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| Service Delivery Committee | Tuesday, 03 March 2020 | Matter for Information and Decision |
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Report Title: **Review of Borough Cemetery Policies (March 2020)**

Report Author(s): **Margaret Kind (Corporate Asset Manager)**

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| Purpose of Report: | To replace the existing Cemetery Rules and Regulations and Lawn Cemetery Policy which both came into force in 1982. |
| Report Summary: | <p>The proposed revisions to the Rules and Regulations incorporate sections of the cemetery that did not exist when the previous regulations were made.</p> <p>The revisions reflect the current operation and management of the cemeteries and update the memorial section to conform to the council's current requirements. Opportunity has also been taken to simplify the language used and make the Rules and Regulations easier to understand.</p> <p>This report also proposes that the current Lawn Cemetery Policy is rescinded and that those areas currently maintained as Lawn Cemetery are incorporated into the way the wider cemetery is operated and maintained.</p> |
| Recommendation(s): | <p>A. That the Cemetery Rules and Regulations (as set out at Appendix 1 to this report) be approved; and</p> <p>B. That the Lawn Cemetery Policy introduced in 1982 be rescinded and the area currently maintained as Lawn Cemetery be maintained in the same way as the rest of the cemetery (as set out in paragraphs 3.1 to 3.7 of this report).</p> |
| Senior Leadership, Head of Service, Manager, Officer and Other Contact(s): | <p>Clive Mason (Chief Finance Officer / Section 151 Officer) (0116) 257 2736 clive.mason@oadby-wigston.gov.uk</p> <p>Margaret Kind (Corporate Asset Manager) (0116) 257 2832 margaret.kind@oadby-wigston.gov.uk</p> |
| Corporate Objectives: | Providing Excellent Services (CO3) |
| Vision and Values: | Respect (V2) Customer Focus (V5) |
| Report Implications:- | |
| Legal: | There are no implications arising from this report. |
| Financial: | There are no implications arising from this report. |
| Corporate Risk Management: | No corporate risk(s) identified. |

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| Equalities and Equalities Assessment (EA): | There are no implications arising from this report. EA not applicable. |
| Human Rights: | There are no implications arising from this report. |
| Health and Safety: | There are no implications arising from this report. |
| Statutory Officers' Comments:- | |
| Head of Paid Service: | The report is satisfactory. |
| Chief Finance Officer: | The report is satisfactory. |
| Monitoring Officer: | The report is satisfactory. |
| Consultees: | None. |
| Background Papers: | None. |
| Appendices: | 1. Cemetery Rules and Regulations (April 2020) |

1. Background

- 1.1 The Council has two cemeteries; Oadby Cemetery at Wigston Road, Oadby and Wigston Cemetery at Welford Road, Wigston.
- 1.2 All local authority managed cemeteries are subject to standards and conditions known as Cemetery Rules and Regulations which incorporate the statutory requirements contained in the Burial Acts, the Local Government Act 1972 and the Local Authorities Cemeteries Order 1977 (as amended).
- 1.3 The current Cemetery Rules and Regulations were last revised in 1982 when a separate Lawn Cemetery Policy was also introduced which applied to all new graves from Section L Grave number 108 onwards.

2. New Cemetery Rules and Regulations

- 2.1 The Cemetery Rules and Regulations attached at **Appendix 1** are required in order to:
 - Incorporate changes in legislation since the previous regulations were made;
 - Include sections of the cemeteries that did not exist when the previous regulations were made;
 - Reflect the development of the service since the previous regulations were made;
 - Update the section on memorials and memorial safety to conform to the Council's current requirements when obtaining a memorial permit for memorial installations;
 - Take into account the changes proposed in this report relating to the sections of the cemetery currently managed as Lawn Cemetery;
 - Simplify the language used and makes the Rules and Regulations clearer to understand.

3. Lawn Cemetery Policy

- 3.1 In 1982 a Lawn Cemetery Policy ("the Policy") was introduced for all new graves which applied to areas of Wigston Cemetery from Section L Grave number 108 onwards.

- 3.2 The Policy stated that from Section L, Grave 108 onwards
- Headstones should not be greater in height than 2' 6" (750 mm);
 - That no kerb edges would be allowed to graves;
 - That the deed holder would be allowed to plant within 18" (450 mm) of the headstone only.
- 3.3 The Policy was intended to reduce the amount of maintenance required so that mowing operations would be made easier. However, feedback of this policy shows that it is unpopular with bereaved families leading to a large number of unauthorised kerbs being installed.
- 3.4 Whilst the current Rules and Regulations and Lawn Cemetery Policy give cemetery staff the right to remove unauthorised kerbs, this leads to further upset and consequently a number of unauthorised kerbs remain in situ making the policy difficult to apply consistently.
- 3.5 Rescinding the Policy would mean that from Section L Grave 108 onwards, kerbs would be allowed so long as they are first approved in writing by the Cemeteries Officer and are installed by a qualified memorial mason. This would bring the area currently treated as Lawn Cemetery into line with the way the rest of the cemetery is operated. A memorial application fee would apply in line with the fee charged in other sections of the cemetery.
- 3.6 Any unauthorised kerbs currently in place would be assessed and, assuming they meet health and safety requirements, would be allowed to remain. Those that do not meet health and safety requirements would be removed. Removal would be dealt with sympathetically, as at present, by making contact with the grave owner prior to removal. The grave owner would be offered the opportunity to have kerb edges installed through the correct authorisation process.
- 3.7 Under the new Rules and Regulations the height of memorials allowed from Section L Grave 108 would remain at a maximum of 2' 6" (750 mm).