

HARBOROUGH DISTRICT COUNCIL

REPORT TO THE COUNCIL MEETING OF 21st FEBRUARY 2022

PUBLIC REPORT: Y

EXEMPT REPORT: N

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| Report Title | Amendment to 2008 Approved Harborough District Cemetery Regulations |
| KEY DECISION | No |
| Report Author | Stuart Done: Information Governance Officer |
| Purpose of Report | For members to consider the revisions to the Council's Cemetery Regulations and decide whether the specified provisions need to be amended. |
| Reason for Decision | For members to review the current grave space allocation provisions under section 4 of the approved Regulations, and additionally to consider the proposal for amended winter burial times. |
| Portfolio (holder) | Cllr Paul Dann |
| Corporate Priorities | CO9: Responsive and accessible services |
| Financial Implications | Minimal implications for income generation. It will affect the flow of income in terms of sales of spaces in advance. Instead income will be generated at the point of use. |
| Risk Management Implications | None envisaged by this report |
| Environmental Implications | None as far as this report is concerned |
| Legal Implications | None as far as this report is concerned |
| Equality Implications | None as far as this report is concerned |
| Data Protection Implications | None as far as this report is concerned |
| Consultation | Funeral Directors have been advised of the changes. |
| Options | Do nothing - not making these changes could result in space running out at Market Harborough (Northampton Road) before alternative provision is available. |
| Background Papers | Cemetery Regulations (Appendix A) |
| Recommendation | <p>1. That Council consider the proposals set out in this report and;</p> <p>2. agree to the amended Regulations as currently operating and specified in section 2.2 below, for the reasons set out in section 1</p> <p>3. Agree to the amended Regulations as currently operating with regards to burial times in section 3.4 below</p> |

1. Key Facts

- 1.1 The Council operates cemeteries at Market Harborough (Northampton Road), Great Bowden, Great Easton, Foxton, Saddington and Blaston (closed for new burials).
- 1.2 The management of the Council's cemeteries is carried out under the provisions of the adopted Harborough District Cemetery Regulations.
- 1.2 It has become apparent that burial space is diminishing within the principal cemetery at Northampton Road Market Harborough, and as a result some amendment to the provisions of the aforementioned Regulations, is desired in order for the Council to effectively manage the remaining space.
- 1.3 As a matter of necessity, operational changes to the Regulations have been instituted by the service responsible for the administration of the cemeteries (Corporate Services.) The decision was taken in order to support the longevity of interment service provision within existing resources until alternative capacity is located and procured.
- 1.4 What is being sought is the retrospective agreement by Council, to the continued administration of the cemetery assets within the current de-facto operating model.
- 1.5 The principal and largest of the Council's cemeteries is located at Market Harborough (Northampton Road) and there is currently estimated to be less than 2 years provision of new provision available. This is based on current usage but could be reduced were burials to increase for any reason (for example as a result of Covid19).
- 1.6 The Council is currently investigating the best way to extend cemetery facilities within Market Harborough either through and extension of the existing cemetery or provision of a new cemetery in a suitable location.
- 1.6 Although it is the main cemetery at Market Harborough that is currently approaching capacity it is proposed to apply these changes to the Regulations to all of the Council's cemeteries in order to prevent the other smaller cemeteries operated by the Council being used as alternatives for purchase of Exclusive Rights of Burial for future use, which would merely transfer the problem elsewhere and reduce their operational life.
- 1.7 The full Cemetery Regulations incorporating the proposed changes are set out in Appendix A to this report.

2. Operating Changes

2.1 This section concerns the ability of members of the public to pre-purchase grave spaces in advance of need (in reserve.) Operationally, this has been removed from the Regulations and from administrative practice, as the Northampton Road cemetery (NRC) nears capacity.

2.2 In 2010, at a meeting of the then Opens Spaces Task Panel, it was announced that the NRC had approximately 10 years of capacity.

2.3 Current estimates based on annual interments suggests, 2-3 years of capacity remaining, if we take reasonable steps to manage the site on a needs basis.

2.4 In order to support the effective management of the site in question, Section 4 of the Cemetery Regulations previously stated:

‘4.4 Exclusive Rights of Burial will be made available on the following basis and are subject to fees as set out in the Scale of Fees and Charges in force at the time of purchase:

Category One

In Rotation (for current use) – The grave space is allocated by the District Council.

Category Two

Selected in Rotation (for current use) – The grave space is selected by the purchaser from plots which are currently available

Category Three

Selected in Reserve – Where the grave space is being purchased for future use and is selected by the purchaser.’

2.5 In order to support the position at 2.3, Section 4.4 of the Cemetery Regulations has been operationally amended to:

‘4.4 Exclusive Rights of Burial will be made available on the following basis and are subject to fees as set out in the Scale of Fees and Charges in force at the time of purchase:

Basis.

In Rotation (for current use) – The grave space is allocated by the District Council.

The ability to choose a grave space from a pool of available plots has been withdrawn. All spaces will be allocated by the District Council without exception and will be based on ground conditions at the time of interment.

This decision has been taken based on current space availability assessments.’

2.6 This report seeks to confirm the position stated in paragraph 2.3 above without exception for the reasons outlined in section 1. If this position is agreed, the section in bold in paragraph 2.5 will be removed and will become the operating norm without drawing attention to previous operating processes.

3. Hours of Operation.

3.1 The hours of operation need to be changed to reflect national daylight saving provisions.

3.2 The matter of safety in terms of adequate lighting has been raised in relation to interments in full graves which require back filling at times of the year where light is poor. This is typically November to March. In situations where the undertaker is late or mourners wish to pay their respects at the graveside, this can make the backfilling operation fall outside of the contracted period with our contractor and/or make the task potentially hazardous in poor light conditions. As there is no lighting at any cemetery, when the daylight fades, the task becomes intrinsically a greater safety concern.

3.3 In response to paragraph 3.2, it is has been agreed that the time of last interment, that is arrival and commencement of proceedings at any cemetery, should be no later than 15:00, during the November to March timeframe. This will allow for the preservation of as much natural daylight as possible in order to aid the carrying out of the backfilling task in reasonable safety. This will also cater for late arrivals and mourners who wish to pay their respects at that time of year.

3.4 It is recommended that Regulation 5.4 of the Cemetery Regulations is formally amended to the following:

‘Burials may take place on weekdays (Monday to Friday excluding Public Holidays) between the hours of 09:00 to 15:30. (April - October,) and 09:00 to 15:00 (November – March) reflecting national daylight saving provisions. No burials will be allowed on Saturdays, Sundays unless by special arrangement.’

3.5 The previous version of paragraph 5.4 stated:

‘Burials may take place on weekdays (Monday to Friday excluding Public Holidays) between the hours of 09:00 to 15:30. No burials will be allowed on Saturdays, Sundays unless by special arrangement.’

3.6 The alterations proposed in this document are limited to provisions which allow for site safety in certain conditions and to allow for the effective utilisation and management of existing burial resources. There are no further alterations proposed at this time.

4 Duration of changes

4.1 A further report will be brought to Council for consideration as and when a substantial extension to existing facilities or an alternative cemetery facility is available.