



Chelmsford
City Council

Cemetery & Crematorium Regulations

Updated: 14/08/2018
EDA-NFDS 1472108

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INTRODUCTION

Regulations are a necessary requirement for the effective management of the Cemetery and Crematorium. They help us to deliver high standards of service consistently and to provide a peaceful environment where the bereaved can pay their respects and remember their loved ones.

After consulting public opinion in late 2010, we have prepared these updated regulations with a balance that will uphold the highest possible standards for all our visitors while avoiding unnecessary restrictions on individual choices. These Regulations were updated again following an internal review in 2018. We recognise that these regulations must be applied in a sensitive and proportional manner.

Our priority is to create and maintain a safe and attractive environment for the bereaved. To assist with this, we request that all visitors to the Cemetery and Crematorium follow these regulations. Please be aware that the Council reserves the right to amend these regulations from time to time and that compliance with any changes is requested.

Your privacy is very important to Chelmsford City Council, as it is to you. We are committed to respecting and protecting your privacy when you interact with us and use our services and venues. We want you to feel confident that we are serious about any concerns surrounding the security and safeguarding of your personal information (data). Further information can be found on our Chelmsford City Council Website <https://www.chelmsford.gov.uk/your-council/accessing-information/our-privacy-policy-and-privacy-notices/privacy-policy/>

ADMINISTRATION

1. These updated Regulations shall come into force on 14 August 2018. They replace the former regulations (dated September 2014) but only about the management and maintenance of the Cemetery and Crematorium as from 14 August 2018. For the avoidance of doubt, any changes that will affect the existing graves, head stones or other markers erected, or other items left at the graves will only be applied with the agreement of those responsible for the graves.
2. These regulations are made pursuant to the Local Authorities' Cemeteries Order 1977, the Cremation (England & Wales) Regulations 2008 and all other enabling legislation.
3. The Council is also a member of the Institute of Cemeteries and Crematoria Management (ICCM) and Federation of Burial and Cremation Authorities (FBCA) and adheres to their guidance.
4. In these regulations certain terms may have particular meanings that are explained in the Definitions section at the end.
5. Wherever these regulations require an opinion or approval to be given it shall be that of the Bereavement Services Development Manager. Any person aggrieved by such a determination may challenge it through the Council's complaints procedure but shall comply with the decision in the interim. Copies of the Council's complaints procedure are available at the Crematorium Office and on the Council's website.
6. Wherever these regulations prohibit or limit actions which may be taken by the public the Council reserves the right to take any action necessary to ensure compliance and to recharge the cost of that action to the person causing the contravention of the regulations.

OPENING TIMES

7. Access to the Cemetery, Crematorium, Gardens of Remembrance and Memorial Chapel (holding the Book of Remembrance) is available 365 days a year during the following hours:

Office opening times:

Monday to Thursday: 9am to 5pm Friday 4:45pm

Weekends and bank holidays: closed

Memorial Chapel opening times

Open every day: closes 15 minutes before the grounds close

Grounds: summer opening times:

1 April to 30 September

Monday to Friday: 9am to 6:30pm

Weekends and bank holidays: 10am to 6:30pm

Grounds: winter opening times:

