

# Cabinet

**Grand Jury Room, Town Hall  
21 October 2009 at 6.00pm**

**The Cabinet deals with**

the implementation of all council services, putting into effect the policies agreed by the council and making recommendations to the council on policy issues and the budget.

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# COLCHESTER BOROUGH COUNCIL CABINET

**21 October 2009 at 6:00pm**

Leader (& Chairman): Councillor Anne Turrell (Liberal Democrats)  
Deputy Chairman: Councillor Martin Hunt (Liberal Democrats)  
Councillor Lyn Barton (Liberal Democrats)  
Councillor Tina Dopson (Labour)  
Councillor Nigel Offen (Liberal Democrats)  
Councillor Beverley Oxford (The Highwoods Group)  
Councillor Paul Smith (Liberal Democrats)  
Councillor Tim Young (Labour)

## **AGENDA - Part A**

(open to the public including the media)

### **Pages**

#### **1. Welcome and Announcements**

- (a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.
- (b) At the Chairman's discretion, to announce information on:
- action in the event of an emergency;
  - mobile phones switched to off or to silent;
  - location of toilets;
  - introduction of members of the meeting.

#### **2. Urgent Items**

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency and to indicate where in the order of business the item will be considered.

**The Chairman has agreed to consider the following item as a matter of urgency following its referral to Cabinet at the Council meeting held on 14 October 2009.**

##### **(i) Motion from Council on Schools Investment Programme**

See the Motion below referred to Cabinet by Council at its meeting held on 14 October 2009.

“Council welcomes and supports the £130 million Government investment into education in Colchester, which will benefit all school

children throughout the Borough. The “Building Schools for the Future” funding will enable an extensive refurbishment and rebuild programme in order to provide a modern learning environment for our young people.

Council believes that nothing should be done, or left undone, which would impede or hinder this investment and that Colchester Borough Council should fully cooperate with Essex County Council to help secure this multi million pound investment.

Council supports the need of Philip Morant School to improve the road access to its premises as part of the investment into that school, for which planning permission has already been granted by this Council. These improvements should be expedited by means of the Cabinet cooperating fully with the appropriate authorities to enable the land to be made available for the building of the access road.

This to be agreed by Cabinet at its next meeting on 21 October 2009 and be carried out as expeditiously as possible.”

### **3. Declarations of Interest**

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so

significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

#### **4. Have Your Say!**

(a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

#### **5. Minutes**

To confirm as a correct record the minutes of the meeting held on 9 September 2009.

#### **6. Call-in Procedure**

To consider any items referred by the Strategic Overview and Scrutiny Panel under the Call-In Procedure. At the time of the publication of this Agenda there were none.

#### **7. Neighbourhoods**

##### **i. Capital Improvement Programme (Decent Homes) 1 - 7**

See report by the Head of Strategic Policy and Regeneration

#### **8. Street and Waste Services**

##### **i. Review of Crematorium and Cemetery Regulations 8 - 52**

See report by the Head of Environmental and Protective Services

#### **9. General**

##### **i. Progress of Responses to the Public 53 - 54**

To note the contents of the progress sheet.

#### **10. Exclusion of the Public**

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive

Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).



## Cabinet

21 October 2009

Item  
**7(i)**

<b>Report of</b>	<b>Head of Strategic Policy and Regeneration</b>	<b>Author</b>	<b>Lindsay Barker/Mike Scarlett</b>
<b>Title</b>	<b>Capital Improvement Programme (Decent Homes)</b>		<b>☎ 282253/2681</b>
<b>Wards affected</b>	All wards		

**This report sets out the procurement process for the re-tendering of the Capital Improvement Programme (Decent Homes)**

### 1. Decision(s) Required

- 1.1 To agree to re-commence the Capital Improvements Programme in the autumn of 2009 with the aim to complete the decent homes programme by December 2012 and within the resources available to the Council.
- 1.2 To award two contracts for the Internal Works elements, one to Apollo Property Services Group and the second to Mears Limited
- 1.3 To award the Windows and Doors Contract to Apollo Property Services Group

### 2. Reasons for Decision(s)

- 2.1 The Council remains committed to reaching the 'decent homes standard' for its housing stock and has received Government funding of £35m towards this programme.
- 2.2 The Council needs to achieve the Decent Homes standard to its Housing stock by December 2012 and within the available resources as agreed by Cabinet on 28 January 2009. This approach was also accepted by Communities and Local Government and the Housing and Communities Agency in February 2009.
- 2.3 The procurement approach agreed by Cabinet on 28 January 2009 was one of a full European (EU) compliant process (OJEU) with the Council acting as the awarding body for any contracts placed and Colchester Borough Homes (CBH) acting as the employer's agent (Contract Administrator).

### 3. Alternative Options

- 3.1 The Decent Homes Programme being part of the overall Capital Improvement Programme is a national programme with agreed targets for completion and therefore the Council has no alternative but to recommence the Capital Improvement Programme.

### 4. Supporting Information

- 4.1 Following the January Cabinet decision, the Council engaged the support of Ridge & Partners (property consultants) to assist with managing the EU procurement process (OJEU).

- 4.2. EU regulations require contracts of this nature and scale to be advertised across the EU. A two-stage contractor selection process consisting of a Pre-Qualification Stage which is open to all interested parties, followed by a Tender Stage which is restricted to contractor's selected by analysis of the first stage responses was followed. The Pre-Qualification Stage invites interested contractors to submit information concerning their Financial Capacity, Technical Capability, Relevant Experience and References. Information is requested in a Pre-Qualification Questionnaire from all interested contractors.
- 4.3 In March a joint planning meeting took place with representatives from the Council, CBH and Ridge & Partners to formulate a detailed project plan and timeline to complete the procurement process. As part of the planning process reference was made to the previous Inspace contract and the "lessons learnt" report provided by an Independent Consultant (Peter Nourse) and presented to FASP, to ensure his recommendations were built into any future contract arrangement. In particular, given the size and value of the Capital Improvement Programme, both Peter Nourse and Ridge & Partners recommended that the future contract should be split into two work elements. This would give the Council greater security and flexibility over the previous contract.

The work elements recommended consist of:

- Internal Works
- Windows and Doors

Also in line with recommendations from Ridge and Peter Nourse, two contractors will be awarded work for the Internal Works contract and a further specialist contractor will be awarded the Windows & Doors contract. This approach would also provide greater competition from the contractors delivering the services.

- 4.4 In March, Ridge & Partners placed the OJEU notices within the European Journal inviting contractors to submit an interest in tendering for the Capital Improvement Programme by 24 April 2009.
- 64 contractors responded to the advertisement for the internal works contract with 37 submitting completed Pre-Qualifying Questionnaires (PQQ).
  - 60 contractors registered their interest for the windows & doors contract with 28 submitting a completed PQQ.
  - Ridge & Partners carried out a robust analysis of the completed PQQ's which resulted in a presentation to a joint meeting attended by officers from CBC & CBH, The Portfolio Holders Councillor Oxford & Councillor Smith, CBH board members, Chief Executive, Directors and both tenant and leaseholder representatives. Ridge presented their recommendations to the meeting on the contractors who should be short listed to continue and complete the full tender documentation
  - 14 contractors (8 for the internal works contract and 6 for windows & doors) were short listed and invited to complete the full tender documentation. The closing date for the return of tenders was 28 July.
  - On the 28 July, 8 tenders were received for the internal works contract and 3 out of 6 were received for windows & doors.



- Ridge & Partners carried out a full evaluation of the returned tenders. In addition and as part of the evaluation process, an independent evaluation of some of the contractors delivery Method Statements took place in Colchester on 18 August. The independent group consisted of representatives from CBC & CBH (officers), CBH board member representation and tenant & leaseholders. The scores from the evaluation event were included in the overall scoring mechanism to assess the suitability of the contractors in delivering the service to Colchester.
- Following the outcome of the evaluation for the internal works contract, 3 contractors were invited to attend an interview on 11 September. The contractors selected for interview were Apollo, Frank Haslam Milan & Mears.

The interview panel consisted of the following representatives:

Ridge & Partners – Peter Frank

CBC – Councillor Beverley Oxford, Mike Scarlett, John Rock Julian Wilkins (Legal Services)

Tenant representative – Gordon Seymour

Leaseholder representative – Geoff Foster

CBH – Board Representative John Newton, Matt Armstrong (Asset Manager), Chris Morris (Operations Manager)

- With regard to the Windows & Doors contract, following the evaluation process the lead tender was in a position where interviews were somewhat academic from a scoring position as no other contractor could achieve a higher score. Therefore, Apollo Property Services Group is being recommended for this contract.

- 4.5 For information, a copy of the full tender evaluation report prepared by Ridge & Partners is available.
- 4.6 As part of the procurement process a robust tender specification was developed by CBC, CBH and Ridge & Partners to ensure the Council and its tenants receive best value on the evaluation criteria of price and quality. The documentation included a comprehensive performance framework with Key Performance Indicator's and strong support for tenants whilst work is being carried out to their homes. The specification also includes the introduction of a different form of contract to the one used under the previous arrangement.
- 4.7 The Form of Contract recommended by Ridge & Partners to deliver the continuing Capital Improvements Programme is the Joint Contracts Tribunal (JCT) Standard Form of Measured Term Contract 2006 Edition incorporating Amendment 1 (April 2007), further amended as set out in the Tender Document. The successful contractors will be awarded a 4 year contract with an option to extend by agreement with the Council for a further period of 2 years, depending on their performance over the contract period.
- 4.8 A programme developed by CBH to complete the decent homes programme by December 2012, using Codeman (the Council's Asset Management database) has been approved by Cabinet. To complete the programme will consist of work being carried out to approx 2015 properties at an estimated cost of £11.6m. It is anticipated that this level of expenditure can be met from existing and future MRA resources. This will be reflected in the HRA Capital Medium Term Financial Forecast which will be submitted to Cabinet in January 2010 as part of the 2010/11 Housing Investment Programme report.
- 4.9 As set out in the January 2009 Cabinet report, the current robust controls and monitoring arrangements will continue as a minimum standard. The formal monthly Operational Site

Meeting (OSM) attended by both CBC and CBH have put in place arrangements to capture the performance monitoring of the Capital Improvements contracts which will include progress against the agreed programme, monitoring of expenditure against agreed budgets, analysis of performance against KPI's, the quality and standard of the services provided to tenants by reviewing customer satisfaction reports and direct liaison with tenants. In addition, a progress report on the performance of the contractors and their progress against the decent homes programme will be presented to the Portfolio for Neighbourhoods on a monthly basis at each Portfolio Holder meeting

- 4.10 CBH's role as the Contract Administrator (CA) is key to the success of these contracts and the completion of the decent homes programme. CBH will manage the contracts on behalf of the Council which will include managing day to day issues/arrangements of the contract and act as the main point of contact for all parties through the nominated representative. The CA through the nominated representative will attend the monthly OSM to report on the contractor's performance. The role of CA is also clearly defined within the JCT form of contract.
- 4.11 The Council in partnership with CBH have prepared a comprehensive implementation plan in readiness to meet with the successful contractors to ensure they can mobilise their workforce swiftly and commence work on site with tenants as soon as practically possible.
- 4.12 The Cabinet will however be aware of the media coverage being given to the Office of Fair Trading (OFT) findings following their investigations into the widespread practice of "cover pricing" back in the early part of 2000. One of the many companies found to be involved at that time was Apollo and a fine has been imposed on them as a result.

This company, following the full rigours of the EU procurement process are being recommended as one of the contractors to deliver our future Capital Improvements Contracts including Internal Works and Windows and Doors.

As stated in the OFT findings, Apollo have been found liable under their investigation, as published on 22 September 2009. The Portfolio Holders for Neighbourhoods and Culture & Diversity were fully briefed on the position, which included the OFT/OGC (Office of Government Commerce) guidance issued with their investigation report. In line with the OFT/OGC guidance, the Council have sought further legal clarification from the Council's legal team as to their application and have asked for the opinion of Ridge & Partners.

