



# **BRADFIELD PARISH COUNCIL**

*Clerk to the Council: Mrs Marie Snell*

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## **Mill Lane Bradfield Cemetery Regulations**

The following regulations are made by Bradfield Parish Council for the private unconsecrated Burial Ground at Mill Lane, Bradfield.

The Parish Council has produced these regulations and the accompanying guidelines to uphold the highest possible standards for all visitors to the Cemetery whilst avoiding unnecessary restrictions on individual choices.

Any appeal regarding the Cemetery Regulations should be made in writing and will be considered by councillors at the next full meeting of Bradfield Parish Council.

The Parish Council reserves the right to amend and review all regulations and charges from time to time as it considers necessary.

### **General Conditions and Regulations**

1. Dogs are permitted but must be kept on a lead at all times and droppings cleared and placed in a bin.
2. No Cycling
3. No vehicles must be driven or parked in the Cemetery.
4. No games, ball games or sports are allowed in the Cemetery
5. No children under the age of 12 are allowed in the Cemetery unless under the care of a responsible adult.
6. No artificial turf, planting of trees, shrubs or rose-bushes is permitted. The Council reserve the right to prune, cut down or dig up and remove any shrubs or plants at any time.
7. Solar Lights, candles, Chinese Lanterns, wind chimes, helium balloons and glass vases or containers are not permitted and the Parish Council reserves the right to remove these items.
8. The release of balloons is strictly forbidden as wildlife can be greatly affected by balloon material and cord used in construction
9. Floral tributes and wreaths must be removed after three weeks. The Parish Council reserve the right to remove these and charge the cost of disposal to the grave owner or family.

### **PLOT PURCHASE/EXCLUSIVE RIGHT OF BURIAL**

1. A Grant of Exclusive Right of Burial will be issued for all Graves and Cremated Remains Plots in a form approved by the Council for a set period of 50 years. The ground is not purchased, it is always Council owned land, it is only the Right of Burial that is purchased.
2. A Grant of Exclusive Right of Burial will be issued for all private Graves, in a form approved by the Council, for a set period of years. (50 years)
3. The Grant of Exclusive Right of Burial may be purchased jointly by up to 4 people. All signatories are required to sign for burials and erection of memorials on the plot.
4. The Council have the right to demand to see the Grant of Exclusive Right of Burial before a Grave is opened. If you lose the Grant, the Council have the right to demand a Statutory Declaration to say you have lost the Grant.
5. A copy of the Grant will not be issued.
6. Where any interment is not that of the Holder of the Exclusive Right of Burial, the written consent to the opening of the grave must be given by the Holder of the Exclusive Right of Burial. No body shall be buried or ashes interred in any grave until the written consent of the Holder of the Exclusive Right of Burial has been obtained.
7. After the interment of the Holder of the Exclusive Right of Burial for a grave or cremated remains plot, the personal representative must produce probate of the will of the deceased person, or letters of administration to the estate so that the change of ownership can be registered. No further interments may be accepted, and no applications to place or add any inscription to a memorial may be considered until the Exclusive Right of Burial has been transferred.
8. Holders of an Exclusive Right of Burial cannot dispose of rights without the consent in writing of the Parish Council.
9. Possession of the certificate does not constitute Ownership of the Right.
10. The Exclusive Right of Burial can be transferred upon payment of the fee (see scale of fees and charges) and presentation of the required documentation.

### **BURIALS/INTERMENT OF CREMATED REMAINS**

1. A plan of the cemetery showing the Grave spaces and cremated remains plots available may be requested from the Clerk to the Council
2. The Parish Council will allocate Grave spaces/cremated remains plots in order wherever possible but will endeavour to accommodate specific requests outside of this order.

3. All interments must have the prior approval of the Clerk to the Council in consultation with the Chairman and Vice-Chairman.
4. For burials: Following the burial the grave will be filled with earth and allowed to settle for approximately 12 months before a memorial may be placed on the grave space by the Holder of the Exclusive Right of Burial, who must first obtain permission from the Council. Where the deceased is the Holder of the Exclusive Right of Burial this must be transferred prior to memorial installation. (Please see Bradfield Parish Council Memorial Management and Safety Policy for acceptable memorial types and sizes)
5. For cremated remains: Following interment of ashes the grave will be filled with earth and a memorial tablet previously approved by the Council may be placed (Please see Bradfield Parish Council Memorial Guidelines for acceptable memorial types and sizes). Caskets and Urns should ideally be biodegradable.