1 October to 31 March

Monday to Friday: 9am to 4pm

Weekends and bank holidays: 10am to 4pm

FUNERALS

8. All funerals shall be under the control of Council staff once the cortege enters the Cemetery or Crematorium.
9. The Council reserves the right to exclude any person who is not a mourner or officially connected with a funeral or at the request of the applicant. The Council reserves the right to exclude from any Site any persons not being mourners or persons directly connected with a funeral at the Cemetery or Crematorium. Such a right may be exercised by the Bereavement Services Development Manager and or their agents (including the police) on behalf of the Council.
10. At the reasonable request of the person arranging the funeral, or the applicant, or if it appears that a funeral cortege is so delayed that other funerals would be disrupted, the Council may, at their discretion, postpone the funeral. The Council shall specify the arrangements for carrying out a postponed funeral after consultation with the applicant.
11. Floral tributes may remain on the surface of graves in both the Lawn and Traditional Sections of the Cemetery for a period of seven days after the funeral when they will be removed and disposed of by Council staff.
12. The service is booked for a period of 1 hour (up to a maximum of 45 minutes in chapel), this includes time taken for mourners to enter and exit the chapel. If a longer service is required, this will need to be booked in advance.
13. Should the family wish to collect donations for charity this is permissible and managed by the funeral director and is not the responsibility of the Council.
14. If the services of a Funeral Director are not being used a trolley/wheeled bier can be made available from the crematorium, you will need to provide sufficient bearers to convey the coffin from the hearse into the chapel in a dignified manner and place it on the catafalque.
15. Should additional services such as hand signing for the deaf be required this service will be arranged by the Funeral director on behalf of the family.
16. Requests for music should be notified by the Funeral Director to the Office in advance of the service. Late requests are accepted but will be subject to availability.
17. The Office should be notified in advance if it is known that the service will be a large gathering, is running late or if unusual modes of transport are expected (such as fire appliances, horse-drawn cortege, buses etc.) so that appropriate arrangements can be

made.

CREMATORIUM

Applications for Cremations

18. All necessary statutory forms, documents and medical certificates shall be completed and delivered, together with the appropriate fee, to The Office by 10.00 am 2 working days prior to the day arranged for cremation.
19. If the applicant (or nominated representative) has indicated that they wish to inspect the medical certificates under Regulation 16 (c) (i) of the Cremation Regulations prior to cremation they should be delivered to the office at least 72 hours prior to cremation to allow the 48hour period necessary.
20. Cremation services may be arranged to commence between the hours of 8:30 am and 4.30 pm Monday to Friday, except when a Public Holiday.
21. The Council may allow cremation on other days and at other times on payment of additional fees as set out in the leaflet "Fees and Charges".

Cremation Services

22. All cremations shall be carried out in accordance with all Statutory legislation and the Code of Cremation Practice of the FBCA. Chelmsford City Council Regulation is for Funeral Director (FD) to agree with Bereaved Families (i) to shoulder in or (ii) if necessary use a trolley/wheeled bier (fit for purpose) provided by FD. FD is to provide sufficient bearers to place coffin on catafalque. H&S / Manual handling are a priority and the FD is responsible for carrying out appropriate risk assessment prior to arrival at the Crematorium. (i.e. Sufficient bearers to safely convey the coffin to the catafalque & lift onto catafalque without assistance from crematorium staff. Bearers trolleying in, first lift from car and second lift onto catafalque).
23. No cremation shall take place except on the written authority of the Medical Referee and the preparation of authority to cremate by the Council.
24. All bodies brought for cremation shall be enclosed in a suitable coffin or shroud marked with the name of the deceased. Coffins, chemical treatment and clothing of the deceased shall comply in all respects with the requirements of the Council; a copy of these requirements is forwarded to the Funeral Directors by the Office once a year or on request.
25. Representatives of the deceased person being cremated may, by prior arrangement, witness the coffin being placed in the cremator chamber.
26. The Crematorium, including committal room and crematory, shall be open for public inspection during normal Office hours by prior arrangement at The Office.
27. The maximum permitted size of the coffin is 88 inches long x 42 inches wide x 23 inches deep (2235mm x 1067mm x 584mm).
28. The maximum permitted weight is 285kg (44 Stone) inclusive of coffin fitments.

