



Saltash Town Council

Konsel An Dre Essa



The Guildhall
12 Lower Fore Street
Saltash
PL12 6JX
Telephone: 01752 844846
www.saltash.gov.uk

22 April 2026

Dear Councillor

I write to summon you to the **Meeting of Burial Authority Committee** to be held at the Guildhall on **Tuesday 28th April 2026 at 6.30 pm.**

The meeting is open to members of the public and press. Any member of the public requiring to put a question to the Town Council must do so **no later than three working days before the meeting** either by email to enquiries@saltash.gov.uk or via The Guildhall, 12 Lower Fore Street, Saltash PL12 6JX.

Please note if Councillors have any questions on the business to be transacted at this meeting the Clerk must be notified **no later than 12 noon the before the meeting.**

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'S Burrows'.

S Burrows
Town Clerk / RFO

To:

A Ashburn (Vice-Chairman) R Bullock (Chairman) G McCaw S Miller B Samuels B Stoyel	All other Councillors for information
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Agenda

1. Health and Safety Announcements.
2. Apologies.
3. Declarations of Interest:
 - a. To receive any declarations from Members of any registerable (5A of the Code of Conduct) and/or non-registerable (5B) interests in matters to be considered at this meeting.
 - b. The Town Clerk to receive written requests for dispensations prior to the start of the meeting for consideration.
4. Public Questions - A 15-minute period when members of the public may ask questions of the Town Council.
Please note: Any member of the public requiring to put a question to the Town Council must do so by email or via The Guildhall **no later than three days before the meeting.**

Members of the public are advised to review the Receiving Public Questions, Representations and Evidence at Meetings document prior to attending the meeting.
5. To receive and approve the minutes from the Burial Authority meeting held on 14 October 2025 as a true and correct record. (Pages 4 - 8)
6. To receive the Burial Authority Committee budget statement and consider any actions and associated expenditure. (Page 9)
7. To consider Risk Management reports as may be received.
8. To consider Health & Safety reports as may be received.
9. To receive a report from the Service Delivery Department and consider any actions and associated expenditure.
10. To receive a report on Exclusive Rights of Burial renewals and consider any actions and associated expenditure. (Pages 10 - 11)
11. To receive amendments to the Churchtown Cemetery Management Procedures and consider actions. (Pages 12 - 23)
12. To receive an update on the Law Commission Burial and Cremation Consultation 2024 and consider any actions. (Pages 24 - 25)

13. Public Bodies (Admission to Meetings) Act 1960:
To resolve that pursuant to Section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960 the public and press leave the meeting because of the confidential nature of the business to be transacted. (As required or if necessary).
14. To consider any items referred from the main part of the agenda.
15. Public Bodies (Admission to Meetings) Act 1960:
To resolve that the public and press be re-admitted to the meeting.
16. To confirm any press and social media releases associated with any agreed actions and expenditure of the meeting.

Date of Next Meeting: Thursday 22 October 2026 at 6.30 pm

SALTASH TOWN COUNCIL

Minutes of the Meeting of the Burial Authority Committee held at the Guildhall on Tuesday 14th October 2025 at 6.30 pm

PRESENT: Councillors: A Ashburn (Vice-Chairman), R Bullock (Chairman), G McCaw, S Miller, B Samuels and B Stoyel.

ALSO PRESENT: D Joyce (Office Manager / Assistant to the Town Clerk) and W Peters (Finance Officer)

APOLOGIES: None.

15/25/26 TO ELECT A CHAIRMAN

Councillor Bullock in the Chair to open the meeting and deliver agenda item 1.

It was proposed by Councillor B Samuels, seconded by Councillor Stoyel, to nominate Councillor Bullock.

No further nominations were received.

Following a vote it was **RESOLVED** to elect Councillor Bullock as Chairman.

Councillor Bullock remained in the Chair.

16/25/26 TO ELECT A VICE CHAIRMAN

It was proposed by Councillor Ashburn, seconded by Councillor B Samuels, to nominate Councillor Ashburn.

No further nominations were received.

Following a vote it was **RESOLVED** to elect Councillor Ashburn as Vice Chairman.

17/25/26 HEALTH AND SAFETY ANNOUNCEMENTS.

The Chairman informed those present of the actions required in the event of a fire or emergency.

18/25/26 DECLARATIONS OF INTEREST:

- a. To receive any declarations from Members of any registerable (5A of the Code of Conduct) and/or non-registerable (5B) interests in matters to be considered at this meeting.

