

## Portfolio Holder decision - Environment and Sustainability – 18 November 2024

### Revision to Cemeteries Regulations

Purpose	For Decision
Classification	Public
Executive Summary	<p>The Cemeteries Regulations cover aspects such as purchase of plots and interment fees, management and operation of the cemeteries, interment procedures, the scattering of remains, burial plot ownership and rights, memorials, benches and memorabilia.</p> <p>These regulations require a range of procedural changes and clarifications, for the benefit of all service users. The revised regulations are attached as Appendix 1.</p>
<b>Recommendation</b>	<b>That the Portfolio Holder approve the revised Cemeteries Regulations (October 2024) to provide clarification and improved procedures.</b>
Reasons for recommendation(s)	To bring greater clarity to NFDC’s requirements for cemetery usage and to ensure that all cemetery users are treated equally, fairly and safely.
Ward(s)	All
Portfolio Holder(s)	Councillor Geoff Blunden, Portfolio Holder for Environment and Sustainability
Strategic Director(s)	James Carpenter
Officer Contact	Iain Park Grounds and Streetscene Manager Iain.park@nfdc.gov.uk

### Introduction and background

1. NFDC operates and maintains 8 cemeteries within the New Forest. These cemeteries are open for burial and cremated remains interments. The Council provide various interment options, including naturalised woodland sections, memorial garden for ashes interments, as well as the more traditional lawn and kerbed grave sections, and cremated remains plots.

2. The Council produces Cemeteries Regulations to cover aspects such as purchase of plots and interment fees, management and operation of the cemeteries, interment procedures, the scattering of remains, burial plot ownership and rights, memorials, benches, and memorabilia. The regulations are in addition to the provisions presented in the 'Local Authorities Cemeteries Order 1977' and any other appropriate Regulations currently in force.
3. The current Cemetery Regulations were last updated, approved and published in 2022. They are required to be revised and republished by the end of 2027.

### **Interim Regulations Changes**

4. In the interim period before 2027, a small number of minor changes to the Regulations are proposed. The main intention behind these changes is to provide clarity.
5. These changes will ensure that NFDC can set out clear expectations of use of the Council's cemeteries and will give service users a comprehensive understanding of conditions of use and processes in place to manage these important facilities.
6. The revised Regulations are included as Appendix 1.

### **Corporate plan priorities**

7. This report relates to the Corporate Plan Priority under "Place" – *"Caring for our facilities, neighbourhoods and open spaces in a modern and responsive way."*

### **Options appraisal**

8. The recommendation allows for effective management of our cemeteries. The option of waiting for the full 2026 review before making these changes is rejected because it would mean a further 2 years of unresolved procedural issues within the existing regulations and a lack of clarity for service users.

### **Consultation undertaken**

9. A symposium was held on 23/10/24, to which all local Funeral Directors and approved Stone Masons were invited. The items discussed included amendments to current Cemetery Regulations and feedback was invited.

## **Financial and resource implications**

10. There are none.

## **Legal implications**

11. The Local Authorities' Cemeteries Order 1977 states that "*Subject to the provisions of this order, a burial authority may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery.*" The proposed minor amendments to the Regulations are within the Council's powers. The decision to amend the Regulations is one which can be taken by the Portfolio Holder in accordance with the Council's Constitution.

## **Risk assessment**

12. The minor changes to the Regulations are such that they do not carry any significant risks.

## **Environmental/ Climate and nature, Equalities, crime and disorder, data protection/ information governance/ ICT and National Park/ National Landscape implications**

13. There are none.

## **Portfolio holder endorsement**

14. I have agreed to the recommendations of this report.

Sign: Cllr Geoff Blunden

Date: 18 November 2024

### **Appendices**

### **Background Papers:**

Appendix 1 – NFDC Cemetery Regulations October 2024

None.

Date on which notice given of this Decision – 18 November 2024

Last date for call in – 25 November 2024