



MALVERN TOWN COUNCIL

OPERATIONS AND PLANNING COMMITTEE

REPORTS

**For meeting to be held on 31 May 2023 at 6.00 PM
In the Council Chamber, Belle Vue Terrace, Malvern**

MALVERN TOWN COUNCIL

Town Clerk
28-30 Belle Vue Terrace
Malvern
Worcs
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24 May 2023



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www.malverntowncouncil.org

MEETING OPEN TO MEMBERS OF THE PUBLIC

To Members of the Operations and Planning Committee

Cllrs Sean Austin, Caroline Bovey, Anne Cherry, Jude Green, Josephine Leibrandt, Freya Matthews-Jones, David Mead, David Watkins

All other Members of the Town Council for information only

You are hereby invited to attend a meeting of the Operations and Planning Committee to be held in The Council Chamber, Belle Vue Terrace, Malvern on Wednesday 31 May 2023, commencing at 6.00 pm for the transaction of the business shown on the Agenda below.

A handwritten signature in black ink, appearing to read 'L. J. Blake'.

Linda Blake
Town Clerk

No.	Agenda Item
1.	Election of Chair To elect a Chair of the Operations and Planning Committee for 2023/24
2.	Election of Vice-Chair To elect a Vice-Chair of the Operations and Planning Committee for 2023/24
3.	Apologies for Absence To receive and note apologies for absence
4.	Declarations of Interest To receive declarations of disclosable pecuniary interests and other disclosable interests
5.	Minutes of Previous Meeting To receive and confirm as a correct record the Minutes of the previous Operations and Planning Committee meeting: <ul style="list-style-type: none">➤ 5 April 2023 (previously circulated)
Public Participation <i>The Meeting will be adjourned for public participation when the Chairman will invite members of the public to present their questions, statements or petitions submitted under the Council's Public Participation Procedure.</i>	
6.	Review of Great Malvern Cemetery Rules and Regulations <ul style="list-style-type: none">➤ Report OC01/23 to follow

7.	Rosebank Gardens ➤ Verbal update
8.	Work Programme and Operations Update ➤ Report OC02/23 to follow
9.	Town Council Events ➤ Verbal update
10.	Heart of England in Bloom Competition 2023 ➤ Verbal update
11.	Environmental Matters ➤ Report OC03/23 to follow
12.	Planning Consultations ➤ Report OC04/23 to follow
13.	Date of Next Meeting ➤ Wednesday 19 July 2023 at 6pm

UNADOPTED

**MINUTES OF A MEETING OF
THE OPERATIONS AND PLANNING COMMITTEE
MALVERN TOWN COUNCIL**

**Held in the Council Chamber, Belle Vue Terrace, Malvern on
Wednesday 5 April 2023 at 6.00 pm**

Councillors

Present

C Palmer (Chairman)
F Matthews-Jones
D Mead
D Watkins

Absent

K Aksar
C Bovey
L Lambeth
J Leibrandt (apologies)
L Lowton (apologies)

Also in attendance

L Blake – Town Clerk
C Porter – Operations Manager
L Wall – Minute Clerk

79. APOLOGIES FOR ABSENCE

Apologies for absence from Cllrs Lou Lowton and Josephine Leibrandt were noted.

80. DECLARATIONS OF INTEREST

Agenda item 11, Planning Consultations – Cllr David Mead is an affected neighbour of the planning application at 41 Geraldine Road.

81. MINUTES OF PREVIOUS MEETING

It was **RESOLVED** that the minutes of the following meeting be approved and adopted as a correct record of the proceedings, and these were signed by the Chairman:

- Operations and Planning Committee meeting 25 January 2023

82. PUBLIC PARTICIPATION

None

83. BUDGET FOR LAND ADJACENT TO ADAM LEA PLAY AREA

Report OC01/23 was received and accepted.

The Town Clerk explained that no funding had been included within the budget for 2023/24 for initial grounds maintenance works to the land adjacent to Adam Lea play area and therefore a working budget of £2,000 was suggested. This funding would be for:

- Installation of drainage to the eastern boundary of the ground to alleviate the flooding from the north-eastern corner
- Running repairs to the wooden post and rail fencing, particularly the methods of fixing the rails
- Installation of a litter bin

UNADOPTED

A working budget of £2,000 was **AGREED** for initial grounds maintenance works to the recently acquired green and open space adjacent to Adam Lea play area.

84. **PURCHASE OF ELECTRIC TOOL PACKAGE FOR OPERATIONS TEAM**

Report OC02/23 was received and accepted.

The Operations Manager informed members that the Operations Team had been trialling various electric tools and found them to be much quieter and with less hand and arm vibration.

A tool package had been selected and quotations sought but only two dealers in Worcestershire were able to provide this type of machinery.

It was **AGREED** that the purchase of an electric tool package for the Operations Team would be made using Company A (Leigh Sinton Garden Machinery Ltd) and the exception to Financial Regulations was **NOTED**.

85. **GAS LAMP ON MALVERN COMMON**

Report OC03/23 was received and accepted.

Members were asked to consider options for the future of the gas lamp on Malvern Common, following damage sustained when a member of the public accidentally drove into it.

Members acknowledged that the lamp would be costly to repair and reinstate, and that there were no other lamps in that particular area. However, the gas lamps are a well-known feature of Malvern and members felt that it was important to support the part they play in the town's Victorian heritage.

It was **RECOMMENDED** that the gas lamp on Malvern Common be repaired and reinstated, subject to the costs being recoverable through an insurance claim.

It was also **AGREED** that if there were any problems with gaining the insurance company's agreement, or there were any problems with the repairs, then this item should be brought back to Operations and Planning Committee to reconsider.