### **RULES OF INTERMENT**

1. Notice of interment must be given to the Council at [clerk@bradfieldparishcouncil.org.uk](mailto:clerk@bradfieldparishcouncil.org.uk) or in writing: Bradfield Parish Council, Bradfield Village Hall, The Street, Bradfield, Essex CO11 2UU.
2. Written notification (or e-mail) must reach the Parish Council by 10 am at least three clear working days before interment. No Notice of Interment will be accepted on a Saturday, Sunday or on a Public Bank Holiday
3. Information regarding an interment given by telephone must be confirmed in writing immediately.
4. The Notice of Interment must be accompanied by:
  - a) All fees and charges due;
  - b) The appropriate Certificate of Burial or Cremated Remains
  - c) The Deed granting the Exclusive Right to Burial.

**Please note interment will not be allowed to proceed until the appropriate fees and documentation as detailed above have been received by the office**

*The Parish Council will not accept any responsibility for any error or delay consequent to any notice being sent by post.*

5. The person having charge of the funeral shall make all arrangements with the person intended to officiate at the interment. The Parish Council undertake no responsibility on this account.
6. All bodies received for burial shall be enclosed in coffins made of wood (including chipboard/MDF) wicker or cardboard.

7. Funeral Directors must arrange the digging of graves in line with the Parish Council Grave digging regulations.
8. Graves may accommodate no more than 2 bodies or 6 cremated remains caskets.
9. Cremated remains plots may accommodate no more than 2 caskets.
10. Caskets and Urns should ideally be biodegradable.

### **MEMORIALS**

1. Memorials may only be erected over grave spaces and cremated remains plots by the holder of the Exclusive Rights of Burial.
2. No Memorials may be added to the Cemetery without the consent of the Parish Council. The Parish Council reserves the right to remove anything erected without consent or which varies from a written consent. The expenses of removal will be charged to the person who erected the unauthorised memorial.
3. Applications must be received from a stonemason and for Health and Safety reasons families are not permitted to erect their own memorials on council owned land.
4. Applications to erect a new memorial, or to carry out work to an existing memorial must be made to the Parish Council with the appropriate fee and must be accompanied by the following information:
  - a) A dimensional drawing or illustration of the proposal
  - b) Details of materials to be used
  - c) A copy of every proposed inscription

*The Council reserves the right to refuse permission for any memorial or inscription that may be offensive to the public*

5. The headstone/memorial must be anchored to the Plinth/Foundation stone with an approved anchoring system and all fixings must be NAMM approved.
6. All memorials remain the responsibility of the holder of The Exclusive Right of Burial. The Parish Council cannot accept responsibility for any damage or breakage which may occur. Owners are encouraged to seek independent advice regarding insurance cover available from most monumental masons.
7. All memorials are to be kept in good repair. The Parish Council reserves the right to remove or require the owner to remove, any memorial which is not maintained in an adequate or safe condition.

*The Council reserves the right to tidy, make safe, or remove any broken headstone or kerbing which is considered to be unsightly or dangerous and to charge any such costs to the owner of the grave.*

8. The number of each grave must be inscribed on each memorial and must be clearly visible.
9. New kerbing is not permitted in any part of the cemetery.
10. Persons erecting or fixing memorials shall carry out the work during normal working hours and shall leave the site of works and the adjoining ground in a clean and tidy condition and shall make good all damage which may be done in the progress of the work.

### **Rules and Regulations for Funeral Directors and Grave diggers at Mill Lane Cemetery, Bradfield**

These rules and regulations are to be strictly observed by all gravediggers working in Mill Lane Cemetery, Bradfield.