Disposal of Cremated Remains

29. The responsibility for the disposal of cremated remains lies with the applicant or person with written authorisation acting on behalf of the applicant.
30. Cremated remains that are to be removed from the Crematorium shall only be collected by the Applicant or a person nominated by the Applicant, including the funeral director. Alteration to original instructions to be confirmed by the Applicant in writing with signature before the cremation authority has made arrangements to implement the original instruction.
31. Cremated remains may only be removed in a container deemed suitable for that purpose by the Council.
32. Cremated remains may be collected by funeral directors or the applicant within office hours.
33. Cremated remains will be held for up to a month at no charge but must be removed from the Crematorium within one calendar month of the date of cremation. Alternatively, cremated remains may be stored for a longer period by prior arrangement and after payment of the appropriate fee. On the expiry of one calendar month or longer arranged period, if no arrangements have been made for removal, the Council will request instructions from the applicant. If no instructions are received within the specified time period in accordance with current Cremation (England and Wales) Regulations 2008 the cremated remains will be interred in the Garden of Remembrance or in the position detailed on the application form (subject to position being available for use).
34. Cremated remains may be interred in the Garden of Remembrance as soon as possible after cremation without additional charge. If the applicant does not wish to be present, the Council will inter the remains on their behalf on receipt of written instructions from the applicant.
35. The applicant may make an appointment to witness the interment of cremated remains during normal Office hours without charge. Appointments may be made at weekends and Public Holidays on payment of a fee as set out in the current schedule of Fees and Charges.
36. Where a cremation took place at another crematorium the cremated remains, Certificate of Cremation and appropriate payment must be delivered to the Office before interment can take place.
37. Orthopedic implants and any metal residues recovered from cremated remains are no longer buried in the ground for environmental reasons and to preserve non-renewable resources. Unless instructed otherwise, these metals will be collected and periodically recycled under a nationwide scheme administered by the ICCM. Surplus monies from the scheme are distributed to local charities. (our current nominated charity can be found by visiting our website, (www.chelmsford.gov.uk/crematorium) If the applicant wishes to dispose of the metals in another way then alternative arrangements can be made at the Crematorium office prior to the cremation.
38. Cremated remains may be interred in the cemetery either into an existing grave or a new grave or cremated remains plot. A Notice of Interment will need to be completed by the owner of the grave or next of kin should the deceased be the owner.
39. All interments in the Garden of Remembrance are to be interred loosely in the soil. The Council does not permit surface scattering.

40. Should the applicant wish, the cremated remains do not have to be reduced following cremation. A suitable container should be supplied to the crematorium to return to the applicant. The applicant's wishes should be made prior to the cremation.

CEMETERY

Applications for Burials & Burial Services

41. All notices of burial must be given on the form provided by the Council; and must be accompanied by all documents specified on the form.
42. Completed notices and appropriate fee must be delivered to the office by 10.00am 2 working days prior to the date of a burial in a grave.
43. Lessor periods of notice may be accepted at the absolute discretion of the Council, but an extra charge may be made.
44. Burials may take place on working days Monday – Friday, Public Holidays excepted. Between 9.30am and 3.00pm.
45. The Council may allow a burial on other days on payment of additional fees as set out in the current schedule of fees and charges.
46. The Council will allocate the location of each grave space but the applicant's wishes for a particular location will be respected wherever possible.
47. All burials shall be carried out in accordance with the recommendations of the FBCA and/or the ICCM
48. Only persons appointed by the Council shall excavate graves.
49. No body shall be buried in such a manner that any part of the coffin or container shall be less than ninety centimetres (3 feet) below the surrounding ground level.
50. Where a grave is reopened for a further burial a layer of soil fifteen centimetres (6 inches) deep shall be left undisturbed above the existing coffin.
51. Where a memorial is on a grave that is to be dug and it interferes with the digging of the grave the memorial will need to be removed and the applicant will be charged for this service. This service is usually arranged by the funeral director.
52. 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 Manager.
53. The burial of cremated remains is not permitted in any part of the cemetery other than within a grave purchased for that purpose and with the written authority of the person holding the exclusive right of burial and the consent of the Council.
54. Graves shall be backfilled level with surrounding ground immediately after any burial, by persons appointed by the Council for that purpose in accordance with the Council's procedures and current Health and Safety at Work Regulations. Should a family wish to aid backfilling, the Funeral Director should notify the office at time of application.
55. No body may be disturbed or removed without producing to the Council the faculty and/or licence required by law.
56. The Council reserves the right to make different charges for burial to residents and non-residents of the city. In exceptional circumstances, where the Applicant can demonstrate that a deceased non-resident person had strong residential links with the city, the Council may apply resident's charges. Requests for charges to be at a resident's rate must be in writing and set out the reasons clearly, with the final decision at the Manager's discretion.

Unpurchased Graves

57. Burials within unpurchased graves are no longer permitted within the cemetery. Where space exists within an unpurchased grave for an additional interment an exclusive right of burial must be purchased before that interment may take place.
58. Where an unpurchased grave is not marked by a memorial and has not been opened for a burial for a period of twenty-five years the Council may allow any remaining space in the grave to be used for the interment of any body. The Council reserves the right to sell the exclusive right of burial to such a grave.
59. No monument may be erected upon an unpurchased grave unless an exclusive right of burial is purchased.