86. **PERMISSION TO REPAIR, REINSTATE AND REFURBISH THE MEMORIAL OF DR ARCHIBALD WEIR IN GREAT MALVERN CEMETERY**

Report OC04/23 was received and accepted.

This was the second application by Friends of Malvern's Cemeteries to repair a grave in the cemetery. The works to the grave of Dr Archibald Weir will be carried out by Steve Allard and Sons Stonemasons and all required paperwork had been submitted correctly.

It was **AGREED** that permission be granted for the repairs to the memorial of Dr Archibald Weir in Great Malvern Cemetery, works to be co-ordinated by the Friends of Malvern's Cemeteries, with the stonemason being Steve Allard and Sons.

87. **HEART OF ENGLAND IN BLOOM COMPETITION 2023**

Report OC05/23 was received and noted.

The Town Clerk reported that Cllr Palmer and Cllr Hooper had attended a seminar at which the theme of "Plant, Grown, Eat" was announced. Initial interest from schools to take part was encouraging and the steering committee would meet soon.

A date for judging has been announced as 20 July. The route will go through the new wards of Great Malvern, Chase and Pound Bank.

UNADOPTED

Committee **NOTED** that an entry had been submitted for the Heart of England in Bloom Campaign 'Town' category.

88. **WORK PROGRAMME AND OPERATIONS UPDATE**

Report OC06/23 was received and accepted.

The Operations Manager reported that repairs to the bus shelter at Rosebank Gardens were almost complete.

All other projects scheduled for 2022/23 had now been completed.

89. **ENVIRONMENTAL MATTERS**

Report OC07/23 was received and noted.

The Town Clerk reported that signs purchased following a notice of motion by Cllr Lowton were now ready to be installed at all Town Council sites of green and open spaces.

No other matters were raised.

90. **PLANNING CONSULTATIONS**

Report OC08/23 was noted.

21/01513/FUL 41 Geraldine Road, Malvern

Cllr Mead reported that the Guarlford Road residents' group had submitted a statement ahead of the planning appeal and hearing.

No other planning applications were raised.

91. **DATE OF NEXT MEETING**

It was **AGREED** the next meeting of the Operations and Planning Committee would be held on Wednesday 31 May 2023 at 6.00 pm.

The meeting finished at 6.55 pm.

.....(Chairman)

**A REPORT OF THE TOWN CLERK TO
A MEETING OF THE OPERATIONS AND PLANNING COMMITTEE
MALVERN TOWN COUNCIL
to be held on Wednesday 31 May 2023
in the Council Chamber, Belle Vue Terrace, Malvern, at 6.00 pm**

**REVIEW OF RULES AND REGULATIONS FOR
GREAT MALVERN CEMETERY**

1. Purpose of Report

- 1.1. For decision.

2. Recommendation

- 2.1. Committee is asked to appoint at least three members to work alongside the Town Clerk and Operations Manager as a Task and Finish Group to review the rules and regulations for Great Malvern Cemetery.

3. Background

- 3.1. The Local Authorities' Cemeteries Orders 1977 (LCAO) requires that cemeteries must be kept in good order and repair. The Town Council introduced a scheme of regulations for the management of the cemetery in 2002 and these regulations were last reviewed in 2014.
- 3.2. The cemetery rules and regulations contain a variety of information including:
- opening times
 - general rules for conduct and behaviour
 - rules for interments
 - memorials
 - maintenance and upkeep of graves
 - traffic control
 - fees and charges
 - a map

A copy of the current rules and regulations is attached at Appendix A to this report.

- 3.3. A major review of the rules and regulations was carried out in 2014, mainly concentrating on rules applicable to upkeep of graves and memorials, but Officers have, over the past year, identified a number of items that require modification or clarification as well as a need for some additions to the rules.
- 3.4. The proposal therefore is that a small task and finish group consisting of officers and councillors considers in detail the current rules and regulations. These proposals would then be reviewed and agreed by Operations and Planning Committee with the final agreed set of rules and regulations being printed as booklets and made available to the public.
- 3.5. Any changes or additions made to the current rules and regulations will need to be clear and specific to be easily understandable by members of the public as well as unambiguous in order that they can be clearly enforced in a clear manner by Officers of the Council.

- 3.6. The updated rules and regulations will be made available in digital format and accessible from the Town Council website.

4. Financial Implications

- 4.1. None pertaining to this report.

5. Legal Implications

- 5.1. The regulations include the statutory requirements contained within the Local Government Act 1972, the Local Authorities' Cemeteries Order 1977 (LCAO) and the Health and Safety at Work Act together with any other relevant legislation that governs this service.
- 5.2. The Local Authorities' Cemeteries Order 1977 Regulation 4 requires that local authorities' cemeteries must be kept in good order and repair. A set of clear regulations regarding the maintenance of the cemetery will help to achieve this.

End
Linda Blake
Town Clerk

Great Malvern Cemetery

Madresfield Road
Malvern



WR14 2AS

Rules and Regulations

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CEMETERY RULES AND REGULATIONS

INTERPRETATION

1. The following Rules and Regulations shall apply to Great Malvern Cemetery and any other Cemetery which may be established by, or come under the control of, Malvern Town Council after the adoption of these Regulations.
2. In these Rules and Regulations, unless the context otherwise requires, the following words and expressions shall have these meanings assigned to them:

Cremated Ashes	hereafter known as C. A. Grave.
‘C. A. Grave’	means a grave exclusively for the interment of cremated remains.
‘Cemetery’	means any place provided by the Council for the interment of human remains and any reference to ‘the Cemetery’ shall refer to any or all of the cemeteries to which these Regulations apply.
‘Chapel’	means the consecrated and un-consecrated buildings, situated within the boundaries of the Cemetery, used for the purposes of burial or memorial services.
‘Council’	means Malvern Town Council.
‘Exclusive Right of Burial’	means the Exclusive Right, granted by Deed, of the registered owner to determine who may be interred in or commemorated on the grave in question; such Exclusive Right to be for a period of 75 years. The purchase of a grave space is for the Exclusive Right of Burial and not for the purchase of land. The land remains the property of the Council at all times.
‘Grave’	means a burial place formed in the ground by excavation and without any internal wall of brickwork, stonework or any other lining.
‘Grave Space’	means that area allowed by the Council for the establishment of a grave
‘Inscription’	means a reference on a memorial to ONE deceased person, whether that person be interred in the grave or not.
‘Additional Inscription’	means each inscription, inscribed after the first inscription, to ONE other deceased person whether that

person be interred in the grave or not.

