

HALLS, CEMETERIES & ALLOTMENTS COMMITTEE

Date: Monday, 4 July 2022

Title: Cemetery Regulations

Contact Officer: Maintenance & Environmental Services Officer - Angus Whitburn

Background

The last time the Cemetery rules & regulations were updated, was October 2015. In recent years, the rules and regulations haven't been amended in line with changing acts, laws, and guidance but also the challenges faced by Witney Town Council as the burial authority. Additionally, the rules & regulations haven't been adjusted to best suit the burial needs of Witney.

Councillors have also requested Witney Town Council officers explore the possibility of introducing less expensive memorial options such as wooden crosses, out of hours burials and the possibility of reintroducing kerb sets.

Current Situation

Instead of amending the current rules and regulations officers have overhauled and completely rewritten the document. This is to better cement the council's position in cemeteries management and help clear up any confusion with all involved parties. This process has also enabled the entire document to be updated in line with all laws, acts and guidance. The new rules and regulation draft document has been created in line with the council's current operations with minor additions, such as wooden crosses and some substantial changes to woodland burials and residency conditions and is attached for discussion.

Once the regulations have been approved through the Council process, it is envisaged that a user-friendly version can be created for Grant holders, and for publication on the Council's website.

Key points & changes in the regulations:

Residency criteria

The residence criteria has been rethought in a way that it cannot be mis-used, but also protect those who are residents of witney for a large proportion of their life in not having to pay higher fees.

Exclusive rights of burial terms

In the last Halls, Cemeteries & Allotments committee meeting Council approved to reduce the exclusive right of burial term to 30yrs for Tower Hill Cemetery. It is proposed the same amendment be made for Windrush cemetery. Currently, the exclusive rights of burial at Windrush Cemetery are set at 50 years for all plots. The only exception to this would be an increase to children's and babies' plots to 90 years to best cover the life of parents and guardians. By law, the council cannot offer these plots in perpetuity or a term above 99 years.

Woodland section

The woodland section at Windrush has been an unpopular choice for funeral organisers. However, the changes made to this option have been in the view of making it even more environmentally conscious but also the least expensive burial option in the cemetery. Hopefully, the proposed amendments and a new price structure will help make the area more popular.

Wooden Crosses

Wooden crosses will now be permitted in line with the detail in the new rules and regulations.

Kerbing Sets

The largest majority of ground in both of Witney Town Council's cemeteries is designated for lawned graves. For the maintenance needs of the cemetery, the council couldn't introduce kerbing among these areas. The best option would be to introduce a kerbed section, with the current process of redeveloping Windrush cemetery this addition could be made.

Weekend Burials

There are many parties involved in organising an interment and for a weekend burial to happen, all these parties would have to agree to the burial first, not just the Town Council. It is proposed that a weekend burial is charged at a full burial rate plus the cost of staffing it. This would be 3 cemetery operatives at double rate. By charging this cost it is deterring the majority but making it available to those who have a pressing desire to accommodate a particular date or when only certain attendees may be available.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 – with this in mind Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

There are risks to adding a kerbed section to Windrush Cemetery the maintenance needs, the potential to become popular, reduced burial space and is there a risk to it highlighting an area of affluence amongst the cemeteries.

By making weekend burials available there is the potential they could become overly popular to a point that it would stretch the Town Council operationally.

Financial implications

Described here or as stated in the report above.

- A kerbed section would require a higher level of maintenance coming at a higher cost.

Recommendations

Members are invited to note the report and consider the following:

1. Discuss any additions and amendments for the new rules & regulations.
2. Delegate to council officers to review any new burial charges outlined in the rules & regulations document for approval by the Policy, Governance and Finance committee.
3. If it is in the interest of councillors to still add a kerbed section to Windrush Cemetery, delegate officers to explore the option further and report back at the next Halls, Cemeteries, and allotments meetings.
4. To discuss the need for weekend burials and the new recommended requirements for this in the new rules & regulations.