

ENVIRONMENT PORTFOLIO HOLDER'S DECISION – 10 MARCH 2016.

AMENDMENT TO CEMETERY REGULATIONS TO TAKE EFFECT FROM 1ST APRIL 2016

1.0 REQUIREMENT

- 1.1 To amend the exclusive right of burial term from 50 years to 30 years for all cemeteries operated by New Forest District Council.

2.0 REASON

- 2.1 To allow Burial Authorities to better utilise cemetery space, nationally there is a move towards 30 year exclusive rights of burial. This Council currently grants exclusive rights of burial for 50 years.
- 2.2 Some neighbouring authorities have already changed to granting 30 year terms as this allows access to unused grave space after 30 years, allowing all space to be used within each cemetery.
- 2.3 Each grant holder will be given the chance to extend their exclusive right of burial after the initial 30 year term. The reduced term will also give this Authority the ability to enforce the repair of defects identified at the end of the 30 year term before an exclusive right of burial is re-issued for another 30 years.
- 2.4 It also gives the Authority a reasonable chance of contacting the owners of the exclusive right of burial. Current experience is that by the end of a 50 year term contact has been lost with a significant proportion of the initial grantees, or their inheritors. This effectively sterilises the use of the unused space.

3.0 RESEARCH

- 3.1 The Institute of Cemetery and Crematorium Management has advised that:-
 - Any local authority can decide the length of lease, up to a maximum of 100 years.
 - Any change in the term granted cannot be applied retrospectively.
 - The law states that once the lease has expired any unused burial space can be used by the Authority.

4. VIEWS OF THE ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

- 4.1 This matter was considered by the Environment Overview and Scrutiny Panel at their meeting on 14 January 2016 (minute 36 refers). The Panel agreed that the Portfolio Holder be advised that this Panel supports, in principle, the proposal to reduce the term of an exclusive right of burial to 30 years.

5. **RECOMMENDED**

- 5.1 That the term offered by this Council for a lease granting exclusive right of burial be changed from 50 years to 30 years with effect on 1 April 2016.

Portfolio Holder's endorsement: I agree the recommendation

SIGNED:

CLLR S V BEETON

Environment Portfolio Holder

Date:

10 March 2016

Date Notice of Decision given:

10 March 2016

Last Day for call-in:

17 March 2016

For Further Information Please Contact:

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