‘Lawn Grave’	means a grave laid in an avenue of level grass on Plots 10 ,11, 11A, LT11, L12, L13, L14, 15, 16, 17, 18.
‘Memorial’	means any small stone, vase, tablet or other object placed on a grave space, whether inscribed or not, which is not more than 36” high, from ground level.
‘Monument’	means any memorial, including any gravestone, headstone or similar erection, placed on a grave space, which is more than 36” high from ground level.
‘Private Grave & Private Vault’	means a grave or vault wherein the Exclusive Right of Burial is granted.
‘Registrar’	means that person, holding the office of Registrar of Cemeteries and Crematorium, as appointed by the Council, or the person who shall be acting for him on his behalf or in his absence.
‘Traditional Grave’	means a grave on 1, 1CPRC, 2, 3, 4, 4A, 4CP, 5, 6S, 6N, 6W, 7, 8, 8A and 8ACP.
‘Uninscribed Vase’	refers to a vase on a grave (private or public), the epitaph of which does not include the surname of the deceased person.
‘Vault’	includes underground burial places of every description except graves to which the word grave, as interpreted above, applies.

MANAGEMENT OF THE CEMETERY

3. The Cemetery will be open to the public on such days and during such hours as the Council may, from time to time, determine.
4. At the time of adoption of these Rules and Regulations by the Council, opening hours are as follows:

Cemetery - open daily during the following hours:

1 April to 30 September	8.00 am to 6.00 pm
1 October to 31 March	8.00 am to 4.00 pm

Cemetery Office - excluding Good Friday, Christmas Day and Public Holidays:

Monday to Friday	8.30 am to 3.00 pm
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5. Any unauthorised entry when the Cemetery is closed to the public contravenes the Local Authorities' Cemeteries Order 1977, Section 18(2).
6. All persons entering the Cemetery will be subject to the orders and control of the Council.
7. All persons shall conduct themselves in a decent, quiet and orderly manner and are reminded of the provisions of the Local Authorities' Cemeteries Order 1977, Section 18(1) below:

No person shall:

- a) wilfully create any disturbance in a cemetery;
 - b) commit any nuisance in a cemetery;
 - c) wilfully interfere with any burial taking place in a cemetery;
 - d) wilfully interfere with any grave or vault, any tombstone or other memorial or any flowers or plants on any such matter; or
 - e) play at any game or sport in a cemetery.
8. Visitors to the Cemetery shall not unreasonably interrupt the Council's employees at their duties, or employ them to execute private work within the Cemetery or extend to them any gratuity. All enquiries, complaints and requests by members of the public must be made either to the Operations Manager or Supervisor at the Cemetery Lodge in the Cemetery or at the offices of Malvern Town Council, 28 – 30 Belle Vue Terrace, Malvern.
 9. No animals shall be permitted to enter the Cemetery other than dogs on a short lead. Only guide dogs for the blind may enter the Cemetery Office or Cemetery Chapel.
 10. No person shall operate any sound reproducing equipment or play any musical instrument in the Cemetery or Chapel without the prior consent of the Council.
 11. No person shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever or solicit orders for the same, within the Cemetery.
 12. Any person using a motor vehicle in the Cemetery shall only do so on a carriageway suited to the purpose, except with the consent of the Council.
 13. All visitors to the Cemetery must keep to the footpaths or roads provided for that purpose, except whilst visiting a grave or vault, and should refrain from touching trees, shrubs, plants or flowers.

14. No person shall deposit, throw or otherwise deposit and leave in the Cemetery any wastepaper or refuse of any kind, except in the litter bins provided for the purpose.
15. Smoking is prohibited in the Chapel or near any place where an interment is taking place.
16. No employee of the Council is to demand or receive any gratuity.
17. The operation of the Council's Cemetery and any interments therein, will be carried out strictly in accordance with the provisions of The Local Authorities' Cemeteries Order 1977 and such other Regulations as may be made by the Secretary of State for the Home Office, from time to time.
18. No burial shall take place, and no monument or memorial shall be placed in the Cemetery, nor shall any additional inscription be made on a monument or memorial, without the prior consent of the Council. Cremated remains shall not be scattered in the Cemetery.

INTERMENTS

19. Interment times are outlined below:

April – September inclusive

Monday – Thursday

Burial, Straight to grave	9.00 am to 3.00 pm
Burial, Chapel	9.30 am to 2.30 pm
Scattering in Garden of Remembrance	9.00 am to 3.00 pm
Interment of Cremated Remains	9.00 am to 3.00 pm

Friday

Burial, Straight to grave	9.00 am to 1.30 pm
Burial, Chapel	9.30 am to 1.00 pm
Scattering in Garden of Remembrance	9.00 am to 2.00 pm
Interment of Cremated Remains	9.00 am to 2.00 pm

October – March inclusive

Monday – Thursday

Burial, Straight to grave	9.30 am to 1.30 pm
Burial, Chapel	9.30 am to 1.00 pm
Scattering in Garden of Remembrance	9.30 am to 2.00 pm
Interment of Cremated Remains	9.30 am to 2.00 pm

Friday

Burial, Straight to grave	9.30 am to 12.30 pm
Burial, Chapel	9.30 am to 12.00 pm
Scattering in Garden of Remembrance	9.00 am to 1.00 pm
Interment of Cremated Remains	9.00 am to 1.00 pm

Interments will not be permitted at any other time.

