

## CEMETERIES REGULATIONS REVIEW

### 1. PURPOSE OF REPORT

- 1.1 This report proposes the revision of the existing Cemeteries Regulations and Registration Scheme.
- 1.2 The Regulations were last comprehensively reviewed 2010. These Regulations govern the seven open New Forest District Council Cemeteries and cover all aspects of cemetery management.
- 1.3 The opportunity has been taken to review the Funeral Directors and Memorial Masons Registration Scheme. This is the first revision since its establishment in 2006. This review reinforces and aligns the requirements of the registration scheme to be consonant with the proposed new Regulations.
- 1.3 The Regulations and Registration Scheme has been drafted in partnership with the Cemeteries Task and Finish Group. The proposed documents were considered by the Environment Overview and Scrutiny Panel at their meeting on 9 March 2017.

### 2. BACKGROUND

- 2.1 The Cemeteries Regulations all cemeteries and have some bespoke rules for individual sites.
- 2.2 This review aims to harmonise individual requirements into one document, to aid the bereaved family, Funeral Directors and Stonemasons, especially when selecting an appropriate grave or memorial. This assists with this Council's administration and management, closes loop-holes, and manages expectations, while working within the resources available.
- 2.4 The Registration Scheme sets out the required common working practices by contractors (Funeral Directors and Stonemasons) working in New Forest District Council Cemeteries. These contractors are engaged by the holders of Exclusive Rights of Burial, or family, however there is a need to ensure they work in a safe and respectful manner in these public open spaces. In common with many authorities, New Forest District Council stipulates that any Funeral Directors or Memorial Masons wishing to work in our cemeteries is registered. Registration includes the submission of a copy of their insurance; proof of industry qualifications; sets our minimum standards; and the discipline procedure in cases of poor or unsafe practice.
- 2.4 Recommendations from industry bodies (such as the Institute of Cemetery and Crematorium Management (ICCM)) have been incorporated. This revision brings New Forest District Council on a similar approach to other authorities.

### 3. PROPOSALS WITHIN NEW REGULATIONS & REGISTRATION SCHEME

3.1 The following changes have been incorporated:

*Cemetery Regulations:*

- Revision of format and language to make them more readable and engaging
- Adjustment to the definition of child to include “Under 18s”. Previously teenagers were charged at adult rate and a child was classed as under 12.
- Clarification on the definition of a “resident” ( para 4.1);
- Creation of flowcharts (Appendix 1) to assist the reader.
- Revision of the administration for interment and the installation of memorials, including placing emphasis on the Funeral Director or Stonemason to provide a copy of New Forest District Council’s Regulations to their client.
- Clarification of when two plots are required (para 5.2.6)
- A small increase in cremated memorial permitted height (para 0.3.4) from 450mm to 550mm following industry practices and allowing standard designs to be used.
- Clarification on memorabilia, including glass items, to reduce safety hazards to visitors and this Council’s maintenance staff.
- The inclusion of Calshot (following receipt of planning approval for new cemetery)

*Funeral Directors and Memorial Masons Registration Scheme:*

- Emphasis on the member’s responsibility to advise and manage customer expectations within the Regulations – avoiding speculative applications or unrealistic expectations being formed and resulting in distress when these are declined.
- Emphasis that the member is responsible for ensuring that applications are accompanied by the necessary legal paperwork and their new insurance certificates, to assist administration.
- Inclusion of examples of behaviour which could lead to exclusion from the scheme, such as bringing New Forest District Council into disrepute.
- The revision of job titles, following previous organisation restructures.

3.2 This proposal brings no additional resource requirement to the establishment; and it is believed that any additional costs can be absorbed within current budgets.

3.3 The existing Cemeteries Administration team is fit for purpose, with additional responsibilities being incorporated into Job Descriptions, to be reviewed through the normal process. The team will report directly to the Open Spaces Officer.

3.4 These drafted documents have been sent out for consultation as follows:

- The Task and Finish Group have reviewed them
- Five industry consultees (the most common users) have been sent copies and their comments invited
- New Forest District Council’s Legal Service have been consulted

## **5. FINANCIAL IMPLICATIONS**

5.1 The clarification of who should pay resident/non-resident fees has financial implications as residents receive a 50% discount on the listed New Forest District Council fees and charges.

5.1.1 Non-residents account for approximately 15% of interments carried out during 2015-6. Thirty nine non-resident interments within New Forest District Council's cemeteries, compared to 250 resident interments undertaken. Of the 15% non-residents the proposed changes will only affect approximately 10% this equates to £2,000 loss of fee income compared to if they had been non-residents

5.1.2 The 2017-8 review of fees and charges covers the shortfall outlined in paragraphs 5.1.1 and 5.1.2, and the Cemeteries budget is expected to break-even.

## **6. ENVIRONMENTAL IMPLICATIONS**

6.1 None

## **7. CRIME & DISORDER IMPLICATIONS**

7.1 None

## **8. EQUALITY AND DIVERSITY IMPLICATIONS**

8.1 The adoption of the new regulations will avoid age discrimination of teenagers (see paragraph 5.1.2).

## **9.0 ENVIRONMENT OVERVIEW AND SCRUTINY PANEL COMMENTS**

9.1 The Panel welcomed the proposed revised Regulations, which were comprehensive and gave greater clarity about what was, and was not, permitted.

## **10.0 PORTFOLIO HOLDER'S COMMENTS**

10.1 I would like to thank the task and finish group for all their hard work in revising the Cemetery Regulations. Members and Officers have done exceptionally well. It is very difficult to communicate Regulations to family members while they are grieving and I am confident the revisions that have been recommended to you in this report will assist in clarifying what the requirements are for using New Forest Cemeteries. I am especially pleased that we have acknowledged the national issue around charging for burials for 12 to 18 year olds and addressed those within these changes

## **11.0 RECOMMENDATION**

- 11.1 That the Registration Scheme for Stonemasons and Funeral Directors and the revised Cemeteries Regulations, as attached as Appendices to this report, be approved.

### **For further information contact:**

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### **Background Papers:**

Attached