Town Clerk
Mrs G Bell

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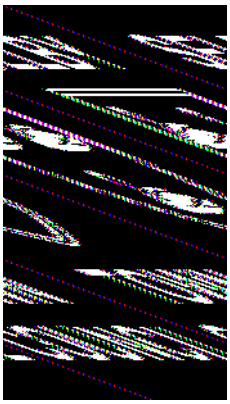

Selby Town Council,
The Town Hall,
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31 August 2021

Dear Councillor

Land and Property Committee

You are hereby summoned to attend the meeting of Land and Property Committee which has been arranged to be held on line on **Monday 6 September 2021**, commencing at 7.00pm.

LOG IN – The login details have been emailed to you.

Yours sincerely

Gill Bell
Town Clerk

To Councillors: M Dyson, W Nichols, G Harding, S Shaw-Wright, M Davis, I Lawton, Mrs M Fagan, K Franks and F Matthews

All Councillors for information.

AGENDA

LP19 APOLOGIES FOR ABSENCE

LP20 DISCLOSURE OF INTERESTS

LP21 MINUTES

LP21.1 To **receive** the minutes of a meeting of the Land and Property Committee held on 7 June 2021. These minutes have been previously ratified at Council held on 28 June 2021. (Pages 6 to 15 attached).

LP21.2 Updates from the last meeting

Leaf mould and allotment waste bays – An additional bay will be added after the containers are in place.

Containers – The Resource Manager is in discussion with the contractors regarding the logistics of these works.

Cemetery Paths – 3 companies have been asked to quote and responses are awaited.

New Ashes Section – A temporary plan/map has been made and this section is now operational. Further concrete rafts will be installed as and when required.

Unpaid Workforce – The lease for the cabin has been sent for signing, an update is awaited.

Legionnaires Risk Assessment Survey – This has been booked for 2 September at the Town Hall only.

Waste Bins (Abbots Road) – The bins have been placed on order, the Clerk is awaiting the paintings from Barwic Parade School to send to the supplier.

Noticeboards – The damaged noticeboard has been moved to a safer location within the green car park.

Lightning Conductor – Have contacted the company again, reply still awaited.

Residents request for the tree on Stonebridge allotments to be pruned/removed – It was approved to remove the tree at the last meeting – The cost to remove this tree in the winter months would be £600.

LP22 COUNCIL POLICIES

LP22.1 To **review** the Allotment Rules and Regulations and to **agree** a review date, the Clerk has not suggested any updates to the current rules and regulations other than suggesting that a deposit of £100 be taken from new tenants to help cover the cost of clearing the allotment should the tenant leave it in an untidy state. (Pages 16 to 25 attached).

LP22.2 To **consider** the amendments to the Cemetery Rules and Regulations. (Pages 26 to 47 attached).
The Resource Manager was asked to investigate the length of time (years) that other burial authorities gave to their Exclusive Right of Burial deeds. (Page 48 attached).

LP23 ALLOTMENTS

To **note** work to relet available plots is ongoing and the resource team are working on the maintenance issues that have been identified.

Inspections/ Site visits have recommenced w/c 23.8.21 following Funday prep/event.

Pymbles

To **note** there are 41 people on the waiting list and currently 1 vacant plot.

Stonebridge

To **note** there are 57 names on the waiting list and 3 half and 1 full plot vacant.

Westbourne

Notice to Quits have been served on two tenants at Westbourne.

To **note** there are 15 names on the waiting list and 8 available plots (mainly half plots).

LP24 CEMETERY

To **note** the Clerk and Resource Manager are currently working on an Action Plan for the cemetery. This will be brought to a future meeting.

LP25 PLAY AREAS

To **consider** the report from the Resource Manager regarding vandalism at Barwic Parade Play area.(See page 49 attached).

The annual inspection by Zurich Municipal (Insurers) has been completed and a number of issues were highlighted. The resource team are working to rectify these.

LP26 1811 BUILDING

LP26.1 Renovations

To **consider** the report provided by the Resource Manager (Page 50 attached).

LP27 TOWN HALL

LP27.1 Town Hall Windows

To **consider** the report provided by the Town Clerk and to consider seeking further quotations for the additional work. (Pages 51 to 52 attached).

LP28 CEMETERY CHAPELS

No further updates.

LP29 BONDGATE COMMUNITY WOODLAND

LP29.1 Memorial Wheel

A meeting has been scheduled to further discuss the project on Thursday 16 September at 1pm in the Town Hall Studio. Cllrs S Shaw-Wright, M Davis and K Franks and Mr S Cahill will be in attendance.

LP30 SCHEDULED WORKS

To **note** that the Resource Manager has provided a plan of current scheduled works. (Page 53 attached).

LP31 PRIVATE SESSION

In accordance with the provisions of the Public Bodies (Admission to Meetings) Act 1960 the Public and press will be excluded from the meeting for the discussion of the following exempt business (Item LP32).

LP32 CEMETERY LODGE

One of the resource assistants is interested in possibly leasing the lodge. The Clerk has arranged for him to view the property.

LP33 DATE OF FUTURE MEETINGS

Friday 10 September 2021	**Market Working Group**
Monday 13 September 2021	**Town Hall Management Committee**
Monday 20 September 2021	**Health, Safety & Welfare Group**
Monday 27 September 2021	**Council**
Monday 18 October 2021	**Finance & Staffing Committee**
Monday 25 October 2021	**Council**
Monday 29 November 2021	**Council**
Monday 6 December 2021	**Land & Property Committee**
Monday 20 December 2021	**Council Special Budget Meeting**

MINUTES OF THE PROCEEDINGS OF THE LAND AND PROPERTY COMMITTEE MEETING HELD ONLINE ON 7 JUNE 2021

PRESENT: Cllrs M Davis, F Matthews, S Shaw-Wright, I Lawton, M Dyson, K Franks, M Fagan, W Nichols and G Harding

IN ATTENDANCE: G Bell and A Argyle

LP1 APPOINTMENT OF CHAIR AND VICE CHAIR OF THE COMMITTEE

Councillor Mrs M Davis was appointed chair and Councillor K Franks was appointed Vice Chair.

LP2 APOLOGIES FOR ABSENCE

All committee members were present

LP3 DISCLOSURE OF INTERESTS

There were no Disclosures of Interests.

LP4 MINUTES

LP4.1 The minutes of the Land & Property Committee held on 1 March 2021 were received and noted. These minutes had previously been approved at March Council.

RESOLVED That the minutes were noted.

LP4.2 The Clerk updated on items from the last meeting.

Two leaf and allotment waste bays, out of the three, have now been completed. The third will be completed as soon as the ground conditions improve. Cllr Matthews commented that the area had become littered with debris – hose pipe, glass etc., and the Green Waste sign had yet to be moved to the new area. It was agreed that if the area continued to be misused a more strongly worded sign may have to be displayed.

The asbestos survey had been completed at the 1811 building and no asbestos had been found.

A reply was still awaited from the company regarding the installation of a lightning conductor for the Town Hall.

A local Memorial Mason has confirmed that currently there are no vases on the market with fixed lids. This firm are supplying plastic containers

with metal lids as they tend to last longer, and it is found that the top stays on better.

RESOLVED That the abovementioned updates be noted.

LP5 COUNCIL POLICIES

LP5.1 Planning Consultation Policy

The Clerk provided the Planning Consultation Policy for review. The Clerk was asked to double check the approved responses against those provided by the Town Planning Consultant previously.

RECOMMENDATIONS TO COUNCIL THAT:

i. **The Planning Consultation Policy be approved subject to any additions included as above and**
ii. **The review date be set for 2 years**

LP5.2 Cemetery Rules and Regulations

The Clerk provided the Cemetery Rules and Regulations for review. Cllr Davis suggested some extra wording to clarify terminology used and uniformity throughout the document. Following meetings between some families and Cllr Davis and the Clerk it was agreed that the current Cemetery Rules and Regulations were difficult to read and required simplifying to allow the Town Council staff to enforce the rules.

It was agreed that members would meet in the Cemetery to have consider the issues that had been raised in the Cemetery. In the meantime, the Clerk would re-draft the Cemetery Rules and Regulations with the agreed updates and circulate to members of the committee in readiness to be updated at the next Land & Property meeting in September.

RESOLVED THAT:

i. **The Clerk re-drafts the Cemetery Rules and Regulations with agreed updates and circulates to members of the committee**
ii. **Members of the committee meet in the Cemetery to consider the issues that have been raised and,**
iii. **The committee agreed to hold an intermediate meeting to review the Cemetery Rules and Regulations with the agreed amendments and the Clerk to circulate other related clauses from similar bodies.**

LP6 ALLOTMENTS

It was noted that the Resource Manager had visited all allotment sites and had determined maintenance issues.

Pymbles

It was noted that the Admin Officer had completed inspections and had commenced re-letting vacant plots.

Stonebridge

The committee considered a request from a resident regarding a tree on the allotments blocking daylight from their property.

RESOLVED That the Resource Manager investigates the cost of removing the tree and to find suitable areas close by to plant 1 or more replacement trees.

The committee felt that whilst they appreciated that due to the pandemic some staff had been shielding/isolating, the process of inspecting and re-letting vacant allotments had been very slow this year. It was agreed that as rents were due to be paid by mid-February vacant plots should have been dealt with in March. Any tenants not paid by the deadline should be issued with a notice to quit to enable the plots to be let as soon as possible.