20. The time appointed for an interment will be that at which the funeral cortège is to arrive at the entrance gate of the Cemetery where the interment is to take place. The Funeral Director or person in charge of the funeral, arriving after the appointed time, must act under the direction of the Council as to when the funeral service may proceed.
21. Prior telephone booking is required for every interment, which must be confirmed in writing, using the prescribed form - Notice of Interment. The form must be received at the offices of Malvern Town Council at least three clear days prior to the interment taking place. All such periods of notice to exclude Saturday, Sunday, Good Friday, Christmas Day and Public Holidays.
22. The Council will accept no responsibility whatsoever for verbal arrangements, where such arrangements have not been so confirmed.
23. The Notice of Interment must contain full details of the deceased; the proposed interment; the grave to be used, and, in the case of new lawn or C. A. graves, the signature of the owner of the Exclusive Right of Burial confirming agreement with the Regulations regarding upkeep and maintenance of the Lawned Cemetery area.
24. The Council will not accept responsibility for the consequences arising from the loss or delay of any such notice, order or other document sent by post, nor for the accuracy of the details contained in the Notice of Interment.
25. In cases of emergency, certified by acceptable medical authority, Regulations 21-24 may be waived in the interest of public health.
26. The person or persons arranging the interment shall be responsible for the attendance of a Minister of Religion, to officiate at the burial service, and for the payment of any fee to which the Minister is entitled.
27. Services in the Cemetery Chapel are limited to one hour, unless otherwise previously arranged with the Council and for which any additional fee has been paid.
28. Any form of religious service may be used, but any other ceremony is subject to the approval of the Council. Alternatively the coffin may be committed without a service.
29. A certificate for disposal issued by the Registrar of Births and Deaths or a Coroner's Order for burial or a duplicate copy thereof must be delivered to the Council, or its designated officer, when the funeral cortège arrives at the Cemetery.
30. Any person procuring an interment without the production of such certificate or order will be required to make a written declaration on the prescribed form in accordance with Section 1(1) of the Births and Deaths Registration Act 1926.

APPENDIX A

31. In the case of interment of cremated remains, a certificate for burial purposes, issued by the Cremation Authority will be required.
32. In the case of foetuses, the Medical Practitioner's Certificate of Delivery of a Still Born Foetus will be required.
33. Every body brought into the Cemetery for interment shall be contained in a suitable coffin, of perishable material, and shall be interred in that coffin. No coffin shall be accepted unless it bears adequate particulars of the identity of the deceased person or persons therein.
34. The responsibility for providing sufficient bearers to carry the coffin reverently from the hearse into the Chapel, or to the grave, or vault, whether mourners are present or not, rests with the Funeral Director or person arranging the interment.
35. All graves will be prepared by persons employed by the Council.
36. No body shall be buried in a grave in such a manner that any part of the coffin is less than 3'0" below the level of any ground adjoining the grave, provided that the Council may, where they consider the soil to be of a suitable character, permit a coffin to be placed not less than 2'0" below the level of any ground adjoining the grave.
37. No body shall be buried in a grave unless the coffin is effectively separated from any coffin interred in the grave, on a previous occasion, by means of a layer of earth not less than 6" thick.
38. When any grave is re-opened for the purpose of making another burial therein no person shall disturb any human remains interred therein or remove therefrom any soil, which is offensive.
39. After interment, no body or cremated remains may be removed from a grave without the production of the Ecclesiastical Faculty and/or Licence for Exhumation required by law. The original documents will be required for this purpose.
40. In the case of the re-opening of a private grave where written consent of the owner of the burial rights, the Deed of Grant of Exclusive Right of Burial or other reasonable evidence of ownership cannot be produced the Council will require to be indemnified against any action arising as a result of permitting the interment.
41. If it is deemed necessary in the interest of public health a coffin shall be taken direct to the grave and not to the Cemetery Chapel.

EXCLUSIVE RIGHT OF BURIAL

42. Grave spaces are only available, for the purchase of Exclusive Right of Burial, at the Cemetery and in accordance with these Regulations and

the scale of fees and charges applicable to such purchase at that time. Each applicant will be issued with a copy of the Great Malvern Cemetery Rules and Regulations booklet, which will be sent out with the Deed of Exclusive Right of Burial.

43. All such private graves will be initially excavated to the standard depth decided by the Council, for that particular section of the Cemetery, and the interment fee will be charged accordingly.
44. New lawn and C. A. graves will normally be allocated in strict rotation within each section. A grave other than in rotation may be subject to the discretion of the Council. Plans showing the grave spaces are kept at the Cemetery Office, where they may be seen during normal office hours, upon application from the cemetery staff. Records dating before 1950 are kept by the Worcestershire Archive and Archaeology Service in Worcester.
45. The Council cannot be held responsible if, due to factors outside their control, the full number of interments in a grave cannot be achieved.
46. A grant of Exclusive Right of Burial is for a period of 75 years and confers no other right than that of burial, and each applicant for Exclusive Right of Burial must confirm receipt, in writing, of the Deed of Grant.
47. No pre-purchasing of graves is allowed at the Cemetery.
48. Any transfer of ownership of Exclusive Right of Burial will be subject to the production of satisfactory evidence of title and the approval of the Council. Such transfer must be registered in the records of the Cemetery and the Deed of Grant of Exclusive Right of Burial must be produced for endorsement at the Cemetery office and the appropriate transfer fee paid.
49. No new vault will be permitted to be constructed in the Cemetery.

