

ENVIRONMENT COMMITTEE

Tuesday 27 March 2018 at 7.30 pm

Council Chamber - Epsom Town Hall

The members listed below are summoned to attend the Environment Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor John Beckett (Chairman)
Councillor Peter O'Donovan (Vice-Chairman)
Councillor Richard Baker
Councillor Steve Bridger
Councillor Alex Coley

Councillor Lucie Dallen
Councillor Rob Geleit
Councillor Jane Race
Councillor Mike Teasdale
Councillor Tella Wormington

Yours sincerely



Chief Executive

For further information, please contact Tim Richardson, tel: 01372 732122 or email: trichardson@epsom-ewell.gov.uk

AGENDA

1. QUESTION TIME

To take any questions from members of the Public.

Please note: Members of the Public are requested to inform the Democratic Services Officer before the meeting begins if they wish to ask a verbal question to the Committee

2. DECLARATIONS OF INTEREST

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

3. MINUTES OF PREVIOUS MEETING (Pages 3 - 12)

The Committee is asked to confirm as a true record the Minutes of the meeting of the Environment Committee held on 30 January 2018 and to authorise the Chairman to sign them.

4. TAXI RANK TRAFFIC ORDER EPSOM HIGH STREET (Pages 13 - 22)

To enable the Plan E Highways Improvements works to progress as intended, it is necessary to make a Parking Place Order for Hackney Carriages between 112 (at the eastern extent) and 122 (at the western extent) High Street, Epsom, and cancel the appointment of the established rank situated by the Clock Tower, High Street, Epsom. The Order was advertised as required under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976, and representations have been received.

Members are required to take into account the representations and determine if the order should be approved.

5. CHESSINGTON ROAD CAR PARK REPRESENTATIONS (Pages 23 - 28)

This report asks the Committee to consider the representations received in relation to the change of parking restrictions in Chessington Road car park (Richards Field) in West Ewell and to decide to either continue, delay or not proceed with the proposal.

6. PROPOSED USE OF CANCER CARE UNIT IN DEPOT ROAD CAR PARK
(Pages 29 - 38)

This report presents a request from the Royal Marsden NHS Foundation Trust for agreement to situate a mobile chemotherapy unit in Depot Road car park every Friday.

7. UPDATING EPSOM CEMETERY RULES AND REGULATIONS (Pages 39 - 60)

This report proposes a revision to the regulations relating to interment, memorials and inscriptions within the council's cemetery.

Minutes of the Meeting of the ENVIRONMENT COMMITTEE held on 30 January 2018

PRESENT -

Councillor John Beckett (Chairman); Councillors Richard Baker, Steve Bridger, Lucie Dallen, Rob Geleit, Mike Teasdale and Tella Wormington

Absent: Councillor Peter O'Donovan and Councillor Jane Race

Officers present: Fiona Cotter (Democratic Services Manager), Damian Roberts (Chief Operating Officer), Rod Brown (Head of Housing and Community), Joy Stevens (Head of Customer Services and Business Support) (For items 18 - 26), Richard Chevalier (Parking Manager) (For items 18 - 26), Sue Emmons (Senior Accountant), Oliver Nelson (Environmental Health Team Leader) (For items 18 - 20) and Jon Sharpe (Trade & Waste Services Manager) (For items 18 - 24)

18 QUESTION TIME

No questions had been submitted or were asked by members of the public.

19 DECLARATIONS OF INTEREST

No declarations of interest were made by councillors regarding items on the Agenda.

20 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Environment Committee held on 10 October 2017 were agreed as a true record and signed by the Chairman.

21 ENVIRONMENTAL OFFENCES - FIXED PENALTY AMOUNTS

The Committee received and considered a report that proposed levels for fixed penalty fines for a range of environmental offences.

Legislation set out fixed penalty notice provisions for specified offences. Despite being restricted in the level of fine the Council could impose, fixed penalty notices were proving successful in addressing low levels of environmental crime such as fly tipping, littering and waste duty care offences. The proposals sought to regularise the level of fixed penalty fines for specified offences to ensure that fines were in step with surrounding areas and provided the Council with the flexibility to deal with, and deter future, offences.

Regulations were due into effect in April 2018 that would increase the maximum and minimum levels of fine for certain offences. The proposals set out in the report reflected these and the proposed fines had been set at the maximum level. It was noted that, where possible, a 20% reduction would be applied for early payment of a fine to provide an incentive for early settlement. Such incentives were common practice in most other authorities.

Accordingly, the Committee approved the levels of fixed penalties set out below:

Description of offence	Legislation	Full amount of penalty £	Early payment amount £	Maximum penalty on conviction £
Depositing Litter	s.87/88 Environmental Protection Act 1990	100 (from 1/4/18)	80 (from 1/4/18)	2,500
Illegal dumping of waste (flytipping)	s.33 Environmental Protection Act 1990	400	320	unlimited
Failure to produce waste documents	s.34 Environmental Protection Act 1990	300	240	unlimited
Failure to produce authority to transport waste	s. 5 Control of Pollution (Amendment) Act 1989	300	240	unlimited
Failure to comply with a s.47 waste receptacles notice	s.47ZA Environmental Protection Act 1990	100	80	1,000
Failure to comply with a Community Protection Notice	s.52 Antisocial Behaviour Crime & Policing Act 2014	100	80	2,500 unlimited for incorporated bodies
Failure to comply with a Public Spaces Protection Order	s.68 Antisocial Behaviour Crime & Policing Act 2014	100	80	1,000
Criminal Damage (Graffiti and flyposting)	s.43 Antisocial Behaviour Act 2003	100 (from 1/4/18)	80	2,500

Description of offence	Legislation	Full amount of penalty	Early payment amount	Maximum penalty on conviction
Parking of two or more vehicles exposed for sale on the road	s.3 Clean Neighbourhoods and Environment Act 2005	100	80	2,500
Repairing vehicles on the road by a business	s.4 Clean Neighbourhoods and Environment Act 2005	100	80	2,500

22 FEES AND CHARGES 2018/19

The Committee received and considered a report that proposed new fees and charges for services with effect from 1 April 2018.

The report highlighted that the proposed charges would generate an additional estimated income of £219k, offset by a reduction in income of £87k because of other changes, such as change in volumes. This resulted in a net additional income of £132k. The total changes had resulted in Environment Committee being £66k short of the targeted budget. This was mainly attributable to the changes in arrangements with Surrey County Council in 2018/19 in respect of recycling credits received. These had previously been based on volumes of recycling but would be replaced by fixed payments based on the number of residents in each Waste Collection Authority.

The report also highlighted that the majority of increase within Planning budgets was due to updated national planning fee regulations allowing a 20% increase in fees. The reduction in budget of £30K due to other changes related to a reduction in building control income, which was under pressure due to local authorities in general losing market share to external Approved Inspectors.

The following points were noted at the meeting:

- It was understood that the fees and charges in relation to dealing with abandoned vehicles had not been increased as these were statutory charges not at the Council's discretion. (Postscript: this was subsequently confirmed. The Removal, Storage and Disposal of Vehicles Regulations 2008 refer);
- It was confirmed that no changes were proposed to the parking fees and charges considered and agreed in principle by this Committee in October last year of which the proper statutory notice had already been given. The report highlighted that these had not met the increase in income required by the Medium Term Financial Strategy but subsequent alignment of 2018/19 parking income budgets to actual income received in 2017/18 had resolved this shortfall;

- Trade Waste charges reflected changes in controlled waste legislation. An exercise had been undertaken to ensure that charges were in line across the County. Certain anomalies in relation to certain exemptions had also been corrected.

Accordingly, the Committee:

- (1) Authorised the Chief Finance Officer to vary fees and charges for items generating income under £1,000 per annum and/or for one-off services or items; and
- (2) Subject to the approval of Council:
 - a) Agreed the fees and charges for 2018/19 as set out in Annexe 1 to the report and
 - b) Noted the parking fees and charges agreed by this Committee on 10 October 2017 as set out in Annexe 3.

23 CAPITAL PROGRAMME 2018/19

A report was presented to the Committee that set out its proposed Capital Programme for 2018/19.

The Chairman clarified that in order to slow the depletion of reserves, the Financial Policy Panel had only supported the possibility of using any surplus revenue funds, arising principally from dividend income received from the Epsom & Ewell Property Investment Company (EEPIC) to fund the capital programme in 2018/19.

The report set out that the Financial Policy Panel had recommended the following schemes for inclusion in the capital programme, £489,000 to be funded from capital reserves and £35,000 to be funded from revenue subject to the risks associated with Government proposals currently out to consultation in relation to changes to Minimum Revenue Provision (MRP):

- Health and Safety improvements at Ashley Centre Car Park (£165,000 to be funded from capital reserves). It was noted that a cost/benefit analysis/risk assessment had been undertaken in relation to the extent of fencing works to be undertaken as part of this overall project;
- Repairs to St. Mary's Churchyard flint faces wall (£77,000 to be funded from capital reserves). This was the statutory responsibility of the Council.
- The upgrade of levels 4a and 4b of the Ashley Centre Car Park with deck shield waterproof coverings (£227,000 to be funded from capital reserves)
- Energy improvements to the lighting at Hudson House (£20,000 to be funded from capital reserves). It was noted that this was also an investment to the benefit of residents.