It was agreed that Council staff should be tighter on enforcing the Allotment Rules.

Westbourne

The committee considered a request from an allotment tenant regarding a request to have a beehive on their plot. It was agreed that as Westbourne are temporary allotments and that the plots are smaller than the other sites it would not be a suitable location for a beehive.

RESOLVED That the request for a beehive be refused.

LP7 CEMETERY

LP7.1 Updates

The Resource Manager updated that weather conditions are still proving to be problematic. However, the Resource Team staffing levels have now returned back to full strength and the team are participating in relevant training over the current months as well as clearing the backlog of works that have accumulated over the past year.

It was noted that a large oak tree that had been reported as damaged and following the relevant checks it had been agreed unfortunately to remove the tree. A sizeable replacement would be planted in due course.

RESOLVED That the update be noted.

LP7.2 Containers

Consideration was given to the request from the Resource Manager to release the funds for re-siting of the containers as agreed at the Special Budget Meeting held on 21 December 2020 of £2,945 to be taken from Cemetery Long-term Development Fund EMR.

RESOLVED THAT:

i. **Approval be given for £2,945 be released for the re-siting of the containers and**
ii. **The funds be taken from the Cemetery Long-term Development Fund EMR**

LP7.3 Paths

Consideration was given to the request from the Resource Manager to release the funds for the Cemetery Central Path that runs through 6a and 6b as agreed at the Special Budget Meeting held on 21 December 2020 of £19,500 to be taken from Asset Replacement and Refurbishment EMR.

RESOLVED THAT:

i. **The Resource Manager seek competitive quotes/tenders (dependent of the expected cost)**
ii. **Approval be given, once quotes/tenders have been approved, for funds of £19,500 be released for the Cemetery Central Path**
iii. **The funds to be taken from the Asset Replacement and Refurbishment EMR**

LP7.4 New Ashes Section

It was noted that the first phase of groundworks to the new section has now been completed and will formally be known as ‘Lawns C’. The Resource Manager informed the committee that further costings would be provided for the next budget setting meeting (2022/23 financial year). A formal grave plan must be created before this area becomes operational.

RESOLVED That the update be noted.

LP7.5 Farm Field

The Resource Manager updated that the ground area for the Unpaid Workforce (UPW) cabin has been prepared and this would be sited as soon as the conditions improve.

It was agreed to arrange the Town Council solicitor to draw up a licence agreement before the cabin is sited. This would cover responsibility for the siting, removal, security and maintenance of the cabin and a period of notice to remove the cabin should the need arise.

RESOLVED That the update be noted.

LP7.6 Sunken Graves

It was noted that the topping up process continues on an “as and when” basis. There is no further requirement for an outside contractor involvement now the Resource Team are at full strength.

RESOLVED That the update be noted.

LP8 PLAY AREAS

The report presented by the Resource Manager on the costs associated on combatting the vandalism at Barwic and Flaxley Road play areas was considered. It was thought that making the fence higher at this time would not solve the problem as the play areas remain unlocked. It was suggested that it may be more beneficial to engage with the community via schools and Big Local. The use of volunteers to lock and unlock play areas was discussed and to investigate providing recognition for the volunteers.

RESOLVED That the Clerk contacts the local primary schools and Big Local team to work as a community highlighting the issues surrounding the play areas.

The Resource Manager updated that the team have been working on minor to moderate repairs associated with wet rot, vandalism and wear and tear issues. Major works have been carried out by specialist contractors. The annual inspection by Zurich Municipal is expected soon.

RESOLVED That the update be noted.

LP9 1811 BUILDING

LP9.1 Selby and District Foodbank

The Clerk updated that the Foodbank are in the process of moving all food and packing facilities into the 1811. Plans are being drawn up by the foodbank for alterations to the ground floor. The Clerk clarified that the license states that any alterations carried out by the Foodbank must be put back to original at the end of the license term.

RESOLVED That the update be noted.

LP9.2 Asbestos Survey

It was noted that the asbestos survey had been carried out and no asbestos had been found.

RESOLVED That the update be noted.

LP9.3 Heating System

It was noted that the repairs to the heating system have now been completed.

RESOLVED That the update be noted.

LP9.4 Renovations

A list of repairs/renovations was considered.

It was agreed that the most seriously needed repairs/renovations be carried out, once the Resource Manager has received suitable quotations, as detailed below:

1. Replace the side door
2. Replace the main front door
3. Remove up to 4 units of secondary glazing from the 1st floor, and look for replacement units that can be opened
4. External painting of windows and doors
5. Necessary pointing while the scaffolding is in place for painting

RECOMMENDATION TO COUNCIL THAT THE ABOVE WORKS BE APPROVED.

LP10 TOWN HALL

LP10.1 Town Hall Windows

Consideration was given to the request from the Resource Manager to release the funds for the Town Hall Windows and painting of the windows as agreed at the Special Budget Meeting held on 21 December 2020. The expenditure of up to £32,000 (Refurbishment of Windows) and £2,800 (Painting) was agreed at the Special Budget Meeting held on 21 December 2020. This expenditure to be taken from Asset Replacement and Refurbishment EMR.

The Resource Manager provided a report detailing the progress with this project. It was noted that the Resource Manager was meeting with the contractors later this week and firm quotes for painting would be obtained for the Council meeting.

The Clerk confirmed that 2 quotes for the windows had been received and after taking advice from Hugh Massey and conferring with the Chair and Leader of Council had approved the quotation from ERW Joinery, Middlesbrough.

RESOLVED THAT:

i. **Approval be given to release up to £32,000 for the Refurbishment of the Town Hall windows and £2,800 for the painting of the windows**
ii. **The funds for of £34,800 (total) be taken from Asset Replacement and Refurbishment EMR and**
iii. **The update report of the Resource Manager be brought to June Council.**

LP10.2 Noticeboards

The Resource Manager updated that all noticeboards, including the 3 at the cemetery have now been installed. It was noted that the one in the green car park at the cemetery had been damaged and the Resource Team had straightened it.

RESOLVED That the update be noted.

LP10.3 Gardens

The Resource Manager updated that the plants are now starting to become established, and that Groundwork are carrying out a monthly maintenance visit.

RESOLVED That the update be noted.

LP10.4 Legionnaires Risk Assessment Survey

Consideration was given to carrying out a Legionella Risk assessment survey and bespoke report for the Town Hall, York Street, Selby, this includes a site visit, compiling of the bespoke report, site meeting and training. The training received from this assessment can then be used to carry out assessments at the Community Centre and 1811 Building by trained Town Council staff.

The cost for the Legionella Risk assessment, report and training is £750 to £800 + VAT.

RECOMMENDATION TO COUNCIL THAT A LEGIONELLA RISK ASSESSMENT SURVEY BE APPROVED AT A COST OF UP TO £800 + VAT.

LP11 CEMETERY CHAPELS

The Clerk updated on that Native Architects have started the planning application procedure for the Chapels. Selby District Council (SDC) have agreed that the works to both chapels can be carried out under a single 'full application for change of use' which should make the process simpler and reduce the application fee. SDC have recommended that a heritage statement is prepared to support the application which is to be supplied by Native Architects as part of the application.

RESOLVED That the update be noted.

LP12 BONDGATE COMMUNITY WOODLAND

LP12.1 Memorial Wheel

Consideration was given to the materials and colours suggested by Native Architects. The Clerk updated that the planning application had been submitted by Native Architects and the fee is £117.00.

Due to the heavy agenda, there wasn't time to fully consider the suggested materials, and this will be moved to a future meeting.

RESOLVED That the colour scheme of the memorial be approved.

LP13 WASTE BINS

The Clerk updated that a request had been received from Barwic Parade School regarding the provision of dog/waste bins on Abbots Road estate. It had been agreed at Finance & Staffing that up to 5 bins could be purchased using available CIL funds. The school have suggested areas where they feel the bins are needed the most and a map had been submitted to Selby District Council (SDC). SDC have confirmed that their contractors will be able to empty 5 bins and a response is awaited from SDC regarding the siting of the bins. The school have confirmed they would like to run a painting competition to have the children's paintings displayed on the bins.

RESOLVED That the update be noted.

LP14 SCHEDULED WORKS

The Resource Manager provided a plan of current scheduled works.

RESOLVED That the update be noted.

LP15 GRIT BINS

Consideration was given to a request from Cllr Arthur for him to purchase several grit bins for the Town from his Locality Budget. The committee said that it was the responsibility of NYCC to provide and service grit bins.

RECOMMENDATION TO COUNCIL THAT THE REQUEST BE REFUSED.

LP16 PRIVATE SESSION

In accordance with the Provisions of the Public Bodies (Admission to Meetings) Act 1960 the public and press will be excluded from the meeting for the discussion of the following exempt business. (Item 61).

LP17 CEMETERY LODGE

Due to the meeting overrunning this item has been moved to a future meeting.