Exclusive Rights of Burial

60. The Council may grant to any person the exclusive right of burial in any grave. An exclusive right of burial will only be granted at the time of a requirement to make a first burial.
61. The current lease period for exclusive right of burial is 50 years in the lawn and traditional sections and 25 years in a cremated remains plot.
62. The grant of exclusive right of burial issued by the Council shall be produced and left at the Office together with the notice of burial whenever the grave is to be re-opened. Where the grant of exclusive right of burial is not available the registered grave owner or executor shall indemnify the Council in writing against any future claim that may be brought against the Council for permitting the use of the grave.
63. Applicants for burial shall be responsible at their own expense for the removal of any monument and/or grave planting prior to a grave being opened.
64. Should an owner wish to assign their exclusive rights of burial they should contact the office to prepare an assignment form. This should be presented to the office with the appropriate fee payment.
65. Where the owner of a grave is to be buried within that grave and no other person wishes to be assigned the rights and responsibilities of the exclusive right then the executor shall surrender the exclusive right to the Council. Where the exclusive right is not available the executor shall certify that all rights revert to the Council.
66. Where the owner of a grave has been buried and ownership is to be transferred, the family or executor should contact the Office for advice on the relevant method of transfer.
67. The Council reserves the right to make different charges for exclusive rights of burial to residents and non-residents of the city. In exceptional circumstances, where the Applicant can demonstrate that a deceased person has strong residential links with the city, the Council may apply the normal resident's charges. Requests for charges to be at the resident's rate shall be in writing and shall specify the grounds on which the application is based.

Lawn Graves

68. As soon as practicable after a burial in the designated Lawn Area of the Cemetery, the Council will turf, or topsoil and seed, the surface of the grave except for a small section at the head which will be available for erection of a monument and placing of tributes. This will be designated as the Tribute Area.
69. Memorial headstones in the Lawn Section shall be not more than one metre high (3 feet 3 inches) by 750 mm (2 feet 6 inches) wide and shall be between 75mm (3 inches) and 150mm (6 inches) thick.
70. The area at the head of a lawn grave is designated as a tribute area. This will be no larger than 900mm wide by 450mm in depth from the outside edge of the memorial fixing beam (3 feet wide by 18 inches in depth from the outside edge of the memorial fixing beam)

In this area:

- The grave owner has the right to set plants, floral tributes and ornaments. Where kerbing is permitted, no items are permitted outside the kerb.
- Any other person has the same right provided that they have the consent of the grave owner.
- Kerbing is only permitted when integral to the memorial base and erected by a memorial mason. Kerbing in any other form including markers or fences used to show the boundary of the grave space is not permitted on a lawn grave at any time and will be removed.
- Nothing may exceed the height of the headstone, encroach upon adjacent graves or overhang the edge of the Tribute Area.
- For safety reasons, items made of materials that will shatter or are likely to be easily broken may not be left.
- No item shall be left that is likely to cause offence or upset to visitors.
- The Council reserves the right to tidy away any item that has deteriorated and so detracts from the appearance of the Cemetery.
- The Council has the right to remedy any contravention without prior notice. Where appropriate, the Council will endeavour to request that the registered grave owner in writing to make good any contravention within a given period, failing which the Council will take action in default. Any items removed by the Council will be kept for seven days and then destroyed if not collected. This is to maintain the principle of a lawn section and aid grounds maintenance. It is the grave owner's responsibility to look after and maintain the tribute area.

71. The Council will maintain the lawn section at no expense to the grave owner.

72. The Council will remove any articles left on the grass surface without prior notice.

Traditional Section

73. In the area of the Cemetery designated as a Traditional Section, the surface of a grave may be enclosed by an approved kerb that shall not exceed one metre (39 inches) wide by two metres (78 inches) long. The Headstone of which should be no taller than 1.5 metres (59 inches). The area enclosed by the kerb may be planted or covered with flagstones, paving and/or chippings.