- The upgrade of Car Park credit card machines (£35,000 to be funded from revenue subject to any changes in the MRP).

Accordingly, the Committee:

- (1) Submitted the Capital Programme for 2018/19 as identified in section 4 of the report to Council for approval on 20 February 2018;
- (2) Agreed that if the Department for Communities and Local Government (DCLG) implemented Minimum Revenue Provision (MRP) changes that reduced the level of revenue funds available to support the Capital Programme, any affected scheme should proceed but revert to funding from capital receipts as set out in section 9 of the report.

24 REVENUE BUDGET 2018/19

The Committee received a report that set out estimates for income and expenditure on its services for 2018/19.

The report highlighted that the probable outturn for this Committee in 2017/18 was an over spend of £233,000 as at Q2. This was the result of some significant adverse variations due to a shortfall in building control fees, additional costs arising from the Aldi planning appeal and public inquiry, and a drop in Epsom town centre market and cemetery income. This had been taken into account in setting the 2018/19 budget.

The report set out a summary of the Committee's revenue estimates for 2018/19, giving an overall base position of £1,948K. This included additional income from discretionary fees and charges of £132K. However, the report highlighted that income in this service area was particularly vulnerable to the volatility of market demands.

Accordingly, the Committee recommended the 2018/19 service estimates for approval at the budget meeting of the Full Council on 20 February 2018.

25 PROCEDURE FOR BODY WORN VIDEO CAMERAS

A report was presented to the Committee proposing the use of body worn video cameras by Civil Enforcement Officers and car park staff as a deterrent to threatening and abusive behaviour.

The report highlighted that the Council had to have regard to the 12 guiding principles for system operators set out in the Surveillance Camera Code of Practice and that these had been considered in the production of the policy and operational procedure. These documents also took into consideration the requirements of data protection and that the Surveillance Code of Practice required that access to retained images and information ought to be restricted and that there ought to be clearly defined rules on who could gain access to this information and for what purpose such access was granted. It was noted that a successful trial of equipment had taken place.

Accordingly, the Committee approved:

- (1) the Code of Practice for the use of body worn cameras attached at Annexe 1 to the report;
- (2) the Operational Procedures for body worn cameras attached as at Annexe 2 to the report;
- (3) the use of body worn video cameras by Civil Enforcement Officers and car park staff.

26 RICHARDS FIELD CAR PARK

The Committee received and considered a report proposing the change of use of Richards Field Car Park. The proposal entailed the creation of 17 resident only permit parking bays and 14 free to use bays, the latter limited to 3 hours maximum stay between 08:30 hours and 18:30 hours Monday – Friday.

The report highlighted that, should the Committee approve the proposals in the report, the Epsom & Ewell Borough Council Off-Street Parking Places Traffic Order would need to be amended, subject to a 28-day public consultation period. The Environment Committee would be asked to consider any representations received within the 28-day period.

Accordingly, the Committee agreed:

- (1) The introduction of 17 permit only bays in Richards Fields Car Park charged as set out in paragraph 3.3 of the report;
- (2) The introduction of 14 maximum stay bays limiting parking to a maximum of three hours on a Monday to Friday between 08:30 hours and 18:30 hours
- (3) The introduction of double yellow lines and necessary signage to prevent parking on the pavement of the Richards Fields access road.

27 EXCLUSION OF PRESS AND PUBLIC

The Committee resolved to exclude the Press and Public from the meeting in accordance with Section 100A (4) of the Local Government Act 1972 on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act (as amended). Pursuant to paragraph 10 of Part 2 of the said Schedule 12A the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

28 EPSOM CEMETERY

The Committee agreed a way forward as set out in the Minutes.

Note: The details were considered officially sensitive at this time and the Minute for this item will be exempt from publication.

The meeting began at 7.30 pm and ended at 8.12 pm

COUNCILLOR JOHN BECKETT (CHAIRMAN)

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TAXI RANK TRAFFIC ORDER EPSOM HIGH STREET

Report of the:	Head of Housing & Community
Contact:	Rachel Jackson
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	n/a
Annexes/Appendices (attached):	Annexe 1 – Representation to the proposed Order from an Epsom Taxi user. Annexe 2 – Representation to the proposed Order from the Licensed Taxi Driver Association.
Other available papers (not attached):	Minutes of the Licensing and Planning Policy Committee of 23 February 2017. Petition submitted by Epsom & Ewell Borough Council licensed Hackney Carriage drivers in 2016.

Report Summary

To enable the Plan E Highways Improvements works to progress as intended, it is necessary to make a Parking Place Order for Hackney Carriages between 112 (at the eastern extent) and 122 (at the western extent) High Street, Epsom, and cancel the appointment of the established rank situated by the Clock Tower, High Street, Epsom. The Order was advertised as required under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976, and representations have been received.

Members are required to take into account the representations and determine if the order should be approved.

Recommendation (s)	Notes
<p>That the Committee determines if:</p> <p>(1) the Traffic Order for establishment of a new Taxi Rank should be made, and;</p> <p>(2) The Traffic Order for the existing Taxi Rank by the Clock Tower, Epsom be cancelled.</p>	

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 The Traffic Order is required to support the Plan E Highways Improvement scheme within Epsom Town Centre.

2 Background

- 2.1 The need to close the existing Hackney Carriage rank at the Clock Tower, Epsom has been considered necessary under the Plan E Highways Improvement scheme. To ensure rank provision is maintained, the proposal is to establish a new rank outside/close to the current TK Maxx store between 112 (at the eastern extent) and 122 (at the western extent) High Street, Epsom. Once the new rank is established, the current rank at the Clock Tower would cease to have effect.

- 2.2 In February 2017, the Licensing and Planning Policy Committee listened to a submission by the Hackney Carriage trade and their representatives, and agreed that representations contained in the petition submitted during 2016 be taken into account prior to any decision being made about whether to re-locate the Taxi rank.

On 4 January 2018, the Council published a notification of its intention to appoint a new Hackney Carriage stand and revoke the existing stand as detailed at paragraph 2.1. The notification allowed for representations to be submitted by 2 February 2018. One representation was received from a taxi service user which is attached as **Annexe 1**, and a representation from the Licensed Taxi Driver Association is attached as **Annexe 2**.

- 2.3 As required under the procedures, Surrey Police have been consulted, and have confirmed there are no objections to the proposed Order.

3 Proposals

- 3.1 That the Committee takes into account the representations received, including the original petition submitted by the Taxi trade in 2016, and determines if the Traffic Order should be made.
- 3.2 Should the Committee decide that the Traffic Order should be made, the Planning Department understand that the intention would be to establish a temporary rank at the proposed rank site as works commence near the existing rank.

4 Financial and Manpower Implications

- 4.1 The cost of marking and signing the new rank would be met within the Highways Improvement scheme budget.
- 4.2 Enforcement of the order will be managed within existing arrangements.

- 4.3 **Chief Finance Officer's comments:** the costs of implementing this change will be contained within existing budgets.

5 Legal Implications (including implications for matters relating to equality)

- 5.1 **Monitoring Officer's comments:** A local authority can appoint areas on streets and private land as taxi ranks under section 63 of the Local Government (Miscellaneous Provisions) Act 1976. The creation of a taxi rank is not a straightforward process; the Local Authority must obtain the permission of the Highway Authority, give notice to the Police, publish a public advertisement in a local newspaper and taken into account any objections or representations received within 28 days of publication, before a stand is appointed.

6 Sustainability Policy and Community Safety Implications

- 6.1 None applicable for this report.

7 Partnerships

- 7.1 The whole Plan E Highways Improvement scheme is in partnership with Surrey County Council.
- 7.2 The funding for the Improvements has been secured in partnership with Surrey County Council and the Coast to Capital Local Enterprise Partnership.

8 Risk Assessment

- 8.1 Should the Traffic Order be approved and the existing rank relocated, there is a risk that the disabled, elderly and/or those with restricted mobility could face difficulty in accessing taxis. In response to this concern, the Planning Department have commented that in terms of access, the proposed new rank location offers more space for individual taxis to deploy and use their passenger ramp access. The current location typically sees the mobility impaired passengers having to access taxis from the 'road-side' rather than from the pavement. The proposed new rank is relatively well located in relation to entrances and exit points to the Ashley Centre and well located in relation to the pedestrian crossing (across the Market Place/ High Street). Additionally, Surrey Highways Authority have added that the matter of ramps was raised during the consultation period, with several locations being considered, but the proposed location was deemed the most appropriate.