To summarise, some of the relevant points were that:

1. The Council should consider the joint advice provided by the OFT and OGC that cautions procurers against excluding infringing firms. The main reason given is that the practice of "cover pricing" was found to be widespread and it was known that companies not named in the decision were also involved, although not investigated.
2. Legal advice should be taken in respect of whether the findings were sufficient to withstand challenge, given the OFT/OGC advice, and that the infringements occurred in 2003 and 2004, and all were in conjunction with one other construction company, Mansell, who were not involved in the current tenders.

The legal advice is unless the Council is aware of any price fixing in respect of the Capital Improvement tenders the balance of risk would support the conclusion that Apollo's bid should still be considered for the reasons referred to above.

Also the Council has required all parties to sign an anti collusive tendering certificate, so that if it subsequently came to light that there was price fixing the Council could potentially void any contract for misrepresentation or terminate the contract for breach because the Council's Contract Procedure Rule requires every contract where the value is over £50,000 to have a cancellation for corruption clause

3. Apollo's prices were the lowest overall in both of the current tenders and there is no evidence that bid rigging has occurred. Apollo have completed a Certificate of Non-Collusion in respect of both tenders, and as the basis of pricing was on unquantified Schedules of Rates, it would not have been possible for tenderers to compare overall tender sums with other parties.
  4. If collusion were suspected on the current tenders, it would have necessarily involved other tenderers, and the process would need to be recommenced to ensure that contracts were not awarded to a company involved in such activity. If this course of action were followed, the decision to exclude infringing firms would still have to be taken in a reprocurement, and legally supported, in shortlisting for the tender list.
  5. The tender evaluation has not been concluded on price alone, as 40% of marks have been awarded for qualitative aspects.
- 4.13 Apollo have written to the Council confirming they have made it clear that the allegations against them were wholly unfounded and will be appealing to the Competition Appeal Tribunal. Following the allegations made by the OFT, Apollo instigated its own investigation, led by a leading external law firm. No internal evidence substantiating the allegations was found, nor any hint of wrongdoing. To provide further assurance to their customers, Apollo has taken additional steps to strengthen their competition compliance procedures. A copy of the letter received from Apollo is available.
- 4.14 In considering the guidance provided by the OFT & Ridge and legal advice, the Portfolio Holders for Neighbourhoods and Culture & Diversity agreed that Apollo's bid should still be considered for the future Capital Improvements Contract which includes Internal Works and Windows & Doors, as set out in item 5 of this report.

## **5. Proposals**

- 5.1 To accept the recommendations of Ridge & Partners and officers following the completion of a robust EU compliant tender process (OJEU) and recommence the Capital Improvement Programme in the autumn of 2009 by:
  - 5.2 Awarding two contracts to deliver the Internal Works elements of the programme to Apollo Property Services Group and Mears Ltd
  - 5.3 Awarding the Windows and Doors contract to Apollo Property Services Group
  - 5.4 To enter with the successful contractors into a 4 + 2 year JCT Standard Form of Measured Term Contract 2006 Edition incorporating Amendment 1 (April 2007), further amended as set out in the Tender Document.
  - 5.5 To proceed with the programme of works prepared by CBH and agreed by Cabinet to complete the decent homes element of the contracts by December 2012 and within the resources available to the Council.

## **6. Strategic Plan References**

- 6.1 This decision is part of delivering against the Homes for All priority in the Council's Strategic Priorities 2009 – 12 by ensuring the decency and upkeep of the Council's housing stock. It is also a key action in the Housing Strategy adopted by Cabinet in 2008.

## **7. Consultation**

- 7.1 Tenants and Leaseholders have taken an active part within the overall procurement process in various ways which include, attending the presentation/consultation by Ridge & Partners on the outcome and recommendations of the PQQ's, scoring of the contractor's method statements and taking part in the final interviews for selection.
- 7.2 CBH have carried out a series of road shows to tenants and leaseholders as part of the consultation with regard to the decent homes elements of the overall programme
- 7.3 There will need to be further consultation with tenants where there is any choice to be made over the type of replacement component they would prefer once the procurement is complete and the contracts are in place.
- 7.4 The Council will also be consulting with its leaseholders in respect of any qualifying works in accordance with its statutory obligations.

## **8. Publicity Considerations**

- 8.1 Good communication with tenants is vital and the Council working closely with CBH will need to issue information to its tenants to advise them of the restart of the programme, how it will affect them with ongoing updates as the programme progresses. Again this information will follow once the contracts are let and more detail discussions have taken place with the 3 successful contractors.
- 8.2 A press release will be issued to inform the public of the progress made since the cessation of the previous service, covering the main issues outlined in this report.

## **9. Financial implications**

- 9.1 The financial implications are contained within the main body of the report.

## **10. Equality, Diversity and Human Rights implications**

- 10.1 As part of the contractor's tender submissions, Equality and Diversity was a key element of the evaluation process. Contractors were both evaluated and questioned at interview stage with regard to how they will deliver services to tenants from BME origins, with disabilities and other support needs. Contractors are aware of the need to tailor the service they provide to meet individual needs of tenants. This may include support, information in various languages and the temporary provision of alternative accommodation whilst work is being carried out etc.

## **11. Community Safety Implications**

- 11.1 There are none directly arising from this report.

## **12. Health and Safety Implications**

12.1 Colchester Borough Council has appointed NPS South East Ltd to provide the role of CDM Co-ordinator; they will also have responsibility for the Site Waste Management Plan for this programme. Through the role of Contract Administrator CBH will be responsible for ensuring Health and Safety requirements are fully complied with.

### **13. Risk Management Implications**

13.1 By following an EU compliant tender process and by implementing the controls and recommendations as set out in this report, the Council is seeking to mitigate against any potential risks or challenges.



## Cabinet

21<sup>st</sup> October 2009

Item  
**8(i)**

<b>Report of</b>	<b>Head of Environmental and Protective Services</b>	<b>Author</b>	<b>Penny Stynes</b> ☎ 507801 ☎ 282950 <b>Karen Newman</b> ☎ 507855
<b>Title</b>	<b>Review of Crematorium &amp; Cemetery Regulations</b>		
<b>Wards affected</b>	Not applicable		

**This report concerns proposed changes to the Crematorium & Cemetery Regulations following a public consultation and review**

### 1. Decision(s) Required

- 1.1 To approve the proposed changes to the Crematorium & Cemetery Regulations.

### 2. Reasons for Decision(s)

- 2.1 Actions of the public who use the cemetery in recent months have often run contra to the existing regulations, and have highlighted the need for tighter and more prescriptive regulations, and for diligent enforcement of the regulations.

### 3. Alternative Options

- 3.1 Consideration was given to rigorously enforcing the current regulations, but it was thought that some of them might be capable of being misunderstood.

### 4. Supporting Information

- 4.1 Appendix A: Analysis of the public consultation.
- 4.2 Appendix B: Comments from the public
- 4.3 Appendix C: Proposed revised Crematorium & Cemetery Regulations (with amendments and new additions highlighted in grey)
- 4.4 Appendix D: Equality Impact Assessment

### 5. Proposals

- 5.1 It is proposed that the reviewed draft Crematorium & Cemetery Regulations should be approved to come into force on 1<sup>st</sup> November 2009.

### 6. Strategic Plan References

- 6.1 No direct links.

## **7. Consultation**

- 7.1 Grave owners who purchased Exclusive Rights of Burial from January 2003 to December 2008 (625) were sent a questionnaire dated 21<sup>st</sup> July 2009, asking for their responses to wind chimes, solar lights and ornaments in the cemetery, and for their opinions about both authorised and unauthorised benches in the cemetery. Please see Appendices A & B.

## **8. Publicity Considerations**

- 8.1 It is proposed that a warning should be given to owners of Exclusive Rights of Burial and other visitors to the cemetery via notices prominently displayed in the cemetery and a notice placed in the newspaper for 2 consecutive weeks, that the reviewed regulations will be enforced from 1<sup>st</sup> May 2010. It is proposed that the warning will give an “amnesty period” between the reviewed regulations coming into force on 1<sup>st</sup> November 2009 and the enforcement of the regulations on 1<sup>st</sup> May 2010, during which time it would be appreciated if Grave Owners would reduce the numbers of solar lights, wind chimes and ornaments to the levels proposed in the reviewed regulations. Similarly owners of unauthorised benches would be expected to comply with the regulations before 1<sup>st</sup> May 2010. Any Grave Owners who do not comply with the regulations before the 1<sup>st</sup> May 2010 run the risk that their wind chimes, solar lights, other ornaments and unauthorised benches may be removed from the cemetery by the cemetery staff after that date. (Owners will be able to collect removed items from the Crematorium Office during office opening hours.)

## **9. Financial Implications**

- 9.1 There are no financial implications.

## **10. Equality, Diversity and Human Rights Implications**

- 10.1 An Equality and Diversity Impact Assessment was carried out with respect to the proposed regulations. There are no negative impacts implicated, within the scope of this report.
- 10.2 There no Human Rights implications.

## **11. Community Safety Implications**

- 11.1 In reviewing these regulations community safety has been a high priority consideration, particularly with regard to anti social behaviour, crime and disorder.

## **12. Health and Safety Implications**

- 12.1 In reviewing these regulations safety for all users of the cemetery has been a high priority consideration, particularly with regard to Health & Safety hazards.

## **13. Risk Management Implications**

- 13.1 The approval of this report will allow enforcement of regulations to ensure that the cemetery is restored to the peaceful and welcoming place it once was. Public consultation shows that the majority of the public would welcome this. If these proposals are not approved enforcement of the cemetery regulations will be less effective and more difficult. There are no other risk management considerations.

## **Index to Appendices**

Pages 55 -58	Appendix A: Analysis of the public consultation.
Pages 59-68	Appendix B: Comments from the public
Pages 69-82	Appendix C: Proposed revised Crematorium & Cemetery Regulations (with amendments and new additions highlighted in grey)
Pages 83-97	Appendix D: Equalities Impact Assessment



## Appendix A

### Analysis of Consultation Responses

On July 21<sup>st</sup> 2009 625 consultation letters and questionnaires were sent out. They were sent to all grave owners (living) who purchased graves in Colchester Cemetery between January 2003 and December 2008.

By 21<sup>st</sup> August 2009 188 replies had been received (45 were returned marked as “Unknown at this address”). This constitutes a 30% response rate, which is considered an about average response for consultation questionnaires.

The consultation document is as follows:

### Cemetery Consultation July 2009

Please tick all statements with which you agree:

#### Wind chimes, solar lights and other ornaments

- I think that grave owners should be allowed to decorate the cemetery with ornaments, wind chimes and solar lights as they choose.
- I think there should be some rules restricting the number of ornaments, wind chimes, solar lights, etc each grave owner can place in the cemetery.
- I think wind chimes should be banned from the cemetery.
- I think solar lights should be banned from the cemetery.
- I think ornaments, wind chimes and solar lights should be placed on grave spaces only – trees and common areas should be kept free of them.
- I think the only items allowed on a grave space should be fresh flowers and a headstone.

#### Benches

- I think grave owners should be free to place benches bought from any source anywhere they choose in the cemetery, and that no authorisation should be necessary.
- I think that benches should be purchased through the Crematorium office only, to ensure that quality, safety, and fitness of inscriptions are maintained, and that burial areas are not too cluttered.
- I think the price of the benches offered through the Crematorium office (£685.00 including engraved brass plaque, and maintenance throughout the lease period, leased for a period of 20 years) is too high.
- I think the price of the benches offered through the Crematorium office is acceptable.

#### Any other thoughts

- Any other thoughts – please use a separate piece of paper or write overleaf.

Please circle the area in which your grave is situated:

**OO, KK, LL, MM, NN, BG, JJ, GG, HH, EE, OTHER**

Your name (optional – you don't have to supply this if you wish to remain anonymous):

.....

Please return to: The Crematorium Office, Mersea Road, Colchester, Essex, CO2 8RU as soon as possible.

With many thanks.