LP18 DATE OF FUTURE MEETINGS

Monday 28 June 2021	**Council**
Monday 19 July 2021	**Finance & Staffing**
Monday 26 July 2021	**Council**
Monday 6 September 2021	**Land & Property Committee**
Friday 10 September 2021	**Market Working Group**
Monday 13 September 2021	**Town Hall Management Committee**
Monday 20 September 2021	**Health, Safety & Welfare Group**
Monday 27 September 2021	**Council**

SELBY TOWN COUNCIL
GARDEN ALLOTMENT RULES

1. APPLICATION

1.1 These rules are made pursuant to Allotment Acts 1908 to 1950 and apply to all rented Garden Allotments.

2. TERMS AND INTERPRETATION

2.1 In these rules the words used are to have the following meaning:

Garden Allotment	A plot of land that is let by the Council for the cultivation of herb, flower, fruit and vegetable crops and recreational gardening.
The Council	Selby Town Council.
Site	Any area of allotments that are grouped together at one location.
Rent	The annual rent payable for the tenancy of an allotment.
Review notice	Any notice of reviewed rental charges.
Tenant	A person who holds an agreement for the tenancy of an allotment.
Tenancy agreement	A legally binding written document which records the terms and conditions of letting, of a particular allotment, to an individual
Notice to Quit	A Notice to Quit will be issued by the Town Council where a Tenant is in breach of the Allotment Rules or Agreement
Haulage way	A common route within the site for vehicular and pedestrian access to allotments.
Headland	The area of land between an allotment plot and any haulage way or perimeter fence.
Authorised officer	Selby Town Council Officer
Other authorised person	The Tenant/s or invited guest. Contractor appointed by the Council or the Tenant.
Cultivation	Keeping the plot in good productive order by: the maintenance and improvement of soil; the control and prevention of flowering weeds; and the planting and maintenance of lawns, ornamental plants, and herb, flower, fruit and vegetable crops.

Paths	Dividing paths between allotments.
Gas Cylinders	No gas cylinders shall be used/ stored on the allotment site except by written consent of the Town Council.

3. ASSIGNMENT, SUBLETTING AND MULTIPLE PLOTS

3.1 Personal tenancy

The tenancy of an allotment is personal to the Tenant/s named in the agreement.

3.2 Sub-letting

The Tenant may not assign, sublet or part with possession or control of all or any part of their allotment.

3.3 Joint tenancies

Requests for joint tenancies will be at the discretion of the Town Council, and approved in writing.

3.4 Multiple allotments

Tenants will not be normally be allowed to rent more than one Garden Allotment site at the same time, except with the written permission of the Town Council.

4. CULTIVATION AND USE

4.1 Personal Use

Tenants must use their allotment and any structures on it for their own personal use and must not carry out any business or sell produce from it. Tenants may not use their allotment garden as a place of residence, either temporary or permanent, and/or sleep overnight.

4.2 Permitted Use

The allotment is rented to the Tenant for the purpose of recreational gardening and the cultivation of herb, flower, fruit and vegetable crops. Part of the area may be used for associated purposes e.g. sheds, compost heaps and a patio. The maximum area for hard landscaping (e.g. a patio, internal paths) is 25% of the allotment garden area. At the Westbourne Allotment Site no permanent patio or hardstanding is allowed unless written permission is received by the Town Council.

4.3 Storage of Materials within the Plot

Only small amounts of materials for use on the plot may be stored there, such as beanpoles, cloches, pots and netting for seasonal use.

Construction materials, paving and timber for infrastructure work must be used within 12 months.

Excessive quantities of the above will be regarded as unacceptable and the Tenant requested to remove them. Failure to do so may result in the materials being removed by the Council, and the Tenant charged with the cost and notice of termination given.

4.4 Cultivation

Garden Allotments must be kept clean and maintained in a good state of cultivation (minimum 75% in cultivation) and fertility throughout the year. The whole plot, including any uncultivated areas, must be kept tidy, safe and free from flowering weeds.

4.5 Hedges (on the Tenants side)

Tenants are responsible for maintaining any hedge on or abutting their plot. They should be kept to a maximum height of 2.0m (6'6") and the sides shall be trimmed at least once per year. Where hedges abut a perimeter boundary, road or vehicular haulage way, the Council is responsible for maintaining the outside and top.

4.6 Trees

Tenants must not, without consent of an authorised officer, cut or prune trees outside of their own allotment or allow self-seeded trees to grow on their allotment (especially any that are growing through a perimeter fence).

4.7 Weed Control

It is the Tenant's responsibility to keep the plot free of weeds that cause a nuisance to adjoining Tenants. Where, on inspection or as the result of complaints, a plot with weeds is identified the Tenant will be sent a letter requiring the situation to be remedied within a month. A further inspection will be carried out in 4 weeks and if there are no improvements in cultivation a notice of termination will be sent. See 14.1.

4.8 Observance of Rules

Tenants must observe and comply with current rules, regulations and policies, and those which the Council may make at any time in the future (e.g. statutory law changes, local restrictions - such as bonfire restrictions). These may be displayed either on notice boards, gates and/or sent with rent invoices/new tenancy agreements. Failure to observe rules may lead to termination of tenancies.

4.9 Rights of Access

At any time at the commencement of or during the term of this Tenancy the Tenant installs locked access to the Allotment Garden the Tenant must provide a key to the Allotment Garden to the Council. Access must be given to the Council, whenever required, with or without notice, at any time.

4.10 Authorised Council Officer Instructions

Tenants must comply with any reasonable or legitimate directions given by an authorised officer in relation to an allotment or site.

4.11 Ponds

Ponds must be temporary and only used for drainage purposes. They should not be constructed out of concrete or any other hard landscape material. All ponds should be sited at least 2.0m distance from any haulage way or path. The maximum surface area for a pond is 4sq.m. and the maximum depth is 1.0m. Tenants are responsible for the safety of the Garden Allotment, and they must provide secure fencing and safety notices.

5. RENT

5.1 Payments

a) Due notice is given that rents are payable from January to December each year (no individual letter will be posted).

b) The Tenant must pay the notified rent by 31 January of each year or 14 February at the very latest following a final request from the Council.

c) A deposit of £100 will be payable when signing the Tenancy Agreement. The deposit will be returned after the Tenancy Agreement ends providing there are no costs incurred by the Council for clearing the allotment.

5.2 Rent year

The rent year runs from 1 January to 31 December each year. Tenants taking up an allotment within the rent year will normally be charged for the remainder of the year with a pro rata amount.

5.3 No rebate

A Tenant may voluntarily relinquish their Allotment Garden at any time, or have their tenancy terminated for breach of the Allotment Tenancy Agreement before year end but no rebate will be payable.

5.4 Clear site on cessation of tenancy

The departing Tenant shall remove any items or derelict structures or hardstanding, as determined by the Council, from their Allotment Garden before the end of the tenancy and hand back in a reasonably weed free state. The Council will dispose of any such material not removed by the Tenant. The full cost of disposal and/or weed clearance will be charged to the outgoing Tenant.

5.5 Rent review

Rent may be increased at any time provided the Council takes reasonable steps to give at least six months notice by way of signs on notice boards and gates. Failure to give notice to any individual Tenant will not invalidate that Tenant's rent increase.

5.6 Consultation

The Council may increase the rent without six months notice where any enhanced facilities are provided on a particular site, after consultation with Tenants and agreed by 2/3rds of those Tenants responding to any survey or questionnaire.

6. WATER, BONFIRES AND OTHER RESTRICTIONS

6.1 Water

Sprinklers are prohibited. Hose pipes may be used to water directly if hand held or to fill water butts, provided this does not prevent other Tenants having access to water supplies. Water supplies will be turned off in the winter months (November to February).

6.2 Bonfires

Bonfires are a last resort for disposing of waste generated on a plot (where there is no green waste collection on site). Bonfires are permitted only for the burning of dry, diseased plants, perennial weeds, stalks and prunings. Use of an incinerator or 'burning barrel' will be required for all bonfires. When leaving your plot ensure the fire is completely extinguished. Bonfires must never be left unattended.

Bonfires are not permitted at any time for the burning of manufactured materials such as plastics and rubber (which give off toxic fumes that aggravate asthmatic and pulmonary medical conditions), these should be disposed of at the designated rubbish depositing area, or civic amenity site.

Allotment Tenants should be aware of their surroundings and local area (Highways, local housing) and mindful that smoke from bonfires could be a nuisance and that council reserve the right to prohibit bonfires at allotment sites. Smoke from a bonfire, which

could be a nuisance to neighbours by interfering with the use and enjoyment of their garden or property, or could affect the comfort or quality of life of the public, could result in action under the Environment Protection Act of 1990 and Clean Air Acts. Tenants who light a fire within 50ft (15.24m) of the centre of a highway may be guilty of an offence under the Highways Act 1980.
The Council reserves the right to prohibit bonfires on a specific plot and/or group of plots.

6.3 Rubbish and Recycling

Rubbish from external sources must not be deposited on the Garden Allotment or any other part of the site including any designated rubbish depositing area. Abuse may result in prosecution.
Some sites have waste/recycling bays, and separation of materials is important. Green waste bays are for perennial weeds, diseased plants, pruning's and stalks.
All non-diseased vegetative matter shall be composted and used on the Tenant's Garden Allotment. Diseased plants and perennial weeds can be burned in an incinerator in accordance with Rule 6.2 above.

6.4 Removal of Soil and Similar Materials

Tenants may not remove any mineral, sand, gravel, earth or clay from the Garden Allotments without the written permission from an authorised officer.

6.5 Discrimination

Tenants must not discriminate, harass, bully or victimise any other person/s on the grounds of race, colour, ethnic or national origin, social origin, language, religion, political or other opinion, belief, gender, marital status, age, sexual orientation, sexuality, medical condition, disability, or disadvantaged by any condition.

