

WITNEY TOWN COUNCIL



INFORMATION AND REGULATIONS WHICH APPLY TO TOWER HILL CEMETERY AND WINDRUSH CEMETERY – WITNEY

These regulations are made in accordance with and in addition to The Local Authorities' Cemeteries Order 1977 and the Local Government act 1972. A copy of which can be seen by prior appointment at the Town Hall. The Council may from time to time make alterations in the foregoing information subject to future statutory Regulations or other Regulations made by the Council

The Town Council provides and maintains two cemeteries within Witney. Tower Hill Cemetery is located at Tower Hill and Windrush Cemetery is located at Oxford Hill.

ACCESS

Public Access

The whole of the cemetery will be open to the public under certain regulations and restrictions. All visitors to the cemeteries must keep on the roads or the paths, except whilst visiting a grave. Visitors must not stand or sit on the gravestones. Any person found conducting himself or herself in a noisy or disorderly manner will be expelled from the cemetery.

Children under the age of 10 years will not be permitted, except in the company of, and under the care of, their parent or other responsible adult.

Cycles may be brought into the cemetery but should not be ridden in any part of it.

Dogs

Dogs must be kept under close control at all times upon a short lead. All faeces must be cleared up and taken from the site by the person who is in control of the dog.

Vehicles

Access by vehicles beyond the car parking area may be restricted and will be dependant upon the attendance of Town Council staff on site. It will also be prevented whilst a funeral is in progress to avoid any disturbance to the bereaved family.

General

Visitors or people attending funerals shall not interrupt the cemetery staff in their duties. Nor will they attempt to employ such staff to identify graves or plots or execute any private work whatsoever within the cemetery.

People shall not be allowed to distribute pamphlets, business cards, or any other advertisement within the cemetery.

INTERMENT PROCEDURES

NOTICE OF BURIAL

Notice of burial must be provided at least two full working days (exclusive of Saturdays, Sundays, and all public and statutory holidays) prior to the day of interment by telephone to the Town Hall during office hours. The notice must be complete and include the dimensions of the coffin, or the size of the grave to be prepared, together with the date and time for the interment. Any alterations to the size of the grave required after receipt of the original instruction may incur an additional cost.

The Council may limit the number of burials, which may take place on any one day and to vary the requirements of this regulation if warranted by exceptional circumstances.

TIMES OF BURIAL

Funeral processions shall arrive at the cemetery in accordance with the time specified in the notice given for interment. The Funeral Director shall be responsible for any delay caused by arrival at the cemetery after the time specified in the notice given for interment.

The time must be agreed with the Town Council and shall be within the times indicated below:

| | |
|---|------------------|
| | <u>All Year</u> |
| Burial times: Monday to Friday | 11.00am – 3.00pm |
| Ashes interment times: Monday to Friday | 10.00am – 3.00pm |

except for Bank and Council holidays.

Burials will not normally be permitted outside the above hours and days, except upon receipt of instruction from the Coroner or Medical Officer that immediate interment is necessary. In these circumstances, or on occasions when a funeral party arrives late at the grave side, special charges may apply in order to recover any additional administration and overtime costs.

Whenever it is found necessary for a Funeral Director to postpone a funeral until a day later than that for which notice has been given, notification of the postponement must be given to the Town Council before 10.00am on the day originally scheduled for the funeral.

THE GRAVE SITE

Grave plots cannot normally be selected due to progressive working patterns and because, at busy times of the year, plots can be prepared in advance. The position of every grave plot shall be determined by the Town Council.

During the preparation of the grave, soil will be kept on the adjacent plot(s) and removed upon interment.

Reservation of an adjacent plot for future burial can only be guaranteed if the exclusive rights of burial for the reserved plot are purchased at the time of arranging the initial burial.

If a previous reservation of a grave plot has been purchased it will be necessary to supply the Town Council with the details of the reservation and grave number as a matter of urgency.