## **Responses to questions**

### Question 1

I think that grave owners should be allowed to decorate the cemetery with ornaments, wind chimes and solar lights as they choose.

**19** grave owners agreed with this statement.

### Question 2

I think there should be some rules restricting the number of ornaments, wind chimes, solar lights, etc each grave owner can place in the cemetery.

**106** grave owners agreed with this statement.

### Question 3

I think wind chimes should be banned from the cemetery.

**51** grave owners agreed with this statement.

### Question 4

I think solar lights should be banned from the cemetery.

**62** grave owners agreed with this statement.

### Question 5

I think ornaments, wind chimes and solar lights should be placed on grave spaces only – trees and common areas should be kept free of them.

**85** grave owners agreed with this statement.

### Question 6

I think the only items allowed on a grave space should be fresh flowers and a headstone.

**69** grave owners agreed with this statement.

### Question 7

I think grave owners should be free to place benches bought from any source anywhere they choose in the cemetery, and that no authorisation should be necessary.

**13** grave owners agreed with this statement.

### Question 8

I think benches should be purchased through the Crematorium office only, to ensure that quality, safety and fitness of inscriptions are maintained, and that burial areas are not too cluttered.

**144** grave owners agreed with this statement.

#### Question 9

I think the price of benches offered through the Crematorium office (£685.00 including engraved brass plaques and maintenance throughout the lease period of 20 years) is too high.

**109** grave owners agreed with this statement.

#### Question 10

I think the price of benches offered through the Crematorium office is acceptable.

**52** grave owners agreed with this statement.

### **Analysis of answers**

#### **Wind chimes, solar lights and other ornaments**

Of the 188 grave owners who responded only 10% thought that grave owners should be able to be free to decorate the cemetery as they choose, with 56% feeling that there should be some rules restricting the amount of artefacts displayed. 33% felt that solar lights should be banned and 27% favoured a ban on wind chimes.

45% of the grave owners who responded would like ornaments restricted to individual grave spaces, with trees and other common areas kept free of them, and 37% felt that the only ornaments allowed on a grave should be headstones and flowers (artificial or fresh).

#### **Benches**

Of the 188 respondents, only 7% felt that grave owners should be free to purchase their own bench from any source and place it where they choose in the cemetery, without authorisation or restriction. A high 77% felt that the benches should be purchased through the Crematorium office, and the location of them should be approved and authorised.

58% of grave owners who responded thought that the price of benches available from the Crematorium office was too high, but 28% thought the price was acceptable.

#### **Additional Comments**

76 of those who responded included comments with their questionnaire. Please see **Appendix B** for a transcript of their comments.

#### **Dogs**

Although there wasn't a question about dogs included in the questionnaire, several comments have been received from grave owners, members of the public, funeral directors and stonemasons in recent weeks, regarding dogs. Some of the completed consultation questionnaires received have included the comment that dogs should be banned from the cemetery.

The main areas of concern seem to be that some dog owners are letting their dogs run free off the lead which some people find distressing or worrying, and some dogs are fouling the grass and grave spaces, and their owners are not cleaning up after them.

Therefore it is suggested that the issue of dogs in the cemetery should be included in this review of cemetery regulations.

### **Behaviour**

Similarly there have been comments received about antisocial behaviour in the cemetery, e.g. people holding parties next to grave spaces; people swearing, shouting and loudly describing sexual encounters close to grave spaces; people drinking alcohol; people dressed inappropriately i.e. males stripped to the waist; cars being driven onto the grass close to grave spaces; children playing ball games just yards from graves, etc.

The people who have complained or made comments about antisocial behaviour have been very distressed by it. Therefore it is suggested that all of these comments should be borne in mind in this review of the cemetery regulations.

## **Appendix B**

### **Comments from the public (appended to the completed consultation questionnaire):**

#### **Comments on Wind chimes, Solar Lights & Ornaments**

If this continues to increase, the noise from wind chimes will prevent quiet contemplation for most people. I doubt if the chimes will all be ringing in harmony! A graveyard is not a fairground.

I think there should be some rules restricting the number of ornaments, wind chimes and solar lights, not only at graves but cremation areas, such as Jemima's Garden, where my grandson's ashes are scattered which is also overcrowded and very tacky.

I have been meaning to contact you for some months now as the tree decorations, wind chimes and additional benches have reached an extreme level and I no longer feel the peace and tranquillity when visiting my brother's grave. There are shiny baubles hanging on trees, so many wind chimes and ornaments. I believe the trees are suffering with the sheer weight of it all. I feel moderation is in order. We all grieve so differently, but I feel the sheer volume of all these items on each grave, tree, plot etc. are too much and bordering on the obscene and vulgar. I pray you are able to reduce the amount soon, as visiting my brother isn't as healing as it should be.

A great many of our family members are buried within the cemetery to which I have been visiting on many occasions over the last 50 years. Clearly, in recent times the proliferation of tasteless decoration and ornamentation has degraded the cemetery and its purpose.

I sincerely hope that steps will be taken to remove all the ornaments, wind chimes etc from the trees in this section. It has clearly got out of control and is beginning to resemble a fairground. Perhaps these people need to realise how selfish they are being by inflicting their preferences on others who prefer to maintain a more dignified and tranquil approach. They may also want to consider the damage they are causing to the trees, which help to make this a beautiful area to sit and reflect in peace.

I think wind chimes are noisy. I think solar lights are tacky in a cemetery. The baby and children's area should be allowed a bit more scope, but only for toys and ornaments that are fitting (rabbits etc). Somebody should go and visit the cemetery in Santa de la Cruz in Tenerife. Beautiful and tranquil, one permanent gardener, lots of water taps and bins for dead flowers. My only complaint was that there were no benches!

I think it's outrageous that one person has complained. If wind chimes, solar lights etc. gives comfort to those (person) that they have lost, they why should it bother other people.

#### **Comments on Benches**

The price of benches offered by the Crematorium office is prohibitively expensive, something I could never afford. This denies me a seat to sit and pay my respects. It would help if I was allowed to supply a bench of my own choosing and affordability. I can't understand how a bench of a suitable appearance could cause any offence.

The re-lease for a further 20 years should be approximately £400 or less

I think that a 10 year, 15 year and 20 year lease for the seats should be offered.

The bench (xxx) I feel encroaches my grave (xxx) and would like it moved or could I be offered a plot elsewhere in the cemetery. I would be happy to take part in any meeting regarding future plans and would like this to remain an award winning cemetery. My parents are both buried here too.

I think with benches grave owner should be allowed to purchase from other sources but with some guidance from the Crematorium office. These benches would then be a permanent reminder of a loved one and not just a 20 year lease. If purchased from other sources, I am sure would not cost £685 which is obviously not affordable to a lot of people. I note the benches provided by the office are on the understanding that the Council maintain them but have noticed one or two benches need looking after. I would add the crematorium does always look well kept and nice to look at and would not like it to change but feel compromise with benches and wind chimes would be a better solution i.e. guide lines allowing some wind chimes, some solar lights for each grave. With benches this is probably more difficult but I am sure not everyone would want a bench.

I think the benches can be bought elsewhere, but I also think that they should have permission where to put them as your department might have delegated that spot for something else.

Grave owners should be free to place benches bought from any source but should consult with the office on positioning.

The more benches there are the better.

Authorisation should need to be sought. Benches should conform to reasonable restrictions e.g. size, colour, position, inscription etc.

There should be a list of approved manufacturers of benches from affordable to expensive.

They should not be placed beside the grave. Unfortunately, there is not enough room for people to attend to the grave if bench is place there. Either somewhere private or along the edges. Congratulations on your green flag.

## **General comments**

I feel that people should be able to remember their loved ones in their own way and have no objection to wind chimes etc. As long as they do not encroach on other peoples graves and resting places. Re the rose bushes in between the graves in the cremated remains section, it would be a good idea to have a selection of suitable bushes to choose from as sometimes the rose bushes are not appropriate i.e. climbing roses etc. We would appreciate advice on suitable bushes. The pine needles that fall from the big trees in this section do make a lot of mess but appreciate there is probably not much that can be done about this. I would like to say how lovely I think the Colchester cemetery is kept. It is always peaceful, colourful and tidy when I visit.

Wind chimes – a lovely calming chime which can help the grieving person.

To be able to sit on a bench near your loved one/ones. Benches (1) should be rewritten, no one is saying they want to put benches anywhere, give us the people some credit. Please look at your benches. Quite a few are not maintained. Having looked at your benches so called maintained, people who collected for their loved ones would be looked after and maintained, not like the ones from the Council.

Although it can sometimes look acceptable to have a small item of decoration of a grave space, we think even then it would become abused and individual graves will then look cluttered. The cemetery grounds are always kept at their very best and it's a shame that some people feel

they need to cover trees etc. in wind chimes and other decorations; it then begins to look like an arcade. If it can be kept to an absolute minimum then we agree but otherwise ban ornaments (plastic windmills) altogether!

I think beer bottles and glasses should not be allowed on graves. Also silk flowers are more acceptable than dead flowers or none at all.

I can understand wind chimes etc. in the children's area but I prefer only flowers. Silk flowers are as good as fresh flowers and do not die quickly.

Fresh flowers and a headstone plus a small photograph on the headstone. Please keep up a good standard of maintenance i.e. grass cut regularly in all of the cemetery and rose bushes pruned – maintain please the feeling of a beautiful garden for our departed loved ones.

Too many trees – some should be cut down as they make too much mess.

Live and let live. This is my motto. Too many small minded people.

I believe churchyards are cold lonely places and I do personally feel that wind chimes, ornaments etc. do make it more palatable and friendly to visit these areas. I believe if people want to do these things (myself included) then so be it. There is enough misery in this world and if people feel closed to their loved ones then why not, there are too many "do gooders" in this world as it is. The sheer fact that there are so many recently must surely show the majority like it.

Some compromise(s) made for babies and young children, with clear guide lines. We do have a real concern that the very nature and surroundings that have started to appear in the last twelve months have changed the ambience of the Cemetery. A cemetery is a place of quiet reflection and dignity and the surroundings should reflect this. We both feel strongly on these issues and a line should be very clearly drawn in the sand now.

Artificial flowers as fresh need to be replaced each week.

People should be able to personalise their grave spaces as they wish.

The removal of dead flowers and wreaths should be done as a matter of course by the ground staff. They look more unsightly than the wind chimes, solar lights and/or ornaments.

I believe that the cemetery should be for everyone. I do however think that a grave should be a grave and not a "shrine". The number of people placing trinkets and other objects not only in the cemetery but on verges and accident spots should be restricted. I believe that the cemetery has many lovely spaces for reflection and that a small amount of items around a grave is acceptable. Please do not let this cemetery become an out of town branch of 'pound land'. We visit fortnightly and have witnessed the increase of objects placed on the site.

You would certainly have had a higher reply rate to this letter if you had included postage paid envelopes for replies.

People should be allowed to grieve in whatever way they choose. A small number of complaints should not stop this. People who complain shouldn't be looking at other people's graves and should concentrate their efforts on their own loved ones rather than interfere.

I honestly believe that the amount of ornaments hanging from trees makes the cemetery look like a fairground. The good work the cemetery workers do look in vain with all the nonsense

hanging on trees. It should be stopped. If any hangs over our plot I will erase them. It's a beautiful cemetery and all credit to everyone who looks after it. It is a cemetery not a fair ground.