- 8.2 In addition, there is a risk that should the rank at the Clock Tower close then others may seek to continue to use the area around this as a passenger pick up and drop off point which could cause traffic congestion. In reply to this, the Planning Department have commented that the closure of the existing rank will see this part of the Market Place transformed. It will no longer be a lay-by but will be a physical continuation of the Market Place. The consequence of that is that the current taxi rank will very quickly stop being a taxi rank. Further to this the resurfacing of the Market Place (and reconstruction of the lay-by) will also serve to significantly restrict access to area for some time – and serve as break to any unlawful operation.
- 8.3 The Planning Department have commented that the relocation of the existing taxi rank to its new location will bring considerable benefits for pedestrians, the operation of the market and the flow of vehicular traffic approaching the Spread Eagle junction. In terms of the latter, the movement of vehicles entering and exiting the taxi rank has an adverse impact upon the flow of traffic at the junction. The proposed relocation offers a significant improvement upon this situation. If the relocation is not carried out there is a risk to the council's reputation – namely that the Town Centre improvements provide little improvement over existing traffic conditions.

9 Conclusion and Recommendations

- 9.1 That the Committee determine if the Traffic Order should be made.

WARD(S) AFFECTED: Town Ward;

-----Original Message-----

From: Marlene Smith [mailto: [REDACTED]]
Sent: 26 January 2018 11:40
To: Karol Jakubczyk <KJakubczyk@epsom-ewell.gov.uk>
Subject: Taxi rank

Regarding your Planning Application in respect of said taxi rank, I object most strongly to its removal. The altered location will present many,many difficulties for those of us that use taxis on a regular basis. The present site. Is ideal. I am a pensioner with difficult movement and once I have shopped in store and market, the rank is in the ideal place, not too much walking.

Will you prohibit the Clocktower mini cab company using that area??

I prefer to use a black cab for security and the drivers are so much more helpful.

Mrs Marlene Smith

Sent from my iPad

This message has been scanned and no issues discovered.

To report this email as SPAM, please forward it to spam@websense.com

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Karol Jakubczyk
 Planning Service
 Epsom & Ewell Borough Council
 Town Hall, The Parade
 Epsom KT18 5BY

2 February 2018

Dear Mr Jakubczyk,

REPRESENTATION ON BEHALF OF THE LICENSED TAXI DRIVERS' ASSOCIATION- APPOINTMENT AND REVOCATION OF HACKNEY CARRIAGE STANDS, EPSOM HIGH STREET

I am writing on behalf of the Licensed Taxi Drivers' Association (LTDA) to register an objection to the measures stated above, as advertised in the Sutton & Epsom Guardian. Our comments on the measures are stated in further detail below.

The LTDA has served as the professional and authoritative voice of licensed taxi drivers for 50 years. We are committed to ensuring that our member's voices are heard, protecting trade and maintaining the high professional standards that have become synonymous with taxi drivers. We look forward to fostering a positive working relationship with Epsom and Ewell Borough Council going forward.

Lack of consultation

The LTDA believes that measures such as these involving the relocation of taxi ranks ought to be justified through transparent and publicly-accessible rationale, following thorough consultation with affected stakeholders. Regrettably, this does not appear to have taken place prior to the enactment of the measures in question. The LTDA did not receive advance notice of the relocation, despite being the major representative body for licensed taxi drivers. Moreover, the documents made available to the public following the meeting of the Epsom and Ewell Local Committee in which the relocation was approved provides no accompanying rationale for the relocation of the taxi rank. It is unclear how, if at all, the relocation of the rank to the new location has been justified.

Additionally, it is the LTDA's understanding that, when the broader scheme of the Epsom Plan E Highway Improvements, under whose auspices the measures in question fall, were enacted, the list of stakeholders who were notified was based upon a previous list of consultees drawn up during the development of Surrey County Council's Local Plan. The LTDA is not included in this list, again despite being the major representative body for the licensed taxi trade, and as a result was not given an opportunity to provide feedback on the original plans. In sum, both the consultation and rationale for the relocation of the taxi rank were insufficient.

Accessibility

The LTDA is concerned that the relocation of the taxi rank to the section of the street between 112 and 122 High Street (hereafter referred to as "the new location") will result in the loss of a convenient, safe and accessible means of transportation around Epsom and Ewell. Taxis play a crucial role in the local public transportation system, as the only fully accessible form of transportation available. Black cabs are 100% wheelchair-accessible and guide dog-friendly – the only form of public transport that is. However, the relocation of the taxi rank to the new location on the opposite side of

street means that wheelchair-using passengers will have to cross a busy road in order to access the rank. This poses significant danger, in addition to being less convenient and comfortable. The LTDA does not consider this to be an equitable or desirable situation, which could have been avoided if thorough consultation with the trade had been undertaken prior to the enactment of the measures.

In addition, the relocation of the rank further away from the central amenities of the nearby shops and clock tower market imposes additional inconvenience on disabled passengers and makes it harder to travel along the High Street. The location must be reconsidered in light of this.

Safety

Licensed taxis are amongst the safest transport modes on the streets of Epsom and Ewell, providing a convenient door-to-door service for passengers. However, the relocation of the taxi rank to the new location puts passengers at increased risk of involvement in a collision with a vehicle by moving it to a less accessible and desirable location. The previous location of the rank, being segregated from the traffic movements of the busy A24 road, was preferable as it significantly reduces the risk of collision between vehicles and pedestrians. Additionally, although the new location is relatively well-served by pedestrian crossings, this crossing will be relocated several metres away to opposite Café Rouge, imposing additional inconvenience on access to the taxi rank. This is likely to result in pedestrians attempting to cross the road on parts of the street that are not designated for crossings, putting themselves at risk of danger and increasing risk of collision with vehicles.

Impact on trade

The taxi rank in its previous location was well-frequented and provided a convenient drop-off and pick-up point for passengers, being in close proximity to amenities such as NatWest Bank, the clock tower and surrounding market, as well as numerous shops. It was well-placed to serve the needs of passengers and visitors, and as a result was a source of significant trade and fares for local licensed taxi drivers. The relocation of the rank to an area with reduced footfall which is less accessible will result in taxi drivers losing potential fares and will harm the taxi trade. The location also suffers from a loss of visibility, with the new rank obscured behind a large hedge alongside the market which means that taxis will not be in view of people leaving the shopping centre and market. The LTDA's members locally fear that the resulting loss of trade will mean that providing a service in Epsom Town Centre may not continue to be viable. In addition to the troubling implications to the trade, this reduces the range of options available to passengers and decreases the attractiveness of Epsom High Street as a retail destination.

It has been suggested to the LTDA that the relocation of the rank will further the interests of the trade because the rank in its previous location was often wrongly used by local private hire vehicle operators. However, the issue of taxi ranks being used by private hire vehicles is a failure on the part of Epsom and Ewell Borough Council to enforce existing restrictions. This issue is likely to be worsened under the existing measures. The LTDA does not, therefore, consider this to be a sufficient response.

Air quality

The LTDA commends the ambition of the Council to improve air quality along Epsom High Street by reducing emissions and harmful gas particulates. The LTDA has been at the forefront of efforts to reduce pollution and fundamentally supports this ambition. New models of zero-emissions capable taxis were officially launched earlier this year and will support the ambition of local, regional and national government to improve air quality. However, measures such as these which threaten the viability of the taxi trade by resulting in a loss of fares threaten the roll-out of zero-emissions capable taxis: since the new models cost £56,000 after subsidies, take-up will be limited by a lack of business

confidence amongst drivers who face a loss of fares. In the long-term, therefore, the “greening” of the local taxi fleet, and improvements in air quality, will be delayed.

Conclusion

The LTDA has chosen to object to the measures on the following grounds: the lack of consultation with the taxi trade; the impact on accessibility; the impact on safety; and the impact on trade. It looks forward to continued working with Epsom and Ewell Borough Council in order to develop a solution which better serves the interests of taxi drivers, passengers and the wider public.

Please do let me know if you have any questions about the response, or wish to discuss in further detail the issues raised therein.

Yours Sincerely,



Richard Massett

Chairman of the Licensed Taxi Drivers' Association

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CHESSINGTON ROAD CAR PARK REPRESENTATIONS

Report of the:	Head of Customer Services&Business Supt.
Contact:	Richard Chevalier, Joy Stevens
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Annexes/Appendices (attached):	
Other available papers (not attached):	Representations and petitions from residents of Oakdale Road

Report summary

This report asks the Committee to consider the representations received in relation to the change of parking restrictions in Chessington Road car park (Richards Field) in West Ewell and to decide to either continue, delay or not proceed with the proposal.