6.6 Duty of Care (including chemicals, fuel and hazardous materials)

Tenants, even when not on site, have a duty of care to everyone, including visitors, trespassers and themselves. Particular care should be taken when using mechanical/powered equipment.
Care should also be taken to avoid creating hazards by the construction of features on the allotment or the storage and usage of chemicals, fuels and hazardous materials. Asbestos is prohibited; if you discover it, you are obliged to inform an authorised officer of its location.
Obstruction of paths and haulage ways is not permitted.
Tenants may not bring, use or allow the use of barbed or razor wire on the Allotment Garden

6.7 Nuisance

Tenants must not cause or permit any nuisance or annoyance to other users of the allotment site or local residents.
The allotments and site or any structures thereon may not be used for any illegal or anti-social activity.

6.8 Excessive Alcohol consumption is forbidden on allotments sites at any time. There is no reason for any Tenant to access the Allotment sites after dark**.** The Police will report incidents to the Town Council of when they are requested to attend any allotment site.

6.9 Firearms

The possession or use of any firearm on Allotment sites is strictly prohibited and the Police will be informed of any reported incidents.

6.9 Site Security

All Tenants and authorised persons must lock gates where provided on entry and departure to prevent access by unauthorised persons or animals. This applies even if the gate is found to be already unlocked on arrival/departure.

6.10 Carpets

No carpets will be permitted on a plot for the purposes of suppressing weeds.

6.11 Gas Cylinders

Gas cylinders are not permitted to be used/ stored on the allotment site, except by prior written consent of the Town Council. Oxy-Acetylene gas cylinders **are forbidden.**

7. DOGS AND ANIMALS

7.1 Dogs

Dogs must not be brought onto allotments or any part of the site unless they are kept on a short leash or otherwise restrained at all times.

7.2 Livestock

The keeping of livestock, other than that permitted by s.12 Allotments Act 1950, (domestic chickens [not cockerels] and rabbits) is prohibited. The Council reserves the right to prohibit the keeping of livestock of any kind on a specific plot and/or group of plots. No livestock is permitted at Westbourne Allotment Site.

7.3 Bees

Allotment Tenants wanting to have Bees or an Apiary on their plot MUST apply in writing to the Town Council who will consider whether to grant permission.

8. UNAUTHORISED PERSONS

8.1 Authorised persons

Only the authorised officers, Tenant/s, or a person authorised or accompanied by the Tenant is allowed on the site. This includes contractors appointed by the Council or Tenant. The authorised officer or other authorised persons may order any unauthorised person on the site in breach of these rules to leave immediately.

9. PATHS AND HEADLANDS

9.1 Weeds

Paths within Garden Allotments must be kept free from flowering weeds and rank growth must not exceed 150mm (over 6” high).

9.2 Shared paths

Shared paths between two Garden Allotments must be maintained, and kept cut and clipped up to the nearest half width by each adjoining Tenant; paths must be kept clear of obstructions at all times.

9.3 Width

All paths should be wide enough for easy pedestrian access to neighbouring Tenants' plots.

9.4 Haulage ways

Where car parking or vehicle access is permitted on a Garden Allotment site, the Tenant must ensure that all haulage ways have free access for other users.

10. STRUCTURES (sheds, greenhouses, poly tunnels and fences)

10.1 Sheds and greenhouses

Tenants may put up one shed and one greenhouse on their plot. The foundations should be no deeper than 0.91m (3'). However, The Council reserves the right to prohibit the erection of sheds or greenhouses of any kind on a specific plot and/or group of plots.

10.2 Temporary structures

Any structure, including Poly Tunnels (only if approved by Selby Town Council in writing) on the Garden Allotment must be temporary and maintained in safe order with a neat external appearance and condition. If the Council is not satisfied with the state of the structure the Tenant must either repair it to the Council's satisfaction or remove the structure within one month of instruction to do so. If the structure is not removed, the Council may remove it and charge the Tenant the full cost of removal and disposal. A Poly Tunnel may only be sited between February to November.

10.3 Hazardous materials

Any structures erected on the allotment shall not be made from hazardous materials (e.g. asbestos) and the colour shall be in keeping with the natural environment.

10.4 Ground fixing

All structures must be adequately secured to the ground to prevent uplift.

10.5 Fences

Fences adjacent to perimeter boundaries of the site and haulage ways must not exceed a height of 2.0m. Solid fences adjacent to neighbouring plots must not exceed 1 metre in height and wire and trellis fences should not exceed 1.5m in height.

10.6 Underground utilities

All structures must be kept within the boundary of the Garden Allotment and must not be constructed over underground utilities (e.g. water supply pipes). Contact an authorised officer if unsure of location.

10.7 Motor vehicles

Motor vehicles may not be parked overnight or deposited on the Garden Allotment.

11. PLOT NUMBERS, NOTICES AND ADVERTS

11.1 Site information

Site information may be displayed on notice boards where provided. No other notices or advertisements are allowed on the site except with written consent of the authorised officer.

11.2 Allotment numbers

Tenants must mark the Garden Allotment number on a post, and keep it clean and legible to be visible from the haulage way. If a whole allotment is divided into two half plots the Tenant is responsible for marking the boundary line with a minimum of two posts (do not put posts over water supply pipes) or by some other safe and visible method. The Council reserves the right to mark numbers on plots in any of the above ways if the Tenant does not. The location of a dividing line between Garden Allotments is to be determined by the Council, and the method of marking the line is in agreement with the Tenant/s.

12. CHANGE OF ADDRESS AND NOTICES

12.1 Tenants must immediately inform the Council, in writing, of changes of address.

12.2 Notices to be served by the Council on the Tenant may be:

1 a) Sent to the Tenant's address in the Tenancy Agreement (or as notified to the Council under these rules) by post, registered letter, recorded delivery or hand delivered; or

2 b) Served on the Tenant personally.

12.3 Notices served under paragraph 12.2 will be treated as properly served even if not received.

12.4 Written information for the Council should be sent to: The Town Clerk. Selby Town Council, Town Hall, York Street, Selby or e-mail admin@selbytowncouncil.co.uk

13. INSPECTION

13.1 Any Garden Allotment and any structure on it may be inspected by an authorised officer of the Council or the police at any time and Tenants must give whatever access is required with or without notice. Tenants must provide a key to every gate on the allotment plot, at the time of signing agreement.

14. *PAYMENT OF RENT AND TERMINATION*

14.1 The Council will terminate allotment tenancies:

a) Where the rent is not paid by 31 January the Tenant will be notified to the effect that if the rent is still not paid at 14th February, the Council will terminate the tenancy and re-let at their discretion.

b) Should an Allotment Tenant move from Selby Parish.

Notice to Quit will be served for non-compliance of any of the rules or a breach of any law pertaining to allotments including the growing of illegal substances.

14.2 For Tenant terminating see 5.3 and 5.4.

15. COUNCIL'S RESPONSIBILITIES

15.1 Administration

Keeping waiting lists, letting plots, rent collection, terminations and enforcement of rules.

15.2 Repairs and Maintenance

Repairs to site perimeter fences, gates and water infrastructure, maintenance of haulage ways, vacant plot management, hedges (see 4.5) and tree management. (See 4.5. and 4.6). Installation of taps or any connection to Selby Town Council's water supply is forbidden unless written approval has been given.

15.3 Rubbish

To remove rubbish which has been fly-tipped or rubbish placed in any designated rubbish disposal areas. (Tenants should report anyone who brings rubbish onto the site from outside, to the authorised officer).

15.4 Liability

The Council is not liable for loss by accident, fire, theft or damage of any structures, tools, plants or contents on Garden Allotment. Tenants are advised that storage of any items on the Garden Allotment is at their own risk.

The Town Council reminds Tenants of its Garden Allotments that they are liable for any matters arising from their actions and should be mindful of the health and safety, both of themselves and family, and of others using the allotment sites.

16. COMPLAINTS PROCEDURE

The Council aims to provide a high quality of allotment service and obtain best value from its contractors. If, however, you are unhappy with the service, in the first instance telephone or write to the Town Clerk. If you are dissatisfied with the response then contact the Town Mayor. The Town Council's complaints procedure is available from the Town Hall and is on the Town Council's website – www.selbytowncouncil.gov.uk

17. REVIEW AND AMENDMENT OF THE RULES

These Garden Allotment rules should be read in association with the Town Council Allotment Garden Tenancy Agreement. Both documents will be reviewed from time to time and in line with current legislation. Any necessary amendments will be made and notified to all Garden Allotment Tenants.

18. COUNCIL'S CONTACT DETAILS

Any issues or problems relating to allotment gardens may be clarified by writing to the address below, or telephoning the Town Council office on:

Tel: 01757 708449

e-mail: admin@selbytowncouncil.gov.uk

web page: www.selbytowncouncil.gov.uk

The Town Clerk
Selby Town Council
Town Hall
SELBY
YO8 4AJ

Cemetery & Memorial Rules & Regulations

This document states Selby Town Council's ("the Council") rules and regulations in relation to Selby Cemetery

Mission Statement

'The Council will create and maintain a respectful and dignified environment, which is sympathetic both to the landscape and to the people who visit loved ones at their place of rest'

A Municipal Cemetery has existed in Selby since 1858. Selby Town Council took over the responsibility for Selby Cemetery in 1989 from Selby District Council. At this time, a Policy Document for the Cemetery was not in place. The Town Council adopted rules and regulations for Selby cemetery in 2003.