None received.

- b. The Town Clerk to receive written requests for dispensations prior to the start of the meeting for consideration.

None received.

19/25/26 PUBLIC QUESTIONS - A 15-MINUTE PERIOD WHEN MEMBERS OF THE PUBLIC MAY ASK QUESTIONS OF THE TOWN COUNCIL.

None received.

20/25/26 TO RECEIVE AND APPROVE THE MINUTES FROM THE BURIAL AUTHORITY MEETING HELD ON 29 APRIL 2025 AS A TRUE AND CORRECT RECORD.

Please see a copy of the minutes on the STC website or request to see a copy at the Guildhall.

It was proposed by Councillor Stoyel, seconded by Councillor McCaw and **RESOLVED** that the minutes of the Burial Authority Committee held on 29 April 2025 were confirmed as a true and correct record.

21/25/26 TO CONSIDER RISK MANAGEMENT REPORTS AS MAY BE RECEIVED.

Nothing to report.

22/25/26 TO CONSIDER HEALTH & SAFETY REPORTS AS MAY BE RECEIVED.

Nothing to report.

23/25/26 TO RECEIVE A REPORT FROM THE SERVICE DELIVERY DEPARTMENT AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.

Members received the Service Delivery Department report contained within the circulated reports pack.

It was **RESOLVED** to note.

24/25/26 **TO RECEIVE A REPORT ON EXCLUSIVE RIGHTS OF BURIAL RENEWALS AND CONSIDER ANY ACTIONS AND EXPENDITURE.**

Members discussed the report on the renewal of Exclusive Rights of Burial (EROB) for Churchtown Cemetery, as included in the circulated reports pack. The Office Manager / Assistant to the Town Clerk provided clarification on the process to be followed if the Town Council is unable to contact the EROB holder.

It was **RESOLVED** to note.

25/25/26 **TO SET THE BURIAL AUTHORITY FEES AND CHARGES FOR THE YEAR 2026/27 RECOMMENDING TO THE POLICY AND FINANCE COMMITTEE.**

Members reviewed and discussed the 2026/27 fees and charges, noting that the Town Council continues to offer competitive rates.

The Finance Officer recommended a slight increase in fees for EROB renewals, benches, and other memorials to reflect the cost of materials, installation and administrative time.

It was proposed by Councillor Stoyel, seconded by Councillor McCaw and resolved to **RECOMMEND** to the Policy and Finance Committee to be held on 25 November 2025 to approve the Burial Authority Committee Fees and Charges for the year 2026/27, as attached.

26/25/26 **TO SET THE BURIAL AUTHORITY BUDGET FOR THE YEAR 2026/27 RECOMMENDING TO THE POLICY AND FINANCE COMMITTEE.**

The Finance Officer worked through the budget statement for the year 2026/27 contained within the circulated reports pack.

It was proposed by Councillor Bullock, seconded by Councillor McCaw and resolved to **RECOMMEND** to the Policy and Finance Committee to be held on 25 November 2025 the Burial Authority Committee budget statement for the year 2026/27 (as attached) including the following amendments:

Operating Expenditure

1. To delete budget code 6005 BA Fire Extinguishers as it is no longer required;
2. To delete budget code 6010 BA PWLB Loan Repayment & Interest as it is no longer required;
3. To vire £403 from budget code 6011 BA Water to 6073 BA EMF Memorial Garden whilst the Town Council continues to locate the meter at Churchtown Cemetery;
4. To create budget code 6015 BA Annual Keyholding Service.

27/25/26 **PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960:**

To resolve that pursuant to Section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960 the public and press leave the meeting because of the confidential nature of the business to be transacted. (As required or if necessary).

28/25/26 **TO CONSIDER ANY ITEMS REFERRED FROM THE MAIN PART OF THE AGENDA.**

None.

29/25/26 **PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960:**

To resolve that the public and press be re-admitted to the meeting.

30/25/26

TO CONFIRM ANY PRESS AND SOCIAL MEDIA RELEASES ASSOCIATED WITH ANY AGREED ACTIONS AND EXPENDITURE OF THE MEETING.

It was proposed by Councillor Bullock, seconded by Councillor Ashburn and **RESOLVED** to issue the following Press and Social Media release:

1. Exclusive Rights of Burial Renewals.

DATE OF NEXT MEETING

To be confirmed.