Exclusive Rights of burial are purchased for a period of 50 years at Windrush Cemetery and 75 years at Tower Hill Cemetery, from the date of burial or, in the case of a reservation, from the date of purchase and will be conveyed by Deed of Grant to the purchaser of the grave/ashes plot itself. Such Deed only conveys the right to decide who shall be interred and the right to erect an approved memorial (with the exclusion of areas detailed below). The land remains in the ownership of the Town Council. Grave plots for future burial can be reserved at any time by purchasing the exclusive rights of burial for the plots.

Specific areas may be designated within the cemetery for stillbirths, babies and children, which will be available for applicants to use if they so wish.

The Council reserves the right to designate certain areas within the cemeteries for the burial of ashes, where the type of memorial that may be subsequently erected is restricted.

Due to the nature of the ground conditions, only single depth graves are available at Tower Hill Cemetery. Single and double depth graves are available at Windrush Cemetery. No grave shall be deepened after the first interment.

INTERMENTS

The Registrar's or Coroner's Certificate for Burial (or in the case of a still-born child, a certificate in accordance with the Births and Deaths Act, 1926) must be produced and be given to the Works Foreman or such other employee of the Town Council authorised to receive it at the time of burial. No funeral will take place without a disposal certificate.

Before cremated remains can be interred, a Certificate of Cremation must be produced and be given to the Works Foreman or such other employee of the Town Council authorised to receive it at the time of interment.

Interments may take place with or without the services of a Clergyman or Minister of religion. However the interment must take place with due reverence to the occasion.

No Funeral Director, nor any person, shall be permitted to remove coffin lids or sides from a coffin at any interment within the cemetery for any reason whatsoever.

No grave or plot for ashes remains, in which the exclusive right of burial has been purchased, shall be re-opened without the production of the Deed belonging to such grave or plot. If the Deed cannot be produced by reason of it being lost or mislaid, then a Statutory Declaration, or other evidence of such loss satisfactory to the Town Council must be produced, by the Owner or a person authorised to exercise the right.

Only human remains may be interred in the Cemeteries (plus any small articles that can be reasonably contained in a standard coffin or casket).

VAULTS

Vaults may be permitted at the discretion of the Town Council. When permitted these must be constructed under the direction of a funeral director, and at the full expense of the executors. The Funeral Director must ensure that there is full co-operation with Town Council staff at all times and that there is no inconvenience. Special charges may apply in certain circumstances to compensate for damage or excessive administration costs, etc.

COMMON BURIALS

Exclusive Rights for common burials undertaken by West Oxfordshire District Council under the National Assistance Act 1948 within the Windrush Cemetery cannot be purchased. Flowers may be placed on and around the grave on the day of burial. After the burial, withered flowers and wreaths will be removed by the Town Council staff. The graves will be left unmarked on the surface and no form of grave identification, memorial, flowers, plants or vases are permitted. A second burial may occur at a later date using the remaining space in a double-depth burial plot.

MUSLIM BURIALS

Witney Town Council provides for the burial of persons of the Muslim faith at Windrush Cemetery. The Muslim section can accommodate burials for adult, children and babies.

For all interments a wooden coffin or casket must be used. Graves within the Muslim section are orientated in accordance with religious requirements and are excavated to a depth sufficient for one interment only. The notice and times for burials are detailed within these regulations.

CREMATED REMAINS

Interment plots for cremated remains are available at Tower Hill Cemetery and Windrush Cemetery.

Tower Hill Cemetery

Unmarked plots are only available at Tower Hill Cemetery for one or two caskets and are in the vicinity of the memorial wall in Section 10. Please note that with the unmarked ashes plots no memorial can be permitted in this area.

Family ashes plots are also available, which will accommodate up to 8 caskets in Section 2. Memorials are permitted to be installed upon the family plots, subject to the general memorial regulations.

Windrush Cemetery

Marked plots are available at Windrush Cemetery for one or two caskets in the ashes section. Restricted memorials are permitted to be installed upon the ashes plots, subject to the general memorial regulations.

General

Cremated remains can be interred in any grave plot (including graves designated as children's graves), provided that at least one burial has taken place and that no further burials will take place in it. Exclusive rights of burial must be held for the grave.

Ashes may be scattered at the cemeteries with the permission of the Town Council at an approved date, time and location.