74. The grave owner shall maintain the area enclosed by the kerb in good order at all times. If the owner fails to maintain the area to the reasonable satisfaction of the Council so that it:
- detracts from the appearance of the Cemetery; or
 - impedes the satisfactory maintenance of the Cemetery; or
 - represents a safety hazard to visitors or staff

The Council may require the grave owner, one month after giving notice in writing to them and by placing a copy of the notice on the grave, to take such action as is specified in the notice to remedy the situation.

Where the grave owner fails to comply with the notice or the Council's best efforts to trace the owner are unsuccessful, the Council reserves the right to remove any or all parts of the monument and to turf the grave surface. Where action has been taken in default of the grave owner then the Council reserves the right to recharge the owner, and to refuse to permit the reopening of such grave or vault until all sums due for the work are paid.

Cremated Remains Plots

75. In the areas of the cemetery designated as cremated remains plots, the surface of the plot may be memorialised. The maximum permitted size of memorial is 450mm x 450mm x 450mm (18 inches x 18 inches x 18 inches). Personal tributes may also be left on the fixing area but should not be placed outside. It is the grave owner's responsibility for the maintenance of all items left on the grave.
76. The Cremated remains plots is for the interment of a maximum of 2 single caskets or 1 double casket.

MONUMENTS

77. A monument may only be erected on a grave that has an exclusive right of burial.
78. All monuments shall comply with the requirements of the Council. Details of those requirements are available from the Office.
79. Applications for a headstone or an additional inscription must be submitted by the owner of the grave. The owner's name must be shown on the Deed.
80. Monuments may only be erected by monumental masons who are currently registered with either the National Association of Memorial Masons (NAMM) or British Register of Accredited Memorial Masons (BRAMM).
81. Applications to erect memorials must be made on the form provided. It must be fully completed and be signed by the registered grave owner or executor and an approved monumental mason. No work on site may commence until the application has been approved in writing by the Council.
82. The approval in writing shall constitute a permit for the mason to erect the monument and must be produced to the Office prior to commencement of any work.
83. The name of the monumental firm supplying and erecting the monument may be cut in lettering not exceeding 15mm high on the reverse or side of the memorial but only with the written consent of the grave owner.
84. The section and number of the grave must be cut plainly on the front of the monument or on the outside of the head kerb where only a kerb set is placed on a grave.
85. On completion of the works a Certificate of Conformity is to be supplied by monumental mason (BRAMM or NAMM). The Council may carry out any test or check to verify compliance with his requirements and may require the mason to

attend and assist. In the event of a monument failing such a test the monumental mason shall immediately take any remedial action specified.

86. Erection of monuments is only permitted during Office working hours and so is not allowed on Saturdays, Sundays or Public Holidays.
87. The Council reserves the right to remove anything erected without written consent or which varies from a written consent and to charge the expense of removal to any person causing it to be erected. In such cases the Council may give the applicant or mason notice to carry out removal or modification as specified in writing.
88. All monuments, inscribed vases and kerb sets shall be maintained in good and safe condition at all times at the expense of the person causing them to be erected.
89. The Council reserves the right of carrying out any work necessary to make a monument safe or to prevent the encroachment on an adjoining grave and to recover the cost from the grave owner. The Council reserves the right to refuse the opening of any grave or vault until all sums due for such work are paid.

GARDENS OF REMEMBRANCE

Columbarium - Applications for Placement

90. All notices of Placement must be given on the form provided by the Council and must be accompanied by all documents specified on the form.
91. Completed notices Placement and the appropriate fee must be delivered to the Office at least two clear working days before the date of the Columbarium Placement.
92. The Council reserves the right to make different charges for exclusive rights of placement in the Columbarium to residents and non-residents of the city. In exceptional circumstances, where the Applicant can demonstrate that a deceased person has strong residential links with the city, the Council may apply the normal resident's charges. Requests for charges to be at the resident's rate shall be in writing and shall specify the grounds on which the application is based.