Recommendation (s)

- (1) That the Committee considers the representations received in relation to the change of parking restrictions in Chessington Road car park (Richards Field) in West Ewell and decides to either:**
- a) continue with the proposal as per the notice of intention**
 - b) continue with the proposal but defer its implementation until Surrey County Council implement a residents parking zone in Oakdale Road**
- or,**
- c) not proceed with the current proposal**

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 The proposal supports businesses and our local economy in the Ewell West Ward by increasing available parking spaces for visitors to the nearby shops.**

2 Background

- 2.1 In July 2017 a consultation survey was sent to local residents who live near the Chessington Road car park (Richards Field). A total of 125 letters were sent and 55 responses were received (44%).
- 2.2 At the meeting of 30 January 2018 the Environment Committee agreed to a proposal to change the use of the Chessington Road car park (Richards Field) to introduce 17 resident only permit parking bays and 14 free to use bays limited to 3 hours maximum stay between 8:30am and 6:30pm Monday – Friday.
- 2.3 The report stated that any representations received are brought back to Environment Committee to consider any representations received prior to the implementation of the scheme.
- 2.4 The proposal was advertised in the Epsom Guardian on Thursday 8 February 2018 with signs being placed in and around the car park notifying of the Council's intent.
- 2.5 All objections and representations were to be made to the Chief Executive by 4pm on Thursday 8 March 2018.
- 2.6 The representations received contained sensitive data such as email addresses and signatures so have been summarised in 2.7, 2.9 and 2.11.
- 2.7 A representation has been received from a resident of Oakdale Road which includes a petition signed by 21 residents of 19 different properties within the road. A summary of the concerns raised are as follows:
 - 2.7.1 The introduction of permits or maximum stay bays within the car park may displace car park users who will then park in Oakdale Road, which currently has no parking restrictions.
 - 2.7.2 Residents of Oakdale Road usually park within their road and would only use the car park as an alternative if no such parking was available.
 - 2.7.3 The summary report of the original consultation sent in July 2017 did not consider those who had no off-street parking spaces.
 - 2.7.4 In the resident's view the shops do not require long stay parking and can be served by the short stay bays available on Chessington Road.
- 2.8 In response to 2.7.3 the original survey asked the question 'How many off-street parking spaces do you currently have?' with the options being one, two or three or more. 41 of the 55 respondents provided one of these answers so it would be safe to assume that 14 respondents had no off-street parking available.

- 2.9 In addition to this representation five separate letters of objection have also been received by residents of Oakdale Road, all of whom also signed the petition. A summary of additional concerns to those in 2.7.1 to 2.7.4 were as follows:
- 2.9.1 The original consultation should be disregarded due to a low response rate.
 - 2.9.2 The scheme would increase parking in alternative local roads already used heavily by residents and school traffic.
 - 2.9.3 By including Epsom Station in oyster zone 6 commuter travelling from Ewell West, and therefore local parking by commuters, would decrease.
 - 2.9.4 Visitors to residents of Oakdale Road will find their parking restricted.
 - 2.9.5 The price is “exorbitant” and should not be aligned with Hook Road car park as the comparison of the car parks is not realistic.
 - 2.9.6 A lack of a comprehensive impact study on the local businesses or the use of Lambeth methodology to survey parking.
 - 2.9.7 The lack of CCTV coverage of the site to remotely monitor parking.
 - 2.9.8 The scheme may reduce available spaces for shoppers to use if some are being used by permit holders.
 - 2.9.9 The survey indicated that 63% were not in favour of a permit only parking scheme being introduced to part of the car park based on the standard resident permit fee being £330.
- 2.10 In January 2017 Environment Committee agreed that in principle, if and when any annual permit schemes are introduced in Epsom & Ewell Borough owned car parks in future, the charges are aligned with Hook Road permit prices.
- 2.11 A subsequent email has also been received from the resident of Oakdale Road who has instigated the petition requesting that the Council consider delaying the current plans until a Resident Parking Zone can be introduced by Surrey County Council in Oakdale Road. The required paperwork has been submitted to the County Council to consider implementing this.

3 Proposals

- 3.1 The Committee is asked to consider the objections/representations and to decide whether it wishes to continue with the proposal, defer it until Surrey County Council have implemented a resident parking zone in Oakdale Road or overturn the proposal.

- 3.2 The current indication is the earliest that Surrey County Council would be able to implement a resident parking zone is December 2018.
- 3.3 Deferring the proposal would satisfy many of the concerns raised by residents of Oakdale Road.
- 3.4 The pricing structure proposed is kept in line with the residents permit rate at Hook Road car park as agreed by Environment Committee in January 2017. The permit would guarantee a space within the car park at all times.
- 3.5 If the proposal is accepted those eligible to apply for a residents permit must reside in one of the following locations:
 - All residents of Oakdale Road
 - Residents of 95 – 169 Chessington Road (odds)
 - Residents of 170 – 220 Chessington Road (evens)
 - All residents of Richards Field
 - Residents of 1-30 Belfield Road
- 3.6 Should supply of permits to residents of the properties outlined in 3.5 outweigh demand then permits are made available to non-residents charged in line with the Hook Road season card rate, due to be £630 in 2018/19.
- 3.7 That necessary measures are taken to deter vehicles from parking on the footway of the access road within the car park. This could be done by painting yellow lines and/or installing appropriate signage and/or bollards.

4 Financial and Manpower Implications

- 4.1 There is no expectation within the 2018/19 Budget of any income from this car park. Therefore any income derived from these new permits would be additional income.
- 4.2 The signage and lining costs can be met from existing car park budgets.
- 4.3 The consultation in 2017 indicated that nine residents would be interested in purchasing permits. If this was the case then payback would be achieved within two years.
- 4.4 If the proposal was deferred then this would in turn defer the payback period timescale accordingly.
- 4.5 **Chief Finance Officer's comments:** the finance considerations are detailed in paragraphs 4.1 to 4.4.

5 Legal Implications (including implications for matters relating to equality) and Monitoring Officer's comments

- 5.1 Consideration of objections/representations is an important part of the statutory process by which Orders are made. Members should consider all relevant factors before deciding whether to proceed with the proposed Order or whether it requires modification. The statutory process must be followed.

6 Sustainability Policy and Community Safety Implications

- 6.1 N/A

7 Partnerships

- 7.1 Working in partnership with local retailers to increase available space for customers to park.

8 Risk Assessment

- 8.1 N/A

9 Conclusion and Recommendations

- 9.1** That the Committee consider the representations received in relation to the change of parking restrictions in Chessington Road car park (Richards Field) in West Ewell and to decide to either:

a) Continue with the proposal

b) Continue with the proposal but defer its implementation until Surrey County Council introduce a residents parking scheme in Oakdale Road

or,

c) not proceed with the proposal.

Ward(s) affected: West Ewell Ward;

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PROPOSED USE OF CANCER CARE UNIT IN DEPOT ROAD CAR PARK

Report of the: Head of Customer Services&Business Supt.

Contact: Richard Chevalier, Joy Stevens

Urgent Decision?(yes/no) No

If yes, reason urgent decision required:

Annexes/Appendices (attached): **Annexe 1** - The Royal Marsden NHS Foundation Trust Mobile Chemotherapy Unit Community Site Proposal (This Annexe is not for publication by virtue of pgh. 3 of part 1 and pgh. 10 of part 2 of the Local Government Act 1972 (as amended))

Other available papers (not attached):

Report summary

This report presents a request from the Royal Marsden NHS Foundation Trust for agreement to situate a mobile chemotherapy unit in Depot Road car park every Friday.

Recommendation (s)

That the Committee:

- (1) Agrees for a mobile chemotherapy unit to be sited in Depot Road car park within six parking bays to the east of the car park adjacent to the electrical sub-station.**
- (2) Agrees that the proposal is progressed on a cost neutral basis to the Council with expected parking charges and legal costs being covered by the Royal Marsden NHS Foundation Trust.**
- (3) Agrees for the Head of Customer Services and Business Support or the Parking Manager in conjunction with the Chairman and Vice-Chairman of Environment Committee, to negotiate terms of the agreement.**

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 The Council is working with the Royal Marsden to enable cancer care to be carried out in a central Epsom location.
- 1.2 There may be a financial loss to the Council if a fee below the current income being generated per space in Depot Road is agreed.

2 Background

- 2.1 Epsom & Ewell Borough Council has received a request for a mobile chemotherapy unit to be situated in Depot Road car park.
- 2.2 The unit would visit Epsom for one day of each week, currently proposed to be a Friday.
- 2.3 The unit would require a space of five parking bays with an additional parking bay to accommodate the support car which transports the nursing staff and patient treatments.
- 2.4 The unit would be on site between 08:30 and 17:00, with patients attending appointments between 09:00 and 16:30.
- 2.5 The unit has its own power and water supply and a toilet which is maintained and emptied on the hospital's Sutton site.
- 2.6 Presently the unit is situated in Sutton and Croydon during the week where it sees an average of eight patients a day.
- 2.7 Representatives of the Royal Marsden NHS Foundation Trust visited Epsom in January 2018 and decided that the eight parking bays situated in the east of the car park, adjacent to the electrical sub-station would be the most suitable location for the unit.
- 2.8 Depot Road car park has 257 car parking spaces including 5 which are allocated for use by Blue Badge Holders.
- 2.9 The Royal Marsden NHS Foundation Trust have asked the Council to consider either waving or reducing the proposed levy to the Trust for the use of the parking area in light of the benefits to Epsom residents and the local community.
- 2.10 In June 2016 the Environment Committee agreed that that a breast screening unit could be cited in a Council car park with the intention that the Council's projected income not be reduced.