There is no statutory requirement for a Council to provide cemeteries. The Council is however, under a statutory duty to dispose of those who die within the Parish where no other funeral arrangements are being made. This requirement could be satisfied by arranging the burial in another district, without the authority providing burial facilities itself. However, in line with most authorities, the Council has thought it appropriate to provide and maintain a cemetery. The boundaries of the cemetery for which the rules and regulations apply are defined on the map of the cemetery (Appendix 3).

There are approximately 117 interments per year in Selby cemetery. The first burial was carried out in 1858. A register of all burials and graves is kept at the town council office where searches can be made, and certified extracts obtained.

The cemetery is managed and operated in accordance with the Local Authorities' Cemeteries Order 1977, as amended by the Local Authorities' (Amendment) Order 1986 and such other regulations as may be made by the Secretary of State for the Home Office.

The Council is empowered to alter or amend the rules and regulations at any time; to introduce further rules and regulations as the Council consider necessary; to waive any of the rules and regulations in exceptional circumstances or to impose temporary restrictions on any matters not specifically covered by these rules and regulations.

The Councils cemetery and memorial internal administration procedure ("Cemetery Procedure") will be adhered to at all times.

Whilst the rules and regulations are in specific categories they should not be read in isolation. All persons must comply with the Council's cemetery rules and regulations. Copies of all documents referred to are available upon request.

CEMETERY RULES AND REGULATIONS

1.Terms and Interpretations

In these rules and regulations, the words used are to have the following meaning:	
The Council	Selby Town Council
The Sexton	Manager of the Cemetery
Site	Cemetery – Westfield Road, Selby
Visitors	Persons visiting the cemetery
Funeral Director	Company appointed to arrange and conduct the funeral
Deed Holder	Also known as the Purchaser, Owner, Grantee or person purchasing a grave Plot
Monumental Mason	Company appointed by the deed holder to produce a monument and install it at the grave plot
Exclusive Right of Burial	The person named on the deed has the sole right as to who is laid to rest in the grave
Exclusive Right to Erect a Memorial	The person named on the deed has the sole right as to decide whether a memorial/headstone is placed on a grave
Interment	Known as the Burial
Public (Common) Grave	This is a grave where no purchase has been made and has no deed holder in place
Lawn Section	This is an area designated within the cemetery where memorials are placed with specific dimensions (see appendix 2)
Ashes Section	This is an area designated for ashes to be buried within the cemetery with specific dimensions (see appendix 2)
Unrestricted Area	The unrestricted areas are for grave plots with memorials that have less restrictions than the lawn sections
Fees	Charges for the purchase of a grave plot, maintenance of the grave plot and burial
Selby Town Resident	Council Tax is paid to Selby Town Council
Legally Entitled Person	If the Deed Holder is deceased, this would be the Executor/Administrator in case of Probate or Letters of Administration being sought at the time of death of the Deed Holder **OR** if no will was left a Statutory Declaration may be required. **If the Deed Holder is deceased, following appropriate legal steps a Transfer of Ownership will be required prior to any internment taking place.**

2. Council's Contact details

Any issues or problems relating to the Cemetery may be discussed with the Sexton, by appointment. Ring the Town Council office on:

Tel: 01757 708449 (24 hour answering).

e-mail: admin@selbytowncouncil.gov.uk web page: www.selbytowncouncil.gov.uk

Selby Town Council

CEMETERY RULES AND REGULATIONS

3. Visitors

3.1 The Council welcomes all visitors to the cemetery, and they are asked to respect the peace and dignity and reverence of the facility. All persons shall conduct themselves in a decent, quiet and orderly manner and are advised of these provisions in the Local Authorities' Cemeteries Order 1977, as amended by the Local Authorities' (Amendment) Order 1986.

3.2 All visitors must park in the designated car parks.

3.3 No person shall:

3.3.1 Wilfully create any disturbance in a cemetery
3.3.2 Commit any nuisance in a cemetery
3.3.3 Wilfully interfere with any burial taking place in a cemetery
3.3.4 Wilfully interfere with any grave or vault any tombstone or other memorial or any flowers or plants on any such grave
3.3.5 Play at any game or sport in a cemetery

3.4 Any person who contravenes these provisions shall be liable on summary conviction to a fine not exceeding £100 (Article 19 Local Authorities Cemetery Order 1977, as amended by the Local Authorities' (Amendment) Order 1986) and in the case of a continuing offence to a fine not exceeding £10 for each day during which the offence continues after conviction thereof.

3.5 All persons entering the cemetery will be subject to the orders and control of the Council or any person authorised by the Council.

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

3.7 The cemetery will be open to the public daily during the following hours; April to October 08:00 to 20:00 and November - March 08:00 to 18.00. Unless otherwise determined by the Council no person, other than a person authorised by the Council shall enter or remain in the cemetery at any hour when it is closed to the public.

3.8 Visitors to the cemetery shall not unreasonably interrupt the Council's employees at their duties or employ them to execute private works within the cemetery or extend to them any gratuity. All enquiries, complaints and requests by members of the public must be made to the office of the Council and not to employees in the cemetery.

3.9 All visitors to the cemetery must keep to the footpaths or roads provided for that purpose, except whilst visiting a grave, and refrain from damaging the trees, shrubs, plants or flowers.

3.10 There is no vehicular access to the cemetery beyond the designated parking areas. Disabled access can be given if the town hall office is contacted (during office hours) in advance of the access being required. Please note the speed limit for the cemetery access roads is 5 mph at all times.

3.11 Children under the age of 12 years are not permitted in the cemetery except under the care and supervision of a responsible adult over the age of 18 years.

3.12 Dogs must be kept on a lead at all times and dog owners are required to clear up any dog fouling.

3.13 The Council may exclude from the cemetery on the occasion of a funeral any person or persons not being mourners or officially connected with the funeral.

3.14 The Council can supply a limited number of memorial trees which may be purchased, for the purpose of commemoration, by application.

3.15 All rubbish and waste material must be disposed of in the litterbins provided. Household waste or other waste material not generated in the cemetery must not be placed in the litterbins located throughout the cemetery.

3.16 The Council reserve the right to disconnect the water supply to avoid freezing; when a tap or taps are defective or if the supply provided is abused.

3.17 No person visiting the cemetery shall:

- Sell or offer or expose for sale any article, commodity or item of any kind whatsoever or solicit for orders from the same, within the cemetery.
- Operate any sound reproducing equipment or play any musical instrument in the cemetery without the prior consent of the Council.
- Take photographs in the cemetery without the prior consent of the Council and where applicable the Deed Holder.

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4. Funeral Directors (or persons arranging an interment).

4.1 No burial shall take place in the cemetery without the prior consent of the Council and the Legally Entitled Person being established.

4.2 All graves will be prepared by persons employed by the Council. The depth of the grave will be determined by the Council.

4.3 Where any grave is re-opened for the purpose of making another burial therein no person shall disturb any human remains interred therein or remove therefrom any soil containing existing human remains or coffin debris.

4.4 The application for interment must be confirmed in writing on the prescribed form to the Council at least 48 hours prior to the appointed time of the interment (the 48-hour rule could be waived in the interest of public health). The form must contain full details of the deceased, the proposed interment, the grave to be used and the signature of the Deed Holder, if applicable, and be accompanied by the appropriate fee for interment.

4.5 A certificate for disposal issued by the Registrar of Births and Deaths or a Coroners Order for Burial. In the case of a non-viable foetus the Medical Practitioner's or Midwife's certificate of delivery will be required.

4.6 In exceptional circumstances any person procuring interment without the production of such certificate or order will be required to make a written declaration on the prescribed form in accordance with Section (1) of the Births and Deaths Registration Act 1926.

4.7 The body brought into the cemetery for interment shall be contained in a suitable coffin or shroud. No coffin or shroud shall be accepted unless it bears adequate particulars of the identity of the deceased person therein.

4.8 The time appointed for an interment will be the time at which the funeral cortege is to arrive at the entrance gate of the cemetery. The funeral director or person in charge of the funeral arriving after the appointed time must act under the direction of the Council or their authorised person as to when the funeral service may proceed.

4.9 The responsibility for providing sufficient bearers to carry the coffin from the hearse to the chapel and/or grave whether mourners are present or not rests with the funeral director or person arranging the funeral.

4.10 The person or persons arranging the interment shall be responsible for the attendance and payment of a Minister of Religion or other Official to officiate at the burial service. Any form of religious or humanist service may be used but any other ceremony is subject to the approval of the Council. The interment may take place without a service.

4.11 After interment no body or cremated remains may be removed from a grave without the production of the ecclesiastical faculty or Home Office licence for exhumation. The Council will require the original documents for this purpose. In the case of the re-opening of a

private grave the written consent of the Deed Holder of the burial rights will be required or where the Deed Holder is deceased the Council will require to be indemnified against any action arising as a result of permitting the exhumation.

4.12 A Public (Common) Grave is a grave in which no Exclusive Right of Burial has been, granted by the Council and in which unrelated persons may be interred. The Council reserves the right to determine the initial depth of the public grave.

4.13 In the case of interment of cremated remains a certificate for burial purposes issued by the Cremation Authority will be required.

4.14 Cremated remains may be interred in caskets or other approved containers, or may be loose poured into a grave, in the Ashes Sections or in a conventional grave in the Cemetery for which the Exclusive Right of Burial has been purchased.

4.15 Cremated remains shall not be scattered in the Cemetery unless prior approval has been given by the Council and a required fee is paid.