Memorial Plaques

93. The Council reserves the right to amend or refuse any application for a memorial.
94. Memorial plaques are provided for fixed term periods as set out in the leaflet "Fees and Charges"
95. Any conifer, seat, shrub, tree, rose or any other article placed in the Gardens of Remembrance shall remain the property of the Council by whom it will be maintained. The plaques are the property of the applicant.
96. The soil, turf, conifers, trees, roses, shrubs, flowers or plants within the grounds of the crematorium must not be cut, pruned or removed by any unauthorised person.
97. At the end of the fixed term of a memorial period the person applying for a memorial plaque may ensure continuation of the memorial for a further fixed term by payment of the appropriate fee before expiry of the current fixed term.
98. It is the responsibility of each memorial applicant to take the necessary action to renew a memorial where desired. Not more than three months before the expiry of a memorial period the Council will send a reminder letter to the applicant at the address registered with the Council inviting renewal of the memorial for a further fixed period. It is the responsibility of applicants to advise the Office of any changes of address in writing.

99. If the memorial is not renewed by payment of the appropriate fee the Council will remove the inscription plaque. The applicant for the memorial may collect removed plaques within two months of the end of the fixed term memorial period. Plaques not collected within this period will be destroyed shortly thereafter by the Council. In exceptional circumstances the Council may vary the timetable for renewal at the request of the applicant. In the case of uncollected metal plaques, these will be sold and residual receipts directed to charity.
100. Where a memorial plaque has been removed the Council may offer the conifer, seat, shrub, tree, rose, kerb, or wall space, or any other memorial for the placing of a memorial plaque to some other person.
101. Cremated remains strewn within the Garden of Remembrance or at any memorial do not entitle the applicant for cremation or any other person to any rights in respect of their location.

Tributes

102. Wreaths, sprays and cut flowers or other floral tributes may only be placed in the spaces reserved for that purpose.
103. Any holder of a lease on a memorial rose, tree or shrub and any other person with the leaseholder's consent may place floral tributes adjacent to the relevant memorial plaque. These tributes must comply with the requirements of the Council. The Council will clear away all other items and the owner may collect from the office within 6 months of being removed from the memorial rose, tree or shrub.
104. Applicants may leave 2 flutes per rose. These may be notated with the rose number and left empty at the rose. In addition, the council will provide flutes for the use of visitors that will be removed and re-used. Only fresh cut flowers may be left in these flutes.
105. Any person may place floral tributes in the Memorial Chapel if they comply with the requirements of the Council. After a limited period, tributes will be cleared away.
106. North & South Chapel Tribute areas floral tributes will be removed on Mondays (before public opening time)
107. Fresh flowers at the roses and trees will be cleared away after a limited period.

Christmas and Other Religious Festivals

108. Christmas wreaths or tributes marking other religious festivals may be placed at any memorial or designated location and may remain for a suitable period determined by the Council. At the end of the religious period, which in the case of Christmas will be Twelfth Night, tributes will be cleared away and disposed of by Council staff. Alternatively, individuals may remove tributes with the prior approval of the grave owner or memorial holder.

Book of Remembrance

109. Only a person appointed by the Council shall make inscriptions in the Book of Remembrance.
110. The Council reserves the right to refuse any entry that it considers unsuitable.
111. Inscriptions in the Book of Remembrance are open for public viewing in the Memorial Chapel. The page is turned each morning to show the anniversary of the date of entry. Persons who are unable to visit on the anniversary will be able to view entries in the

Book of Remembrance online by visiting the crematorium website.

GENERAL:

Registers and Plans of the Burial Grounds

112. Registers of all burials and plans showing the positions of graves in the cemetery are kept at the Office, where they may be inspected free of charge during normal Office hours. However, in accordance with the Data Protection Act 1998 since amended by the Freedom of Information Act 2000 the Council is only permitted to release information to the public in respect of the deceased.
113. A charge may be levied for making searches in and providing certified copies of entries in any Register.

Fees and charges

114. The fees and charges prescribed for the use of the cemetery and crematorium shall be those specified within the leaflet "Fees and Charges", as amended annually.
115. All fees and charges are payable in advance to the Council. The Council may make prior written arrangements with business users for payment on monthly account.