3 Proposals

- 3.1 As a result of the approach by the Royal Marsden NHS Foundation Trust the Council allows the chemotherapy unit to park in six of the eight bays indicated in 2.7.
- 3.2 That the Royal Marsden NHS Foundation Trust is asked to meet legal costs for the granting of a licence fee estimated at £400, which will be a one off payment and parking charges, estimated to be a total of £2,106 per annum.
- 3.3 That the fee is paid in advance subject to the terms negotiated by the Head of Customer Services and Business Support or the Parking Manager in conjunction with the Chair and Vice-Chair of Environment Committee and confirmed in the Licence to be granted by Legal.
- 3.4 Temporary signs to be put in place to advise car park users not to park in the designated bays on a Friday.

4 Financial and Manpower Implications

- 4.1 The cost per space in Depot Road car park for the first three quarters of 2017-18 equates to almost £6.75 per day. For six bays to be reserved for 52 weeks this equates to £2,106 pa. The legal costs are estimated to be £400.
- 4.2 **Chief Finance Officer's comments:** Paragraph 4.1 confirms that the proposal is based upon achieving a cost neutral position for the Council.

5 Legal Implications (including implications for matters relating to equality)

- 5.1 There are no legal implications.
- 5.2 **Monitoring Officer's comments:** It is important that the licence agreement with the health care provider is completed prior to their occupation of the site.

6 Sustainability Policy and Community Safety Implications

- 6.1 None for the purposes of this report.

7 Partnerships

- 7.1 The Council is working together with the Royal Marsden to enable cancer care to be carried out in a central Epsom location.

8 Risk Assessment

- 8.1 The unit is large but has been trialled within the car park to ensure access can be gained if the car park is otherwise busy.

- 8.2 An alternative location within the car park may have to be sought on occasion should a vehicle be parked within the designated bays.

9 Conclusion and Recommendations

- 9.1 The Committee is asked to agree to a mobile chemotherapy unit being sited in Depot Road car park on a Friday.
- 9.2 The Committee is asked to agree that the proposal is progressed on a cost neutral basis to the Council with expected parking charges and legal costs being covered by the Royal Marsden NHS Foundation Trust as a licence fee.

Ward(s) affected: Town Ward;

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UPDATING EPSOM CEMETERY RULES AND REGULATIONS

Report of the:	Head of Housing & Community
Contact:	Rod Brown
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Annexes/Appendices (attached):	Annexe 1 - Epsom cemetery fees, charges and regulations 2018/19
Other available papers (not attached):	Epsom Cemetery fees, charges and regulations 2017/18

Report summary

This report proposes a revision to the Regulations relating to interment, memorials and inscriptions within the Council's cemetery.

Recommendation (s)

- (1) That the Committee approves the revised cemetery regulations as set out in Annexe 1 to this report.

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 This report links to our Key Priority of "Keeping our Borough clean and green". The management of the cemetery to ensure we continue to provide a sensitive and quality environment will rely on effective regulations.

2 Background

- 2.1 Epsom cemetery is owned and managed by the Council and regulated under the powers contained within the Local Authorities Cemeteries Order 1977.
- 2.2 The Council, as a burial authority for the purposes of section 214 of the Local Government Act 1972, is authorised by the Local Authorities Cemeteries Order 1977 to set regulations as it thinks proper.

- 2.3 The existing regulations were published in 2009. It is considered appropriate to review cemetery regulations and advantageous to do so in order to reflect current operational issues encountered in the day to day management of the cemetery.
- 2.4 The cemetery provides a sensitive environment for those who have suffered bereavement and who wish to visit the grave or sit and reflect. Visitors and mourners include those who are experiencing the pain of a recent loss, as well as a significant number of people who visit to pay respect to and tend the graves of loved ones buried a period of time ago.
- 2.5 Given the sensitivities of those visiting the cemetery it is important that the council's cemetery staff, specifically the Cemetery Superintendent and Assistant Cemetery Superintendent, can sympathetically manage issues that might arise. The staff are experienced in the management of cemeteries and dealing with the bereaved as well as the need to approach matters sensitively for the benefit of all who use it.
- 2.6 The management of the cemetery is largely governed by the publicised cemetery regulations. The existing regulations, available on the council's cemetery webpage, are published as part of the Epsom Cemetery Information Booklet which details the fees, charges and regulations relating to the cemetery as well as the current cemetery regulations.
- 2.7 The current regulations include measures to manage behaviour within the cemetery, limit memorial size and that of their surrounds, as well as restrictions on types of materials used and other appropriate matters.
- 2.8 The cemetery staff are vigilant against inappropriate or disrespectful activity or behaviour within the cemetery. However, the operational experience from managing the cemetery suggests that an update to the regulations may assist in making management more effective.

3 Recent operational issues

- 3.1 Each year there are numerous occasions when cemetery staff need to address inappropriate or insensitive activities. Often, these are created by a small minority of cemetery visitors.
- 3.2 In some cases this is in response to complaints from other visitors or concerns about the health and safety of visitors and employees alike. The existing regulations have developed over many years of managing the cemetery and over that time have been amended to reflect changes in practice.
- 3.3 Since the last revision in 2009, there have been a number of issues that are not explicitly dealt with through existing regulations.

- 3.4 A frequent issue that the cemetery staff are required to manage is the inappropriate use of fast growing or overgrown grave vegetation, such as large bushes or trees which are then not maintained by the family. This excessive growth not only gives rise to complaints from other visitors whose grave side access is impeded but also makes the council's routine grounds maintenance more difficult.
- 3.5 Over time the types of memorialisation and other materials available to visitors to use on graves changes, often as new technology emerges, becomes less expensive or as trends develop. The existing regulations have, on occasion, limited the action that cemetery staff can take in response to unforeseen items, as they are not specific enough or do not cover emerging patterns of behaviour.
- 3.6 In the lawned section of the cemetery, graves are usually marked with a headstone and the remaining area of grave is set to lawn. Consequently frequent access is required for regular grass cutting and maintenance. The growing use of solar powered lights and other similar items placed directly into these areas of grass make access difficult for our maintenance staff.
- 3.7 There has also been an increased trend for the use of artificial grass or astro-turf over some graves, in place of grass or other materials. Over a period of time, artificial grass/ astro-turf tends to lift and can become a tripping hazard both to our contractors working close to the grave but also to other visitors, some of whom are elderly or infirm. The current regulations do specify prohibited materials but do not mention artificial grass or astro-turf. This omission has hindered the cemetery staff in trying to remedy the use of this material.
- 3.8 In a few instances there have been occasions when a very large number of additional memorial pieces, including park benches, have been used around a grave. These items are often placed outside the boundaries of the intended grave. Such situations can be insensitive to other cemetery visitors, particularly to those visiting nearby graves. In addition, large numbers of grave side items makes effective grounds maintenance very difficult.
- 3.9 Cemetery staff are sensitive in trying to manage these situations but whilst there are provisions in the existing regulations for the removal of memorials and vegetation, they are silent on the management of memorialisation or grave side items.

- 3.10 There has been occasion in the recent past where a request has been made to include an inscription of another person on an existing memorial. It is thought that this may be the result of unauthorised scattering of ashes or interment of cremated remains within the existing grave space. Such activity is unauthorised and is subject to the Superintendent's approval and payment of the appropriate fee. Such an unauthorised activity was not imagined when the existing regulations were drafted and there is no restriction on additional inscriptions.

4 Proposals

- 4.1 The proposal is to amend the cemetery regulations, in light of operational experience, to ensure the Council can continue to effectively maintain the peaceful and sensitive environment within the cemetery for the benefit of all users.
- 4.2 The Cemetery Information Booklet is attached as **Annexe 1**. The proposed cemetery regulations are included towards the rear of the information booklet, which also reproduces the fees and charges for the cemetery that were agreed by Council as part of the 2018/19 budget setting process and are not subject to change by this report. The changes proposed and set out below:
- 4.2.1 Limiting the addition of memorial inscriptions to those who are buried within the cemetery. This is to discourage the surreptitious interment of cremated remains within an existing grave, without due regard to appropriate process or payment.
- 4.2.2 To include concrete edging and astroturf to existing types of edging material not permitted in the cemetery. This is to avoid tripping hazards to visitors and contractors responsible for maintaining the grassed areas, and to maintain a sensitive, high quality environment within the cemetery.
- 4.2.3 To limit annual planting to specific locations within the cemetery and to control invasive vegetation. In addition, in the lawned section of the cemetery, there is explicit reference to prohibition of placing on the grass of lanterns, solar lights and windmills etc. although these are permitted if contained within a container. This change has been included to ensure access for grounds maintenance staff and safe walk ways between graves and to limit the encroachment upon neighbouring graves.
- 4.2.4 To give the Council discretion to remove excessive memorialisation or a proliferation of grave side items, and that this will specifically apply if they exceed the dimensions of the grave spaces or encroaches upon walkways. This is to protect the sensitivity for all cemetery users and to ensure that the grounds maintenance staff are not hindered.

5 Financial and Manpower Implications

- 5.1 There are no manpower or financial implications resulting from these proposals.
- 5.2 **Chief Finance Officer's comments:** there are no financial implications arising from the proposed revisions to the cemetery regulations contained within this report.

