

WELWYN HATFIELD BOROUGH COUNCIL  
COUNCIL – 19 NOVEMBER 2018  
REPORT OF THE CORPORATE DIRECTOR (RESOURCES, ENVIRONMENT AND  
CULTURAL SERVICES)

PETITION RECEIVED REGARDING THE LAWN CEMETERY

**1 Executive Summary**

- 1.1 A petition has been received from a family of the late Simey Doherty who was buried in Hatfield Lawn Cemetery in May 2018. The petition seeks to make two exceptions to the Council's Lawn Cemetery guidelines for Simon Doherty burial plot:
- To allow a variety of memorials to remain on Simey Doherty plot prior to permanent memorials being arranged;
  - To permit larger permanent memorials to fit with their cultural traditions.
- 1.2 There are four main reasons for the petition:
- The family believe they do not have a choice as there are no other Council run cemeteries within the borough where they can have full grave sets.
  - If they go outside the borough they will pay at least triple fees.
  - Their culture is for family to be buried in the same cemetery.
  - Their cultural tradition is for full grave sets to prevent people walking over the grave/disturbing the spirits and for memorabilia to be placed on the grave to represent the person who is deceased and helps to keep their memory alive.
- 1.3 Over 1500 signatures have been received both online and paper combined, the matter raised in the petition is an important issue of local concern for which the Council has responsibility, and therefore the petition will need to be debated at Full Council.
- 1.4 Cabinet has agreed in August 2018 to expand the remit of the Cross Party Crematorium Procurement Group to consider and make recommendations to Cabinet on the way forward for grave clearance at the Lawn Cemetery. Given that the recommendation of the Cross Party group will be considered by Cabinet at a future meeting, it would be worth for Council to refer to Cabinet to consider asking the Cross Party Crematorium Procurement Group to discuss the issues raised in the petition and recommend the way forward to Cabinet.

**2 Recommendation(s)**

- 2.1 Council notes the content of this report.

- 2.2 Council recommends Cabinet to consult the views of the Cross Party Crematorium Procurement Group on the issues raised in the petition before making a decision on the way forward for grave clearance at the Lawn Cemetery.

### **3 Explanation**

- 3.1 Lawn Cemetery rules and regulations state that no permanent memorial can be placed on the lawn area of the grave and must be placed on the concrete plinth provided by the council. Plots purchased prior to 2010 were permitted to have an area 3ft by 3ft in front of the concrete plinth.
- 3.2 Cemetery Services have received concerns from people who visit the cemetery – those that wish to retain the cemetery as a lawn cemetery and those who wish to have the regulations changed so larger memorials are permitted. What is not known is if the rules and regulations were relaxed completely, would this create a far greater number of complaints about the loss of a lawn cemetery?
- 3.3 Cemetery service standards including regulations and renaming of the District Lawn Cemetery was resolved and proposals to retain the Lawn as a lawn cemetery agreed by Cabinet in April 2010. In August 2012, the Environment and Overview and Scrutiny Committee considered a report that details plans to encourage and ensure that the Lawn Cemetery is maintained. The procedure was subsequently endorsed by Cabinet in September 2012.
- 3.4 Between February and May 2018, areas of the cemetery were sent letters from the Council to the deed holders requesting the removal of memorial items that did not meet the regulations. This was done section by section with clearance starting on 3rd April. Clearance was stopped on 14th June after concerns raised by Health and Safety following two verbal threats received by an officer. Approximately 130 plots in total were cleared. When the clearance was stopped, there were 21 plots that still required clearing of memorial items, which 13 further advised that they will not remove their memorial items.
- 3.5 It is important to note that 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.
- 3.6 Some of the deed holders stated 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. These deed holders have also advised that their cultural traditions do not permit people to walk over their graves.
- 3.7 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.

## **Implications**

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

4.1 There are no direct legal implications to this report. Any legal implications will be presented in the report to Cabinet if the recommendation at 2.2 above is approved.

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

5.1 There are no financial implications associated with the report.

### **6 Risk Management Implication(s)**

6.1 There is a risk to the safety of Council and John O'Conner Staff working within the cemetery following threats received. Precautions are being introduced to off-set these risks.

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

7.1 There are no Security and Terrorism implications 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 Health and Wellbeing Implication(s)**

10.1 No implications in relation to this report.

### **11 Link to Corporate Priorities**

11.1 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.

### **12 Equality and Diversity**

12.1 An Equality Impact Assessment (EIA) has been carried out in connection with the proposals that are set out in this report.

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Date	<i>2<sup>nd</sup> November 2018</i>

Background papers to be listed

1<sup>st</sup> August 2012 EOSC – Council Policies and Procedure for Restoring Graves to Lawn  
4<sup>th</sup> September 2012 Cabinet – Recommendation from EOSC on 1<sup>st</sup> August 2012  
7<sup>th</sup> August 2018 Cabinet – Report on Grave Clearance at the Lawn Cemetery