Animals

116. No animals are allowed in the Cemetery, Crematorium or grounds except guide dogs and horses drawing a hearse.

Vehicles

117. The Council maintains the right to restrict entry of any vehicle into the Cemetery or Gardens of Remembrance.
118. Motor vehicles may be driven only on the designated entry and exit roadways shown on the plan and indicated by signs. Motor vehicles may only be parked in the car parks shown on the plan. No vehicle is to be left in a position so as to cause obstruction to other traffic.
119. A speed limit of 10 miles per hour is not to be exceeded.
120. Motor vehicles accompanying burials may leave the designated entry and exit roadways for parking only as directed by Council staff.
121. Motor vehicles conveying persons with a blue badge holder or mobility impairment may leave the designated entry and exit roadways for parking only as directed by Council staff.
122. There may be occurrences when other vehicles will be asked to use the cemetery roadways for additional parking but only when directed to do so by Council Staff
123. Cycles may not be ridden in the Cemetery other than on the roadways.
124. Parking within the Crematorium car parks and cemetery roadways is at your own risk.

We do not accept any liability for any accident, loss or damage to persons, vehicles, accessories or contents.

125. The use of car parks is for Visitors whilst within the Crematorium and Cemetery Grounds only.

Miscellaneous:

126. No goods of any kind may be offered for sale in the Crematorium, Gardens of Remembrance or Cemetery or any adjacent land owned by or under the control of the Council.
127. The approval of the Council must be obtained before photographing or filming in the Crematorium, Garden of Remembrance or Cemetery. In the case of a grave, vault or memorial, consent will only be given on production of the written authority of the registered grave owner.
128. All persons admitted into the Crematorium, Garden of Remembrance or Cemetery must comply with the directions of Council staff. The Council reserves the right to exclude or remove from the Crematorium, Garden of Remembrance or Cemetery any person the Bereavement Services Development Manager considers it advisable to exclude or remove.
129. Children under the age of sixteen years must be kept under the direct supervision of a responsible adult at all times.
130. No band or music will be allowed within the Crematorium, Garden of Remembrance or Cemetery except by the express consent of the Council.
131. Smoking is prohibited in all Council buildings.
132. No employee of the Council, or its contractors, may demand or receive any gratuity.
133. No person shall enter or leave or seek to enter or leave the Crematorium, Garden of Remembrance or Cemetery otherwise than through one of the gates or entrances constructed and provided for that purpose.
134. No person shall drop, throw or otherwise deposit and leave in the Cemetery or Crematorium any wastepaper or refuse of any kind except in the receptacles provided for that purpose.
135. No person shall solicit any orders or distribute any circular, bill or article, or the like within the Crematorium, Garden of Remembrance or Cemetery.
136. Under the Local Authorities' Cemeteries Order 1977, it is an offence to:
- wilfully create any disturbance
 - commit any nuisance
 - wilfully interfere with any burial taking place
 - wilfully interfere with any grave or vault, any memorial or any flowers or plants
 - play any games or

sport

- enter or remain in the Crematorium, Garden of Remembrance or Cemetery at any hour when it is closed to the public unless specifically authorised by the Council.

137. No item shall be left that is likely to cause harm to the environment or wildlife.

138. The release or attachment of balloons in the Garden of Remembrance and Cemetery is not permitted as wildlife can be greatly affected by balloon material and cord used in construction.

139. Any Electrical appliance brought into the crematorium by a member of the public will require certification to confirm current Portable Appliance Testing (PAT) before use. Please provide to the Crematorium Office 48 hours before use/service takes place.

Any person in breach of these regulations may be liable to a fine not exceeding Level 3 on the standard scale. In the case of a continuing offence, they may be liable to a fine for each day during which the offence continues after conviction.

DEFINITIONS

In these Regulations:

“The Council” means Chelmsford City Council which owns and operates Chelmsford Cemetery and Crematorium.

“Bereavement Services Development Manager” or “Manager” means the officer appointed by the Council with overall responsibility to manage the Cemetery, Crematorium and Garden of Remembrance on a day-to-day basis to whom all powers and duties contained in these regulations are delegated. It includes his or her appointed representatives and successors.

“The Cemetery” means the place provided for the interment of human remains at Writtle Road.

“Crematorium Office” and “The Office” mean the office adjacent to the Crematorium at Writtle Road, Chelmsford.

“Working days” means days on which the Office is open.

“Medical Referee” means any person appointed by the Council to certify cremation documents in accordance with current legislation.

“ICCM” means The Institute of Cemetery and Crematorium Management. This promotes best practice and advises burial and cremation authorities throughout the UK.