GREEN BURIALS – WOODLAND AND MEADOW

General

Grave plots especially designated for green burials are available at Windrush Cemetery only. These will be unmarked plots within small glades of native trees or meadow grass areas. Families will be provided with a small plan, which will show the precise location of a grave plot, when the plot is purchased/reserved. Please note that with the green burial plots no memorial or garden can be permitted within this area.

It is important to ensure that relatives are fully aware of the restrictions relating to memorials and floral tributes before they commit to a green burial, as the Town Council will not permit exhumation, unless it is decreed under the direction of a court order.

The dressing of trees is not permitted and this includes scarfs, ribbons, wind chimes, ornaments, tinsel etc.

Wreaths, cut flower and other tributes are not permitted after the initial three months following burial to preserve a natural setting.

Specially designed tree guards can accommodate single (48mm x 90mm in size) and double (98mm x 90mm in size) memorial plaques if required. These must be purchased through the Town Council. The tree guards will be located within the Cemetery grounds and are not restricted to the exclusive use of green burials.

Grass mowing shall be carried out at specific times to promote the spread and vitality of wild flowers. This will encourage a species rich grass land. The frequency of this operation will be two cuts per annum. Grass on the green burial plots will not be permitted to be cut by family members, as this will detract from the grass land management plan.

Preferably, coffins should be constructed from rigid soft wood but, if requested, veneered chipboard, Willow, Wicker, bamboo and specially manufactured cardboard and papier-mâché coffins are also acceptable. Shrouds are not permitted.

To prevent harmful chemicals from entering the soil and ground water systems it is important that bodies are not embalmed before burial. This only applies to the green burial areas.

Woodland Burials

Woodland grave plots are set in small glades, which will be delineated by suitable native hardwood trees e.g. Quercus robur (English Oak), Fraxinus excelsior (Common Ash) etc. A memorial tree guard will be located within each glade section of 18 plots to enable a memorial plaque to be purchased and fitted if required (see note above in general information for green burials) in memory of those persons buried within the glade. The Town Council will carry out the tree planting at suitable intervals within each glade and in accordance with good horticultural practice. The Town Council will maintain the trees within the glades and no further management costs will be payable by families. The planting of trees upon each individual grave plot is not permitted.

Informal drifts of woodland grass seed mixtures will be sown by the Town Council on each individual woodland grave.

Meadow Burials

Informal drifts of wild flower meadow grass seed mixtures will be sown by the Town Council on each individual meadow grave.

RELIGIOUS SERVICES

A chapel is available at Tower Hill Cemetery for a short religious service prior to interment. There is seating for 50 persons, but larger groups can be accommodated if some members of the congregation are willing to stand.

MUSICIANS

No musicians accompanying a funeral shall be permitted to play within the cemetery without prior permission from the Town Council.

FUNERAL CORTEGES

All funeral corteges whilst within the cemetery shall be strictly subject to the direction of the Town Council staff.

CEMETERY MAINTENANCE

Town Council staff, or contractors, will maintain the grounds within the cemeteries but plot owners are responsible for the maintenance of memorials and memorial gardens within the area of the plot and are subject to the general memorial regulations.

Flowers and wreaths may be placed on and around the grave on the day of the funeral. After the funeral, withered flowers and wreaths will be removed by the Town Council staff. The grave will be consolidated, levelled and seeded or turfed during the proceeding months with the exception of areas, which are covered by approved memorial gardens. This can take up to 15 months to complete and is dependent upon the weather conditions.

EXHUMATION

Exhumations are very rare and tend to be traumatic occasions. To arrange an exhumation for both buried and cremated remains a Home Office Exhumation Licence must be obtained. It is an offence to exhume any human remains without first obtaining the necessary lawful permissions. Exhumations licences will contain certain conditions that must be observed. If the human remains are buried in Consecrated grounds within the cemetery, permission from the church must also be obtained. An Environmental Health Officer must be present at the exhumation of a body to ensure that there is no threat to public health.

The Town Council does not undertake this service for families, however Funeral Directors can assist and advise families in respect of this matter.

MEMORIALS

General

Approved designs of memorials are permitted in the Lawn Sections of the cemetery, provided that Exclusive Rights to the grave have been purchased and permission to place and maintain a memorial has been granted. No memorial is allowed to be erected on a grave in respect of which the exclusive right of burial has not been purchased.