Firstly, may I thank you and all your colleagues for maintaining the cemetery so beautifully. When coping with the hectic rush of the world around us, it is indeed a most welcome relief and also a pleasure to turn into the cemetery grounds, where a sense of absolute calm instantly soothes one's soul. Both my parents, so very dear, are now buried in the grounds, the most recent being my dear father in August 2008. Although so deeply saddened, I feel at peace knowing that a dedicated team are readily observant in maintaining all aspects of the cemetery. Knowing this truly gives myself and many more, I'm sure, a great deal of comfort in the certain knowledge that the final resting place of our loved ones is so sensitively cared for. Regarding the cemetery consultation, it is always a very delicate area of assessment, knowing just where to draw guide lines on cemetery regulations. There is surely a governing word that contributes, indeed captivates, strongly with all issues to be measured and that is 'dignity'. We all wish for this at all times and it is with this in mind that allowed by thinking with the consultation. Apart from this there is an area for additional sensitivity which requires the most delicate handling and that is the burial sites for babies and young children. In order to oblige such an outpouring of grief, there is a need for a degree of flexibility. This was acutely brought to mind on one occasion when visiting the cemetery – I quietly noticed a grieving parent needing to express her love (in order to cope with her own life). It was a very private moment for her and although wanting to offer comfort, I felt it was too intrusive to present myself in her time of private and personal grief. Little 'child style' gestures were placed lovingly and with such care by the grave. In circumstances of this nature, it would be bitterly harsh to deny a degree of ornamentation. I feel a great deal of 'imaginative thinking' is required here. Speaking personally, I too will be hoping to arrange a headstone for the double grave of my dear parents in the relatively near future – which is in the NN area. Because of illness I have been unable to further my desires, however I trust this will be possible before very much longer. Finally, with a view to a successful result to a forward thinking consultation, there are it seems many areas to assess, which encircle the deep emotions of the public. It would appear that there could be a 'problematic issue' with 'benches' – I do have thoughts that might be constructive. If it helps, I would willingly contribute at some stage. Any suggestion can stimulate lines of thought I feel. Whatever else, I wish you a successful outcome with the consultation, indeed one that ultimately satisfies those most affected ..... it wouldn't be possible to satisfy all – so take heart!

In future surveys please provide a pre-paid envelope or make it possible to respond by e-mail or text.

As Colchester has grown in size, so too has the diversity of people now living in Colchester become greater. I have tended a grave in the cemetery on a weekly basis since 1978. Over the last few years it has become very apparent that the cemetery now, in places, reflects what one might call the 'British attitude' to death. There is a section of society, no matter where they be, who 'feel better' if a teddy bear, photograph or indeed a wind chime marks the spot. We can say, often through fear, that everyone has a right to do as they like? Colchester cemetery is a haven. It is wonderfully maintained and cared for. It certainly gives me comfort knowing that my parents are buried in such a tree filled, tranquil place. The Victorians set the standard of a quiet dignity. Just a few feet from my parents' grave is a tree laden with bird box, photograph, plastic flowers and copious wind chimes. Yes, it does distract me, yes I wish some of the decorations were removed. Indeed I think I am right in saying that it is not in fact a grave?? Yes please, Cemetery Manager, take a lead and take what I believe to be views of the great majority of 'grave holders' – please stop the rot setting in and put restrictions on wind chimes and benches etc. etc. By the way the CBC benches are too expensive.

We believe that the amount of wind chimes and personal items in the trees have become excessive over the last year and there should be a limit.



We believe benches should be able to be placed by grave owners however only with space permitting and should not be placed in spaces between graves (walkways) which would hinder the grave next to them. We also think that all bench owners should maintain their benches or they should be removed. There also should be a limit to width, height and depth.

I think grave owners should be allowed to put flowers and pots on the width of their plot only. Also, I think dogs should be banned in the cemetery grounds.

Please accept this few notes to let you know my feelings, also of so many other people, about so many chimes, streamers, ribbons, balloons and toys, hanging on trees (some are dangerous) and on graves. This should be banned. Also teddy bears and Christmas lights draped on benches.

It looks like a fairground. An appropriate ornament should be included but restricted to size. Anniversary, parties with food and drink should be held at home, not near the graves. It's very embarrassing for other people. A cemetery should be a quiet and dignified place where one could sit and reflect (not party). Referring now to dogs, please tell people to keep them on the lead and clear up their mess. There's a lot of dog mess on the grass.

The cemetery is of high quality

Congratulations on being one of the best kept cemeteries in the country. Whenever I visit your office I always find staff courteous, friendly and helpful. Could accept ornaments, wind chimes and solar lights on grave spaces but would prefer just fresh flowers and a headstone

I think benches purchased through the crematorium could be cheaper, as they are rather too expensive. Personally, I rather like the wind chimes, especially in the children's area and in a way they are already limited as each tree can only take so many.

I thought that I would mention that in the area where my mother and fathers grave is that some people have replaced the rose bushes between the graves with conifer trees and some are now tall and out of control. I do not think that this should be allowed to happen and the ones already there should be removed and replaced with rose bushes. I visit my mothers and fathers grave every two weeks so the area is important to me. Ornaments etc. should be banned altogether. I don't consider that people should decorate the cemetery like a Christmas tree. It should have more respect.

The only areas in the cemetery that should be left as it is is the children's area, as it is nice to see small toys etc. on the graves. All other areas should have ALL wind chimes and other things should be removed. Only flowers and head stones should be allowed.

I strongly agree that the only items allowed on a grave space should be fresh flowers and a headstone. Probably, and in order to encourage the purchase of benches by way of your office, the price of benches does need adjusting. I certainly think that the siting of benches should be controlled.

The cemetery is beginning to resemble a 'fairground' in certain areas. You need to regain control.

May I take this opportunity to thank you and your staff for the care you have given my wife's grave during the previous thirty years. It is a very well maintained cemetery and a pleasure to visit. Without rules standards truly deteriorate.

If you would like to see an example of where lax regulation can lead, make a visit to Harlow's Parndon Cemetery and all will become clear.

I think that seats with no inscriptions should be placed by the cemetery at suitable sites; this way would ensure no conflict or overcrowding of benches. Cost could be met by a small increase in grave charges. Existing authorised benches would remain. Wind chimes create intrusive noise that distracts others' peace and privacy. Burial services may also be affected. Wind chimes are often associated with non-Christian religions. Therefore, should they be placed around Christian burial area ??

This must be a difficult situation to manage. Clearly the growth and clutter of ornaments is evident. However, one has to have consideration for the reasons why people take the trouble to place these items. It is in the memory of a loved one and a way of creating some form of recognition and attachment. I have great sympathy for this mechanism in assisting someone to cope with their grief. Whilst I have often sat in contemplation on one of the benches, I realise as well that the number of benches is growing. Personally, the presence of wind chimes is not a problem. It gives me a feeling that the essence of nature and the wind is present, particularly as it is the trees that are supporting the chimes. It is reminiscent of such things as Hindu prayer flags. In places such as Tibet, it's not uncommon to find trees adorned with memorial strips of cloth that flutter in the wind. Out of all the services that the Council provides, the cemetery is one that individuals feel the most involved with. It is important therefore for the authority to embrace the feelings of those individuals. These feelings range from total support for paraphernalia to a rejection of anything other than the odd posy of flowers. To meet both in the middle is the task before you. Perhaps that is the way forward, some restrictions may be needed. However, one cannot be seen to be too restrictive when it comes to those in mourning. A fact of which you are fully aware. Whilst it may seem an odd suggestion to begin with, why not try to section off areas of the grounds (it already happens with Burial plots which are distinct from Ashes memorial plots). One could then prescribe quiet, plain areas for those requesting such whilst leaving other areas unrestricted.

Wind chimes and solar lights totally unnecessary. I don't understand why people want wind chimes. A cemetery should be quiet, so people can gather their thoughts together peacefully. Chimes would be very distracting to be able to do this. Also distracting to residents close by e.g. night time, light sleepers (like me), when my father died, I found the peacefulness very therapeutic. As for solar lights on graves, why? The cemetery closes at dusk. I think the only items allowed on a grave space should be fresh flowers and a headstone on adult graves. Possibly one or two ornaments on babies and children's graves. Photo headstones give the person an identity and a good idea rather than just being a name and a plot number. £685 is a lot of money to find in one lump some for a bench – a small fee to be paid annually a better idea. Authorisation should always be needed to avoid encroachment distress as it's not always possible to know where one grave plot starts and finishes.

I have completed the questionnaire and have returned this to you. My first reaction was to choose a ban of all the ornaments and other items cluttering the cemetery, particularly the area OO where my late husband is buried. In my opinion this area is beginning to look messy and beginning to resemble a fairground. Some of the ornaments swinging in the trees on a windy day pose a danger by hitting someone or possibly one of the grave stones. However, I do understand how these left feel the need to buy their loved ones things especially when those lost are children. In some way the ornaments and wind chimes may represent toys and gifts which is why I think that so long as the items are placed only on the graves and that the trees and surrounding areas are left clear then this might be the better option. The benches are expensive, which is the reason I feel that people decide to bring in their own. However, not only is this not fair to those (like myself) who have purchased benches through the correct channels but all the different styles of benches scattered wherever people think fit will not look right with the rest of the benches in the cemetery and surely these will not be as robust as the Council benches. Surely if you have to buy a bench in a certain way (like I did) then there should be no way to exploit it. It simply is not fair on those of us who have gone through procedure only to

suffer more by paying a higher cost. There should be no grey areas in matters like this, the same as the wind chimes and other items. As soon as there is a grey area it will be exploited as we are now seeing. Simply put: owners of graves are paying for that space, they are not paying for the privilege of the trees and these should be left alone. The natural beauty provided is much better than the multi-coloured abominations people have turned them into. Without wishing to raise more problems, I would like to say that an awful lot of glass vases, watering cans and gardening tools are left behind grave stones and underneath benches and trees which do not look nice at all. Another issue is that there are an ever increasing number of people taking dogs to the cemetery and although the cemetery is well signed there is always something to clean up near my husband's grave which I am not too pleased about. I apologise if I appear negative but I strongly believe that unless something is done soon there will not be a tree left that is not cluttered with things and all manner of benches and chairs will appear in the cemetery. I would like to add that I think you and your staff are always very helpful and courteous at all times and I hope that you receive enough responses to assist you in a positive way. If, in any way, I could help with these ideas please let me know.

Thank for the very valid questionnaire on unauthorised cemetery decorations. Just prior to receiving your letter, that same morning, I had visited by late wife's memorial stone in the cremations area of the cemetery. It was a bright sunny morning and your team of gardeners were busy tidying that local area. The overall feeling was one of peace, tranquillity and beauty and, when I returned home to my new wife, I was moved to tell her of the wonderful way that you maintain the area. It was therefore a staggering coincidence that I then opened your letter. I am not a complaining type of person but I have noticed some of the items you mentioned and wondered if the rules had changed since my contract started in 2004. On your questionnaire:- My comments refer to the small memorial stones used in the cremation interment area. Grave ornaments should be limited to flowers only, and must only stand on the memorial base stone and not on any of the surrounding area. This is in essence what my original contract started. In my very simple world that meant I had no right to hang up wind chimes or decorate with solar lights etc. I therefore feel that you do not need to ban such items because they were never permitted in the first instance and the ground renters have already contracts accordingly. It should therefore not offend anyone to restate the rules because I wonder how many people actually take time to read the limitations of use that they sign up to. It also has to be remembered that many family and friends who visit graves will not have even had the opportunity to see the rules. Perhaps a summary of the do's and don'ts placed at focal points such as the watering/bin areas would be helpful to such visitors. I think that grave ornamentation rules could be relaxed slightly to include ONE non-floral tribute that can be contained in a 10cm x 10cm x 10cm closed box. There are many young children that may like to leave a favourite toy (duck, teddy or doll etc) for nanny or granddad. This item must still be standing on the base of the memorial and not on the surrounding area. Your question about FRESH flowers is rather disappointing and may have unintended consequences if enforced. The beautiful and colourful panorama in the cremation memorials area is mainly due to the wide use of silk flowers that require little attention and stay bright and fresh looking for many months. My late wife's grave was a good example of how sad and untidy it can look when fresh flowers wither to brown pulp. Its been a three months since I visited and the most recent visitors had removed the silk flowers I had placed there and replaced them with what was undoubtedly a couple of beautiful fresh bouquets. Their beauty lasted no more than two weeks, after which they then became an unattended eyesore. I was quite ashamed and disappointed to see my wife's memorial in such a sad state. It has now been refreshed with an array of silk flowers. I did see a few all plastic very badly faded flowers on a couple of headstones. I personally would have no issues if the rules stated that as part of your maintenance plan to upkeep high visual standards, you would remove dead, dying or inappropriate decorations.