6 Legal Implications (including implications for matters relating to equality)

- 6.1 The cemetery regulations should be subject to regular review to ensure they enable the cemetery staff to manage and maintain the cemetery.
- 6.2 The Local Authorities Cemeteries Order 1977 permits the council to apply regulations as the council sees fit to manage the cemetery. The proposed updated regulations are considered necessary to ensure the cemetery is managed for the benefit of all those who use it, whilst also permitting a wide range of choice for those who have purchased burial rights.
- 6.3 The proposal will assist the council in meeting its statutory responsibilities under the Health and Safety Etc. Act 1973.
- 6.4 **Monitoring Officer's comments:** the updated regulations will enable the Council to protect the quality of the Cemetery's environment.

7 Sustainability Policy and Community Safety Implications

- 7.1 The safety of the cemetery relies on the effective management of those who visit and use the facility. The review of these regulations will enable cemetery staff to effectively manage the cemetery, including responding to concerns from other uses about anti-social or insensitive behaviour.

8 Partnerships

- 8.1 There are no relevant council partnerships associated with this proposal. However, when cemetery regulations are updated, copies of the new regulations are sent to all local or regular Funeral Directors for information and a copy given to all future purchasers of burial rights. Copies are also on notice boards within the cemetery and on the council's website.

9 Risk Assessment

- 9.1 There is a risk that not updating the cemetery regulations would make effective management of the cemetery more difficult and a lack of effective control may encourage anti-social and insensitive behaviour.
- 9.2 Failure to manage potential hazards to visitors within the cemetery from spreading grave side memorialisation and artificial grass may lead to liability under health and safety legislation and increase maintenance costs.

- 9.3 Managing matters involving the bereaved is a particularly sensitive situation. There is a risk that enforcing these regulations in an officious or cold hearted manner could give rise to unnecessary upset, reputational risk and conflict between visitors and staff.
- 9.4 There is also a corresponding risk arising from not managing inappropriate behaviour effectively, leading to similar outcomes.
- 9.5 The Cemetery Superintendent and the Assistant Cemetery Superintendent are both highly skilled in helping with bereaved people and families. They both have many years' experience either in the funeral trade or managing the cemetery. The approach to enforcement is always carried out with the utmost respect and sensitivity, yet is focussed on ensuring the cemetery is a quality environment for all who use it.

10 Conclusion and Recommendations

- 10.1 It is appropriate to keep the cemetery regulations under review to ensure they enable cemetery staff to manage the cemetery and to ensure the area remains a sensitive and high quality environment for all those who use it.
- 10.2 The proposed amendments build on the existing cemetery regulations and reflect current operational experience of issues not included in the existing version.
- 10.3 The recommendation is that Committee agrees to update the cemetery regulations as set out in **Annexe 1**.

Ward(s) affected: (All Wards);

Fees and Charges Information

Basis for fees and charges.

The fees charged for the purchase of the Exclusive Right of Burial of a grave, will be based upon the residential qualification of the purchaser (the Grantee) for a period of 40 years.

All fees in respect of both interment and memorial work will be based on the residential qualification of the person being interred, not the Grantee.

Definition of Resident

A “resident” is a person who resides in the Borough or has done so within the last five years.

The five years will be calculated from either the date of purchase (for the purpose of the Exclusive Right of Burial of a grave) or from the date of death (for the purpose of interment and memorial charges.)

Before becoming eligible for the status of “resident” the person must have:

1. resided in the borough for a period of a least one year during the five year qualifying period, **and**
2. the residence which was occupied must be the only or principal permanent place of residence of the individual.

If, at the time of death the person resided in a nursing home, residential home or a hospital in the Borough,” the non resident” scale of charges will apply for interment and memorial fees unless it can be shown that the person would otherwise have qualified as a resident under the above definitions.

Definition of Non Resident

A “non resident” will include all those persons not included in the definition “resident”.

How Residency will be established.

Residency qualification will be determined through reference by the Cemetery Superintendent to either the Electoral Register or to records indicating the person responsible for payment of Council Tax on the property they occupy or occupied. If neither source confirms residential status then the Superintendent will require independent written confirmation of proof of residence, normally in the form of a Solicitor’s letter.

Special Cases.

Where the person who purchased the Exclusive Right of Burial of a grave as a “resident” and at the date of their death had not lived in the Borough for five years or more as their only or principal place of residence, the interment and memorial fees will be at the “non resident” scale.

However, where the initial interment was for a “resident” the subsequent interment and memorial fees for the spouse will also be charged as resident notwithstanding that the spouse may no longer be resident in the Borough.

In the case of persons under the age of 18 years, the basis of the charge will be the residential qualification of either parent or guardian of that person.

Fees Schedule

Cemetery fees are reviewed every financial year and any changes take effect on 1st April.

The Schedule of fees for the current financial year is shown on Page 5

Part 1 – Exclusive Right of Burial (40 Years)

Epsom Cemetery offers a choice of graves from Pergola Front Row, Front Row Traditional , Other Row Traditional, Lawn or Cremation space , for which the exclusive right of burial may be purchased.

The selection of a particular grave is only available on Pergola Front Row and Front Row Graves and is in every case subject to the approval of the Superintendent.

The Exclusive Right of Burial is purchased in the form of a Deed of Grant, for a period of 40 years and upon expiry can be extended for a further period on payment of a nominal sum. Under current legislation such further period cannot exceed 100 years.

The person purchasing the Exclusive Right of Burial is termed the “Grantee” and their written permission is required on all matters concerning the grave.

The Deed of Grant may be assigned under certain conditions but will normally be inherited by the next of kin.

“Assignment of Rights” between a “Resident” and a “Non Resident” will be allowed only following payment of the difference in the purchase fee.

We are able to arrange the purchase of Exclusive right of burial for future use in all types of graves excluding the Islamic Section.

The Council will repurchase any unused graves at the original fee paid by the “Grantee”.

No person or household will be permitted to obtain the Exclusive Right of Burial in more than two unused graves.

In all cases there is a separate fee for interment see Part 2 overleaf.

Part 2 – Interments

Interment fees are based on the residential qualification of the deceased, “Residents” and “Non Residents” scale of charges apply.

Each grave can accommodate up to four interments (11ft) with the exception of graves in the Islamic section which are for one interment only (5ft).
The depth of the first interment determines the number of subsequent burials.

Cremation spaces are in our Garden of Remembrance and will accommodate up to two sets of Cremated Remains.

Cremated Remains can also be interred in a full grave, but would then close that grave to subsequent body burial. A full Grave space will accommodate several sets of Cremated Remains dependent upon the size of the Cremated Remains container, with further space available for scattering.

Part 3 – Memorials

All memorial fees are based on the residential qualification of the deceased, not the Grantee.

Where regulations allow a memorial to be placed on two adjoining grave spaces the memorial fees will be double the schedule fee.

The style and size of a memorial permitted on a grave is dependent on the type of grave and it's location, and is subject to the approval of the Cemetery Superintendent. We advise a settlement period of the grave for a minimum of 8 months, before a memorial is fitted.

Lawn graves are turfed or seeded following interment, so the planting out, placing of encumbrances or enclosure of these graves is not allowed. A headstone can be drilled and dowelled to the existing concrete beam soon after the funeral, there is no need to wait for any settlement period.

Cremation spaces are turfed following interment, and planting out, placing of chippings, stones or other encumbrances are not allowed. A headstone up to 2ft in width and height, or a tablet up to 18ins width can be placed on the Cremation space subject to the approval of the Superintendent.

It is the Grantee's responsibility to maintain the memorial in a sound condition, and repair or re-fix it if required.

Under the Health and Safety at Work Act 1974, and the Local Authorities Cemetery Order 1977 the Council has a duty of care to all persons entering the Cemetery and the power to remove the danger of an unsafe memorial which may be by laying it down flat.

Current Health and Safety guidelines, require the periodic testing of memorials for stability. The Cemetery will regularly test memorials, and those which fail this safety test, will where possible, be made safe by temporary staking or laying the memorial flat whilst we endeavour to contact the Grantee.

In some instances where staking is not a feasible option or we are unable to trace the Grantee or the Grantee declines to make the necessary repairs we may remove or lay the memorial down.(L.A.C.O. 1977)

The Grantee is strongly advised to check the warranty provided by their mason and consider taking out appropriate insurance.

All Memorial work must conform to the NAMM current code of practice and BS8415.