“FBCA” means The Federation of Burial and Cremation Authorities. Their members observe a national Code of Cremation Practice which upholds high standards at crematoria.

“The applicant” is the person who applied for the funeral, cremation or burial and signed the appropriate forms.

“Exclusive right of burial”. When purchasing a grave you are not actually purchasing the land on which the grave is situated but are acquiring the exclusive right of burial therein for a limited time period determined by the Council.

“Purchased grave” means a grave in respect of which the Council has granted an

exclusive right of burial.

“Grave owner” is the person who is registered with the Council as the owner of an exclusive right of burial.

“Grave” means a burial place formed in the ground by excavation and without any internal brickwork, stone, or any lining.

“Grave space” means the area allowed for the establishment of a grave and in such position determined by the Council.

"Resident of the City" means any person who normally resides within the City of Chelmsford. It includes any person who, in the opinion of the Council, it would be reasonable to treat as a resident, such as a person who has recently moved away or who had moved away on grounds of ill health. A child or stillborn child is deemed to be a resident if delivery occurred within the City Council administrative area or either parent is resident. Body parts will be deemed to be those belonging to a resident if that person prior to their death normally resided within the City of Chelmsford or the surgery for their removal occurred within the city.

"Strewing of cremated remains" also known as interring cremated remains means the dispersal of the remains within a defined area by scattering from an urn in a manner determined by the Council.

"Memorial" means any plant, shrub, tree or other item that the Council has provided at which a plaque to the memory of a deceased person may be displayed by the Council.

“Monument” means a headstone, tablet, cross or kerb erected or placed on a grave space.

“Coffin” in the case of cremation means a container constructed of wood, or other biodegradable material. In the case of burial it may also mean a shroud in which the body is enclosed for the purpose of burial.

“Body” means the body of a deceased person or their cremated remains brought to the cemetery for burial.

"Lawn Section" is the area of the Cemetery laid out mainly as lawn where headstones are only permitted at the head end of the grave. The area can be viewed on plans held at the Crematorium Office.

“Lawn Grave” means a grave in the Lawn Section.

“Tribute Area” means the area provided at the head of Lawn Graves for the erection of a monumental headstone and the placing of floral tributes and ornaments.

"Traditional Section" is the area of the Cemetery where graves may have full memorial kerb sets or planting along the length of the grave. The area can be viewed on plans held at the Crematorium Office.

“Cremated Remains Plots” are the area in the Cemetery where caskets containing cremated remains, a memorial stone and floral tributes or ornaments can be placed.

“Columbarium” (or Niche) Wall is a structure that contains niches, which holds cremated remains in an approved container.

In the areas of the Garden of Remembrance designated as columbarium.

The Conditions of Lease for the Chelmsford Crematorium Family Niche Memorial Columbarium

- Cremated remains must be enclosed and sealed in the approved container and are placed in the niche which is then sealed; a tablet is secured to the front of the niche attached to this is a single posy vase. (fresh cut flowers only)

- The size of the caskets, urn or aluminum containers should be no more than 29cm (H) x 13 cm (W) in size to ensure they can be contained within the niche.
- The material of the containers can only be metal urns, wooden containers and aluminum containers.
- The tablet size is 30.48 cm x 30.48 cm square. (12" x 12"). Inscriptions will be in Gold.
- Only crematorium and cemetery Staff are permitted to install or remove a niche tablet.
- The right of Placement is to remain solely with the grantee. The grantee has automatic rights of Placement in the event of their death. The grantee may assign their rights in their lifetime. The right may be transferred in the event of the grantees death by transfer of the 'right' Please seek guidance from the office in this event.
- The niche is for a term of 25 years with a renewable lease with a maximum number of Placements being 4 (four) (subject to size of caskets).
- Niches will only be allocated when cremated remains are to be deposited. They cannot be reserved in advance. The Lease Agreement will not be issued until the date of the first Placement and this is to be within 3 months from purchase.
- Placement of cremated remains can only take place on return of the memorial tablet from the Council's manufacturer. (This is required to seal the niche over the cremated remains container).
- Further Placements will require a replacement tablet for the purposes of inscription should the grantee require further inscription.

Authorised Officer
14/08/2018
 EDA–NFDS 1472108