

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concluded its review of burial and cremation law in England and Wales, which was undertaken to address a complex and outdated legislative framework governing burial grounds, cremation, and related practices.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