As for the final point about benches, I think your existing policy is perfectly fair and reasonable. ONLY benches through the crematorium office should be permitted. As you rightly say, they will be to a specific standard, and they will be maintained for the contract period. If you permit anything else there could be plastic benches, rusty steel benches, cheap foreign case iron

benches containing all sorts of tacky ornamentation and cheap wooden even wickerwork benches. If they are not supplied by you, how can they be maintained to a good visual and functional (health and safety) standard? As before, just restate and enforce the existing policy. I can understand your dilemma about trying to please everyone and your review of the rules is admirable. However, I am sure from the tone of your letter that you are supporter for the natural tranquillity and beauty of the public space that you manage. With a team of gardeners to help God do the weeding, just stick with the birds, the butterflies, the many shades of green and the wind in the trees to make the area a natural and fitting tribute to our loved ones. Personalise your own garden with tacky trinkets to remember your loved one by and leave the public space neutral and natural.

I agree that a tasteful ornament is acceptable but I do feel some graves have too many and it makes the cemetery look tacky.

I think wind chimes should be allowed on trees that are adjacent or very near a person's grave. This may very well be the 'surviving persons' way of communicating with the deceased and dealing with their own personal grief. Again benches placed near a grave are there for the same reason. Many people, and not just the bench owners, sit on these remembering 'past times' with the deceased loved ones. In fact, it is more likely to be an elderly person who appreciates that the seat is there and available for use. It enables them to stay longer near the grave they are visiting as not everybody can stand for long periods. Both the wind chimes and the seats go to make Colchester Cemetery a lovely place to sit in and relax whilst visiting and tending a loved one's grave site. I think Colchester Cemetery is very well kept and is a lovely place for those who cherish and miss their deceased loved one. Thank you and 'your team' for the way they keep the place looking nice. On a more personal note I do not think the charge of £685 is somewhat high, as not everyone can afford this amount. If 'uniformity' is wished to be kept, some sort of control should be in place, possibly as to where benches can be sited, and at a more reasonable rate, say half of the present charge, but renewable every 10 years, instead of the present 20, would be more sensible, and which again will then give you to same overall income even more if more benches are ordered.

It was a place of peace and rest to visit. My complaints do not include the baby area.

I believe artificial flowers should be acceptable plus the headstone (some look as good as fresh). There should perhaps be a payment system for those who could not afford £685 in one payment. Four graves which I attend – well done to the staff who manage and maintain the sites. Peaceful and well kept.

I totally agree people not encroaching on other one's baby's grave. All babies are important to each of us. Large fencing etc. around some of the babies graves is untidy and seeming to say "my baby was more important" and thus "hogging" other baby's space. The blue fencing is a prime example. I also wish that the workers who strim around would take more care as I have had my soft toys shredded many times.

I think the only items allowed on a grave space should be fresh flowers and a headstone. Cuddly toys on children's graves excepted.

On last Fathers' Day a grave next to ours was covered with Fathers' Day cards and a gas filled balloon wishing the person Happy Fathers' Day ??

I feel the cemetery around my parents' grave is getting untidy – the wind blows pots of plastic flowers around. I know my mother would be annoyed at the wooden wind chime near their grave.

Colchester Cemetery is a very well kept and lovely cemetery with so many varied and coloured shaped trees. First of all, I think that the price of £685 for a bench is too high and is out of all proportion. I can only think that this is a mistake. My suggestion would be to allow families to buy a bench subject to strict specifications set by the cemetery. The design of benches sold by the cemetery and those from other sources does not greatly differ after all. A further proviso would be that if the benches bought in line with this were not properly maintained and cared for they would be removed after due warning. Regarding the profusion of chimes, balloons, lights etc., the cemetery is in places beginning to resemble a carnival site. Perhaps a time limit should be set to oblige removal of ornaments after the burial.

I acknowledge that this is a delicate subject and any decision taken by the Council is going to upset somebody but my feeling is that the cemetery's appearance should be one of dignity and simplicity. Personally, I do not need balloons etc. to keep my wife's memory fresh in my heart.

Dogs should be banned !

I think everyone who's got a loved one in the cemetery should use their discretion and not overcrowd the grave space. The thing I don't like is the dead flowers left on graves for weeks and weeks. Perhaps its people who can't get to the cemetery very often. I suggest the groundsmen should be allowed to remove them. I have a small dog ornament on my husband's stone. I would not want to remove it, my husband's dog meant a lot to both of us. I feel he's not alone with that being there.

Please allow lovely pots as well with summer, winter and spring flowers.

I don't agree with conifers or other tall and bushy shrubs being planted between headstones as they are in the crem section.

I think grave owners should be allowed to decorate their graves as they wish, as it is a very personal thing. However, I think some people have gone overboard with the amount of chimes etc. in the trees which is unnecessary. I have hung one because the tree goes right over my husband's grave.

Some graves are very cluttered and would look much nicer with just flowers and bulbs beside the roses in winter.

If you are restricting what is allowed and what isn't. Please consider what you authorise in the way of memorial stones – some are too big and too elaborate and the mix of so many different graves and decorations together, make the cemetery look untidy and disrespectful! It is not just the excess of accessories around! I also think some grave stones that have been allowed to be put on plots are also too much!

The decorations that grave owners put in the cemetery make it a much more pleasant place to go to. It makes it more of a happier place to be than a sad one, and reflects on how much we miss our loved ones. As far as benches are considered as long as they meet requirements and have permission. I don't see why people cannot get their own, especially in this climate where every penny counts. I know I have found much comfort in attending the cemetery and seeing all the lovely decorations people put as tributes. It means people care. We do not want to go back to the days when the cemetery was seen as a grey and frightening place.

## Appendix C

### Cemetery & Crematorium Regulations – Draft

#### Introduction

1. These regulations replace all earlier regulations, and come into force on 1st November 2009.
2. A list of fees and charges is published each year.
3. Copies of the fees and charges, and these regulations, are available from the crematorium & cemetery office on request.
4. The address of the office is: The Crematorium Office, Mersea Road, Colchester, Essex, CO2 8RU. The telephone number is: 01206 282950. The e-mail address is: [cemetery@colchester.gov.uk](mailto:cemetery@colchester.gov.uk)

#### Behaviour

These regulations are made in order to enable the cemetery to be a place of peace and comfort to mourners and visitors.

5. People coming into the cemetery or crematorium grounds on any business whatsoever are asked to behave in a quiet and respectful manner at all times.
6. Visitors to the cemetery should be dressed appropriately (males stripped to the waist, and females wearing bikini tops are examples of inappropriate dress, which can cause embarrassment or distress to others).
7. No children are allowed in the grounds unless they behave quietly and respectfully and they are with a responsible adult.
8. No games, ball games or sports whatsoever are allowed in the grounds.
9. Dogs must be kept on a lead in the grounds **at all times**. Owners must clean up after their dogs, and the dog bins or litter bins must be used for the disposal of bagged dog excrement. Dog fouling is an offence which causes a health hazard and distress to others. It may be punished with a fine.
10. Dead flowers and litter must be placed in the litterbins.
11. Cigarette butts and chewing gum must not be dropped on the ground. Visitors are requested to use the litter bins provided.
12. All vehicles must keep to the roadways, must obey any traffic signs, and must not go faster than 10mph.
13. Vehicles must not be parked on the grass **at any time or in any circumstances**.
14. The manager may ask anyone whose behaviour **he/she judges to be inappropriate in any way**, to leave the grounds.

#### Opening Hours

15. The crematorium & cemetery office is open from Monday to Thursday from 9.00am to 5.00pm, and on Fridays from 9.00am to 4.30pm.

16. The cemetery grounds, the garden of remembrance and the cemetery toilets are open to the public as follows:

<b>November, December, January, February</b>	<b>8am to 4.30pm</b>
<b>March and October</b>	<b>8am to 5.30pm</b>
<b>April and September</b>	<b>8am to 7pm</b>
<b>May, June, July, August</b>	<b>7am to 8pm</b>

17. At closing time the cemetery gates will be locked by a contractor. Whereas the contractor has been instructed to check, as far as is possible, that all members of the public have left the cemetery before he locks the gates, it is the responsibility of individual members of the public to ensure that they leave the cemetery in good time to reduce the risk of being locked in by accident.

18. The book of remembrance room, the prayer room and the crematorium toilets are open to the public:

<b>Monday to Friday</b>	<b>9.30am – 4.15pm</b>
<b>Saturdays, Sundays &amp; Bank Holidays</b>	<b>10.00am – 1.00pm</b>

19. For safety reasons the manager may occasionally restrict access to the grounds or a portion of the grounds. This could happen, for instance, when trees are being felled or pruned, or in the case of an exceptionally high wind.

20. The manager reserves the right to limit access to any grave temporarily in the event of an imminent interment in a grave close by or in the event of the existence of a Health & Safety hazard, such as the felling or pruning of a tree, subsidence of the ground, etc.

## **Registers**

21. The cemetery and crematorium registers are kept in the crematorium & cemetery office and they may be inspected by the public, free of charge, at all reasonable times. As not all of the records are on computer, the manager may charge a fee for register searches carried out by officers which may involve a manual search of registers in book form, on fiche or CD, as these can take a considerable amount of time.

## **The Cemetery**

### **Interments (burials)**

22. Notices of interment must be made on the official forms provided by the crematorium & cemetery office and returned to the office with the relevant fee.

23. The notice of interment must arrive at the office at least 48 hours before the service time. This is so the papers can be processed and the grave dug to the correct dimensions.

24. The manager will charge a cancellation fee if the burial is cancelled less than 48 hours before the service time.

25. Interments are allowed during the following times:

<b>March to October</b>
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Monday – Thursday: Between 9.00am and 3.00pm
Fridays: Between 9.00am and 2.00pm
<b>November to February</b>
Monday –Friday: Between 9.00am and 2.00pm

26. No interments will be made on Saturdays, Sundays or Bank Holidays.
27. All full interments must be made in a sealed coffin or a shroud (the shroud must completely and securely cover the deceased and should be kept rigid with a piece of wood placed below the body before the shroud is applied – advice and details on how the shroud should be used are available from the crematorium & cemetery office).
28. A coffin must bear a name plate which clearly shows the name of the deceased. If the name of the deceased is shown in an alphabet other than the generally accepted English alphabet, a translation of the name in the English alphabet should also be shown.
29. For burials in a shroud, the name of the deceased should be clearly written or printed on a piece of card and the card should be secured to the shroud with a safety pin. If the name of the deceased is shown in an alphabet other than the generally accepted English alphabet, a translation of the name in the English alphabet should also be shown.
30. Interments of cremated remains may be made in a wooden casket, a biodegradable urn or casket, or poured loosely into the grave.
31. All graves will be dug to depths decided by the manager, in compliance with the law.
32. If a grave is re-opened, 15cm (6 inches) of soil will be left between one coffin and the next.
33. When a grave is re-opened, any remains previously buried will not be disturbed.
34. Before a burial may take place, the Registrar’s Certificate for Disposal or the Coroner’s Order for Burial must be delivered to the office – if it cannot be delivered to the office before a burial but it is in existence, the funeral director may sign a “Declaration that Certificate or Order has been issued” form (Form 18) before the burial takes place.
35. No burial can take place in a grave unless the permission of the owner of the Exclusive Right of Burial has been received. If the registered owner is deceased then the next of kin of the deceased owner is deemed to be the new owner, unless the family of the original owner has nominated another person to be the new owner.

## **Graves**

36. Burials are offered in both lawn and traditional areas.
37. Graves are allocated in rotation by cemetery staff, or, in some circumstances, can be chosen by families. The Exclusive Right of Burial for graves chosen out of rotation will cost more than those chosen in rotation. (See the list of Fees & Charges, a copy of which is available on request from the Crematorium office.)
38. In the lawn areas headstones up to a certain size are allowed.
39. In the traditional areas larger memorials and kerbs are allowed.