MEMORIALS

50. A monument or memorial may only be erected on a grave space within the Cemetery in accordance with these Regulations and upon payment of the appropriate fee. The right to erect a monument or memorial will be for the un-expired portion of the Grant of Exclusive Right of Burial.
51. Permission to erect, reinstate and add further inscriptions to a memorial can only take place with the grave owner's permission or with the agreement of proven representatives.
52. The erection of a monument or memorial on a public grave will be subject to the discretion of the Council and in accordance with these Regulations and upon payment of the appropriate fee. Where

permission is granted to erect a headstone upon a public grave, it will be subject to the right of the representatives of other persons interred in the grave to have those persons commemorated thereon. As there is no right to erect a monument or memorial on a public grave, such monument or memorial does not in itself confer any rights and remains at the pleasure of the Council.

53. Application for approval to place a new monument or memorial in the Cemetery, alter or add to any inscription or replace, add to or remove from the Cemetery any monument or memorial must be submitted to the Council.
54. Such notice must be submitted at least two weeks in advance of the proposed date of erection and must include:
 - a) The grave number and name of the deceased;
 - b) In the case of a new monument or memorial a drawing of the monument/memorial and its specification including the type, colour and finish (i.e. polished, honed etc) of the material to be used and showing all dimensions including those of the foundation slab;
 - c) Any text to be cut upon the monument/memorial or any text to be altered or added to any existing monument/memorial and the method of lettering;
 - d) The name, address and signature of the person placing the order for the monumental work to be undertaken who should be the owner of the Exclusive Right of Burial. If such owner is deceased the applicant must state their relationship to the deceased owner. If the owner is alive but is not making the application, the applicant must provide a letter signed by the owner confirming and authorising such an application;
 - e) The name, address and telephone number of the monumental mason.
55. The approval of the Council for any such application will be confirmed by the issue of a Monumental Permit, valid for a period of three months. No work should be undertaken until the permit has been issued. Any such permit is issued on the understanding that the work undertaken will fully comply with the details of the application form and the requirements of these Regulations. Any work that does not so comply will not be permitted to remain in the Cemetery. No permit is required for cleaning only, up-righting and re-levelling, repair of existing lettering, or painting of existing inscriptions unless the monument/memorial is to be removed from the Cemetery.
56. Memorials on lawn graves cannot be erected within 3 months of burial.

57. All new monuments and memorials shall comply with the National Association of Memorial Masons (NAMM) *Memorial Specification Guide* to be read in conjunction with NAMM *Recommended Code of Working Practice*¹ and the following, as appropriate:

- a) A monument shall consist of a headstone with base only. Such base may incorporate one or two flower containers and include up to two vases, tablets or figures so long as they shall comply with the following Regulations and shall not extend beyond the perimeter of the base;
- b) A memorial to be fixed to the base of a lawn headstone shall consist of a natural stone vase, not more than 12" high and not more than 8" square for a 15" wide base or 7" square for a 12" wide base or a natural stone tablet, not more than 12" high, not more than 18" wide and not more than 2" thick and fixed with earth anchors. All separate parts shall be dowelled together to make the monument secure. It is the responsibility of the monuments mason to make sure that the memorial is stable;
- c) Alternatively a memorial may consist of a natural stone vase not more than 12" x 9" x 9" fixed to a plinth not more than 12" x 12" x 2", of the same material fixed on a concrete foundation of the same dimensions as the plinth. Such a memorial may be used as the only memorial marking a private grave;
- d) Figures may only be constructed of either natural stone or reconstituted natural stone, provided the stone is not covered, coated in plastic, gilded, glazed or painted. Such figures may only be affixed to the base or to a niche or to a ledge of a headstone and should not exceed 15" high or overhang the perimeter of the base;
- e) The dimensions (imperial or metric equivalent) of the monument or memorial shall be as follows:
 - i) Lawn Cemetery (plots 10,11, 11A, 12 L13, L14, 15 + 16 + 17)

<u>Headstone</u>	<u>Maximum</u>
Height	3' 0"
Width	2' 6"
Thickness	4"
<u>Base</u>	
Length	3' 0"
Width	1' 3"
Thickness	3"

¹ Copies of these publications are available in the Rest Room

APPENDIX A

Provided that the overall height of the monument, from ground level shall be no more than 3' 0" and no less than 2' 9" and in respect of the headstone;

ii) Children's Graves Plots 1,1CPRC, RB.

<u>Headstone</u>	<u>Maximum</u>
Height	1' 6"
Width	1' 3"
Thickness	2"
<u>Base</u>	
Length	1' 6"
Width	9"
Thickness	2"

Provided that the overall height of the memorial, from ground level, shall be 1' 8".

In all the above-mentioned cases the bottom of the headstone where it meets the base, shall be as thick as the thickest part of the headstone.

iii) C. A. Graves:

<u>Headstone</u>	<u>Maximum</u>
Height	2' 0"
Width	2' 0"
Thickness	4"
<u>Base</u>	
Length	2' 6"
Width	1' 3"
Thickness	3"
<u>Tablet</u>	
Length	2' 0"
Width	9"
Height (rear)	8"
Height (front)	3"
<u>Vase</u>	
Length	9"
Width	9"
Height	1' 0"

The C. A. memorial shall consist of no more than two pieces of natural unpolished (non-reflective) stone.

The vase may include a flower holder and the front face of such vase may be inscribed with introductory words such as "In Loving Memory".