1. **No grave can be dug in Mill Lane Cemetery without the written permission (usually via e-mail) of Bradfield Parish Council.**
2. Bradfield Parish Council does not employ gravediggers and therefore the Funeral Director responsible for each interment must make arrangements for the excavation.
3. It is the responsibility of the Funeral Director to ensure the grave diggers employed by them are familiar with the cemetery and abide by these rules and regulations. Funeral Directors must advise the Council of the details of all gravediggers prior to use.
4. Funeral Directors are responsible for ensuring that grave diggers work in a responsible and safe manners and observe all Health and Safety legislation and codes of practice in force at the time of the excavation. All excavations must be shored up and if left unattended for any period of time boarded and appropriately guarded. Lock down covers must be used if an excavation is left overnight. If the legal requirements are not fully complied with then the Parish Council will refuse permission for the grave digger to carry out future work at the Cemetery.
5. It is essential that gravediggers liaise with the Parish Council Office so that graves are sited correctly and dug in line with Health and Safety requirements. Grave diggers will be recalled to correct errors of graves being dug in the wrong place or dug incorrectly at their own cost.
6. Grave diggers must follow the ICCM Code of Safe Working Practice for Cemeteries and must ensure the safety of all staff, contractors and visitors to the cemetery as a result of their work.
7. Grave Diggers must supply a copy of their Public Liability Insurance and Health and Safety Policy prior to working at the cemetery.

8. No full grave or cremation plot should be dug more than 48 hours before the interment.
9. Prior to the interment a skip bag should be ordered and arranged to be delivered to the cemetery and collected afterwards. After the interment the grave should be backfilled and any surplus soil placed into the skip bag.
10. Bradfield Parish Council may undertake spot checks at any time.
11. The grave space set aside for each person shall not exceed 2.75m x 1.37m (9 feet long by 4 feet 6 inches wide). No part of the coffin shall be at a depth less than 1.0m (3 feet) below the level of the surface adjoining the grave.
12. The cremated space for each cremated plot shall not exceed 600mm x 600mm (2ft x 2ft)
13. Burial in a grave in which an interment has already taken place, shall ensure the new coffin is effectively separated from any other coffin previously placed and remaining in the ground by means of a layer of earth not less than 150mm (6 inches) in depth.
14. No person shall disturb any interred human remains.
15. The Funeral Director is responsible for marking all graves and ashes interments with a long term marker. On installation of a Memorial Stone any marker crosses are to be removed.
16. It is the responsibility of the funeral director for the excavation of the grave and removal of any existing memorials or kerbstones and the replacement of same after burial.

## SCALE OF FEES AND CHARGES MILL LANE CEMETERY, BRADFIELD

### INTERMENTS

|  | Resident<br>with<br>Exclusive<br>Right to<br>Burial | Resident<br>Re-open<br>(exclusive<br>right already<br>in ownership) | Non<br>resident<br>With<br>exclusive<br>Right to<br>Burial | Non<br>resident<br>Re-open<br><br>(Exclusive<br>right<br>already in<br>ownership) |
|--|---|---|--|---|
| Body of a stillborn child or child who at a time of death was under one year | <b><u>£250</u></b>                                  | <b><u>£125</u></b>  | <b><u>£500</u></b>   | <b><u>£250</u></b>  |

|  |                    |                    |                     |                     |
|--|--------------------|--------------------|---------------------|---------------------|
| Body of a child who has not reached their 16 <sup>th</sup> Birthday            | <b><u>£500</u></b> | <b><u>£250</u></b> | <b><u>£1000</u></b> | <b><u>£500</u></b>  |
| Adult Burial - Body of a person who has passed their 16 <sup>th</sup> Birthday | <b><u>£500</u></b> | <b><u>£500</u></b> | <b><u>£1000</u></b> | <b><u>£1000</u></b> |
| The interment of cremated remains in a grave                                   | <b><u>£500</u></b> | <b><u>£500</u></b> | <b><u>£1000</u></b> | <b><u>£1000</u></b> |

## **PURCHASE/TRANSFER OF EXCLUSIVE RIGHT OF BURIAL**

### **Purchase**

Exclusive Right of Burial for an earthen grave £285

Exclusive Right of Burial for a cremated remains plot £275

*Fees double for a person whose permanent residence is outside of Bradfield Parish Council ward boundary.*

### **Transfer of EROB**

Transfer of ownership of EROB - £60

Extend EROB by 5 years - £30 for each 5 year period

*Fees double for a person whose permanent residence is outside of Bradfield Parish Council ward boundary.*

### **Residential qualifications**

Persons not meeting these residential qualifications will be required to pay the fee of non-residents as detailed above.

