

Reclassification of Part of Widney Manor Cemetery

Background

Graves across all of Solihull burial sites are leased for 75 years with an option to extend this for up to a maximum period of 99 years.

Burials are completed in one of two currently defined types of burial ground; lawned or traditional:

- a. Lawn graves have a simple appearance and are mown regularly throughout the growing season. A lawn style headstone can be erected at the head of the grave and the grave space must be kept clear at all times. When the graves have settled, after at least 12 months, the area is turfed over, and this is usually carried out in Spring and Autumn.
- b. Traditional graves are for those who want a greater choice over the design of the memorial or do not want people to walk over the grave. The entire grave can be surrounded by kerbs, edging or mounded full-length, with a memorial stone placed at the head of the grave.

The rules and regulations of Bereavement Services stipulates that any lawned graves must be kept clear of memorials and kept as a lawned area to facilitate the maintenance of the cemetery by our grounds team. It also provides ease of access by all service users (memorials on the lawn can provide a trip hazard and can hinder wheelchair users from accessing neighbouring plots).

We only had one type of grave available to the Muslim community which was a lawned grave. Our second section of Widney Manor was also developed as a lawned grave site. It became apparent this was not in conjunction with other faiths and therefore the second Muslim section of Widney became a traditional grave section.

Kerb sets are traditional forms of memorial which have been used for centuries, and essentially consist of kerbs which run around the entire perimeter of a grave. The kerb sets are made from strong, hardwearing materials such as marble and granite.

Proposal

We seek Cabinet's approval to formalise the current approach of allowing kerb sets within the second Muslim section of Widney Manor Cemetery.

We propose renaming these areas to traditional graves removing any reference to 'lawn' and re-issuing the deeds to continue the practice of allowing kerb sets on these plots.

There are plans in the future to ensure we have both a traditional Muslim section and a lawned Muslim section to accommodate the wishes of any Muslim service user akin to other cemetery users.

Alternative Options Considered

We could revise the policy decision on any new plots in the second Muslim section of Widney Manor cemetery. This would be difficult to enforce and could allow the installation of kerb sets without approval thereby causing a Health and Safety concern for any memorials installed in breach of our guidance.

This would also create an additional responsibility for either the grounds maintenance team or the operational team to audit all areas of the cemetery for compliance. This will increase costs to the service to undertake this activity.

Failure to allow kerb sets on the newest Muslim section of Widney Manor could be subject to challenge from an Equalities standpoint as the only faith group unable to apply for a traditional grave.

We could do nothing. We could allow the continuation of our accepted process without formalising our approach. This approach is not recommended given the precedent it sets for breaching our rules and regulations where lawned graves are concerned. Any future approach to enforce our rules and regulations on 'lawned' graves will not be successful as the precedent will be shown that lawned graves are permitted to have kerb sets.

Recommendation

Approve renaming the second Muslim section within Widney Manor Cemetery, removing all reference to lawn and re-issue the deeds.

Define Grave Sizes

Background

All kerb sets installed within the Cemeteries of the authority are approved via permit applications. These are received via stonemasons compliant with the Institute of Cemeteries and Crematorium Management (ICCM) and our stipulated guidance.

When a grave is leased, a deed is issued to reflect the recipient has the Rights to a grave. This is called the Grant of Exclusive Rights of Burial (EROB) and is a legal document. The deed reflects the plot size of the grave concerned. Historically, children's graves have been reflected as being 4ft x 2ft. A child's plot can be used by any person under 18 years of age.

It has become apparent; this dimension is not an accurate reflection of the plot of all children.

We wish to standardise the size on the deeds, listing the grave as 7ft x 3ft. This allows a 1ft gap in each direction between the next plot size should the plot be a traditional grave and a kerb set to be installed to this dimension.

Any greater than 7ft x 3ft risks encroachment on neighbouring plots. A child's plot could be for a child up to and including a 17-year-old who may be taller than the original 4ft x 2ft dimension.

There is emotional distress caused to a parent who feels others visiting the cemetery walk across the space where their child is interred.

Proposal

We propose to standardise all plot sizes as being 7ft x 3 ft. This will provide a fair and equitable approach to all grave owners.

Any requests for sizing outside these dimensions would be by exception and will need to be discussed and approved with the office for adequate planning and to minimise any distress.

Recommendation

Approval is recommended to standardise all plot dimensions within the cemeteries to avoid the distress caused to any applicants whose child may have been taller than our original footprint.

Cap on advance burial plots purchased

Background

In 2017, Cabinet approved a restriction on advanced plot purchases at Woodlands Cemetery based on uncertainty around future burial provision in the North of the Borough.

Whilst burial land has potentially been sourced to continue offering burials within the North of the Borough, there remains a concern around continuing to offer the advance purchase of multiple grave plots across the borough.

We seek Cabinet's approval to expand the restriction of advance purchases across the entire Borough; limiting advance purchases to one per adult defined as 18+ and only permitting parents to purchase one plot on the death of their child.

A benchmarking activity has been completed across the nation via the Association for Public Service Excellence (APSE):

- Of those that returned a response, most restricted the number of advance purchases;
- Local Authorities restricting advance purchases did so to allow the service to meet current demand levels and for grounds maintenance reasons;
- Grounds maintenance can be challenging when multiple plots are purchased in advance, particularly when it becomes necessary to excavate a burial plot in the middle of existing interments.

Bereavement Services has also received requests from Community leaders to sell multiple plots to them for allocation. At present, we have no recourse to restrict the sale of plots which causes concern around fair access.

Proposal

Any requests for additional plots will be by exception and will need to be discussed and approved.

Alternative Options Considered

We could do nothing and allow the continued purchase of multiple advanced purchases. There is a risk of abuse by people purchasing in bulk and offering to resell graves at a premium. Whilst the reallocation of the grave title would need to be done through Bereavement Services to reissue the deed in the right name, we would not have any control over the price the graves are sold for.

Bereavement services generates revenue on both the Exclusive Right of Burial (EROB) and the interment within a plot. Where multiple advance EROBs are purchased expanding their plot to mourn, the interment cost will never be realised.

Recommendation

The rationale for recommending the restriction of the advance purchases of the Exclusive Rights of Burial (EROB) is to preserve the ability of the service to continue offering burials.

Continuing the sale of one EROB per adult allows the service to maintain the revenue it currently receives from advance purchases whilst preserving the ability of the service to continue offering a present-day service.

The recommendation would also allow the full financial potential of the burial land to be realised.