

To receive and review the Management Policy and Regulations

Maintenance Responsibility at Churchtown Cemetery

Following the Burial Authority Committee meeting held on 23rd May 2023 pursuant to minute nr.

12/23/24 TO RECEIVE A REPORT ON CHURCHTOWN CEMETERY MANAGEMENT POLICY AND REGULATIONS AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.

1. It was proposed by Councillor Bullock, seconded by Councillor Lennox-Boyd and **RESOLVED** to defer the question of maintenance at Churchtown Cemetery to the next meeting of The Burial Authority Committee on 7th November 2023. Maintenance to be discussed in conjunction with the review of Fees and Charges for Churchtown Cemetery.

Information:

A Funeral Director asked if owners of the Exclusive Right of Burial (EROB) are charged maintenance fees at Churchtown Cemetery. This is not the case. However, this request prompted an investigation into the wider maintenance responsibilities of both the Town Council and owners of EROBs at Churchtown Cemetery.

Subsidence:

Extract from STC Management Policy and Regulations:

4.1.8. The Council or its contractors will make good any subsidence within the grave at any time after the funeral.

The Service Delivery Manager does not agree that the Town Council should be responsible for subsidence within the grave.

ICCM advice:

The ICCM state that:

‘The wording in the Town Council’s regulations is not completely clear. As an authority the Town Council would be responsible for any **topping up of graves** – usually after a burial and especially within the first 12 months when graves sink a lot’.

‘Once a memorial has been placed the **re-levelling** of a grave would normally be the responsibility of the grave owner to pay for usually carried out by a suitably qualified mason’.

Comparison

<p>Saltash Town Council (Current Management Policy & Regulations)</p>	<p>The Council or its contractors will make good any subsidence within the grave at any time after the funeral.</p>
<p>Duchy Cemeteries Ltd.</p>	<p>Duchy Cemeteries will on average top up graves when they need topping up – up to 2 years after the interment. This would be free of charge to the owner of the EROB/Town Council.</p> <p>However, it is the practice of Duchy Cemeteries to top up graves up to 3 or 4 years as needed when at Churchtown Cemetery. Surplus top soil would be taken from a new interment and placed on the sunken grave. Grass seed would then be applied. Again, at no cost to the owner of the EROB/Town Council.</p> <p>Duchy Cemeteries would top up graves even after 4 years at no cost to the owner of the EROB/Town Council. In their experience, it would be unusual for graves to sink after 5 or 6 years.</p> <p>(There is no formal agreement in place for this service between Duchy Cemeteries Ltd and the Town Council).</p>
<p>Cornwall Council (Updated information since the report received at the Meeting of The Burial Authority on 23.05.2023).</p>	<p>Cornwall Council (via Cormac) will top up any subsidence in any of their cemeteries during the first 12 months following an interment, following natural settling of the soil. Towards the end of that first 12 months the grave will be levelled with top soil and grass seeded.</p> <p>After 12 months the family will be responsible for any maintenance to the grave, including subsidence. They can do this themselves or employ a grave digger to carry out the work.</p> <p>Only following contact suggesting the possibility of a dropped grave having become a Health and Safety trip hazard, (any drop greater than 12”), the team will visit and asses the reported grave and if deemed necessary, the grave will be topped up and levelled. Cormac may carry out this work free of charge.</p>
<p>Plymouth City Council (Updated information since the report received at the Meeting of The Burial Authority on 23.05.2023).</p>	<p>New graves: The first year is the responsibility of PCC. As the grave settles PCC would top up the level until the settling period stops. The grave will then be turfed (March and then again in October).</p> <p>Once the above has been completed it’s the deed holder’s responsibility for maintenance of that grave from then on.</p> <p>PCC do not offer a grave maintenance plan going forward, they just give the customer details of PCC’s masons and they will charge the deed holder direct. PCC have no part of this arrangement.</p> <p>Older subsided graves: If digging close to these graves PCC will top them up with unneeded spoils and then grass seed them. However, this is to help PCC by losing the unwanted spoils and is not a service provided to customers</p>

Proposal:

Members to consider replacing the following sentence in the Management Policy and Regulations, recommending to the next Policy and Finance Committee Meeting.

From:

4.1.8. The Council or its contractors will make good any subsidence within the grave at any time after the funeral.

To:

4.1.8. 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.