- At the time of death the deceased was living in the parish of Bradfield
- The person owning or purchasing the exclusive right of burial lives in Bradfield
- In the case of a stillborn child either parent lives in Bradfield
- The deceased lived in Bradfield for 5 or more years but moved involuntarily.  
For example: for the need to receive residential care in another area immediately prior to the date of death.

**N.B Fees do not include the cost of digging graves or cremated remains plots which should be arranged by the undertaker.**

## **MEMORIAL STONES**

**Permit Fees – (does not include cost of memorial stones which should be arranged separately with memorial stonemasons)**

|  |      |
|--|------|
| Full memorial – (earthen or cremated remains plot) | £150 |
| New memorial headstone only                        | £150 |
| Additional Inscription                             | £90  |

**All memorials are subject to written permission by the Parish Council**

## **Mill Lane Cemetery Privacy Notice**

Bradfield Parish Council is committed to protecting and respecting your privacy. For the purpose of the 2018 General Data Protection Regulation, the Data Controller is Bradfield Parish Council. Bradfield Village Hall, The Street, Bradfield, Essex CO11 2UU ([clerk@bradfieldparishcouncil.org.uk](mailto:clerk@bradfieldparishcouncil.org.uk)).

When you contact the Parish Council by phone, email or post, in order to deal with any cemetery related matter, we will ask you for certain personal information in order to be able to assist with your enquiry or comment. This information will need to be recorded and stored on our systems for a predefined period.

This Privacy Notice aims to explain:

1. The different kinds of personal data we process
2. How we use your data
3. How we store your data
4. Why we process your data
5. When and why we share your information
6. What are the legal grounds for processing your information.

### **1. The kind of personal data we process**

The information we collect includes the information collected on Notice of Interment and Memorial Application forms; including name, address, Exclusive Right of Burial Holder details (EROB), and the parent's name and address details for a stillborn child.

### **2. How we use your data**

- The data collected is used to administer the Cemetery Service, which includes the purchase/transfer of EROBs, memorial applications, and general and cemetery maintenance enquiries to maintain a safe and welcoming condition.
- The data may be used to send you relevant information regarding your enquiry.



- We WILL NOT share your information with any external party for marketing or promotional purposes.

### **3. How we store your data**

All information you provide to us is stored on our secure servers. We take every precaution to ensure data is safe and secure, however we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, we use strict procedures and security features to try to prevent unauthorised access. Personal Data relating to Exclusive Right of Burials, memorials and interments will be held indefinitely in accordance with Burial Law. Personal Data relating to general enquires will be retained for 36 months after the matter has been concluded.

### **4. Why we process your data**

We need to process your data in order to provide you with the cemetery related services that you are requesting, examples include processing EROB purchases and transfers and memorial applications. Unless you provide all the necessary information that we request we will not be able to process your application or request.

### **5. When and why we share your information**

We will not share your information outside of Bradfield Parish Council without your prior permission when we rely on consent as the legal ground for processing, unless a lawful request is made (such as Police, Ministry of Justice etc).

### **6. What are the legal grounds for processing your information**

- With your consent
- Where it is in the public interest to do so, for example, to ensure the safe management of our cemetery as public open space
- In order to comply with a legal obligation, for example, obligations placed on us in accordance with the applicable health and safety and burial legislation
- Where it is in the legitimate interest of Bradfield Parish Council
- With your explicit consent or where there is a substantial public interest, for example, when dealing with sensitive issues, such as health or disability issues

### **Further Information**

For further information, plus information on access, portability, withdrawal of consent, correction etc. please visit: <https://www.bradfieldparishcouncil.org.uk/what-we-do/policies-and-procedures> to access Bradfield Parish Council's General Data Protection Regulations.

We work hard to ensure we only gather information we need to process your enquiry and deliver the services in which you are entitled in the best way possible. However, if you have any concerns relating to this or your Privacy in general, please contact the Parish Council Clerk at [clerk@bradfieldparishcouncil.org.uk](mailto:clerk@bradfieldparishcouncil.org.uk)

For more information on Data Protection in general, or if you wish to make a complaint relating to how your personal data has been used, please contact the Information Commissioner's Office:

Website: <https://ico.org.uk/>

Phone helpline: 0303 123 1113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

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