Rising at: 7.02 pm

Signed: _____
Chairman

Dated: _____

Burial Authority Committee - Burial Authority Budget 2025-26

Saltash Town Council

For the year ended 31 March 2026

Account	Prior Year 2024/25	Budget Including Virements 2025/26	Actual YTD 2025/26	Budget Available 2025/26	Precept Budget 2026/27
Burial Authority Operating Income					
4612 BA Cemetery Fees	21,390	15,000	24,261	(9,261)	15,570
4614 BA Memorial Bench Income	167	458	250	208	600
4615 BA National Grid Wayleave Income	0	15	464	(449)	14
4616 BA Churchtown Carpark Income	0	1,000	0	1,000	0
Total Burial Authority Operating Income	21,557	16,473	24,975	(8,502)	16,184

Burial Authority Operating Expenditure

6000 BA Petrol	360	250	46	204	260
6001 BA Machinery Maintenance Costs	287	305	127	178	317
6004 BA General Site Maintenance	608	1,000	993	7	1,038
6005 BA Fire Extinguishers	0	100	0	100	0
6008 BA Tree Survey & Tree Maintenance	0	875	481	394	908
6009 BA Electricity Costs	345	452	452	0	421
6010 BA PWLB Loan Repayment & Interest	21,385	10,693	10,692	1	0
6011 BA Water	0	0	0	0	0
6012 BA Memorial (Expenditure)	173	408	116	292	518
6013 BA Security Alarm Maintenance	186	241	66	175	344
6014 BA Cemetery Software Subscription	912	680	660	20	726
6015 BA Annual Keyholding Service	0	0	0	0	184
Total Burial Authority Operating Expenditure	24,255	15,004	13,633	1,371	4,716
Total Burial Authority Operating Surplus/ (Deficit)	(2,699)	1,469	11,342	(9,873)	11,468

Burial Authority EMF Expenditure

6070 BA EMF Churchtown Cemetery Capital Works	(20)	5,972	0	5,972	1,500
6071 BA EMF Replace Machinery & Equipment	0	13,942	0	13,942	0
6073 BA EMF Memorial Garden	154	3,570	0	3,570	0
6074 BA EMF Water	0	403	0	403	0
Total Burial Authority EMF Expenditure	133	23,887	0	23,887	1,500
Total Burial Authority Expenditure (Operational & EMF)	24,389	38,891	13,633	25,258	6,216
Total Burial Authority Budget Surplus/ Deficit	(2,832)	(22,418)	11,342	(33,760)	9,968

To/From Reserves & Budget Virements 2025/26

Virement from 6011 BA Water - Burial Authority to 6074 BA EMF Water - £403 - FTC 269/25/26

Virement from 6014 BA Cemetery Software Subscription to 6009 BA Electricity Cost - £46 - To be ratified

Virement to General Reserves 2025/26 £9,873

Income received in excess of budget £8,502

Operating Expenditure budget unspent £1,371

Note: EMF balances carried forward to 2026/27 £23,887

Key

Spending is on target as predicted at this point in the financial year

Spending is higher than anticipated and needs to be monitored closely

Budget is overspent - requires investigation and recommend virement

To receive a report on Exclusive Rights of Burial renewals and consider any actions and expenditure

Report to:

Burial Authority

Date of Report:

15.04.26

Officer Writing the Report:

Planning and General Administrator

Pursuant to:

Burial Authority held on 14 October 2026 minute nr. 24/25/26

Purpose of the report:

To receive an update on EROB deeds that have expired for which contact with the deed holder has been unsuccessful.

Officer's Recommendations:

Members are asked to note the report.

Report Summary

Since reporting to the Burial Authority in October 2025, a number of Exclusive Rights of Burial have reached the end of their ten-year term. While several deeds have been renewed, four EROBs have now expired and remain unrenewed, with efforts to contact the registered deed holders proving unsuccessful to date.

One renewal notification was returned as undeliverable, and no alternative contact details are held. In this case, a notice will be placed on the relevant grave, after which the rights will revert to Town Council ownership. A final recorded-delivery letter has been issued to the remaining three deed holders in line with ICCM guidance and established Council procedures.

Additionally, one EROB due to expire in July 2026 cannot be renewed, as the sole registered deed holder is interred in the grave and no other eligible deed holders are recorded. On expiry, the rights will revert to the Town Council.

Should no response be received following final contact attempts, the remaining unexpired EROBs will revert to the ownership of the Town Council in accordance with the Cemetery Management Policy and Regulations.