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5. Deed Holder

5.1 The Exclusive Right of Burial may be purchased by a person (to be known as the Deed Holder) in advance or at the time of arranging the Interment on payment of the appropriate fee and completion of the relevant application form including the signature of the proposed Deed Holder. The 'Right' is granted for a period of **50** years. Please note you are not buying the land which remains the property of the Council.
Plans showing the grave spaces are kept by the Council and may be viewed during normal office hours. (10:00 to 16:00 Mon – Fri)

5.2 The Exclusive Right of Burial entitles the Deed Holder, or the Legally Entitled Person, to determine who is buried in the grave and whether an approved memorial can be erected on the grave (subject to the payment of the relevant fee and permission of the Council) for a period of **50** years. All such private graves will be initially excavated to the standard depth determined by the Council. The Council cannot be held responsible if, due to the factors outside their control, the full number of interments in a grave cannot be achieved. This is affected by changes in the height of the underground water table which is beyond the control of the Council.

5.3 At the expiration of the **50**-year period the Deed Holder, or the Legally Entitled Person, will have the option of renewing the Exclusive Right of Burial, subject to any payment and such restrictions and regulations as may be in force at that time.

5.4 Application should be made for renewal of the Exclusive Right of Burial within 12 months prior to the expiry of the previous Exclusive Right of Burial. Where the period of grant of right of approval has lapsed, and no notification of the intention to renew has been received from the Deed Holder, the Council may grant a renewed right of burial to another person, but before doing so will, where possible, notify the previous Deed Holder of the right, or the Legally Entitled Person, and give option of renewal. It is therefore very important to notify the Council of any change of address of the Deed Holder.

5.5 Where no interment has taken place in the grave, the Deed Holder, or Legally Entitled Person, may surrender the same to the Council and receive from the Council payment, as determined by the Council being not more than 75% of the original fee paid for the Exclusive Right of Burial. No refund will be made where the Exclusive Right of Burial has lapsed or will lapse before the expiration of 10 years.

5.6 Any transfer of ownership of Exclusive Right of Burial will be subject to the production of satisfactory evidence of title and the approval of the Council. Such transfer must be registered in the records of the Cemetery and the Deed of Grant of Right of Burial must be produced for endorsement by the Council and the appropriate transfer fee paid.

5.7 If the Exclusive Right of Burial is transferred from a Selby Town Resident to a non-Selby Town Resident as well as the transfer fee the Town Council will charge the current

difference between Selby Town Resident and non-Selby Town Resident purchasing a grave plot. (The double fee rule would apply).

5.8 After an interment has taken place in a grave and a reasonable time has elapsed for the natural subsidence of the earth used to fill the grave, the Council shall, in accordance with the Local Authorities Cemeteries Order 1977, as amended by the Local Authorities' (Amendment) Order 1986, Schedule 2 Part 1 Paragraph 7, cause the surface of the grave to be levelled and properly covered with fresh turf, except for any area covered by any monument or memorial.

5.9 The Council reserves the right to level and turf any grave area that becomes derelict or falls into disrepair. Any costs incurred will be the responsibility of the Deed Holder.

5.10 It is the responsibility of the Deed Holder to keep the grave space free from weeds and in a tidy condition.

5.11 Any floral or other tributes laid on the grassed areas at the time of the funeral must be removed within one calendar month of the funeral. After this time, we will remove tributes from any grave space and dispose of them in such manner as we deem fit. This allows the Council to carry out its regular maintenance. Wherever possible the Council encourages the use of bio-degradable wreath frames (rather than plastic) which will prevent even more plastic getting out into the wider environment. We would also request that any flowers placed in the memorial vases or on the plinth are real and cleared regularly. Where plastic or silk flowers are used these need to be kept in good order and removed when they become broken, damaged or unsightly. The Council will remove any such flowers as part of its regular maintenance regime or if these are outside the permitted area.

5.12 You have the right to place a memorial on your grave or plot. However, this must be within the constraints of cemetery regulations. Alternatively, you can leave the grave unmarked.

Bereaved relatives remember their friends and family in a variety of ways with messages, tributes or ornaments. We appreciate that this is a sensitive and emotional time for you. As well as considering your individual feelings, we must also be sensitive to the wishes of all our visitors and keep the cemetery grounds safe and appropriate places for everyone.

To make it easier to understand the rules, commemorative items have been divided into two groups – memorials and tributes. Memorials are items intended to be long lasting/permanent, sometimes referred to as a 'headstone', and these are covered in section 6 and the appendices. Tributes are items that are not long lasting and are covered here.

- Any tributes of loose containers, ornaments or other items, must be contained safely and securely on the plinth. The size and number of the tributes must be proportionate.

- These items must not present a risk to the Health and Safety of visitors or staff. They should be of a robust material (e.g., no fragile items which may shatter and items with sharp edges or points including glass vases and ornaments).

- The Council recognises that where the plot holds a young child under 10 years of age then one small toy can be left as long as such items can be safely accommodated on the plinth of the headstone.

- Fences of any material are not allowed and will be removed by the Council without notice.

- Any items placed outside the permitted area will be removed by the Council without notice.

Any items found in breach of the regulations will be removed.

The photo below shows a standard headstone. The plinth incorporates one urn, Council permit up to two urns on the plinth. On the example below up to two tributes could be accommodated on the plinth. An area of up to 20cm to the left and right of the headstone (permitted area) is available to plant bulbs

5.13 Under no circumstances must there be any encroachment onto the grassed areas or other plots. The Council reserves the right to remove any item that encroaches onto the grassed areas. Grass cutting will be carried out by the Council, at a frequency determined by weather conditions and by the Council.

5.14 Small annual bedding plants or bulbs may be planted in the permitted area, but the plants must not overhang. The planting of perennials, shrubs and trees is not permitted.

5.15 The Right to Erect and Maintain a Memorial is issued with the Exclusive Right of Burial to the Deed Holder but is only for a period of 30 years and gives the Deed Holder the right to erect a memorial (which must conform to the Council's rules and regulations) on the grave. After 30 years the Right to Erect and Maintain a Memorial can be renewed for a further 30-year period in consultation with the Council.

5.16 The Exclusive Right to Erect and Maintain a Memorial can only be purchased by the Deed Holder. The fee includes the safety inspection of the memorial every five years; however, it should be noted that any remedial work required will be the responsibility of the Deed Holder. Should the memorial fall into disrepair, it will be removed, and the cost recharged to the Deed Holder.

5.17 If the Right has not been renewed after the 30-year period, all rights are lost.

5.18 The Right to Erect a Memorial rests with the Deed Holder. Should the Deed Holder pass away within the term of the deed it may be transferred to a Legally Entitled Person. A fee will be charged to transfer the deed.

5.19 Any memorial erected in the cemetery remains the property and responsibility of the Deed Holder or their Executor or Personal Representative and therefore, remains in the cemetery at the sole risk of, and must be kept in a good state of repair by, the said Deed Holder or the Legally Entitled Person.

5.20 Inspections are completed to test the stability of headstones in accordance with recommendations of the Institute of Cemetery and Crematorium Management. Should the headstone fail the test and be in immediate risk of collapse the headstone would be laid flat. Should the headstone be found to be relatively stable, but in need of attention by a stone mason, the headstone area would be taped off, along with explanatory signage at the grave site. In all cases where headstones fail the test the Deed Holder will be notified at their last known address, but the Deed Holder must ensure that the necessary remedial work is carried out as soon as possible after they receive notification. Failure to repair as recommended will result in the headstone being laid flat to ensure the health and safety of all users of the Cemetery.

5.21 The removal and re-erection of a monument to facilitate the re-opening of a grave, or to level such grave shall be at the expense of the Deed Holder or the Legally Entitled Person.

5.22 The Council reserves the right to intentionally, in some areas, suspend grass cutting at certain times to allow wildflowers to flourish and provide habitat for insects and other wildlife.

5.23 The Council reserves the right to:

- Remove at the expense of the Deed Holder, or their personal representative any unauthorised memorial.
- Remove any memorial, which has become, or is likely to become, dangerous or which is in a derelict or unsightly condition.
- Exclude or remove from the cemetery any memorial not executed in a workmanlike manner, or from sound materials, or which would, in the opinion of the Council disfigure the cemetery or offend public decency.

5.24 The Council in exercising its powers under these rules and regulations will adhere to the following procedure where non-compliance with the rules and regulations has occurred:

- Before any action is taken regarding the removal of any memorial or object that is considered to be in contravention of the cemetery rules and regulations, the Council will notify the Deed Holder in writing of their intentions at their last known address, with one months' notice of any intended action to be taken.
- The Deed Holder will have a right to appeal against any decision made. In the first instance this will be the Town Clerk. Any appeal should be in writing.
- If the Deed Holder is not satisfied with the outcome, then they would be given the opportunity to have the matter discussed by the Council. The Council's decision is final.

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6. Monumental Masons

6.1 A memorial, monument or additional inscription may only be erected on a grave space, including Public (Common) Grave subject to the discretion of the Council, within the cemetery in accordance with these rules and regulations and upon payment of the appropriate fee.

6.2 Where permission is granted to erect a headstone on a Public (Common) Grave, it will be subject to the right of the representatives of other persons interred in the grave to have those persons commemorated thereon. As there is no right to erect a monument on a Public (Common) Grave, such monument does not in itself confer any rights and remains at the discretion of the Council.