CEMETERY 2018/2019		
PART 1 – EXCLUSIVE RIGHTS OF BURIAL (40years)	Resident £	Non- resident £
Earthen Graves:		
Front Row Pergola Plot:	3,216.00	6,432.00
In front row from path: (Traditional)	3,237.00	6,473.00
In any other row: (Traditional)	1,722.00	3,444.00
Lawn Section	1,486.00	2,971.00
Baby: Butterfly Lawn Section	960.00	960.00
Garden of Remembrance (cremated remains only)	538.00	1,077.00
PART 2 – INTERMENTS		
Purchased Graves:		
Dug to 2ft. Cremated Remains)	278.00	584.00
Dug to 4ft (Child only)	380.00	834.00
Dug to 7ft	946.00	1,972.00
Dug to 9ft	1,063.00	2,339.00
Dug to 11ft	1,286.00	2,920.00
More than 11 feet	POA	POA
Walled Graves	POA	
PART 3 – MEMORIALS		
Not exceeding 3ft 6”	178.00	348.00
Kerbs/ Ledger	178.00	348.00
Ground Level Surround	343.00	679.00
Additional Inscription	106.00	212.00
Vase etc	118.00	234.00
Memorial in the Garden of Remembrance	173.00	343.00
Small memorial baby grave (18 ins high x 12 ins wide)	105.00	208.00
Butterfly Baby Grave Memorial (15ins high x 18ins wide)	105.00	105.00
Flat stone Tablet	141.00	234.00
Butterfly Memorial plaque	147.00	147.00
Part 4 – Sundry Charges		

Agenda Item 7 Annexe 1

Exhumation	POA	POA
Issue of duplicate Deed of Grant	101.00	101.00
Burial Register search fee	POA	POA
Hire of music facility / Chapel / Organ	Free	Free
Part 5 – Planting		
Plants - Summer and Winter	149.00	149.00
Moulding / Turfing	70.00	70.00

Part 4 – Total cost of Part 1 (Exclusive Right of Burial) & Part 2-(Interments) Part 3 Memorials are extra

EPSOM CEMETERY 2018/2019							
Depth	Pergola Front Row £	Front Row Traditional £	Other Row Traditional £	Lawn Section £	Cremation Space £	Re-Open (Body) £	Re-Open (Ashes) £
Resident							
7 ft	4,162.00	4,183.00	2,668.00	2,432.00	-	946.00	-
9 ft	4,279.00	4,300.00	2,785.00	2,549.00	-	1,063.00	-
11ft	4,502.00	4,523.00	3,008.00	2,772.00	-	1,286.00	-
Interment of Ashes	3,494.00	3,515.00	2,000.00	1,764.00	816.00	-	278.00
Future Use	3,216.00	3,237.00	1,722.00	1,486.00	538.00	-	-
Non-Resident							
7 ft	8,404.00	8,445.00	5,416.00	4,943.00	-	1,972.00	-
9 ft	8,771.00	8,812.00	5,783.00	5,310.00	-	2,339.00	-
11ft	9,352.00	9,393.00	6,364.00	5,891.00	-	2,920.00	-
Interment of Ashes	7,016.00	7,057.00	4,028.00	3,555.00	1,661.00	-	584.00
Future Use	6,432.00	6,473.00	3,444.00	2,971.00	1,077.00	-	-
Baby Graves							
	£				£		
Baby Butterfly Lawn Section	960.00				960.00		
Late Burial Fee after 3.00pm	296.00				296.00		

BOROUGH OF EPSOM AND EWELL

EPSOM CEMETERY

Regulations relating to Interment, Memorials, Inscriptions etc

Epsom Cemetery is owned and managed by Epsom Borough Council and regulated under the powers contained within the Local Authorities Cemeteries Order 1977

INTERMENTS

1. Forms of application for interments can be obtained from: **Cemetery Services at the “Town Hall, The Parade, Epsom, Surrey KT18 5BY** or the EEBC Website www.epsom-ewell.gov.uk. The forms duly completed with the necessary particulars and fees must be delivered to the Cemetery Superintendent not less than 3 clear working days before the date of the interment.
2. All arrangements for the time and date of the burial must be made with the Cemetery Superintendent (**Tel: 01372 732000**) All interments must take place between the hours of:
 1. **09.30 – 15.00 hours, or 9.30 - 2.30pm when a service is held in the Cemetery Chapel, Monday to Friday.**If possible, weekend burials may be allowed at certain times by special arrangement with the Superintendent and payment of an additional fee.
3. All arrangements for the conducting of the burial service must be made with the Minister by relations or friends of the deceased.
4. The Registrar's Certificate for burial or cremation, or the Coroners Order for burial where an inquest has been held, or the Certificate of the Crematorium Authority where the interment is of cremated remains, must be delivered to the Cemetery Superintendent before the burial can proceed.
5. The Certificate relating to still births issued by the Registrar under the provisions of the Births and Deaths Registration Act 1926, or the order of the Coroner where an inquest has been held, must be delivered to the Cemetery Superintendent before the burial of a still born child can proceed.
6. The Certificate relating to the delivery of a Non Viable Foetus must be issued by the Midwife or Doctor in attendance, and delivered to the Cemetery Superintendent before the burial of a Non Viable Foetus can proceed.
7. If the person procuring the burial of a body of a deceased person in the Cemetery cannot at the time of disposal produce a Registrar's Certificate or a Coroner's order, the burial will be proceeded with only if a written declaration is made by such a person in the prescribed form in pursuance to Section 1 (1) of the Births and Deaths Registration Act 1926, as amended by

Section 11 (2) and (3) and Section 24 of the Births and Deaths Registration Act 1953 that a certificate or order in respect of the deceased has been issued. The declaration must be handed to the Superintendent with the sum of **£25.00** to cover any expense the Council may be put to in subsequently obtaining such certificate or order, or a duplicate. If the certificate or order, or a duplicate, is delivered to the Cemetery Superintendent within 24 hours after the interment the Council will refund the deposit in full, but failing this the Council will proceed to obtain either the original or a duplicate and the deposit will be forfeited.

8. Burials of un-coffined bodies will only be allowed for religious reasons, however all bodies must be coffined on arrival at the Cemetery.
9. No coffin shall be buried in any unwallied grave within 3ft of the ordinary level of the ground, unless it contains the body of a child under 12 years of age when it shall not be less than 2ft below that level.
10. No body shall be buried in any vault or walled grave unless the coffin is separately entombed in an air-tight manner, that is, by properly cemented stone, concrete or brickwork, so as to ensure that the body shall never be disturbed.
11. Bodies of persons dying from highly infectious or notifiable diseases will only be allowed in the cemetery chapel providing adequate precautions have been taken to avoid seepage.
12. The selection of graves is only available on front row spaces and is in every case subject to the approval of the Superintendent.
13. Before a burial can take place, the consent in writing of the grantee, or the person in whom the right is vested, or the deed of grant must be delivered to the Cemetery Superintendent before a grave is opened in respect of which there is a current exclusive right of burial. Failure to deliver such documents may result in a delay or postponement of the funeral.
14. No person will be permitted to obtain the exclusive right of burial in more than two unused grave spaces. Assignment of Rights between a "Resident" and a "Non Resident" will be allowed only following payment of the difference in the purchase fee. The Council will re-purchase any unused grave spaces at the same cost paid at the time of purchase.
15. The Funeral Director or other person arranging the funeral must provide sufficient persons to act as pallbearers to convey the coffin into and out of the chapel and for lowering the coffin into the grave.
16. No human remains will be removed from any grave after committal without a Home Office licence, Bishop's Faculty or both (Section 25 Burial Act 1857)
17. The Council or it's servants will not be responsible for any error or consequences thereof that may arise by reason of any inaccuracy in or late receipt of a Notice of Interment and will accept orders and instructions by

telephone only at the risk of the caller. Telephone instructions must be confirmed in writing as soon as possible and no later than the period stated on the notice or as agreed with the Cemetery Superintendent or his representative.

18. The exact maximum outside coffin dimensions including handles must be entered on the Notice of Interment. The Council shall not be held liable for any delay or accident, which may occur as a result of such dimensions being omitted from or incorrectly entered on the Notice of Interment.
19. Only persons employed by or under contract to the Council will dig graves. All Funerals at the Cemetery are under the control and direction of the Superintendent or designated officers.
20. The Council reserves the right of access over all grave spaces and the right to temporarily remove any memorial from any grave without notice, in order to facilitate the digging of any adjacent grave for the purposes of interment. The Council reserves the right to place excavated spoil on graves adjacent to those that need to be opened for an interment, without notice. The spoil will be removed immediately following the interment and the surrounding area left in a tidy condition.
21. Where a Memorial has to be removed to allow an interment to take place, the Funeral Director or Stonemason must make arrangements to ensure that the memorial is completely taken away from the Cemetery, including landing stones ,and foundations.

MEMORIALS, INSCRIPTIONS ETC

Memorials may only be erected over graves in respect of which the Exclusive Right of Burial has been purchased. The right to erect a memorial rests with the “Grantee” and their written permission must be given and the appropriate fee paid to the council before a permit will be issued. Additional inscriptions will only be permitted for those persons buried within Epsom Cemetery.