58. Each monument or memorial shall be set on a foundation of natural or pre-cast stone or concrete suitably reinforced, in one piece, of the same dimensions as the base of the monument or memorial and not less than 3" thick in the case of a monument, or 2" thick in the case of a memorial and situated so that the top surface of the foundation or sub-base is flush with the adjoining ground level.
59. The only exception to this Regulation is that in the case of the traditional plots, the sub-base may be of such a width that it bridges the grave and rests on undisturbed ground but the sub-base must still be sunk into the ground so that its top surface is flush with the adjoining ground level.
60. All joints must be properly cemented and cramped, joggled or dowelled.
61. There must be at least two dowels for each dowelled joint.
62. Headstones shall be constructed from a single piece of stone, although they may be inlaid with natural stone, lead or bronze as part of the design or inscription. Such inlay shall not reduce the thickness of the main body of the headstone to less than 2" (or 1" in the case of Children's graves). The inlaid material must not be raised above the surface of the headstone proper by more than ½" and must be contained within the overall dimensions of the headstone.
63. The base of any monument or memorial shall be constructed of a single piece of stone, which may be drilled to accommodate up to two flower containers.
64. A headstone must be fixed so that its rear face is set 2" from the rear face of the base, or 2½" if the height of the headstone is greater than 2' 6".
65. A monument or memorial must be cut from the best quarried natural stone and must be durable and sound. All memorials must be in keeping with existing memorials, in terms of shape and size, within the surrounding area. No monument or memorial should be painted. Memorials of wooden crosses are permitted in the Cemetery.
66. Oval ceramic photographic plaques, not exceeding 4" in height and 3½" in width (or the metric equivalent) may be affixed to the front of headstones only.
67. A monument or memorial shall be inscribed with its grave number, on the rear face.
68. Trade names may be incised, or incised and inlaid to match the main inscription, in figures not more than ½" high, on either side or rear faces.

APPENDIX A

69. Only the surname of the deceased shall be permitted on the rear face of the monument or memorial, in figures not exceeding 1" in height.
70. No hewing or dressing of stone, other than the cutting of an inscription or cleaning of the stone will be permitted in the Cemetery.
71. All materials and equipment shall be conveyed in the Cemetery in such a manner as to prevent damage to walks, paths, roads, or turfed areas and all soil or waste materials shall be removed in a like manner.
72. Mats, boards or canvas shall be used as directed by the Council to achieve this end.
73. All workmen employed on behalf of the owner of the Exclusive Right of Burial or the personal representative of such person, to erect any monument or memorial or to perform work on an existing vault, monument or memorial shall carry out their work strictly under the direction of the Council and shall:
 - a) At the cost of the owner fill up and level the ground, remove all waste and unwanted material and make good any damage or injury whatsoever occasioned in the process of the work;
 - b) Perform the work during the normal opening hours of the Cemetery Office (at all other times access is forbidden);
 - c) Provide their own tools and equipment and complete the work with due despatch.
74. The Council must be informed of the removal of any monument or memorial from the Cemetery.
75. The removal and re-erection of a monument or memorial to facilitate the re-opening of a private grave or vault or to level such grave or vault shall be at the expense of the grave owner or the personal representative of such person.
76. Any person removing a monument or memorial to permit a further interment shall either remove the same from the Cemetery, after informing the Registrar, or place it in the position indicated by the Council.
77. Any monument or memorial removed from a grave to facilitate an interment shall be replaced as soon as possible after the first anniversary of the last interment, if not before.
78. Any unauthorised monument or memorial shall be removed at the expense of the grave owner, or the personal representative of such person.

79. Any monument or memorial erected in the Cemetery remains there at the sole risk of, and must be kept in a good state of repair by, the owner of the Exclusive Right of Burial or the personal representative of such person. The Council reserves the right to remove any monument or memorial, which has become dangerous or unsightly.
80. The Council reserves the right to exclude or remove from the Cemetery any monument or memorial not executed in a workmanlike manner or from sound materials, or which would in the opinion of the Council disfigure the Cemetery, or offend public decency.

MAINTENANCE AND UPKEEP

81. After an interment has taken place in a grave and time has elapsed for the natural subsidence of the earth used to fill the grave the Council, in accordance with the Local Authorities' Cemeteries Order 1977, shall cause the surface of the grave to be levelled and grassed except for any area covered by a memorial.
82. This timescale shall be a maximum of four years and at 42 months the Council may approach Exclusive Right of Burial owners in order to prepare for this transition.
83. The surface of every lawn grave when settled shall be at ground level, except for an approved memorial permitted in accordance with the Cemetery Rules and Regulations (see previous section).
84. It is the responsibility of the owner of the Exclusive Right of Burial to keep the grave space free from weeds and in a tidy condition. In the event that the Grave Space is not being kept in a reasonable state of repair the Council reserves the right to level and grass the area.
85. Small bedding plants, subject to the approval and direction of the Council, may be planted in the 18 inches directly in front of the memorial.
86. The Council reserves the right to prune, cut down, or dig up and remove any shrubs, trees, plants and flowers, at any time when the same are unsuitable or have become unsightly or overgrown.
87. The placing on graves of wire mesh, fences, kerbing and any items detrimental to health and safety regulations shall be prohibited. This will be at the discretion of the Council Officer responsible for the Cemetery.
88. A maximum of four solar lights shall be permitted on a grave.
89. All items must be placed within the boundary of the grave and must not exceed a height of 18 inches.

90. The Council reserves the right to remove from any grave, flowers, plants, wreaths or other items which have become unsightly or are in a state of disrepair.
91. After a period of four years, the placing of grave adornments shall be restricted to the 18 inches in front of the memorial and at 42 months the Council may approach Exclusive Right of Burial owners in order to prepare for this transition.
92. Christmas wreaths will be removed by the Council after a period of six weeks in each New Year.
93. Any surplus soil removed from a grave is to be deposited in such part of the Cemetery as directed by the Council.
94. Should the owner of the Exclusive Right of Burial of any grave desire that the upkeep, maintenance, turfing or planting be undertaken for payment by any firm or contractor other than the Council, a permit authorising such work must first be obtained by such firm or contractor from the Council.