For double memorials or use of a single memorial across two graves Exclusive Rights must be purchased for both graves and any memorial provided as such without permission will be removed.

The Council does not permit memorial canopies, ledgers, cover slabs or kerb surrounds of any kind (stone, wooden, plastic or otherwise) on or around the grave or plot.

A natural stone cross which otherwise conforms to the permitted sizes may be fixed to a plinth base not exceeding the overall permitted dimensions.

The scale of fees and charges in respect of memorials and the sizes permitted are available upon request from the Town Hall.

No type or form of memorial is permitted upon grave plots in the Woodland or Meadow Burial Sections at the Windrush Cemetery or within the unmarked ashes section at Tower Hill Cemetery.

Temporary memorials or forms of identification such as metal/plastic name plates or wooden crosses are permitted during the initial twelve month period.

In the interests of safety, any glass items including vases found in the cemetery at any time will be removed without notification for disposal.

Approved memorials can be erected at any time following an initial 12 month period to ensure that consolidation of the grave is complete. An approved memorial may be erected immediately upon an ashes plot where this is permitted.

No mason, or other person, shall within the cemetery, be permitted by themselves or any agent, to solicit orders, exhibit designs or distribute business cards. Nor shall they ask for, or attempt to obtain from an employee of the Town Council, either directly or indirectly, information as to the grave or plot owners.

Approval Procedures

Permission to place and maintain a memorial may be granted upon application, for an initial period of 30 years. This period may, however, be renewed after the initial 30 year period, every 5 years following a safety inspection and, if necessary, after remedial repairs have been carried out by the grant owner and by a Council approved memorial mason.

If rights of tenure are not renewed at this time, a reminder will be sent to the last recorded address of the grant owner. If there is no response, the tenure would be deemed to be abandoned and the memorial may have to be removed by the Council if it becomes unstable or unsafe. It is important that grant owners notify the Town Clerk of any change of address.

The Council has the power to remove unauthorised memorials in accordance with article 14 of the Local Authorities Cemeteries Order.

SPECIFICATION OF MEMORIALS

Safety and Stability

In the interests of safety and stability, monolithic memorials (a single vertical headstone) with one third of their length buried and tamped into the ground are preferred. Certain other designs of lawn memorial may be considered, but all memorials must be constructed and installed in accordance with the latest version of the National Association of Memorial Masons Recommended Code of Working Practice. The memorial mason must be registered with the Town Council and as such is obliged to provide a safety guarantee to the grant owner, which will guarantee against poor workmanship in respect of construction and installation, excluding subsidence, for a period of 30 years.

The grant owner must be responsible for ensuring that a memorial is in good order and repair.

The Town Council shall make reasonable efforts to communicate with the owner, by giving written notice by post, when repairs are necessary. If the owners do not make such repairs within the specified period after the issue of such a notice the Town Council shall be at liberty to remove the memorial.

Notwithstanding the foregoing, the Town Council is authorised to take whatever action is necessary, with regard to a memorial in circumstances that are considered to be a risk to the safety of employees or the general public. Such actions may include (but are not limited to) removal, the laying down, supporting and sealing off of the memorial area, and to include the erection of warning notices in the area. The Town Council may recover the cost thereby incurred from the person responsible for such work.

Under no circumstances, if any memorial is removed, laid down or supported by the Town Council (in accordance with this regulation) will compensation of any kind be payable by the Town Council for the loss or damage to the memorial.

Size Restrictions

All memorials must be placed within a designated area and within the detailed measurements (see diagrams attached) at the head of a plot and no part of the memorial must protrude beyond it.

Forms of Memorial which may be Permitted

All memorials of whatever description, admitted into the cemetery, or permitted to be erected or placed therein, shall be so erected or placed and remain at the sole risk of the owner thereof. The Town Council shall not be held responsible for any damage or breakage, which may occur to the same. Masons should clearly inform clients of the above and advise of available insurance covers.

Headstones and Lawn Memorials

The component parts of a memorial shall be of natural quarried stone and headstones must be fixed in alignment with adjacent headstones, i.e. the back should be 90mm from the head of the plot.