Signature of Officer:

Planning and General Administrator

Saltash Town Council

CHURCHTOWN CEMETERY MANAGEMENT POLICY & REGULATIONS

1. PURPOSE

- 1.1. To provide a management strategy for the safe and respectful management of the cemetery.
- 1.2. To provide clear information to elected members of the responsibilities of the Town Council and the implications thereof.
- 1.3. To provide clear information to cemetery users, be they the bereaved, visitors or attendees at a funeral, detailing their rights, responsibilities and what they may expect from the Town Council. This to take the form of Rules and Regulations and information presented in the form of leaflets and upon the Council website.
- 1.4. To provide clear information to those working in the cemetery, be they Memorial Masons, Funeral Directors, Grave Diggers or any other external contractor.

2. GUIDANCE AND STATUTORY OBLIGATIONS

- 2.1. The cemetery will be managed to comply with all Parliamentary Acts and Statutory Instruments and accepted guidance that may apply.
- 2.2. The main legislation is contained within the Local Authorities Cemetery Order 1977, as amended in the Local Authorities Cemeteries (Amendment) Order 1986. This is a Statutory Instrument made under the Local Government Act 1972, section 214(1).
- 2.3. Other legislation where compliance is Statutory includes the Health and Safety at Work Act 1974, enforced by the Health and Safety Regulations 1989.
- 2.4. Guidance issued by the Health and Safety Executive and the Institute of Cemetery and Crematorium Management includes:

- 2.4.1. The Guide for Burial Ground Managers (HSE)
- 2.4.2. Baby and Infant funerals (ICCM)
- 2.4.3. Shallow graves policy (ICCM)
- 2.4.4. Managing the safety of burial ground memorials (HSE)
- 2.4.5. Management of Memorials policy (ICCM)
- 2.4.6. Code of safe working practice (ICCM)

3. DEFINITIONS

- 3.1. For the purposes of legislation and registration of burials, the person identified by the Council shall be the Town Clerk.
- 3.2. The cemetery shall be deemed to be open during the hours of daylight – it is illegal to enter a cemetery when it is closed without the specific permission of the identified person.
- 3.3. As land owner, the Council is responsible for the health and safety of all who enter the cemetery.
- 3.4. No vehicles may enter the cemetery without the express permission of the Council.

4. ELEMENTS OF MANAGEMENT

- 4.1. **Burials – Undertakers to Note:** Please only book and pay for the Saltash Town Council's approved gravedigger.
 - 4.1.1. No interment may take place nor any ashes scattered without the written permission of the Council. In or on a grave where the Exclusive Rights of Burial (EROB) have been purchased, the Council will require the written permission of the owner of the Rights before they in turn may grant permission.
 - 4.1.2. An Application for Interment must be made on the specified form and received by the Council three working days before the time of burial. It must be accompanied by a Certificate of Disposal issued either by the Registrar (green form) or by the Coroner (white form). In exceptional circumstances should this form be lost or unattainable, it may be possible to proceed with the burial if a Form 18 is supplied instead. The application should also be accompanied by payment in full.
 - 4.1.3. 'American Style' Caskets are not permitted at Churchtown Cemetery **as their dimensions exceed those currently accommodated within the cemetery's**

grave design. The maximum dimensions permitted for Wood and Wicker Coffins at Churchtown Cemetery are as follows: Maximum Length 7' 2", Maximum Width 32", Maximum Height 18". The exact dimensions, width, length and height, of the coffin which will be used for an interment must be given accurately on the application form.

Commented [DJ1]: Ensures reason for exemption is clarified and justified.

4.1.4. All first burials in a grave will take place in a grave identified by the Town Clerk.

4.1.5. Burials may take place in an EROB purchased or non EROB plot; in the latter case the applicant will be informed that no memorial may be placed on the grave and that other, unrelated persons may also be buried in the grave. Prior to a second interment in an unpurchased grave the Council will attempt to contact the applicant to offer a last chance to purchase.

4.1.6. All graves will be excavated and backfilled by the Council or its contractors in accordance with the ICCM Code of Safe Working Practice. Adequate grave shoring will always be used. Graves left open overnight will be securely covered. Should mourners wish to backfill some or all of the grave they must do so with the express, advanced permission of the Council and such an operation is at the sole risk of the Funeral Director or organizer. Backfilling must take place as soon as the cortege has left the graveside; no open grave containing a coffin must be left unattended.