6.3 All persons not being employees of the Council, engaged at work in the cemetery, on behalf of the Deed Holder or persons representing such person shall carry out their work under the direction and requirements of the Council.

They shall: -

- At the cost of the Deed Holder, or personal representative, fill up and level the ground, remove all waste and unwanted material and make good any damage or injury whatsoever occasioned in the process of the work
- Perform the work during the normal opening hours of the cemetery
- Provide their own tools and equipment and complete the work with due despatch

6.4 Anyone who erects a monument or kerb set, or who undertakes any monumental work, within the cemetery not in compliance with these rules and regulations will be directed by the Council to remove the said monument or kerb set. If this is not completed within one month the Council will complete the removal, the cost will be the passed onto the Deed Holder.

6.5 The application for work to a memorial, or for a new memorial, must be made by the Deed Holder, or Legally Entitled Person. No memorial can be erected, repaired or replaced without the Legally Entitled Person being established. The application must be submitted to the Council on the appropriate memorial application form.

Such notice must be submitted for approval at least 2 weeks in advance of the proposed date of erection and must include -

- The grave number and name of the deceased
- In the case of a new memorial, a drawing of the proposed memorial and its specification, including the type, colour and finish (e.g., polished, honed, etc.) of the material (e.g., natural stone) to be used, and showing all dimensions, including those of the kerb set (if appropriate) and the foundation slab
- The text of the inscription to be inscribed on the monument, or any text to be altered or added to any existing monument, and the method of lettering (e.g., incised, incised inlaid with lead etc.)

The name, address and signature of the person placing the order for the memorial work to be undertaken, who should be the deed-holder or Legally Entitled Person.

- If such Deed Holder is deceased, the applicant must be the Legally Entitled Person. If the Deed Holder is alive but is not making the application, the applicant must provide a letter in the Deed Holders hand confirming and authorising such application.

6.6 The approval of the Council for any such application will be confirmed by the issue of a Memorial Permit, valid for a period of 3 months. No work should be undertaken until the permit has been issued. Any such permit is issued on the understanding that the work undertaken will fully comply with the details specified within the application form and the requirements of these rules and regulations. No permit is required for cleaning only; up righting and re-levelling; repair of existing lettering or painting of existing inscriptions unless the monument is to be removed from the cemetery.

6.7 The grave number and the trade name, address and telephone number, of the Monumental Mason, must be inscribed on the monument, in a conspicuous position as approved by the Council in characters of not more than one and a half inches in height, to match the main inscription.

6.8 With the exception of temporary, or permanent wooden crosses, (which are permitted subject to approval of Council) all memorials or kerb sets shall be constructed of granite, marble, slate or other hard natural stone of durable and sound quality.

6.9 Headstones shall be constructed of a single piece of stone, although they may be inlaid with natural stone, lead or bronze as part of the design or inscription provided such inlay shall not reduce the main body of the headstone to less than two inches or be raised above the surface of the headstone proper by more than half an inch and must be contained within the overall dimensions of the headstone.

6.10 No monument constructed from artificial, re-constituted (except figures), Bath, Soft Caen, Soft York or other soft stone, or coloured marble will be permitted, and memorials of metal, pottery, plastic, glass or fibreglass are forbidden and will be removed without notice.

6.11 Any Photographic plaques must be ceramic, approved size to be 4 ½" x 3 ½" affixed to monuments. Frames of other material will not be permitted.

6.12 Details relating to the erection and securing of a memorial and/or headstone in areas other than the Lawn and Ashes sections are within Appendix 1 attached.

6.13 Dimensions relating to Memorials and Headstones for the Lawns and Ashes sections are detailed at Appendix 2 attached.

6.14 No hewing or dressing of stone, other than the cutting of an inscription or cleaning of the stone, will be permitted in the cemetery.

6.15 All materials and equipment relating to the memorial shall be conveyed in the cemetery in such a manner as to prevent damage to walks, paths, roads or turfed areas and all soil or waste material shall be removed in a like manner. Mats, boards or canvas shall be used, as directed by the Council, to achieve this end.

6.16 The Council shall not be held responsible for any damage or breakage which may occur to any monument or memorial through any cause whatsoever.

6.17 The Council must be informed of the removal of any monument from the cemetery.

6.18 Any person removing a monument to permit a further interment shall either remove the same from the cemetery, after informing the Council, or place it in position indicated by the Council no later than the first anniversary of the last interment.

6.19 The Council reserves the right to:

- Remove at the expense of the Deed Holder, or their personal representative any unauthorised memorial.
- Remove any memorial, which has become, or is likely to become, dangerous or which is in a derelict or unsightly condition.
- Exclude or remove from the cemetery any memorial not executed in a workmanlike manner, or from sound materials, or which would, in the opinion of the Council disfigure the cemetery or offend public decency.

6.20 The Council in exercising its powers under these rules and regulations will adhere to the following procedure where non-compliance with the rules and regulations has occurred:

- Before any action is taken regarding the removal of any memorial or object that is considered to be in contravention of the cemetery rules and regulations, the Council will notify the Deed Holder in writing of their intentions at their last known address, with one months' notice of any intended action to be taken.
- The Deed Holder will have a right to appeal against any decision made. In the first instance this will be the Town Clerk. Any appeal should be in writing.
- If the Deed Holder is not satisfied with the outcome, then they would be given the opportunity to have the matter discussed by the Council. The Council's decision is final.

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7. Fees

7.1 Fees and charges for all cemetery and memorial services will be determined by the Council annually, to take effect from April each year. (Cemetery and Memorial Charges are available from the Town Council Office and Town Council website)

7.2 All fees will be doubled if the person to be buried is not a Selby Town resident.

7.3 In determining the fees, the last permanent address of the deceased will be used. If a long-term resident of Selby Town has been accommodated in a residential care/nursing home outside the area, the single fee rate will apply so long as the deceased has had a permanent address in Selby within the year immediately prior to the date of death.

7.4 All fees, in the case of Funeral Directors and Monumental Masons, are payable in advance to the Council.

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8. Summary Of Deed Holders Responsibilities

Failure to comply will mean that the Council will take remedial action without further notice

Do's

- Keep the grave area free from weeds and in a tidy condition
- Remove any floral or other tributes laid on the grassed areas at the time of the funeral, within one calendar month of the funeral
- Memorial tributes may be placed on the headstone plinth as long as they can be securely and safely accommodated
- Small annual bedding plants or bulbs may be planted in the permitted area only
- Remove any Christmas ornaments/decorations/trees before the 1 February

Don'ts

- **No** tributes that present a risk to the health and safety of visitors or staff (e.g., fragile items which may shatter and items with sharp edges or points, including glass vases and ornaments)
- **No** fences, of any materials, are allowed
- **No** alcohol in bottles, cans or any other container must be left on the grave area
- **No** encroachment onto the grassed areas or onto other grave spaces or authorised memorials

Selby Town Council reserve the right to change these rules and regulations at any time.

Date of Approval	24.6.19
Latest date of next Review	1.6.24
Cross Reference Documents	Local Authorities' Cemeteries Order 1977, as amended by the Local Authorities' (Amendment) Order 1986 Births and Deaths Registration Act 1926 Local Authorities' Cemeteries Order 1977, as amended by the Local Authorities' (Amendment) Order 1986 Schedule 2 Part 1 Paragraph 7 Cemetery Procedure Appendix 1 – Dimensions relating to Memorials erected in areas other than the Lawns and Ashes Sections Appendix 2 – Dimensions relating to Memorials erected in the Lawns and Ashes Sections Appendix 3 – Cemetery Map

Selby Town Council
Cemetery Rules and Regulations – Appendices
Appendix 1:

DIMENSIONS RELATING TO MEMORIALS ERECTED IN AREAS OTHER THAN THE LAWN SECTION OR ASHES SECTION

The headstone may be secured by one of the following methods:

- Sunk into the ground to a depth of 1'0" and haunched front and back with concrete; or
- Be fixed to a foundation, as part of a kerb set in the authorised section;

or

- Be fixed to a base of the same material as the headstone and fitted with the National Association of Monumental Masons (NAMM) ground anchor system.

Where the memorial consists of a headstone and base, the headstone must be fixed as follows:

Rear face of the base	Height of headstone
2.5" from rear face of the base Or 2" from rear face of the base	If 3' Headstone If less than 2' 6" Headstone

The base may be drilled to accommodate up to two flower containers or may accommodate:

Description	Dimension	Dimension
Natural Stone Vases	Not more than 12" high	Not more than 7" square
Natural Stone Tablet	Not more than 12" high	Not more than 12" wide and not more than 2" thick
Natural, reconstituted stone figures (in relevant section of cemetery)	Not more than 15" high	Not covered or coated in plastic, gilded, glazed or painted

Any such vase, tablet or figure must not extend beyond the perimeter of the base.

Each kerb shall be constructed as follows:

Description	Depth	Width
Kerb of a single piece of natural stone	Not less than 4”	Not less than 4”

Corner Posts may be incorporated in the kerb set as follows:

Description	Height	Square
Constructed of a single piece of natural stone	Not less than 4”	Not less than 4”

Kerb set shall not exceed the length or width of the grave space as follows:

Description	Thickness
Kerb set foundation of natural or pre-cast stone or concrete suitably reinforced in one piece	Not less than 3”
Maximum length of 7’ and a maximum width of 3’	

Covered Slab as follows:

Description	Thickness
Covered slab to be incorporated between the kerbs, constructed of a single piece of natural stone	Not less than 2”

All joints to memorials must be properly cemented and cramped, joggled or doweled.
Cramps or dowels, for this purpose, should be of solid copper or heavily galvanised steel not less than three eighths of an inch in diameter. There must be at least 2 dowels for each doweled joint.
All monuments shall be erected in accordance with the National Association of Monumental Mason’s (NAMM) Code of Practice and British Standard 8415 (2018).

