

ALCESTER TOWN COUNCIL

REPORT ON THE REUSE OF BURIAL SPACE FOR FULL COUNCIL – 6TH AUGUST 2024

Introduction

Councillors will be aware of the severe shortage of burial space at the Cemetery on Birmingham Road. Burials are currently having to take place on the very edges of the Cemetery and in sections which were formerly used as paths between sections of graves.

Councillors may recall that a ground penetrating radar survey was undertaken on the old burial ground which revealed very little evidence of any remains in the rear section of the site.

An application was made to the Ministry of Justice to request permission to exhume any remains still present and to rebury within the cemetery, but this was rejected on the basis that the law did not permit multiple exhumations in these circumstances.

ATC was advised that this would only be possible if the law was changed.

NALC Smaller Councils Committee

The Town Clerk was elected to the NALC Smaller Councils Committee in December 2023 and was then elected as Vice-Chair of the Committee. She identified that NALC could be a vehicle for pursuing the necessary change to the law.

A paper was submitted to the Committee in April which explained the background to the issue and sought the Committee's support.

<https://www.alcester-tc.gov.uk/wp-content/uploads/2024/07/NALC-Smaller-Councils-Committee-reuse-of-grave-spaces.pdf>

Support was secured and it was agreed that the matter should be put in a formal motion to the NALC Policy Committee.

NALC Policy Committee

With the support of Warwickshire and West Midlands Association of Local Councils, a motion was proposed to the NALC Policy Committee in July.

By July the Bishop's Stortford Cemetery Bill referred to in the earlier report had been passed into law. <https://www.legislation.gov.uk/ukla/2024/1/introduction/enacted>

This Act of Parliament gives Bishop's Stortford Town Council permission to reuse grave spaces which have not been used for 75 years provided that appropriate notices and safeguards are complied with.

The motion proposed to the Policy Committee was as follows:

“That NALC should approach Members of Parliament and the government with a request to review legislation to give appropriate powers to town and parish councils (who are burial authorities) to extinguish rights of burials and to disturb human remains for the purpose of increasing space for interments when rights of burial have not been exercised for 75 years and in accordance with all the notice, provision and safeguards included in the Bishop's Stortford Cemetery Act 2024.”

After discussion the motion was unanimously adopted.

NALC have now agreed to engage with the Ministry of Justice and the Church of England as needed, to seek to progress implementation of the requests the motion makes.

Summary

None of the above will be a “quick fix” for the lack of space in the Cemetery but it is perhaps the start of a process which, given time, may change the law.

Vanessa Lowe

Town Clerk

30th July 2024