22. All Memorial work carried out in the Cemetery must be fixed by a qualified stonemason and conform to the current NAMM Code of working practice and BS 8415. All memorial work will be carried out in the Cemetery on a strictly by appointment basis only. All Spoil is to be removed from site, with the memorial and the surrounding area left in a neat, safe and tidy condition.
23. Forms of application for the right to erect or place memorials on graves, or to place additional inscriptions on existing memorials, can be obtained at the Cemetery Superintendents office at the Town Hall or the EEBC website www.epsom-ewell.gov.uk.
24. Memorials shall not exceed the following heights:

*	Cremation Space	2 ft 0ins
*	In a Front Row Space and Lawn area	3 ft 0 ins
*	In any other row	3 ft 6 ins
25. No memorial erected or placed in any one grave space shall exceed 6ft 6ins in length or 2ft 6ins in width.
All Memorials and Kerbs must not be less than 3ins in thickness.
26. The height of all memorials shall be measured from the level of the ground surrounding the graves. The height of a memorial shall include any base, bases and kerb –stones.
Corner stones will be permitted for kerbs provided such corner stones do not exceed 12ins in height.
27. All memorials must be made from natural quarried stone. Concrete is not permitted.
28. Every memorial when first erected or when refixed after an interment shall have a foundation consisting of not less than two reinforced concrete bearers, such bearers to be at least.

**3ft 6ins in length,
1ft 6ins in width and
3 ins thickness.**

and shall otherwise be constructed in all respects to the Council's satisfaction.
29. Bearers shall be provided where the memorial is placed on a landing or one piece foundation frame

30. A memorial on the “Lawn Area” of the Cemetery must be fixed by drilling and dowelling to the existing reinforced concrete beam.
31. In the older traditional area of the Cemetery 6 inch wide surrounds will be permitted around the kerb edge of a traditional memorial, on payment of an additional fee, subject to the approval of the Superintendent.
32. In the Cemetery top extension, the Pergola plot memorials will be restricted to 6ft 6” long x 2ft 6ins wide. Surrounds or Double memorials will not be permitted.
33. The section letter and number of the grave space must be cut in a prominent position on all memorials erected or placed in the cemetery.
34. All brickwork, foundations for memorials and work involved in re-fixing memorials after removal shall be subject to the approval of the Cemetery Superintendent.
32. Graves, Vaults and memorials must be maintained and kept in good condition and repair by the person in whom the rights of burial are vested, (Grantee) . Any memorial that for reasons of age or neglect has fallen into a state of disrepair may be laid down and made safe or removed by the Council.
33. The Council will not be responsible for any damage to memorials or gravestones by storm, wind, lightening, subsidence, vandalism or acts of third parties,
34. The Council reserve the right to decide to which class of memorial any design submitted for approval belongs, and to refuse permission for the erection of any memorial or the placing on a memorial of any inscription which they may consider unsuitable.
35. The fees for memorials will be calculated so as to include the fees chargeable for each component part, eg Headstone with Kerbs, Headstone with Footstone and Kerbs.
36. Memorials on Cremated Remains spaces in the Garden of Remembrance shall not exceed 2ft in height and width, with the exception of Tablets or raised plaques which are restricted to 18 ins x 18 ins and 3ins thick.
37. Where the exclusive right of burial has not been purchased, a flat memorial stone on these graves will be restricted to 2ft in length x 6ins in width by 2ins in thickness.
38. No Glass, earthenware, concrete edging, paving slabs, chippings, loose stones, astroturf. wooden or trellis type memorials or plastic surrounds shall be placed on or around any grave in the Cemetery. These are hazardous to our contractors during Cemetery operations.

39. Annual planting may, subject to the approval of the Council, be allowed on Front Row, Pergola or Traditional grave spaces only. Grave planting must not exceed the grave dimensions of 6ft 6 ins in length by 2ft 6ins in width and must be regularly maintained by the Grantee to ensure they do not exceed these dimensions or encroach on the surrounding area. Trees are not allowed to be planted on Graves spaces. Shrubs or Roses must be contained within the grave dimensions above, regularly maintained and restricted in height to the height of the headstone. Lanterns, Solar lights, windmills etc are not allowed to be placed on the grass on the lawn section. They may be placed in pots or flower containers within the memorial. Excessive memorialisation or items will be removed at the Councils discretion particularly in cases where they exceed the dimensions of the grave spaces or encroach along the sides of the graves and inhibit free access along walkways. Temporary grave markers (Wooden Crosses/Plaques etc) will be removed after a period of six months following the last interment.
40. The Council reserves the right to prune, cut down or remove any plant or shrub at any time if in its opinion the same may have become unsightly or overgrown, or when removal is necessary to enable the grave to be used again. In those parts of the Cemetery designated as "Lawn Areas" full memorials and /or Garden tops will not be allowed.
41. The Council reserves the right to remove any unauthorised memorials from the cemetery and recover any costs incurred by so doing from the person by whom the order for the memorial was placed.
42. In accordance with the Councils Memorial Safety Policy the Council reserves the right without notice to :
 1. Remove or make safe any memorial, which in the opinion of the Superintendent is a danger or could become a danger to any person in the cemetery.
 2. Remove temporarily any memorial or part of any memorial if such course of action appears to the Council to be desirable.
 3. Recover from the owner of the rights of burial all reasonable cost incurred in making the memorial safe.

GENERAL

43. Under the powers contained in the Local Authorities Cemeteries Order 1977, a burial authority may do all such things as they consider necessary or desirable for the proper management regulation and control of a Cemetery.
44. No person shall:
 - a. wilfully create any disturbance in a Cemetery;
 - b) commit any nuisance in a Cemetery
 - c) wilfully interfere with any burial taking place in a Cemetery;
 - d) wilfully interfere with any grave or vault, any tombstone or other memorial, or any flowers or plants on any such matter, or;
 - e) play at any game or sport in a cemetery.
45. No unauthorised person shall enter or remain in a cemetery at any hours when it is closed to the public. No person shall sit, stand climb upon or over any memorial, gate, wall fence or building within or belonging to the Cemetery.
46. No person in the cemetery shall behave in a noisy, disorderly or unseemly manner, consume alcohol, gamble, hold any picnic or barbecue, sunbathe or play any game, use improper or indecent language, trespass on any portion of the cemetery , damage, or destroy any tree, shrub plant headstone, monument, memorial, grave or any other property within the Cemetery or obstruct any officer in the execution of their duties. All persons shall conduct themselves in a decent quiet and orderly manner.
- 46 All fees and charges must be paid to the Cemetery Superintendent when the application for an interment is made or before the erection of a memorial is commenced. The applicant must make all necessary arrangements regarding the date and time of the interment with the Cemetery Superintendent.
47. Applications for the right to erect or place memorials on graves must be accompanied by drawings with all the necessary dimensions and particulars and be approved by the Cemetery Superintendent prior to any work being carried out.
48. A plan of the Cemetery is displayed on the Cemetery notice board and also available by request.
49. Cemetery Services are now based at the Town Hall and can be contacted on 01372 732000 from 9.00am – 5.00pm Monday to Friday only. The offices will not be open on Saturdays, Sundays, Good Friday, Christmas Day and Bank Holidays, or when otherwise decided by the Council.
50. The Cemetery is open from 9.00 am, 364 days a year with the exception of Derby Day, when the Cemetery is closed. The Council reserve the right to close the Cemetery or to limit the entry of persons thereto anytime.
- 51 Children will not be admitted into the cemetery except in the charge of a responsible adult.

52. No servant of the Council is allowed either to take any gratuity, or to undertake privately work of any kind in connection with the cemetery whether in his own time or during the Council's times.
53. All persons admitted to the cemetery shall conform to the Regulations in force and the Superintendent or other duly authorised officer of the Council may remove from the cemetery all persons infringing such regulations or otherwise misconducting themselves.
54. No dogs will be permitted to enter the cemetery.
55. The parking of vehicles in the cemetery shall be at the discretion of the Cemetery Superintendent, and must not be parked in a position that obstructs other motor vehicles or any other form of access. All Vehicles are restricted to the carriageway and must not drive or park over verges. Any costs incurred as a result of damage caused by indiscriminate parking or driving over grassed areas will be the responsibility of the driver.
56. Any person using a motor vehicle in a cemetery shall only do so on a carriageway suited to the purpose and with the consent of the Council. All Vehicles will be restricted to a speed not greater than **10MPH**.
The Superintendent will exclude from the grounds any vehicle which he or she deems unsuitable.
57. No person shall drop, throw or otherwise deposit any wastepaper, cans, bottles, spoil or other detritus material of any kind in the Cemetery except in the litterbins provided.
58. Visitors or persons attending funerals shall not interrupt or interfere with the Contracts staff working in the Cemetery, nor employ them to plant graves or execute any private works whatsoever in the Cemetery.
59. Memorial Trees may be planted subject to the approval of the Cemetery Superintendent and upon payment of the appropriate fee. Location of plaques Trees, or donated Benches will be made in consultation with the Cemetery Superintendent whose decision will be final.
60. All persons entering the Cemetery do so at their own risk, and the Council will not accept any liability for injuries or damage sustained for any reason whatsoever.
61. The Council shall not be held responsible for the safe keeping of any wreaths, flowers, plants or any other objects placed in the Cemetery.
61. The Council reserve the right to make any alterations or additions to the foregoing Regulations from time to time.

Revised April 2018
Kathryn Beldon
Chief Executive.