Selby Town Council
Cemetery Rules and Regulations – Appendices
Appendix 2:

DIMENSIONS RELATING TO MEMORIALS ERECTED IN LAWNS SECTION

The headstone shall not exceed as follows:

Height	Width	Thickness
3' 0" above ground level	2' 6" or the width of the grave space	4" or 2" if less than 2' 0" high for safety and stability

Where required, the base shall not be more than as follows:

Standard ground.

Width	Depth	Thickness
3'0" wide (or width of grave space)	1' deep	3" thick, constructed of a single piece of stone

Virgin Ground (undisturbed)

Where the monument is erected upon virgin (undisturbed) ground, the base shall be set on a foundation of natural pre-cast stone or concrete suitable reinforced, in one piece as follows.

Base	Thickness	Thickness (not exceeding 20"-24" high)
No less than 1" larger around the base of memorial	No less than 3" thick	No less than 2" thick

DIMENSIONS RELATING TO MEMORIALS ERECTED IN ASHES SECTION

Height	Width	Thickness
Not exceed 2' 0" above ground level	Not exceed 2' 0" or the width of the grave space	Not less than 3" it must support its height to ensure stability and safety 2" if stone is less than 2' high
Base	Depth	Thickness
No more than 3' 0" wide or width of the grave space	Must be at least 1' 0"	Not less than 3" and constructed of a single piece of stone.

The base shall be set on a foundation as specified above but of sufficient width to bridge the grave and rest on undisturbed ground (A burial authority may wish to specify that the foundation is sunk into the ground so that the top surface of the foundation is flush with the adjoining ground level. This improves the aesthetic appearance of the memorial and aids maintenance but will need to be dug out if the grave is to be reopened).

DIMENSIONS RELATING TO VASE, PLINTH AND TABLET MEMORIALS

Description	Dimensions	Fixings
Stone Vase	Not more than 12” x 9” x 9”	To a plinth not more than 12” x 12” x 2” of same material – on concrete foundation same dimension as plinth above
Book or Tablet	Not more than 12” x 12” x 2”	To the base not more than 18” x 12” x 2”- on concrete foundation same dimension as base (or sufficiently wide to bridge the grave and rest on undisturbed ground)
Base		May be drilled to accommodate up to 2 flower containers or 2 small vases or figures
Flat Tablet	12” x 12” x 2”	On concrete foundation same dimension as base (or sufficiently wide to bridge the grave and rest on undisturbed ground)

Such dimensions as specifically approved by the Council.

Appendix 3


Extension H Restricted Memorials
Extension D Restricted Memorials
Extension C Restricted Memorials
Extension G Restricted Memorials
Extension E Restricted Memorials
Extension B Restricted Memorials
Extension F Restricted Memorials
Extension A Restricted Memorials
Long Mann Hills Farm
Green Car Park (area 1)
Plot 6 B
Plot 6 A
Half round B Restricted Memorials
Half round A Restricted Memorials
Lawns B Restricted Memorials
Lawns A Restricted Memorials
Lawns C (new ashes section)
Containers
Key
Hedges
Plot 5 D
Plot 5 C
War Grave Memorials
Plot 5 B
Plot 5 A
Garages
Plot 4
Plot 3
Plot 2
Plot 1
APIARY
North Chapel
South Chapel
The Lodge
Long Mann Hill Road
LANGDALE GROVE

To: Selby Town Council Item LP22.2
From: A Argyle – Resource Manager
Date: 6/9/21
Title: **Burial deeds**

The Resource manager was asked to investigate the length of time (years) that other burial authorities gave to their Exclusive Right of Burial deeds.

After consulting with the ICCM, who conducted a national survey approximately 3 years ago, said the most popular length of term was 50 years.

Below are examples of what other authorities are implementing (length of term),

Fulford cemetery…… 50 years

Goole Town Council……. 80 years

Wakefield Council…….. 100 years

ICCM survey 2018……. 50 years

End of report.

To: Selby Town Council Item LP25
From: A Argyle – Resource Manager
Date: 6/9/21
Title: **Barwic Parade**

Infant basket Swing

The infant basket swing form Barwic Parade play area has been removed for safety reasons due to the wet pour safety surface being vandalised as well as some significant wear and tear (see photo attached below).

The resource team have patched it up in the past after vandal attacks but is now beyond repair and costs are being actively sought to replace the whole surface area of the swing unit.

The cost to wet pour overlay the whole of the swing unit would be £1650 ex vat.

Photo; Infant nest swing

Photos; Tripod nest swing

Tripod Nest Swing

Shortly before the finalisation of this report another incident of vandalism occurred at Barwic Parade, again an attack on safety surface below the tripod nest swing (see above photos).

The Resource manager is awaiting further quotes for the additional works.

End of report.

To: Selby Town Council LP26.1

From: A Argyle – Resource Manager

Date: 6.9.21

Title: 1811 improvements/costings

Item	Description	Total £ + Vat
1	To replace 1 x side door including frame	£2200.00
2	To replace 1 x left hand front door including frame and glass panel above door.	£2654.00
3	To refurbish 3 x first floor windows so that they become operational.	£3000.00
4	To fit 3 x secondary glazing units to the refurbished windows.	£1644.00
5	To paint all windows to the 1811 building.	£1990.00
6	To paint all doors, 2 x front, 1 x side and 1 x boiler room doors.	£698.00
7	Pointing, repairs and brickwork replacement for perished bricks on all elevations where needed.	£4900.00 estimated
8	To erect scaffolding to side elevations.	£2600.00 estimated
9	**Total**	**£19686.00**

To: Land & Property LP27.1

From: Gill Bell – Town Clerk

Date: 6.9.21

Title: Town Hall Windows Update

All work has been completed except for windows WF12 and WF11 (the large front window and one to the side of this window). The large window is irreparable and additional work is required to the smaller front window.

Hugh Massey have confirmed they are happy that these works are complete and to a very good standard. Some remedial work was carried out to the two unrepairable windows to make secure. The total cost for the completed works is [redacted] + VAT.

The building company, ERW, have provided new quotes to WF12 and WF11 as detailed below.

WF12 – Manufacture and splice new RH jamb 2/3 way up
Manufacture and install new cill section
Manufacture 12 pane lower Georgian bar lattice and fit to existing and new jambs
Glaze on site all panes to new lower section, including coloured glass

Total Cost [redacted] + VAT

Access – works to be carried out externally off a tower supplied by ERW and a stair tower internally for short duration.

WF11 – Manufacture and install complete new Bespoke Hardwood window to match the existing window
All glazing to be carried out on site
Frame can be factory painted to mitigate the immediate requirement for decoration on installation, however it will require additional top coats over the glazing putty when cured

Total Cost [redacted] + VAT

Access – fixed external scaffold will be required with a hoist above the height of the aperture to facilitate distribution of the frame into the aperture. Internal access will be required once the frame is upright to allow for internal finishing – there have been no allowances in this quote for this.

To: Selby Town Council LP30

From: A Argyle – Resource Manager

Date: 6.9.21

Title: Items on Hold - Update

List of jobs/works/reports that are currently on hold/parked, not started or not completed etc.

The list is not exhaustive and further updates may be added as and when identified.

1. ETFC = Expected time for completion
2. NS = Not started
3. NC = Not completed
4. P = Parked (on hold)
5. ISS = initial stages started

WHO	***ITEM/WORKS***	***STATUS***	***ETFC***
Resource Manager	Project Proposal – to fully cost out the new dyke works at Stonebridge Allotments.	ISS	Oct 21
//	Project Proposal – Full costings and planning for the re-siting of the containers within the cemetery to the farm field.	ISS	Oct 21
//	Items from the approved wish list – The RM to meet the FO to discuss all approved allocated spends/budgets.	Ongoing	Mar 21
//	New ashes section – to create a digital map of all grave plots prior to printing	90% complete	Oct 2021
//	Project Proposal - To cost up the planting of summer and winter flower bulbs and then lay bark mulch to all flower beds within Selby cemetery	NS	Sep 21
Resource Team	Hedge Cutting to all sites - 75% complete with the remainder to be done after the 2021 bird nesting season.	NC	Feb 2022
//	Play area repairs - awaiting spares and repair quotes.	Ongoing	All year
//	Topping up of sunken graves – ongoing, no external help required.	Completed for this year	Feb 22
//	Weeding of the cemetery beds that contain memorials, 25% complete.	Awaiting help from UPW	TBC
//	Tree pruning – seasonal tree pruning 40% complete.	P	Jan 2022
//	Chipping/shredding – the chipping of hedge/tree cuttings is 50% complete and shall remain ongoing when time/priorities allow.	NC	Dec 2021
//	Noticeboards at Town Hall and 1811 plus 3 additional noticeboards for the cemetery which are on back order. The noticeboard at the 1811 will be re-sited over the winter months.	Completed	April 2021 Jan 22
//	Scarifying of the lawn sections within the cemetery to remove moss and aerate the grass.	NS	Mar 2022