

20th January 2015

Environment Committee

Cemetery Regulations

Report of: *Stuart Anderson – Service Co-ordinator – Parks, Countryside, Cemeteries & Open Spaces*

Wards Affected: *All Wards*

This report is: *Public*

1. Executive Summary

- 1.1 The Council is facing an unprecedented set of challenges. The cuts in funding and the need to reduce expenditure increases the need to review the way in which we deliver our services, and how these can be done more efficiently, but still meet customer expectations.
- 1.2 The Council currently operates two active cemeteries, these being London Road which is open to new ashes interments and also existing pre-purchased burial plots, and Woodman Road Cemetery which is open to both new ashes and full burial interments.
- 1.3 The current 'regulations' of the cemeteries were last reviewed over 20 years ago and have become outdated and no longer reflect current operating standards, or the resources available to effectively maintain the cemeteries.
- 1.4 There is also often confusion amongst the bereaved regarding what is and isn't allowed in the cemeteries and what they are entitled to do as the Exclusive Right of Burial holder, and so the regulations are intended to clarify this area.

2. Recommendation(s)

- 2.1 That Members approve the new regulations for them to be implemented accordingly.**
- 2.2 Members agree that the regulations (Appendix A) will be reviewed on an Annual basis.**

3. Introduction and Background

- 3.1 The Council is responsible for the operation of two active cemeteries in Brentwood
- 3.2 The responsibilities include both the general day to day maintenance and upkeep of the sites and also all administrative duties both legal and non legal in relation to the process of undertaking a burial.
- 3.3 The current regulations have been in place for over twenty years, without review, and are now no longer fit for purpose in relation to current operating practices and also resources available to maintain the cemeteries both of which have altered significantly in recent years.
- 3.4 The new regulations are intended to set out what is and isn't considered acceptable behaviour in the cemeteries, and what rights the Exclusive Right of Burial Holder (ERB) has in relation to their burial plot.
- 3.5 Areas of notable information within the regulations include:
- General behaviour within the cemeteries
 - What is an ERB and what does it allow a holder to do.
 - The funeral process and what is involved.
 - The Councils commitments when undertaking a burial.
 - Memorials and ornaments.
 - Common Graves.
 - Fees and Charges.
- 3.6 The regulations have been designed so that they not only give the ERB holder peace of mind with regard to the Councils commitment of standards, but also as a tool to be used by Officers to sensitively challenge unacceptable behaviour by individuals.
- 3.7 The Cemeteries are a sensitive area of operations for the Council and one that Officers are conscious is dealt with in a sympathetic yet firm resolve. What one person may find tasteful, respectful and acceptable may not be the case with another individual. The regulations will allow Officers to bring an emotionally detached but sensible set of guidelines into force to ensure the cemeteries are maintained to as high a standard as resources will allow, without causing unnecessary distress or upset to those visiting loved one's graves.

- 3.8 The revised regulations will be sent out to all new ERB holders at the time of purchase as part of an information pack that has been developed by Cemetery Services so that a more entrepreneurial approach can be made with regard to the management of the sites.
- 3.9 The pack includes details of each cemetery, fees and charges, the regulations, guidelines on memorials, and information for ERB holders.
- 3.10 In addition to these packs temporary information boards will be installed in both cemeteries highlighting to existing ERB holders the new regulations and what is permitted.

4. Issue, Options and Analysis of Options

- 4.1 The proposal is for the Council to adopt a revised set of regulations to be used in the daily operating routine of the administration of Woodman Road and London Road Cemeteries.
- 4.2 One of the key concerns and considerations is the sensitive nature of the cemeteries and also the emotional distress experienced by members of the public when attending the cemeteries both during the burial process and thereafter when visiting a grave.

5. Reasons for Recommendation

- 5.1 So that a revised and more appropriate set of regulations can be implemented with regard to cemeteries and the entitlements of the Exclusive Right of Burial holder.

6. Consultation

- 6.1 No consultation has been carried out regarding these revised regulations.

7. References to Corporate Plan

- 7.1 This is a statutory service provided by the Council.

8. Implications

Financial Implications

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- 8.1 This report relates to the implementation of a revised and more appropriate set of regulations with regard to cemeteries and the entitlements of the Exclusive Right of Burial holder. Any costs related to the setting up and implementation of the revised regulations will be contained within the current budget

Legal Implications

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- 8.2 None.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.3 None

- 9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

- 9.1 None

- 10. Appendices to this report**

Appendix A - Draft cemetery regulations January 2015.

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