The Council or its contractors will make good any subsidence within the first 12 months after the funeral. Thereafter, the need to make good and pay to correct any subsidence will be the responsibility of the owner of the EROB. Once a memorial has been placed the re-levelling of a grave will be the responsibility of the owner of the EROB to pay for to be carried out by a suitably qualified mason.

4.1.7. Burials may take place without a Funeral Director but organizers must satisfy the Council that they are competent to conduct a funeral. They must also assume all requirements that the Council would demand of a Funeral Director.

4.1.8. Funeral Directors, Memorial Masons, the Council appointed Grave Digger and other contractors at Churchtown Cemetery, must register with the Council showing evidence of public liability insurance. A risk assessment, the content of which must be approved by the Council's Service Delivery Manager, will also be required. Additionally, Funeral Directors are responsible for the behaviour and safety of the funeral cortege whilst in the cemetery.

4.1.9. Grave spaces will be three metres long and one and a half wide in order to comply with BS8415. The excavation will be central with respect to width with the head sixty centimeters from the top border.

4.1.10. **The Council will have due regard to religious, cultural and equality considerations in the exercise of its cemetery functions, subject to health, safety and statutory requirements.**

Commented [DJ2]: Equality, Faith and Cultural Considerations - significantly strengthens legal defensibility. This means the Council will be fair, respectful, and inclusive – but not at the expense of safety or legal obligations.

4.2. Exclusive Rights of Burial

4.2.1. In accordance with LACO (1977) the Council may issue Exclusive Rights of Burial (EROB) to the applicant for burial at the time of the first burial in a grave. The current term is a period of ten years, which may be renewed on expiry by payment of a further fee, for a period of ten years. **A ten-year period on Churchtown Cemetery plots assists in maintaining contact with plot holders, with a renewal process issued six months before EROB expiry.**

Commented [DJ3]: Explanation reduces the risk of challenge or complaints to the Ombudsman.

4.2.2. EROB does not confer ownership of the land but grants the purchaser the right to determine future burials and to apply to place a memorial. The owner of the rights may themselves be buried in the grave with no other permission needed.

4.2.3. At the end of the period of rights the Council will attempt to contact the owner, but should they not be found or not wish to renew the rights, the Council may either sell the rights to another person or bury an unrelated person in the grave.

4.2.4. EROB may be assigned by the owner during their lifetime, or by their executor upon their death. The Council can advise how this must be done and will supply such forms as are needed for a small fee.

4.2.5. Under no circumstances may the EROB be exercised without the permission of the owner.

4.3. Memorials

4.3.1. The cemetery is laid out as a lawn cemetery, no trees, shrubs, plants, flowers, flower-holders, vases, flat stones, headstone, crosses, kerbstones, fences, grave or anything whatsoever may be placed on the grassed area, the headstone or the plinth of the headstone. Flower containers must be installed in and be integral to the plinth of the headstone. **The Town Council respectfully requests compliance with these requirements and reserves the right to remove any items which do not comply.**

Commented [DJ4]: Added to assist with operations.

- 4.3.2. Under no circumstances will a glass or any breakable receptacle be permitted to be placed on the grassed area, grave, headstone or the plinth of the headstone.
- 4.3.3. In accordance with BS8415 the Council will leave undug a 60cm strip, the width of the grave and at the head of the grave upon which the memorial must entirely be situated.
- 4.3.4. No permanent planting may take place anywhere in the cemetery without the express, written permission of the council.
- 4.3.5. Grave markers such as wooden crosses with plaques may be placed on a grave or cremation plot at the time of an interment at the discretion of the Town Council. Such markers are temporary and are allowed in the interval between the interment and the installation of a memorial which would normally take place within 12 months.
- 4.3.6. If there are no family members remaining, the person arranging the interment may also organize for a marker to be placed on the grave or cremation plot. Thereafter however, only the Town Council or the owner of the EROB may authorise work in connection with markers. Only the owner of the EROB may authorize the installation of a permanent memorial.
- 4.3.7. Usually, the Town Council would not remove a marker after 12 months should there be no memorial stone. However, the Town Council may remove it if they wish.
- 4.3.8. Applications to place a memorial must bear the signature of the owner of the EROB.
- 4.3.9. All memorials must be fixed to BS8415 by a competent and registered stone mason. Membership of the British Register of Memorial Masons (BRAMM) is required.
- 4.3.10. An approved application will indicate the dimensions and composition of the memorial; details of how it is to be fixed to conform to BS8415 and accurate details of the proposed inscription. Applications must be accompanied by fees and charges in full.
- 4.3.11. Size of Memorials. All new memorials to be erected in the cemetery must not exceed the following maximum sizes:
 - Headstone Height (including all plinths and concrete foundations) 3'3"
(991mm)

Width of memorial 2'8" (813mm)

Depth of base (front to back) 1'4" (410mm)

The overall size of the plinth to be 900mm.

