

WELWYN HATFIELD BOROUGH COUNCIL  
CABINET – 7 AUGUST 2018  
REPORT OF THE CORPORATE DIRECTOR (RESOURCES, ENVIRONMENT AND  
CULTURAL SERVICES)

REPORT ON GRAVE CLEARANCE AT THE LAWN CEMETERY

**1 Executive Summary**

- 1.1 Lawn Cemetery rules and regulations state that no memorial can be placed on the lawn area of the grave and must be within the concrete plinth provided by the council. Plots purchased prior to 2010 are permitted to have an area 3ft by 3ft in front of the concrete plinth. Officers received comments from cemetery users regarding the lack of enforcement, so a process of clearing grave was initiated. Complaints have been received from both sides via the Council and verbally. A complaint to the Ombudsman led to a small claims court case in 2014 which was dismissed.
- 1.2 Research has taken place into the religious and cultural beliefs, an example being - [http://www.gypsy-traveller.org/wp-content/uploads/2017/03/Cemetery-Culture-and-Traditions\\_v2.pdf](http://www.gypsy-traveller.org/wp-content/uploads/2017/03/Cemetery-Culture-and-Traditions_v2.pdf)). These deed holders also advise they do not have a choice as there are no other cemeteries in the Borough where they can have full grave sets. If they go outside the borough they will pay at least triple fees. Nearly all of these deed holders tend to their graves well and are regular visitors to the cemetery, often daily. Their tradition is also for family to be buried in the same cemetery so the Council are seeing a significant rise in requests for plot reservations.
- 1.3 All applicants sign the application agreeing to abide by the cemetery rules and that they are aware that no memorials, other than those prescribed under the Council's Cemetery Regulations, will be placed on the grave. Whilst they sign a document stating they have read the rules and regulations, they do not sign a document which includes the rules and regulation.
- 1.4 Additional procedures have been/are being put in place for future burials. These include:
  - Writing to all funeral directors and stonemasons to remind them of the rules and regulations, requesting they ensure families are made aware when they make a booking,
  - Contacting all applicants prior to the internment/burial at the lawn to ensure they have been made aware of the rules and regulations
  - Placing of signs around the cemetery reminding everyone of the rules and regulation.
  - Checking all memorials that have been installed to ensure the stonemason has installed as permitted.

- 1.5 There are proposals within the Draft Local Plan (currently under examination) to extend the size of the current Lawn Cemetery. If this goes ahead, the Council would look to include more variety in burial options, which would include full kerb sets
- 1.6 Additional security is being put in place for Cemetery Services Staff. These include not attending the cemetery alone, videocam and recording of telephone calls. Investigations are also underway for placing CCTV at the entrance/within the cemetery area.
- 1.7 This report comprises of two parts; Part 1 and Part 2, Cabinet are guided to refer to both parts of this report as part of process of considering the recommendation.

## **2 Recommendation(s)**

- 2.1 It is recommended that the Cabinet note the content of this report and agree to expand the remit of the Crematorium Procurement Group to consider and make recommendations to Cabinet on the way forward for grave clearance at the Lawn Cemetery.

## **3 Explanation**

- 3.1 Memorial management has been an issue for several years, primarily since 2004. It is a bone of contention between the Council and deed holders and needs to be resolved with full understanding and communication of the background to any decisions made.

## **Implications**

## **4 Legal Implication(s)**

- 4.1 The Legal implications are set out in Part II of this report.

## **5 Financial Implication(s)**

- 5.1 This report sets out the recommendation to expand the remit of the existing Crematorium Procurement Board, therefore there is no financial implications associated with the report.

## **6 Risk Management Implications**

- 6.1 There is a risk to the safety of Council and John O'Conner staff working within the cemetery following verbal threats received.

## **7 Security & Terrorism Implication(s)**

- 7.1 There are no Security and Terrorism implications inherent in relation to this report.

## **8 Procurement Implication(s)**

- 8.1 There are no procurement implications inherent in relation to the content of this report.

## **9 Climate Change Implication(s)**

9.1 There are no climate change implications inherent in relation to this report.

## **10 Link to Corporate Priorities**

10.1 The subject of this report is linked to the Council's Corporate Priority; Protect and Enhance the Environment and specifically to the achievement of Developing the Provision of Bereavement Services.

## **11 Equality and Diversity**

11.1 An Equality Impact Assessment (EIA) has not been carried out in connection with the proposals that are set out in this report.

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