interrupt, or delay the decent and solemn burial of anybody, or obstruct, disturb, interrupt or annoy any other person lawfully using or frequenting the Cemetery.

Dogs

41. Dogs are allowed to enter the Cemetery on a lead and the owner is to be responsible for clearing up any mess.

Unauthorised Entry to the Cemetery

42. A person shall not enter, or leave, or see to enter, or leave the Cemetery otherwise than through one of the gates or entrances constructed and provided by the Council for that purpose.

Visitors to Keep to Walks, etc.

43. All visitors must keep on the roads and walks and refrain from damaging the shrubs, plants, trees and flowers and must observe perfect decorum in all respects.

Admission of Children

44. Children under twelve years of age shall not be admitted unless under the care of a responsible person.

Motor Cars, Bicycles or Carriages

45. Motor cars, bicycles or carriages are admitted to the burial ground but must not exceed a speed of 20mph.

Opening Hours

46. The Cemetery will be open to the public daily from 08.00hours until sunset during the months of October, November, December, January, February and March and from 08.00hours until 20.00hours during the months of April, May, June, July, August and September except Sundays when the Cemetery will be open from 12.00hours to 17.00hours.

Damages

47. A person shall not wilfully destroy or injure any building, wall or fence belonging to the Cemetery, or destroy or injure any tree or plant therein, or daub or disfigure any wall thereof, or wilfully destroy, injure or deface any monument, tablet, inscription or gravestone within the Cemetery or do any other wilful damage therein, and any such damage shall be made good at the expense of the person causing it.

Regulations with respect to the Management of the Lawn Cemetery and the Garden of Remembrance

Interpretation

48. In these Regulations

“Lawn Cemetery” means those sections of the Cemetery laid out by the Council and provided with a garden 0.60m (2’0”) wide at the head of each row of graves.

“Garden of Remembrance” means that part of the Cemetery designated by the Council for the interment of the ashes of the bodies of persons cremated,

“Traditional Area” means that part of the Cemetery designated by the Council and provided with a garden containing graves with headstones, curbs and concrete landings.

“Plaque” means a memorial in the form of a metal plaque of a standard size and design approved by the Council.

Lawn Cemetery

49. No grave in the Lawn Cemetery shall be raised by turfing or in any other manner above the level of the ground immediately adjoining.

50. As soon as suitable after the 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.

51. The Council will maintain the whole of the Lawn Cemetery, including the planting of the gardens, without payment of any charge and no person other than a duly authorised officer or servant of the Council shall plant any tree, shrub or plant therein or otherwise interfere with the lawns or gardens.

52. No memorial exceeding 27” high (30” including base) in height measured from the highest point of the ground immediately adjoining or 21” wide in width or 3” in thickness shall be permitted in the Lawn Cemetery. The precast concrete landing shall measure 30” wide x 12” deep x 3” thick.

53. Memorials shall be placed in accordance with directions issued by the Cemetery Officer. No part of a memorial shall be more than 25.4cm (10”) from the edge of the garden at the head of the grave.

54. No jars or other containers for flowers (other than in the form of a Memorial approved by the Council) and no artificial wreaths shall be erected or placed on the gardens and nothing whatsoever shall be permitted on the turfed areas of graves in the Lawn Cemetery.

Garden of Remembrance

55. No grave in the Garden of Remembrance shall be raised by turving or by any other manner above the level of the ground immediately adjoining.

56. As soon as suitable after the interment of an urn or casket, the Council shall sow seed or place turf over the area excavated for the interment of the urn or casket.

57. The Council will maintain the whole of the Garden of Remembrance and no person other than a duly authorised officer or servant of the Council shall plant any tree, shrub or plant therein or otherwise interfere with the Garden of Remembrance.

58. No jar or other container for flowers and no artificial wreath shall be permitted to be placed in the Garden of Remembrance.

59. The Council will, subject to payment in advance of the prescribed charge, arrange for a plaque bearing an inscription to their approval to be placed at the head of a grave in the Garden of Remembrance.

60. No memorial, other than a plaque shall be permitted to be placed in the Garden of Remembrance.

61. Not more than two containers of ashes and two plaques shall be permitted in any one grave space in the Garden of Remembrance unless authorised by the Council.

Future Remembrance

62. The Council reserve the right from time to time to make any alternations in, or additions to, these Rules and Regulations, or in the fees.

Date of Operation

63. These Rules and Regulations shall come into operation on the Tenth day of February, 1973 from which date all previous Rules and Regulations made by the Council with respect to the management of the Cemetery shall cease to have effect