It should be acknowledged that all the above requirements must be conformed to. The Council will recall the stonemason to rectify any works as necessary.

- 4.3.12. Memorial Colour, Shape and Material. All memorials to be natural colourings such as grey, white and black with memorial shapes to not exceed the permitted Memorial sizes pursuant to 4.3.8. These can be in a range of natural stoned materials such as Portland, Granite, Marble, Limestone or Hoptonwood.
- 4.3.13. All burial memorials to be traditional upright headstones and fixed to the ground with a concrete base adhering to maximum measurements as outlined above.
- 4.3.14. Only tablets 18" x 18" (450mm x 450mm) and foundation slabs 24" x 24" (600mm x 600mm) may be fixed on cremation plots. Should a vase be required it must be installed in and be integral to the cremation tablet itself. No trees, shrubs, plants, flowers, flower-holders, vases, glass or other breakable items, flat stones, headstones, crosses, kerbstones, fences, grave or anything whatsoever may be placed on the grass surrounding the tablet, or on the actual cremation tablet. **The Town Council respectfully requests compliance with these requirements and reserves the right to remove any items which do not comply.**
- 4.3.15. ~~The stone mason must give three working days' notice of their intention to fix a memorial, to arrange an appointment.~~ **may attend Churchtown cemetery without an appointment subject to a memorial permit being issued. A qualified fixer must remain in the cemetery whilst the work is carried out.** The Council may approach a working fixer at any time and demand that they demonstrate that the memorial matches the application. **Once a memorial is fixed photos and the signed permit must be emailed to burialsandmemorials@saltash.gov.uk to confirm installation has taken place.**
- 4.3.16. The Council will mark the end of each burial row and all headstone plates must align to the markers. Should any be found fixed in the wrong position the Council will recall the fixer so that they be refixed in the proper position.
- 4.3.17. **No cleaning or other work may be carried out on any memorial without a permit application to the Council being received and approved with confirmation of**

Commented [DJ5]: As above.

Commented [DJ6]: Change in process

Commented [DJ7]: To ensure compliance in change of process.

the permission of the owner. Any chemical cleaning must be specifically approved.

Commented [DJ8]: Reworded for clarity

- 4.3.18. Should the Rights expire and not be renewed, the Council will attempt to contact the owner to arrange removal. Should this not be forthcoming, the Council reserves the right to act as it sees fit, up to and including removal.
- 4.3.19. All new memorials should either be guaranteed for a period of not less than 10 years and/or a certificate of compliance to BS8415 must be issued.
- 4.3.20. The grave number and mason's name must be inscribed on the rear of the grave base in letters no greater than 15mm high.
- 4.3.21. The Town Council are to offer other Memorial Services such as a Memorial Garden Rose Bush with a plaque and inscription and Memorial Benches with a plaque and inscription. More information and Terms and Conditions of the Town Council Memorial Services can be located on the relevant application forms.
- 4.3.22. **All memorial safety actions will be proportionate, risk-based, and undertaken with sensitivity to the bereaved wherever reasonably practicable.**

Commented [DJ9]: This aligns explicitly with national guidance and reduces reputational risk.

4.4. Fees and Charges

- 4.4.1. The Council will publish a table of fees and charges for its services which will be available at the cemetery, on the website and in paper form from the Council offices. Fees for any service must be paid in advance.
- 4.4.2. From time to time the Council will review the fees and charges.
- 4.4.3. Double standard fees apply to non-Saltash residents, except those who were resident until 2 years prior to their death. (Non-resident fees are at the discretion of the Town Clerk and in the absence the Office Manager/Assistant to the Town Clerk).
- 4.4.4. The Administration Department to obtain available evidence with regard to Saltash Residency two years prior to the date of death. This being unavailable, to request that the Funeral Director gives written confirmation of residency

4.5. Rules and Regulations

- 4.5.1. The Council will publish such Rules and Regulations as it sees fit for the proper management of the cemetery. These will be available at the cemetery, on the website and in paper form at the Council offices.
- 4.5.2. The Rules and Regulations will be reviewed on a regular basis and any revisions will replace previous versions with immediate effect.

