

Notes from Meeting of Cemetery sub-group held on Wednesday 6 April 2016

Present: Cllr Shepherd, Cllr Goodall, Cllr Drayton, Cllr Shearman, Cllr Storey,
Cllr Swann, Sally Whitefield (Deputy Clerk)

The group looked at the historic maps/plans of the Cemetery and associated records followed by a visit to the Cemetery. (NB Cllr Goodall left the meeting before the Cemetery visit).

Cllr Goodall informed the group that the problem of cemeteries running out of space has been discussed at District Council and a possible solution could be to create a district area cemetery.

There are 2 remaining burial plots in Section S.

No cremation plots remain in Section V.

There is room for a limited number of burial and/or ashes plots in Section C2 but there is a pile of soil and old cemetery railings that need moving before this area can be used.

Cllr Shearman and Deputy Clerk identified a small area through the centre of Section J 2 that could be used for a row of ashes plots.

Following the meeting the ICCM (Institute of Cemetery & Crematorium Management) has been asked to clarify a few points.

Can we close the cemetery and if so what steps need to be taken?

A local authority does not have to provide a cemetery. Section 214 of the Local Government Act 1972 states that burial authorities MAY provide cemeteries.

Can we stop accepting burials (that require new plots) but continue to offer new cremation plots?

If a cemetery fills and no new land is developed the authority ceases to provide the service, however it would still be required to maintain the existing cemetery and honour rights, i.e. reopen graves. If space is only available for burial of ashes you could provide that service only.

The 1977 Cemeteries Order states that burial rights cannot exceed 100 years but prior to that rights were sold in perpetuity in our cemetery. Did the 1977 Order remove the "in perpetuity" rights or do they still apply to the older graves?

The first Local Authorities Cemeteries Order came into force in 1974. This was when perpetuity became unlawful.

Rights granted in perpetuity before this date remain in perpetuity.

There is a Church of England law that allows cemeteries to reuse graves on consecrated land in which there has been no burial for at least 75 years, providing it gains permission from its diocese – what exactly does that mean in practice?

Some Church of England Diocese will grant a Faculty to reuse **unpurchased** grave, i.e. public/common graves.

This would apply in time to graves that were sold for a limited period and the right expired and not renewed.

There is no mechanism outside of London to cancel perpetuity right and disturb previously buried remains.

Here is a link giving some information relating to the granting of a Faculty
<http://www.lawandreligionuk.com/2016/01/18/re-use-of-graves-in-england-the-faculty-jurisdiction/>

The property adjoining the cemetery (The Well House) has just come onto the market and includes 2.6 acres of land.

<http://www.jackson-stops.co.uk/cgi-bin/properties/summary-details.pl?propID=65737>

The Senior Open Spaces Warden has been asked to join us next Wednesday (13th April) as suggested by Cllr Shearman.

Notes from Meeting of Cemetery sub-group held on Wednesday 13 April 2016

Present: Cllr Shepherd, Cllr Drayton, Cllr Shearman, Cllr Storey, Ryan Gold (Senior Open Spaces Warden), Sally Whitefield (Deputy Clerk)

The group discussed remaining land at the Cemetery.

The Deputy Clerk had spoken with the Clerk at Sherborne Town Council about their experience of extending their cemetery and shared this information.

There will be an additional Open Spaces Committee meeting to be held on 10 May 2016 after the PHT meeting.

Recommend that no further burial plots are sold and remaining land is used for ashes plots.

Recommend that the small strip of land in middle of Section J2 is used for row of 8 or 9 ashes plots.

Recommend issuing a media release stating that no more burial plots remain in Iminster Cemetery and a limited number of ashes plots. The Town Council are actively looking for solutions.

Consult Open Spaces Committee on the following options:

- Cease providing a cemetery when the existing one is full
- Extend existing cemetery, considering all adjoining land options
- Investigate purchasing adjoining property which is for sale
- To support a District Area Cemetery as an alternative to providing a Town Cemetery
- Purchase land elsewhere in the town for a new cemetery

Senior Open Spaces Warden and Deputy Clerk to measure remaining land in Sections B2 and C2 and area in J2 and report how many ashes plots can be provided.

Senior Open Spaces Warden to investigate options and feasibility of a retaining wall at the bottom of the cemetery next to new railings which could be infilled to create more space and deal with excess soil.

Deputy Clerk to find out if there are unused burial plots in other Sections and the number of pre-purchased plots that have not been used.

Deputy Clerk to contact Wendy Johnson at Dillington Estate offices to enquire if they have any land they would be willing to sell for cemetery use.

Deputy Clerk to contact Neil Waddleton at District to find out if 106 funds can be used to provide a cemetery

Deputy Clerk to contact Cemetery Development Services to find out more information about the process of identifying suitable land.