40. Burials in the Military section of the cemetery (BB) are restricted to soldiers who were serving in the army at the time of their death.
41. The manager may allow bricked graves to be built. Please ask the manager for details of the fees. The notice of the interment is required at least 96 hours before the burial if a bricked grave is to be used, in order for the planning and the building of the bricked grave to take place.
42. Bricked graves may only be built by a person approved by the manager, and with the express permission of the manager. Work must be done to the specification of the cemetery manager. Different specifications may apply in different parts of the cemetery, so each case should be discussed individually with the cemetery manager. In some parts of the cemetery bricked graves may not be allowed for safety reasons.
43. After construction of the bricked grave the ground must be levelled and unwanted soil and materials used must be removed. The owner of the Exclusive Right of Burial is responsible for and must pay for this.
44. When constructing a bricked grave great care must be taken to cause the least damage to property, or inconvenience to visitors to the area, as possible. Damage to nearby graves, memorials, the lawn or other cemetery property caused by the building of the bricked grave must be put right immediately. The owner of the Exclusive Right of Burial is responsible for and must pay for this.
45. If a burial takes place in the old part of the cemetery or the traditional memorial sections of the cemetery, and a kerb or headstone belonging to a neighbouring grave must be removed to allow the safe digging and interment in the grave, the owners of the Exclusive Right of Burial of the grave in which the interment is taking place, or, if more appropriate, the burial applicant, is responsible for the cost of the removal and reinstatement of the neighbouring headstone and/ or kerbset.

#### **Wind chimes, solar lights, vases, plant pots, photographs, tools, toys & ornaments**

These regulations are made in order to keep the cemetery looking beautiful, well kept, safe and peaceful for all visitors.

46. Where an item that is placed on or around a grave is broken, becomes dilapidated, offends public decency, or is placed on the grass (where it may cause problems when the grass is mowed), the item may be removed.
47. Any items placed on or around graves (including memorial stones, floral tributes, or soft toys in the baby areas, etc) are placed there at the risk of the owner. The cemetery will not pay the owner for any loss or damage. It is strongly recommended that grave owners insure their headstones and other memorials with a reputable insurance company.
48. Lawn graves and graves in the cremated remains burial area: any articles placed upon the grave may only be placed on the headstone base. No article may obtrude into the soil area between graves or onto the turf, because mowing, hoeing or strimming of the soil or grass could be difficult or hazardous if articles are placed in the area to which the gardeners need access. There is also a risk that articles so placed could be inadvertently broken.
49. No watering cans, plastic bottles which stand in for watering cans, trowels or other gardening tools are permitted to be left near graves, on benches, or in trees. Visitors are asked to take these articles away with them, each time they leave the cemetery.

50. Windchimes, or other artefacts that make any type of noise, are limited to 2 per grave space. They must be contained within the confines of the grave space, or in lawn sections must be placed on the headstone base. They may not be placed on benches, or in trees or in other common areas of the cemetery.
51. Solar lights are limited to 2 lights per grave space. They must be placed within the confines of the grave space, or in lawn sections must be placed on the headstone base, and may not be placed on benches, or in trees, or in other common areas of the cemetery.
52. Cuddly toys placed on baby graves should be secured to the headstone. All toys should be confined to the grave space, and, in the lawn areas they should also be confined to the headstone, and they should not obtrude onto the grass where they risk being strimmed or mowed. Toys placed on graves are placed at the owner's risk, which means that the Council is not responsible for the care of the article, and will not reimburse the owner if the toy should be lost, stolen or damaged.
53. Articles that may constitute any kind of hazard are not permitted in the cemetery. Articles of this type could include candles and lanterns lit with real flame; glass or brittle ceramic vases or ornaments; mirrors; glass fronted picture frames; and anything with a point or sharp edge. This is to protect visitors to the cemetery, and the cemetery staff.

## **Benches**

These regulations are made in order to ensure that all areas of the cemetery are well stocked with safe benches, but to prevent areas from becoming too cluttered, and also to prevent benches being sited too close to graves.

54. Memorial Benches to be placed in the garden of remembrance or cemetery must be applied for via the Crematorium office. Members of the public are not permitted to place a bench in the Cemetery or Garden of Remembrance which they have purchased elsewhere.
55. Benches are placed in locations at the Manager's discretion. This right is reserved in order to ensure that there are not too many benches in one area and not enough in another. From time to time the manager may restrict the number of new benches allowed in a given area because there may be too many there already. Benches must not be moved from the authorized location without permission of the manager.
56. Benches are placed on the edges of burial areas and under trees where no graves will ever be located due to the tree roots. Benches are never approved to be placed on grave spaces, even if the person leasing the bench is the owner of the Exclusive Right of Burial of the grave.
57. Benches are leased from Colchester Borough Council, and they remain the property of Colchester Borough Council throughout the lease period and beyond the lease period.
58. Benches will be maintained throughout the lease period. This means that they will be cleaned at least once a year, and they will be checked to ensure that they are in a good state of repair. They will not be stained or varnished, unless the supplier's instructions specifically advise that this is necessary.
59. The price of benches is subject to review by Colchester Borough Council on an annual basis, when adjustments to the prices may be made. The prices are published as the

Cemetery Fees and Charges document, a copy of which is available on request from the Crematorium office.

### **Cemetery Memorials (headstones, kerbs sets, etc)**

60. A memorial may only be placed on a grave once a memorial application has been approved by the cemetery manager. If an unauthorized memorial is placed on a grave the Council may remove it without further notice.
61. Memorial applications will not be approved without the permission of the owner of the Exclusive Right of Burial.
62. Memorial applications must be made on the official form provided by the crematorium & cemetery office. Applications must show a drawing or photograph of the proposed memorial, details of the inscription, the materials to be used, and accurate dimensions. All relevant details must be included.
63. If the inscription is not in English, a translation must be supplied with the application.
64. Masons may install approved memorials at all reasonable times, but they must do so quietly and tidily, show care and courtesy to members of the public and cemetery staff, and must obey Health & Safety guidelines.
65. The grave number must be inscribed on the memorial and must be clearly visible.
66. If the inscription is for a person who is not buried in the grave, there must be an inscription on the back of the headstone saying where the person was buried or cremated.
67. The manager will refuse permission for any memorial bearing a picture, photograph or inscription which is subject to copyright, unless the grave owner has the written permission of the owner of the copyright. (Copyright covers football club crests, cartoon characters, regimental crests, poems, songs, etc.)
68. The manager will refuse permission for any memorial which he or she feels may cause offence to others, or for any inscription which he or she feels may be offensive to the public.
69. The manager will refuse permission for any memorial which he or she feels may present a Health & Safety hazard.
70. All memorials will be subject to stability testing at various times, as part of the ongoing memorial safety testing programme.
71. Any memorial that becomes unsafe will be made safe, and the owner of the Exclusive Right of Burial may be asked to meet the costs **or** the owner of the Exclusive Right of Burial will be contacted and asked to make the memorial safe within a given period of time **or** the headstone will be laid down **or** staked for stability **or** removed from the cemetery, and subsequently the owner of the Exclusive Right of burial will be informed, at the last known address.
72. Any memorial may be removed from the cemetery when the Exclusive Right of Burial has lapsed.

## **Masons' registration**

73. Since April 2007 all masons working in Colchester Cemetery must be registered with the crematorium & cemetery office prior to any work being carried out.
74. Any mason may apply to register. Details of the conditions of registration, and an application form, may be obtained from the crematorium & cemetery office.
75. Those masons who are registered will be expected to abide by the terms and conditions of registration. Those masons who do not abide by the terms and conditions of registration will be de-registered, and therefore will not be permitted to work within the cemetery from the date of de-registration.

## **Memorial Fixing Methods**

Memorials must be fixed properly in order to ensure that memorials are safe.

76. All memorials must be fixed safely according to the National Association of Memorial Masons Recommended Code of Working Practice.
77. All memorials must be fixed on a reinforced concrete foundation slab, not less than 6.5cm (2.5 inches) thick; or a granite slab not less than 6.5cm (2.5 inches) thick; or a slab composed of reinforced concrete not less than 5 cm (2 inches) thick topped with a granite slab of not less than 2.5cm (1 inch), the 2 pieces being dowelled together.
78. Foundation slabs must be fixed in line with all other slabs in the same row.
79. Care must be taken to ensure that the centre of the foundation slab is located at the exact centre of the head of the grave.
80. Foundation slabs must be laid flush with the surrounding ground level. Soil excavated during this process must be removed from the cemetery.
81. All new memorials and re-fixed memorials must be fixed using an appropriate ground anchor. The National Association of Memorial Masons issues guidelines as to which ground anchors are appropriate for each size and type of memorial, and these guidelines should be followed.
82. Temporary grave markers (wooden crosses, etc) should be removed from the cemetery by the stonemason when the memorial stone is erected, and offered back to their clients (i.e. the family who commissioned the stone memorial).

## **Lawn Areas (CC, GG, HH, KK, MM , NN)**

83. On the lawn areas all foundation slabs must be 91.5cm (36 inches) long, 38cm (15 inches) wide, and be laid level with the turf.
84. On the lawn areas the base of the memorial must not be more than 86.5cm (34 inches) long or 33cm (13 inches) wide. This is to allow at least 2.5cm (1 inch) of foundation slab all around.
85. On the lawn areas the memorial must not be more than 91.5cm (36 inches) high.

86. Memorial stones of traditional up-plate type must not be more than 15cm (6 inches) thick and they must be at least 7.5cm (3 inches) thick.

### **Cremated Remains Area (LL)**

87. All foundation slabs must be 61cm (24 inches) long, 38cm (15 inches) wide, and be laid level with the turf.

88. The base of the memorial must not be more than 56cm (22 inches) long or 33cm (13 inches) wide. This is to allow at least 2.5cm (1 inch) of foundation slab all around.

89. The memorial must not be more than 56cm (22 inches) high.

90. Memorials of the traditional up-plate type must be no more than 15cm (6 inches) thick and they must be at least 5cm (2 inches) thick.

### **Traditional memorial areas (AA, DD, EE, FF, JJ, OO, old parts of the cemetery)**

91. In the traditional areas memorials which are larger than those permitted in other areas may be allowed. Each application will be judged on its merits, but the manager will refuse permission for any memorial that he or she judges could cause offence to the public or might pose a Health and Safety hazard.

92. On OO section grave spaces are 152.5 cm (5 foot) wide by 275cm (9 foot) long. In every other section of the cemetery, including the old parts of the cemetery, grave spaces are 122cm (4 foot) wide by 275cm (9 foot) long.

### **Headstones on traditional areas**

93. There is no actual restriction on the height of a headstone erected on a traditional area, within reasonable limits. Each application will be considered on its merits with regard to Health & Safety and aesthetics.

94. Where a headstone is of a similar height to those permitted on the lawn sections all the lawn memorial regulations will apply.

### **Kerb sets and flat slabs on traditional areas**

95. Kerb sets and flat slabs in all traditional areas may not measure more than 91.5cm (3 foot) wide by 213.5cm (7foot) long.

### **Baby burial Garden**

96. The graves in the baby burial garden are 91.5 cm (36 inches) wide by 137cm (54 inches) long.

### **Headstones without kerbs in the baby burial garden**

97. All foundation slabs must be 61cm (24 inches) long, 38cm (15 inches) wide, and be laid level with the turf.

98. The base of the memorial must not be more than 56cm (22 inches) long or 33cm (13 inches) wide. This is to allow at least 2.5cm (1 inch) of foundation slab all around.

99. The memorial must not be more than 56cm (22 inches) high.

100. Memorials must be no more than 15cm (6 inches) thick and they must be at least 5cm (2 inches) thick.

### **Headstones with kerbs in the baby burial garden**

101. Kerb sets must not measure more than 56cm (22 inches) wide by 101 cm (40 inches) long.

### **Military burial area (BB)**

102. Memorials in the military burial area must be supplied by the Commonwealth War Graves Commission or by a mason working with the advice and permission of the CWGC. They are subject to the same application and approval process as all other memorial stones.