4.6. General provisions

- 4.6.1. The Council will provide a water supply subject to weather conditions.
- 4.6.2. The Council will maintain the cemetery to provide a suitable and presentable appearance.
- 4.6.3. The Council will conduct regular inspections of the cemetery and will inspect memorials as recommended by the Health and Safety Executive. Any memorial found to be in an unsafe condition will be made safe by the Council in a manner they see fit. Responsibility for repair remains that of the owner. Repairs not carried out in a timely manner may result in the withdrawal of memorial rights.
- 4.6.4. Statutory registers of interments, ownership and exhumations will be kept by the Council and may be viewed by reasonable request. Extended searches by Council staff may incur a fee.
- 4.6.5. Interments shall normally take place between 9:00am and 4:00pm, Monday to Friday excluding Bank Holidays. It may be possible to accommodate funerals outside of these times and at short notice but the Council reserves the right to charge an extra fee for this service.
- 4.6.6. New graves will be dug to accommodate 3 burials unless ground conditions do not allow. In consultation with the Council appointed Grave Digger, should any interment indicate that subsequently no further interments can take place in a specific grave, then the Council will not permit any further interments in that grave. The relevant Funeral Director to be informed.
- 4.6.7. Initially three rows of graves will be marked out to provide sufficient space should more than one grave be required at any one time. No fewer than three rows will exist at any time.
- 4.6.8. Burials will start at the gate end of the cemetery at the end of the row nearest to the driveway.

4.7. Future expansion

- 4.7.1 Land adjacent to the cemetery, temporarily used to provide allotments, will be used to extend the cemetery as required. Notice will be given to allotment tenants.

Saltash Town Council

Rules and Regulations relating to the erection of Memorials

1. Only the Council's approved gravedigger may be contracted by the Funeral Directors or clients to work in the cemetery.
2. No memorial may be fixed within 6 months of a burial to allow ground settlement.
3. A memorial tablet may be fixed immediately after the burial of cremated remains.
4. The cemetery is laid out as a lawn cemetery, no trees, shrubs, plants, flowers, flower-holders, vases, flat stones, headstones, crosses, kerbstones, fences, grave or anything whatsoever may be placed on the grassed area, the headstone or the plinth of the headstone. Flower containers must be installed in and be integral to the plinth of the headstone.
5. Under no circumstances will the Council permit a glass or any breakable receptacle to be placed on the grave,
6. In accordance with BS8415 the Council will leave undug a 60cm strip, the width of the grave at the head of the grave upon which the memorial must entirely be situated.
7. No permanent planting may take place anywhere in the cemetery.
8. Applications to place a memorial must bear the signature of the owner of the Exclusive Right of Burial.
9. All memorials must be installed in compliance with BS8415 by competent, trained stonemasons. Stonemasons may demonstrate competency by being a member of either BRAMM or NAMM's RQMF schemes or may complete an individual application to work form.
10. An approved application will indicate the dimensions and compositions of the memorial: details of how it is to be fixed to conform to BS8415 and accurate details of the proposed inscription. Applications must be accompanied by fees and charges in full.
11. Saltash Town Council as the burial authority will retain the application and a permit will be issued to the Monumental Mason. The permit **MUST** be available for inspection at the time the memorial is being fitted.

If the mason is found without a permit, permission to continue with the work will be denied. Any memorial fixed without approval will be removed.

12. Size of Memorials

All new memorials to be erected in the Cemetery must not exceed the following maximum sizes:

Headstone

Height (including all plinths and concrete foundations) 3'3" (991mm).

Width of memorial 2'8" (813mm).

Depth of base (front to back) 1'4" (410mm)

The overall size of the plinth to be 900mm

Only headstones may be fixed to burial plots.

It should be acknowledged that all the above requirements must be conformed to. The Council will recall the stonemason to rectify any works as considered necessary.

Tablets

Only foundation slabs 24" x 24" (600mm x 600mm) and tablets 18" x 18" (450 x 450) may be fixed flat to cremation plots. To be supplied by the ERB owner. Should a vase be required it must be installed in and be integral to the tablet itself. No trees, shrubs, plants, flowers, flower-holders, vases, glass or other breakable items, flat stones, headstones, crosses, kerbstones, fences, grave or anything whatsoever may be placed on the grass surrounding the tablet, or on the actual cremation tablet.