TRAFFIC CONTROL

95. Admission of vehicles is subject to the following conditions:
 - a) Access is available only during the following hours, including Saturdays, Sundays, Good Friday, Christmas Day and Public Holidays:

1 April to 30 September	8.00 am to 6.00 pm
1 October to 31 March	8.00 am to 4.00 pm
 - b) Access is subject to absolute right of way being given to any funeral cortège in the Cemetery;
 - c) No vehicle is to be left in a position so as to cause any obstruction to other traffic;
 - d) A speed of 5mph is not to be exceeded;
 - e) Vehicles must enter only by the Madresfield Road entrance and leave only by the Madresfield Road entrance, unless otherwise directed;
 - f) No liability is accepted by the Council for loss of or damage to a vehicle or its contents, or injury to its driver or passengers howsoever arising;
 - g) All requirements of the Council shall be complied with;

- h) Permission for admission of vehicles may be withdrawn at any time.

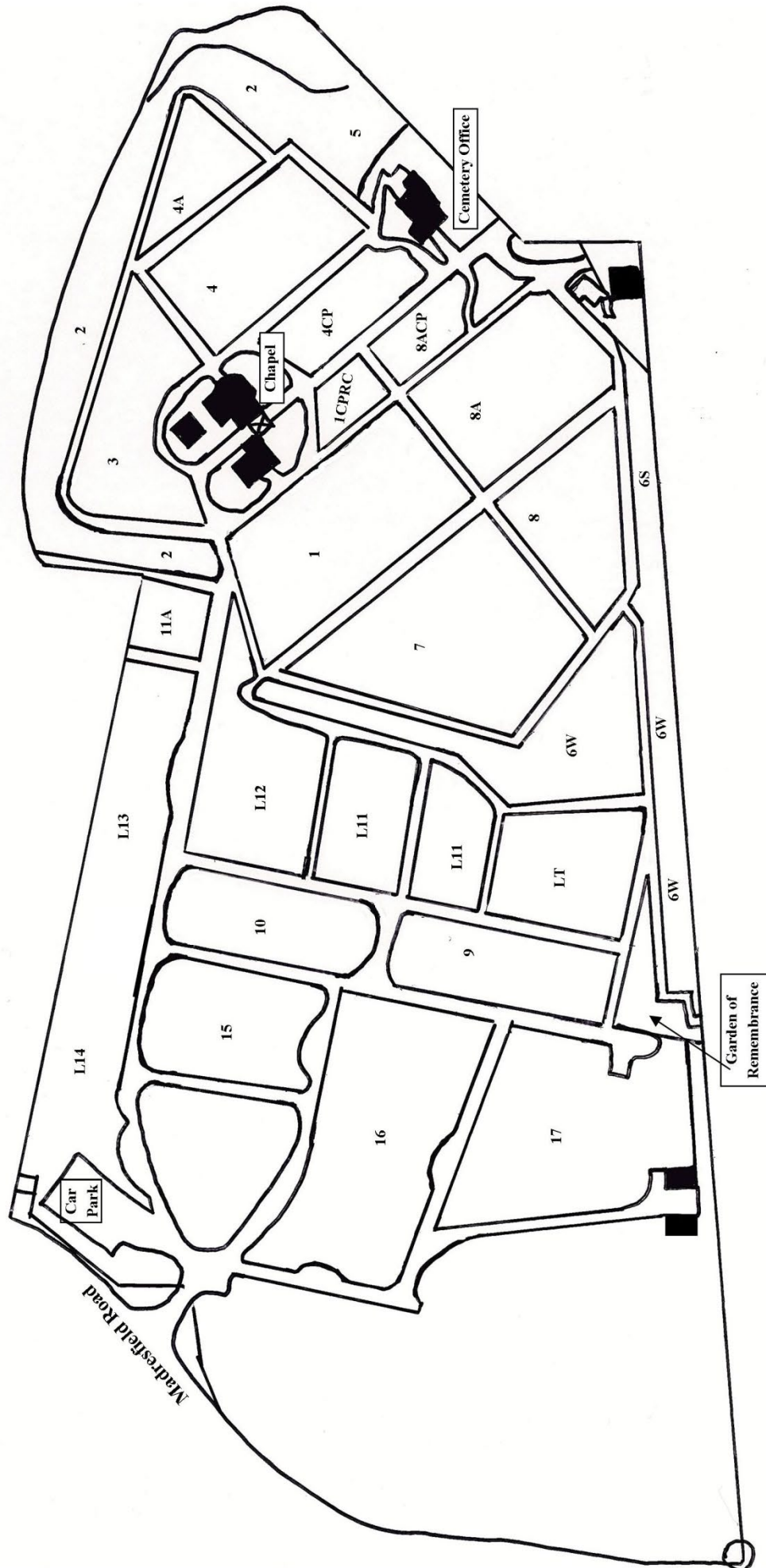
FEES AND CHARGES

- 96. The fees and charges prescribed for the use of the Cemetery shall be those specified in the scale of fees and charges, as amended from time to time.
- 97. Fees and charges applicable to the Cemetery shall be doubled where the deceased within 5 years of death was not ordinarily resident within the area of Malvern Parish. The exception to this is where the deceased is the grave owner and was resident of the Malvern Parish area at the time the grave was purchased and/or the first interment took place. In the event of a Power of Attorney being in force, each case will be considered individually.
- 98. All fees and charges are payable in advance to the Council, except in the case of funeral directors and monumental masons, dealing continuously with the Council, when payment is rendered monthly.