### **Grave Maintenance**

103. Graves on the lawn sections will not be turfed for at least 6 months following an interment, to allow the soil to settle. Turfing of grave spaces is usually carried out in March and October each year, but the timings could vary if there are adverse weather conditions.

104. The manager reserves the right to remove unsightly or overgrown shrubs, plants, and flowers placed on or by grave spaces.

105. The manager reserves the right to remove **without notice** any broken, dilapidated, inappropriate vases, plant pots, lights, ornaments or any other tributes placed on or by grave spaces, in trees or in the common areas of the cemetery which contravene any of the cemetery regulations in any way.

106. The manager reserves the right to remove **without notice** any memorial bench that is broken, or is unauthorised, or is placed in an unauthorised location, or is placed on a grave space, or which contravenes any of the cemetery regulations in any way.

107. Individual graves in traditional areas (AA, DD, EE, FF, JJ, OO and the old parts of the cemetery) can be edged, turfed or have flowers planted on them by cemetery staff for an annual or one-off fee. Please ask the crematorium & cemetery office for a list of fees and charges.

108. Flowers, wreaths and other tributes placed on the grave on the day of the funeral will be removed 14 days after the funeral, and they will be immediately disposed of.

## **Crematorium**

109. The crematorium has adopted the guiding principles issued by the Institute of Crematorium & Cemetery Management (ICCM) and the Code of Cremation Practice issued by The Federation of British Cremation Authorities.
110. The crematorium (& cemetery) has signed up to the Charter for the Bereaved.

## **Services**

111. Bookings for cremation and burial services should be made by telephone by the funeral director (if one is being used) with the crematorium office. A mutually convenient date and time will be agreed.
112. Applications for cremation services must be made on the forms supplied by the crematorium, and returned to the office with the relevant fee.
113. The completed papers must be delivered to the office at least 48 hours before the cremation service. This is so that the papers can be presented to the medical referee for authorisation. If the office does not receive the papers on time authorisation may be delayed, and the manager may have to postpone the funeral.
114. Where a family makes a request to examine the statutory cremation papers at the crematorium, the papers must be delivered to the crematorium 72 hours before a funeral, in order to allow the appointment with the family to be made and for the examination of the paperwork to take place.
115. The manager will charge a cancellation fee if the cremation is cancelled less than 48 hours before the service time.
116. Cremation services are carried out between 9.30am and 3.30pm Monday to Friday.
117. Service times are spaced 45 minutes apart.
118. The person directing the funeral (usually a funeral director) is responsible for organising the bearing or carrying of the coffin in to the crematorium chapel. The staff of the crematorium are not allowed to bear coffins for safety reasons.
119. The person directing the funeral is responsible for promptly clearing the chapel of mourners at the end of the service, so that the chapel may be prepared for the next service.
120. The time allotted for a service starts at the time of the appointment. The chapel must be cleared of mourners and funeral directors within 30 minutes of the time of the appointment. This allows a few minutes for the chapel to be prepared for the next service, and for the next congregation to be admitted.

## **Coffins**

121. Bodies presented for cremation must be brought to the crematorium in a suitable closed casket or coffin, which must be made of wood, wicker, bamboo or cardboard, and must be of rigid construction.
122. Where a family requests that a coffin should be open during a service, the coffin should be brought to the crematorium chapel closed, it should then be opened in a decent and

safe manner within the chapel, and should be closed and sealed again in a decent and safe manner before the end of the service.

123. Wicker and bamboo coffins must be lined, to prevent transparency, and the base should be strengthened with wood to ensure rigidity.
124. When cardboard, wicker or bamboo coffins are to be used for cremation the crematorium & cemetery office must receive notification in advance. This is for safety reasons.
125. The coffin must not be more than 206cm (81 inches) long, 71cm (28 inches) wide or 56cm (22 inches) deep. The cremators cannot accept coffins that are larger than this. Any coffin that is larger than the regulation size but is brought for cremation will be refused cremation, and other arrangements for its cremation must be made at the cost of the funeral director or family.
126. The following materials may not be used in coffins: sawdust, cotton wool, rubber, PVC, varnish, oil-based paint or pitch. This is for safety reasons.
127. Metal-lined coffins or metallic coffin fittings are not permitted for safety reasons.
128. The coffin nameplate may be made of polystyrene, and, if so, it must not weigh more than 90 grams.
129. The funeral director must sign the declaration on the Preliminary Notice for Cremation form, agreeing that the coffin he brings to the crematorium for cremation complies with all regulations concerning size, construction, materials, etc.

### **Floral Tributes & Ornaments**

130. Funeral floral tributes must be placed on the flower court area at the appropriate stand. Floral tributes must not be placed on the grass.
131. Only one small floral tribute left on the coffin may be cremated with the coffin. Funeral directors are responsible for informing families that this is the case, as crematorium staff will not dispose of excess floral tributes left on the coffin by any other method. All other floral tributes must be placed on the flower court, or may be donated to the local hospice if the family so wish.
132. Funeral floral tributes left on the flower court on Monday, Tuesday or Wednesday will be removed from the flower court by 8.00am on the following Monday and will be disposed of immediately. Flowers placed on the flower court on Thursday and Friday will be removed from the flower court by 8.00am on the following Wednesday and disposed of immediately.
133. Floral tributes should not be left in the garden of remembrance, where they are liable to quickly wither, die, or blow around, but are welcomed in the book of remembrance and prayer room where vases are provided.
134. Windchimes, lights, lanterns, candles, soft toys and other ornaments are not permitted in the garden of remembrance, where they are apt to look untidy, cause a nuisance or get broken. Small mementoes may be left in memory of loved ones in both the book of remembrance and prayer rooms.



135. Vases, ornaments, pictures, etc placed in the prayer room or book of remembrance room are placed there at the risk of the owner. The crematorium takes no responsibility for the safety of these items. Items will be removed and disposed of after 3 months.
136. The manager reserves the right to remove **without notice** any broken, dilapidated or inappropriate vases, plant pots, or any other tributes placed in the Garden of Remembrance, whether by memorials, in trees or in the common areas of the garden of remembrance, which contravene any of the crematorium and cemetery regulations in any way.

### **Cremations**

137. Once the coffin has been placed on the catafalque it cannot be opened or interfered with in any way by any person for any purpose except that of cremation (or burial).
138. The coffin will be placed into the cremator exactly as it arrives for the service. Nothing inside or fitted to the outside of the coffin may be removed after the service.
139. Each coffin and its contents are cremated separately from any other coffin and its contents.
140. Up to six members of the deceased's family may watch the coffin being placed into the cremator, but this must be requested at least 48 hours before the funeral, by telephone or in writing, so that safety arrangements may be made.

### **Cremated Remains**

141. Cremated remains will only be released for collection or scattered in the grounds if the manager receives written instructions signed by the cremation applicant.
142. Families are not permitted to scatter ashes unsupervised by crematorium staff or without the written permission of the applicant. This is so cremation law governing the scattering and registration of cremated remains can be complied with.
143. Cremated remains can be held at the crematorium for up to 3 months with no charge. If, after 3 months, the manager has received no further instructions from the applicant, he or she will write to the cremation applicant asking for a decision to be made. If there is no response after a month the manager will write again. If there is no response a third letter will be sent giving a date by which the manager must receive instructions. It will warn that if instructions are not received by that date, the cremated remains will be scattered in the crematorium grounds.

### **The Garden of Remembrance**

144. Families are encouraged not to place floral tributes in the garden of remembrance, but if they do so they place them there at their own risk. The crematorium will not accept any responsibility for the safety of these items.
145. Memorial plaques, rose trees and bushes, shrubs, trees, wall of remembrance bricks, columbarium niches, and any other Garden of Remembrance memorials, must all be applied for via the Crematorium office.
146. The location of memorials placed in the Garden of Remembrance must be agreed with the manager, and must remain in that location for the duration of the lease unless the manager permits them to be placed elsewhere.

147. All Garden of Remembrance memorials are leased, and remain the property of Colchester Borough Council throughout the lease period and after the lease period has ended.
148. Memorials in the garden are leased for a set number of years. At the end of that time the owner will be contacted at the last known address and invited to renew the lease for a further period.
149. Memorials in the garden are leased for a set number of years. When the period of adoption of a memorial in the garden of remembrance runs out, and the lease is not renewed, the manager may remove the plaque, and allow another person to adopt the memorial.
150. The manager reserves the right to change the layout of the garden of remembrance, the location of individual memorials, and the type of memorials offered as he or she thinks fit.
151. The price of leased memorials is subject to review by Colchester Borough Council on an annual basis, when adjustments to the prices may be made. The prices are published as the Cemetery Fees and Charges document, a copy of which is available on request from the Crematorium office.

### **Book of Remembrance**

152. Book of Remembrance entries are available via application to the Crematorium Office.
153. The Book of Remembrance and the entries therein remain the property of Colchester Borough Council.
154. While every effort is made to give access to the Book of Remembrance daily for at least 3 hours, the manager reserves the right to occasionally restrict access to the Book for Health & Safety or other unavoidable reasons.
155. The price of Book of Remembrance entries is subject to review by Colchester Borough Council on an annual basis, when adjustments to the prices may be made. The prices are published as the Cemetery Fees and Charges document, a copy of which is available on demand from the Crematorium office.

### **Benches placed in the Crematorium Garden or the Cemetery**

156. Benches to be placed in the garden of remembrance or cemetery must be applied for via the Crematorium office. Members of the public are not permitted to place a bench in the Cemetery or Garden of Remembrance which they have purchased elsewhere.
157. Benches are placed in locations at the Manager's discretion. This right is reserved in order to ensure that there are not too many benches in one area and not enough in another. From time to time the manager may restrict the number of new benches allowed in a given area because there may be too many there already. Benches must not be moved from the authorized location without permission of the manager.
158. Benches in the garden of remembrance are placed on the edge of paths, on lawns close to scattering areas, and in other locations throughout the garden. Benches in the cemetery are placed on the edges of burial areas and under trees where no graves will ever be located due to the tree roots. Benches are never approved to be placed on

grave spaces, even if the person leasing the bench is the owner of the Exclusive Right of Burial of the grave.

159. Benches are leased from Colchester Borough Council, and they remain the property of Colchester Borough Council throughout the lease period and beyond the lease period.
160. Benches will be maintained throughout the lease period. This means that they will be cleaned at least once a year, and they will be checked to ensure that they are in a good state of repair. They will not be stained or varnished, unless the supplier's instructions specifically advise that this is necessary.
161. The price of benches is subject to review by Colchester Borough Council on an annual basis, when adjustments to the prices may be made. The prices are published as the Cemetery Fees and Charges document, a copy of which is available on request from the Crematorium office.

### **Balloon, Bubble and Dove Releases**

162. Balloons may not be released from the grounds of the crematorium or cemetery, in line with the policy of Colchester Borough Council.
163. Bubbles may be released from a bubble machine placed next to the grave or on the Flower Court area.
164. Doves or butterflies may be released from the graveside or from the Flower Court, providing the doves or butterflies are supplied and the release is supervised by a representative of a reputable specialist company that is committed to the welfare of the doves or butterflies that they supply.

## APPENDIX D : Equality Impact Assessment

**What is an Equality Impact Assessment?** An Equality Impact Assessment (EqIA) is a tool for identifying the potential impact of our policies, services, strategies and functions on our residents, visitors and staff. The assessment must include the potential impact on the following equality groups: age, disability, gender, race, religion or belief and sexual orientation. We also need to consider those who live in rural isolation, are on a low income or who do not have English as their first language. By assessing the potential impact we can ensure that the services we provide reflect the needs of our communities. By carrying out EqIAs, we may also ensure that the services we provide fulfil the requirements of anti-discrimination and equalities legislation.

### Relevance Test

Please use the relevance test below to decide whether your policy, service or strategy requires an EqIA:

#### Relevant

- The policy, strategy or service will impact on people (residents, visitors and staff).
- The policy, strategy or service is intended to benefit people.