Memorial Colour, Shape and Material. All memorials to be natural colourings such as grey, white and black. These can be in a range of natural stoned materials such as Portland, Granite, Marble, Limestone or Hoptonwood.

All burial memorials to be traditional upright headstones and fixed to the ground with a concrete base adhering to maximum measurements as outlined above.

13. ~~The stone mason must give three working days' notice of their intention to fix a memorial, to arrange an appointment~~ **may attend Churchtown cemetery without an appointment subject to a memorial permit being issued. A qualified fixer must remain in the cemetery whilst the work is carried out.** The Council may approach a working fixer at any time and demand that they demonstrate that the memorial matches the application. **Once a memorial is fixed photos and the signed permit must be emailed to burialsandmemorials@saltash.gov.uk to confirm installation has taken place.**

Commented [DJ1]: Change in process

Commented [DJ2]: To ensure compliance in change of process.

14. The Council will mark the end of each burial row and all headstone plates must align to the markers. Should any be found fixed in the wrong position the Council will recall the fixer so that they be re-fixed in the proper position.
15. **No cleaning or other work may be carried out on any memorial without a permit application to the Council being received and approved with confirmation of the permission of the owner. Any chemical cleaning must be specifically approved.**

Commented [DJ3]: Reworded for clarity

16. Should the Rights expire and not be renewed, the Council will attempt to contact the owner to arrange removal. Should this not be forthcoming, the Council reserves the right to act as it sees fit, up to and including removal.
17. A certificate of compliance to BS8415 must be issued to the owner of the Exclusive Right of Burial and Saltash Town Council Burial Authority.
18. All new memorials should either be guaranteed for a period of not less than 10 years and/or a certificate of compliance to BS8415 must be issued.
19. The grave number and mason's name must be inscribed on the rear of the grave base in letters no greater than 15mm high.

20. **Bench and Rose Bush Memorial Garden**

A memorial bench and plaque service is available to members of the public who may wish to purchase a Memorial Plaque with inscription for a lease period of 10 years. Renewable upon request. For full details please refer to the application form for a memorial bench.

A memorial rose bush and plaque service is available to members of the public for a lease period of 10 years. Renewable upon request. For full details please refer to the application form for a rose bush memorial.

Memorial Insurance

It is highly recommended that a memorial is insured against accidental damage, vandalism and theft and to make sure that cover takes effect immediately following installation. Costs can be very reasonable and usually insignificant when compared with the possible cost of repairs. Any BRAMM registered memorial mason should have details of the schemes available.

To receive an update on the Law Commission Burial and Cremation Consultation 2024 and consider any actions.

Report to:

Burial Authority

Date of Report:

20.04.26

Officer Writing the Report:

Office Manager / Assistant to the Town Clerk

Purpose of the report:

To note the update received following the Burial and Cremation consultation 2024.

Officer's Recommendations

To note.

Report Summary

The Law Commission has concluded its review of burial and cremation law in England and Wales, which was undertaken to address a complex and outdated legislative framework governing burial grounds, cremation, and related practices.

In March 2026, the Law Commission published its Final Report on the Burial and Cremation consultation. You can view the final report located online by selecting this link: [Final Report on the Burial and Cremation](#)

The report sets out recommendations to modernise burial and cremation law, including matters directly affecting local authorities, parish councils, and town councils that manage burial grounds.

The National Association of Local Councils (NALC) has welcomed the report, noting that it reflects many long-standing sector concerns, particularly around clarity of powers, grave reuse, and sustainable management of burial space.

The report includes recommendations relating to:

- Consistent regulation and minimum standards for burial ground maintenance
- Clearer statutory burial and memorial rights
- Improved record-keeping requirements
- Reform of grave reuse and reclamation powers (subject to safeguards)
- Modernised enforcement and oversight arrangements

The Law Commission's report does not change the law and the recommendations are not yet legally binding. A formal Government response and any proposed legislation are awaited. Until any new legislation is introduced and enacted by Parliament, existing burial law, regulations, and local cemetery rules continue to apply.

The next steps are for the Government to consider the Law Commission's recommendations and decide whether to proceed with legislative reform. Further work by the Law Commission on related funerary matters is ongoing, with draft legislation anticipated at a later stage.

Officers will continue to monitor developments and will report back to Members should any changes arise that impact the Town Council's responsibilities or cemetery operations.

Signature of Officer:

Office Manager / Assistant to the Town Clerk