GENERAL

- 99. All persons (not being employees of the Council) engaged at work in the Cemetery shall comply with all directions and requirements of the Council.
- 100. Burial or memorial services may be held in the Crematorium Chapel subject to the consent of the Council and payment of the appropriate fee.
- 101. A register of all burials and graves from 1950 is kept at the Cemetery Office. Records pre-1950 are kept by the Worcestershire Archive and Archaeology Service in Worcester, where searches can be made and certified extracts obtained upon payment of the prescribed fee.
- 102. The type or types of memorial available at any time, in the Cemetery, shall be determined by the Council's delegated Officer who reserves the right to refuse any application or inscription which they consider unsuitable.
- 103. The Council is empowered to alter or amend the foregoing Regulations at any time and to introduce further regulations as it considers necessary.
- 104. Any of the foregoing Regulations may be waived by the Council in exceptional circumstances and the Council shall be empowered to impose temporary restrictions on any matters not specifically covered by these Regulations.

105. All persons entering the Cemetery do so at their own risk and the Council will not accept any liability for injuries or damage sustained howsoever caused.



MAP OF GREAT MALVERN CEMETERY



*Malvern Town Council
28-30 Belle Vue Terrace, Malvern
Worcs, WR14 4PZ
Tel: 01684 566667*

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**A REPORT OF THE TOWN CLERK TO
A MEETING OF THE OPERATIONS AND PLANNING COMMITTEE
MALVERN TOWN COUNCIL
to be held on Wednesday 31 May 2023
in the Council Chamber, Belle Vue Terrace, Malvern, at 6.00 pm**

ENVIRONMENTAL MATTERS

1. Purpose of Report

- 1.1. For noting/discussion as appropriate.

2. Recommendation

- 2.1. Committee is recommended to note any verbal updates from Council officers on ongoing environmental projects and initiatives.
- 2.2. Councillors are invited to raise any environmental matters which they would like considered/further investigated.

3. Background

- 3.1. In September 2019, Full Council declared a climate emergency and formed a Town Council Environmental Panel to review and update the Council's Environmental Policy.
- 3.2. In May 2021, Full Council approved and adopted a new Environmental Policy and Environmental Strategy at the recommendation of the Environmental Panel.
- 3.3. The Environmental Policy has recently been reviewed and updated to accommodate difficulties experienced with budget constraints, limited factors towards current and future technology as well as unrealistic expectations.
- 3.4. At Annual Council in May 2022, it was agreed to include an item relating to environmental matters on the Operations and Planning Committee as a standing agenda item,
- 3.5. Within the standing agenda item, Officers will allow for a space to give verbal updates on ongoing projects and initiatives. There will also be the opportunity for committee members to raise any issues they feel need addressing or further investigation. If agreed, these will then be listed as a future agenda item with a report and relevant information being submitted.

4. Financial Implications

- 4.1. None.

5. Legal Implications

- 5.1. Committee members must be mindful that decisions can only be made on matters clearly listed on the Operations and Planning Committee agenda, thus giving members of the public the opportunity to make representations should they wish.

End
Linda Blake
Town Clerk

**A REPORT OF THE TOWN CLERK TO
A MEETING OF THE OPERATIONS AND PLANNING COMMITTEE
MALVERN TOWN COUNCIL
to be held on Wednesday 31 May 2023
in the Council Chamber, Belle Vue Terrace, Malvern, at 6.00 pm**

PLANNING CONSULTATIONS

1. Purpose of Report

- 1.1. For comment as necessary.

2. Recommendation

- 2.1. The Committee is recommended to note and comment on:
- i. Specific planning applications raised by Ward members, Officers or requested by members of the public.
 - ii. Any major planning applications currently being considered.
 - iii. Any 'live' planning applications as circulated on the weekly planning lists and on the planning application log attached at Appendix A.
- 2.2. The Committee is recommended to nominate a Councillor to speak on behalf of the Town Council at MHDC's Southern Area Planning Committee (SAPC) where relevant.

3. Background

- 3.1. A list of planning applications is sent to members each week. Following a change in the Council's policy dating from December 2013, members are now asked to consider both major and minor applications and comment as appropriate.
- 3.2. No applications have been raised by ward members.
- 3.3. Other 'live' applications from the planning log can be raised by Committee members at the meeting. Full details of the applications are available by clicking on the relevant link below.
- 3.4. Members are asked to look at details of any planning applications for discussion before the meeting to allow an expeditious decision-making process.
- 3.5. Members are reminded that the Town Council is a consultee in the planning process and the comments that Council makes will go forward to the District Council as part of the planning application process. Therefore, comments should relate to material planning considerations so that they will be properly considered.
- 3.6. If a Councillor is nominated to speak at an MHDC SAPC meeting, Town Council Officers will await the application being listed on an agenda and will register the Councillor to speak through the agreed procedure.

4. Financial Implications

- 4.1. None pertaining to this report.

5. Legal Implications

- 5.1. None pertaining to this report.

End
Linda Blake
Town Clerk

AGENDA ITEM 12
APPENDIX A

Application number	Location	Ward	Description of works	Applicant	Comment deadline
<u>M/23/00632/FUL</u>	Pharmacy at 84 Barnards Green Road, Malvern	Barnards Green	Rear single storey extension and new escape stair	Mr O Singh	05/06/2023
<u>M/23/00633/HP</u>	3 Pickersleigh Avenue, Malvern	Link	Single storey extension to side	Mr Colin Walls	06/06/2023
<u>M/22/01893/FUL</u>	Flat at 124 Worcester Road, Malvern, WR14 1SS	Link	Refurbishment of existing first floor apartment and additional second floor apartment with raised roof and new stairs and access landing servicing second floor.	Crystalight Ltd	12/06/2023
<u>M/23/00670/HP</u>	18 Spring Gardens, Malvern, WR14 1AP	Link	Demolition of pre-fabricated garden room to side and replacement with single storey extension plus new bay window to front elevation	Mr L & Mrs D James	14/06/2023