The section and grave number must be inscribed upon the reverse side of all memorials at the base and it must be visible after the memorial has been installed. With the owner's (or authorised person's) written consent, the mason's name can be permitted to be inscribed in a space no bigger than 20mm wide x 75mm long upon the reverse at the base of the memorial.

Names of the deceased and approved inscriptions shall be permitted on the rear of the headstone. Etching shall not exceed 21cm length x 30cm height.

No memorial or part of a memorial may be removed from the Cemetery without the prior approval of the Town Council. Any memorial removed in the process of opening a grave shall be removed at the risk and expense of the person requiring the grave to be opened.

Memorial Garden and Flowers

A small memorial garden may be created and maintained by the grant owner, provided that it does not extend beyond the designated area and the natural growth shall not exceed four feet in height. All other grave space is to be left clear and undisturbed and no mounds shall be allowed to be raised (except those formed by the Council immediately following interment). This garden may include a stone vase or vases. Placing markers to show the boundary of any grave or placing vases on the turf other than those in permitted areas cannot be allowed as this would obstruct the regular grass cutting needed to maintain the cemeteries. Glass vases or containers are not permitted at any time.

Where in the opinion of the Council, any garden is neglected so as to be detrimental to adjacent graves and the general appearance of the Cemetery, the Council reserves the right, after due notice where possible, to level off such garden and reseed/turf.

The Council reserves the right to dig up and remove any garden necessary for the purpose of allowing the grave to be used for additional interments at the risk and expense of the person requiring the grave to be opened.

No trees shall be permitted to be planted within a memorial garden. Trees may be planted at the discretion, and with authorisation of the Town Council in designated areas within the cemetery. All such trees must be planted with good horticultural practice.

Where flowers have been placed in a memorial vase, or a vase, which is an integral part of a headstone, the person responsible for the placing of such flowers will remove them when they are dead. Such refuse will be neatly placed in the receptacles provided for the purpose. If such refuse is not removed, then the Town Council, at its discretion, may so remove it.

Arrangements for Fixing, Alterations and Maintenance of Memorials

New Memorials

A completed standard Town Council application form signed by the grave owner and the monumental mason must be submitted to the Town Clerk for approval. The form must show full details of the memorial to be installed indicating the dimensions, the materials, and the proposed inscription in English or accompanied by a certified English translation and the method of fixing. Although the specifications do permit a wide range of memorial designs, the Town Council does reserve the right to reject any design or inscription, which is, in its opinion, is improper or undesirable.

A Bishop of the Church of England (if he wishes to exercise it) has, as respects the Consecrated part(s) of the Cemetery, the right (in certain circumstances) to object to, and to procure the removal of, any inscription on a memorial. The right is quite independent of the required approval of the Town Council as mentioned above.

After the application has been approved in writing and a minimum period of twelve months has elapsed since the interment, the memorial mason may book an appointment indicating the time and date for the memorial to be installed at the cemetery. At least 24 hours notice is required to ensure that the Works Foreman or his authorised deputy can attend with the relevant paperwork.

Upon arrival at the cemetery, the mason should make contact with the Works Foreman or his authorised deputy before work commences. The memorial can then be checked against the application. If there are any alterations or omissions, the mason will not be permitted to install the memorial.

All vehicles conveying memorials to the cemetery shall proceed by the main road therein to the nearest point to that where the work is to be executed.

No memorial shall be altered or interfered with after it has been erected in the cemetery according to the designs submitted to, and approved in writing by the Town Council.

Additional Inscriptions

An application for an additional inscription must be approved in an identical manner to that which is described for new memorials. 24 hours notice must be given prior to removal of a memorial or part thereof and again prior to its eventual return.

Repairs and Maintenance

If a mason is instructed by the grant owner to repair or maintain a memorial, 24 hours notice must be given prior to arrival at the cemetery.

General Safety and Tidiness

All persons at work in the cemeteries in connection with graves, memorials or otherwise shall comply with the provisions of the Health and Safety Act, comply with all reasonable directions and requirements of the Town Council staff or nominated representative, only work during normal working hours of Town Council staff. All surplus materials must be removed from site to leave the area clean and tidy.