#### Not relevant

- The policy, strategy or service has no clear impact on people.
- The policy, strategy or service is a support function or administrative.

### How do I use the toolkit?

The toolkit is easy to use and does not require any specialist knowledge to be able to use it. The assessment is in two sections; initial screening and full impact assessment. Once you have completed the initial screening you will know whether or not you need to complete a full impact assessment. If you require further information on how to complete an EqIA please see the FAQs or contact Claire Gayfer, Equality and Diversity Officer on 01206 506452 or by email [Claire.gayfer@colchester.gov.uk](mailto:Claire.gayfer@colchester.gov.uk)

## Equality Impact Assessment Form

### Screening

<b>Name of strategy, project or policy to be assessed</b>		<b>Is the strategy/project/policy:</b>	
Review of Cemetery & Crematorium Regulations		New X	Existing
<b>Lead officer completing assessment</b>	<b>Job title</b>	<b>Date of assessment</b>	
Penny Stynes	Crematorium & Cemetery Manager	15 <sup>th</sup> September 2009	
<b>Responsible department</b>		<b>Director</b>	
Environmental & Protective Services			

#### 1. What is the main purpose of the policy, service or strategy?

To review and replace the existing regulations of the Crematorium & Cemetery; to strengthen some regulations; to clarify some regulations; to allow the regulations to be more enforceable.

**2. List the main activities of the policy, service or strategy? (for strategies list the main policy areas):**

The regulations cover opening times; the behaviour that is expected in the cemetery and crematorium; the technical parameters allowed (eg coffin sizes in the crematorium, memorial sizes in the cemetery); disposal of litter, flowers, etc; the conduct of vehicles; memorials sold by the crematorium & cemetery; the burial areas provided and who may be buried there, etc

**3. Who are the main audience, users or customers who will be affected by the policy, service or strategy?**

Mourners & bereaved families; general visitors; funeral directors; clergy; members of Colchester Borough Council staff; contractors; partners; stonemasons; tenants of the cemetery buildings.

**4. What outcomes are wanted from this policy, service or strategy?**

The cemetery & crematorium regulations will be clear and enforceable.

**5. Are other departments or partners involved in delivery of the policy, service or strategy? If so, please give details below.**

The enforcement will come chiefly from the Crematorium & Cemetery staff and the Environmental & Protective Services Dept.

**6. What data, information or knowledge do you have to enable you to assess the impact on equality target groups? Please list below. (For example, think about performance indicators and targets, user satisfaction, uptake of services, consultation or involvement, workforce monitoring data, complaints, external verification and eligibility criteria).**

These regulations apply to all groups using the cemetery. There are no exceptions.

The consultation undertaken in connection with this review of regulations highlighted the need for cheaper cemetery benches, and this is being actioned.

**7. Are there any concerns that the policy, service or strategy could have a differential impact in terms of equality?**

Use the table below to indicate:

- Where you think that the policy, service or strategy could have a negative impact on any of the equality target groups, for example, it could disadvantage them;
- Where you think that the policy, service or strategy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relations within equality target groups;
- Provide an explanation as to why you think there is a positive or negative impact;
- The key elements of people's lives affected by this policy, service or strategy. For example, finance, accommodation or welfare; and
- If you identified any data in question 6, use it to help your explanation below.

		<b>Positive impact</b> – it could benefit	Negative impact or risk – it could disadvantage	<b>Explanation</b>
<b>Gender</b>	Women	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Men	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Transgender	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
<b>Race (census categories)</b>	White – British	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	White – Irish	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.



		<b>Positive impact – it could benefit</b>	<b>Negative impact or risk – it could disadvantage</b>	<b>Explanation</b>
	White – other background	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Mixed – White and Black Caribbean	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Mixed – White and Black African	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Mixed – White and Asian	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Any other mixed background	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Asian/Asian-British - Indian	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Asian/Asian-British - Pakistani	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Asian/Asian-British – any other Asian background	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.

		<b>Positive impact – it could benefit</b>	<b>Negative impact or risk – it could disadvantage</b>	<b>Explanation</b>
	Black/Black British – Caribbean	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Black/Black British – African	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Black/Black British – any other Black background	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Chinese	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Gypsies/Travellers	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Any other group (write in)	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
<b>Disability</b>	Physical	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Sensory	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.

		<b>Positive impact</b> – it could benefit	Negative impact or risk – it could disadvantage	<b>Explanation</b>
	Learning	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Mental health issues	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Other – please specify	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
<b>Sexual Orientation</b>	Lesbian, gay and bisexual	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
<b>Age</b>	Older people (60 +)	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Younger people (17-25), and children (0-16)	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
<b>Belief or Religion</b>	Buddhist	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Christian	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.

		<b>Positive impact – it could benefit</b>	<b>Negative impact or risk – it could disadvantage</b>	<b>Explanation</b>
	Hindu	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Jewish		Yes	There is no provision for Jewish burials within the cemetery (further land is being sought, in which a Jewish burial area will be established.)
	Muslim	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Sikh	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Other – please specify			
<b>Language</b>	English not first language	Yes		Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
<b>Social inclusion</b>	Low income	Yes		A range of memorials are available. Grave purchase is not essential. Enforceable regulations ensure that the cemetery is kept in good and safe condition, and behaviour within the cemetery is of an acceptable standard.
	Rural isolation			No discernible impact.
<b>Equal opportunities and /or improved relations</b>				

**8. Based on the explanations you have given in question 7, could the policy, service or strategy discriminate against any group(s) either directly or indirectly? If yes, please state how.**

Indirectly: families wishing to bury loved ones in a separate Jewish burial area are not catered for within the existing cemetery.

**Note:** Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their racial or ethnic origin, gender, religion or belief, disability, age or sexual orientation. Indirect discrimination occurs when an apparently neutral provision or practice would disadvantage people on the grounds of racial or ethnic origin, gender, religion or belief, disability, age or sexual orientation, unless the practice can be objectively justified by a legitimate aim.

**9 a) If you have identified any negative impacts in question 7, how could you minimise or remove this negative impact?**

The management of the cemetery, representatives of the Estates Dept, Planning Dept and others are seeking to identify and purchase land on which to establish a Jewish burial area and a further area for Church of England burials.

**9 b) If you have identified any positive impacts in question 7, how could you improve or promote this positive impact?**

By enforcing regulations, particularly with regard to anti social behaviour and the deliberate flouting of regulations by which the majority are happy to abide.

**10. What consultation has been carried out on the policy, service or strategy? Who with? Please give the findings of the consultation below.**

We carried out a public consultation with regard to the placing of benches, windchimes, solar lights, etc within the cemetery.

**Analysis of answers**

**Wind chimes, solar lights and other ornaments**

Of the 188 grave owners who responded only 10% thought that grave owners should be able to be free to decorate the cemetery as they choose, with 56% feeling that there should be some rules restricting the amount of artefacts displayed. 33% felt that solar lights should be banned and 27% favoured a ban on wind chimes.

45% of the grave owners who responded would like ornaments restricted to individual grave spaces, with trees and other common areas kept free of them, and 37% felt that the only ornaments allowed on a grave should be headstones and flowers (artificial or fresh).

**Benches**

Of the 188 respondents, only 7% felt that grave owners should be free to purchase their own bench from any source and place it where they choose in the cemetery, without authorisation or restriction. A high 77% felt that the benches should be purchased through the Crematorium office, and the location of them should be approved and authorised. 58% of grave owners who responded thought that the price of benches available from the Crematorium office was too high, but 28% thought the price was acceptable.

### **Additional Comments**

76 of those who responded included comments with their questionnaire. Please see **Appendix A** for a transcript of their comments.

### **Dogs**

Although there wasn't a question about dogs included in the questionnaire, several comments have been received from grave owners, members of the public, funeral directors and stonemasons in recent weeks, regarding dogs. Some of the comments have asked that dogs should be banned from the cemetery.

The main areas of concern seem to be that some dog owners are letting their dogs run free off the lead which some people find distressing or worrying, and some dogs are fouling the grass and grave spaces, and their owners are not cleaning up after them.

Therefore it is suggested that the issue of dogs in the cemetery should be included in this review of cemetery regulations.

### **Behaviour**

Similarly there have been comments received about antisocial behaviour in the cemetery, e.g. people holding parties next to grave spaces; people swearing, shouting and loudly describing sexual encounters close to grave spaces; people drinking alcohol; people

**11. Do the findings from the consultation remove any negative impacts identified in question 7? Please give an explanation below.**

No, but the provision of further burial land would do that and it is being worked on.

**12. If consultation has not been carried out, and you have no data or information available which monitors the impact of the policy, service or strategy on equality target groups, how do you intend to make a decision on the impact?**

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**13. Please give details of how you (or how you intend to) collect monitoring data in relation to any of the following equality target groups:**

<b>Age: Customer survey &amp; consultation questionnaires</b>	<b>Disability: Customer survey &amp; consultation questionnaires</b>
<b>Gender/transgender: Customer survey &amp; consultation questionnaires</b>	<b>Race: Customer survey &amp; consultation questionnaires</b>
<b>Religion and belief: Customer survey &amp; consultation questionnaires</b>	<b>Sexual orientation: Customer survey &amp; consultation questionnaires</b>
<b>Low income: Customer survey &amp; consultation</b>	<b>Rural isolation: Customer survey &amp; consultation questionnaires</b>



questionnaires	
English not first language: Difficult, but customer survey & consultation questionnaires	Other (please state):

**14. Which main audience, users or customers identified in question 3 have you involved in producing this EqIA?**

The public & cemetery staff.
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**15. Summary of initial screening**

Findings	Action required
No negative impacts have been identified and this has been justified with data or information. <input type="checkbox"/>	Sign off initial screening and finish.
Negative impacts were identified but have been minimised or removed. <input checked="" type="checkbox"/>	Implement actions identified in question x then sign off initial screening and finish.
Negative impacts were identified but have not been minimised or removed. <input type="checkbox"/>	Sign off initial screening and complete a full impact assessment.
Insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off initial screening and complete a full impact assessment.

Please sign and date this form, keep one copy and send one copy to the relevant director and one to the Equality and Diversity Officer.

<b>Name:</b>	<b>Penny Stynes</b>	<b>Copy sent to Head of Service? (Please name)</b>	<b>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></b> <b>Beverley Jones</b>
<b>Job title:</b>	<b>Crematorium &amp; Cemetery Manager</b>	<b>Copy sent to Equality and Diversity Officer?</b>	<b>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></b>
<b>Date of completion:</b>	<b>15<sup>th</sup> September 2009</b>	<b>Copy reviewed by Diversity Steering Group?</b>	<b>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></b>
<b>Date for review of this screening:</b>	<b>When regulations are next reviewed</b>	<b>Copy published on CBC website and The Hub?</b>	<b>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></b>

PETITIONS, PUBLIC STATEMENTS, QUESTIONS

(i) Have Your Say speakers

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 9 September 2009	Mr McKinney	Colchester Carnival, Town Centre	Oral responses provided at Cabinet by Leader of the Council and Portfolio Holder for Strategy. Written response sent by Leader of the Council on 25 September 2009.	25 September 2009
Cabinet, 9 September 2009	Paula Whitney	Bus station, waste issues and relationship with Essex County Council	Oral response provided at Cabinet by Leader of the Council and Portfolio Holder for Strategy and Partnerships. Written response sent by Leader of the Council on 24 September 2009.	24 September 2009
Cabinet, 9 September 2009	Andy Hamilton	Sale of 15 Queen Street, VAF	Oral response provided at Cabinet by Portfolio Holder for Resources and Business. Written response sent by the Leader of the Council on 7 October 2009.	7 October 2009

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 9 September 2009	Bob Russell, MP	Fees paid to architect on VAF sale of 15 Queen Street,	Oral response provided at Cabinet by Portfolio Holder for Resources and Business. Written response sent by the Leader of the Council on 9 October 2009.	9 October 2009

**(ii) Petitions**

**No petitions to report**

