

**Cemetery Plot Maintenance Service  
Open Spaces Committee 11 April 2017**

**RECOMMENDATIONS:**

- (i) That the Town Council should accept transfers of ownership to the Town Council on payment of a lump sum fee that will include general maintenance for a specified number of years**
- (ii) That the Committee agrees the specified number of years for which maintenance is agreed and the lump sum figure**

**Introduction**

1. There have been a number of instances recently where a solicitor has been the Executor of an estate and any beneficiaries have been organisations rather than individuals. In practice this means that a solicitor or an organisation holds the Exclusive Right of Burial (ERB).
2. In those instances the Solicitors have indicated that they would be willing to transfer the Exclusive Right of Burial back to the Town Council and asked for the cost of doing so.

**Implications for the Town Council**

3. If a transfer took place the main maintenance responsibility that would fall to the Town Council would be for maintenance of the plot area e.g. cutting the grass and keeping the headstone clean.
4. Headstones are guaranteed by the memorial mason for 10 years after installation.
5. As the holder of an Exclusive Right of Burial the Town Council would have the right to decide if the plot could be re-opened for further interments. As the ERB was previously purchased by a person for their particular use any transfer back to the Town Council should consider that any transfer back to Town Council ownership should include a proviso regarding future interments.
6. The Town Council could charge a reasonable fee to accept the transfer which includes providing general maintenance as described in 3 above.

**Report prepared  
9 April 2017**

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