Memorial masons must be currently registered under the Town Council's Memorial Mason Registration Scheme and all work must be in accordance with the latest versions of the NAMM Recommended Code of Working Practice. A list of approved memorial masons can be obtained from the Town Council.

Memorials shall not be permitted to be fixed in unsuitable weather, nor whilst the ground is in an unfit state.

Cautionary Note

Any memorial erected or placed, or inscription or lettering made or cut without the approval of the Town Clerk or without an appointment duly made in the appropriate manner may be removed from the Cemetery. The Town Council may recover the cost thereby incurred from the person responsible for the placing of such a memorial. Registration of the mason may be withdrawn following an investigation.

Under no circumstances will any action taken by the Town Council under this regulation give rise to any claim for compensation by the owners of such memorial.

CONCLUSION

The Town Council hopes that you will excuse bringing these matters to your attention at this time but it is felt that you would prefer to be properly advised to avoid any misunderstanding or further distress.

The Clerk of the Council and her staff will be pleased to render whatever help or advice is needed and enquiries can be made personally, by telephone, or in writing to:

Mrs S. Groth
Town Clerk
Witney Town Council
Town Hall
Market Square
Witney
Oxon
OX28 6AG

Tel: 01993 704379
Fax: 01993-771893

Email: townclerk@witney-tc.gov.uk

MEMORIAL SIZES

Memorials shall not exceed those dimensions detailed below and the total height of any memorial should not exceed 111cm from the surface of the foundation slab to the highest point of the memorial. Foundation slab sizes are standardised for all designs. Exclusive Rights must be purchased in all cases:

| SECTION | HEADSTONE | BASE STONE | STANDARD FOUNDATION SLAB SIZE |
|---|--|--|---|
| BABIES LAWN | 60cm H x 50cm L x 50-75mm T | 50cm L x 26cm D x 150mm T | 60cm L x 36cm D x 50mm T |
| CHILDRENS LAWN | 60cm H x 50cm L x 50-75mm T | 50cm L x 26cm D x 150mm T | 60cm L x 36cm D x 50mm T |
| ADULTS LAWN | Single Memorial: 90cm H x 60cm L x 50-100mm T | Single Memorial: 75cm L x 30cm D x 225mm T | Single Memorial: 90cm L x 45cm D x 50mm T |
| ADULTS LAWN Memorial Spanning two graves | Single Memorial: 90cm H x 60cm L x 50-100mm T Double Memorial: 90cm H x 90cm L x 50-100mm T | Single Memorial: 75cm L x 30cm D x 225mm T Double Memorial: 105cm X 30cm D X 225mmT | Single Memorial: 90cm L x 45cm D x 50mm T Double Memorial: 120cm L x 45cm D x 50mm T |
| ASHES – WINDRUSH CEMETERY ONLY | Sloping Desk Tablet Only Standard Size 102mm back – 50mm front H x 46cm L x 46cm D | | 51cm L x 48cm D x 50mm T |
| FAMILY ASHES TOWER HILL CEMETERY ONLY | 90cm H x 60cm L x 50-100mm T | 75cm L x 30cm D x 225mm T | 90cm L x 45cm D x 50mm T |

L = Length D = Depth T = Thickness H = Height

MEMORIAL VASES

A memorial vase in natural quarried stone, not exceeding 30cm (length) x 30cm (depth) x 30cm (height) including the base, may be sited within the area which would have been allowed for a foundation slab if a headstone assembly had been erected.

MEMORIAL GARDEN

A memorial garden sited on a family ashes plot or an adult lawn grave plot up to a maximum size of 90cm (length) x 45cm (depth) in front of the foundation slab is permitted if a headstone has been erected. For a baby or child's lawn grave plot the maximum size is 60cm (length) x 36cm (depth) in front of the foundation slab is permitted if a headstone has been erected.

The maximum size of a garden without a headstone erected on a family ashes plot or an adult lawn grave plot is 90cm (length) x 90cm (depth) and this must be sited at the head of the grave area. For a baby or child's lawn grave plot the maximum size is 60cm (length) x 72cm (depth) and this must be sited at the head of the grave area.

