



**REPORT TO  
OVERVIEW AND SCRUTINY  
BOARD  
23 JANUARY 2019**

**Corporate Aims:  
Place**

**Topic: Memorial Decorations Policy  
Task Group (if applicable): N/A  
Cabinet Portfolio Holder:  
Cllr Bill Chatt**

**REPORT OF: THE DIRECTOR (Lisa Dixon) - 19/28**

**WARDS AFFECTED: All**

**SUBJECT: UPDATE ON PROGRESS WITH IMPLEMENTING THE  
COUNCIL'S MEMORIAL DECORATIONS POLICY**

**REASONS REPORT REQUESTED:**

There are issues around breaches of the existing memorial decorations policy with regard to the Woodlands Drive and Larpool cemetery sites in Scarborough and Whitby, respectively, requiring education awareness and appropriate enforcement.

**PURPOSE OF REPORT:** To update Members on progress with the agreed approach to robustly and fairly applying the Council's current policy on memorial decorations at the crematorium and cemeteries it manages.

**RISK ISSUES:**

As outlined in the report below, failure to adhere to the policy could mean some areas becoming unsightly and/or overrun and not in keeping with other areas which are in line with the policy.

## 1. INTRODUCTION

- 1.1 Members will recall that a report proposing an Action Plan to applying and enforcing the Borough's Cemetery and Crematorium Regulations, in relation to the Memorial Decorations Policy (the policy), was recommended for approval at its meeting on 1 November 2017 (reference 17/300). It was also agreed that a progress report would be brought back to members in autumn 2018.
- 1.2 Cabinet at its meeting on 12 December 2017 (reference 17/267), gave its approval to the Action Plan.
- 1.3 Since then a number of Council officers, from across a number of services have assisted the Environment and Regulation Manager in implementing the various actions in this plan. The original Action Plan, along with what has been subsequently carried out, is reproduced in **Appendix A**.
- 1.4 All of the Council's applications for interment, whether for graves or cremated remains, have an extract from the regulations, which outline the rules governing memorial decorations. Applicants sign to agree to comply with the regulations.
- 1.5 The Council's regulations and policy apply to the following locations: Woodlands Drive Crematorium and cemetery, Scarborough; Dean Road/Manor Road Cemetery, Scarborough and Larpool Cemetery, Whitby. It should be noted that by far the largest number of breached memorials (a total of over 400) are observed at Woodlands and to a lesser extent in the newer sections at Larpool. Dean Road/Manor Road cemetery is already full and is not a cause for concern.

## 2. CORPORATE AIMS

- 2.1 An effective memorial policy, which is appropriately implemented and enforced, contributes to "Place" priority within the Council's Corporate Plan.

## 3. BACKGROUND AND ISSUES

### Review of Action Plan:

- 3.1 The Action Plan for dealing with breaches to the Council's Policy has taken a staged approach. To date, the majority of work has gone into raising awareness with residents as to what memorials are, or are not permitted on grave and cremated remains plots in our cemeteries. Examples of the promotional work implemented have included erecting numerous public notices in conspicuous locations at Woodlands and Larpool cemeteries. Furthermore, a new simplified colour information leaflet was produced giving advice on memorials. Since March 2018 copies of these leaflets have been routinely added to all interment application packs given out to families of the deceased. In addition, this leaflet is available to download from the Council's web-site. A copy of this leaflet is shown in **Appendix B**.

- 3.2 To reinforce the work described in paragraph 3.1 above, the Council has also carried out a number of press/social media activities to promote its memorials policy to the wider general public. This included posting a total of 16 messages on the Council's Twitter and Facebook accounts during the months of July and August 2018. A press release was also issued in July 2018, which did attract local media interest in the printed press ("Yorkshire Post" and "Scarborough News") and on-line coverage ("Yorkshire Coast Radio", "Scarborough News" and "York Press"). As a result of the above media work, the Council did receive a number of comments from residents – some disagreeing and others supportive of the Council's policy. It also triggered a public petition submitted to the Council on 19 July 2018. The petition's aim was to canvas support to "stop the Council from taking away the rights to decorate graves". The petition was essentially under the misunderstanding that the Council was proposing to change its policy, which was not the case. Very little interest was generated from this petition, with only three respondents signing up to it in the given period of three months.
- 3.3 Council officers have not yet started the process of systematically removing breached memorials at its managed cemetery sites. However, following discussions between the Environment and Regulation Manager, Bereavement Services Manager, Operations, Transport and Countryside Manager and Parks and Countryside Manager, it was agreed that enforcement of the policy would prioritise/concentrate on those graves / cremated remains plots at Woodlands with breached memorials featuring plants, bushes, trees and other such vegetation, starting from the oldest sections and moving gradually to the newer sections. The potential and actual damage caused by such memorials, to surrounding grave and cremated remains plots, via their network of roots, is greater than more "artificial" memorials, such as kerb stones, fencing and chipped/marbled stones on plots.
- 3.4 Due to the heightened sensitivity surrounding the baby and children's sections at Woodlands cemetery, it was decided not to enforce the policy in these areas for the time being.
- 3.5 A survey of breached memorials at Larpool cemetery has confirmed that there are approximately 20 to 30 graves with breaches of the policy (in the newer sections); these are mainly the placing of flowers, small potted plants or heather beyond the permitted 18 inches for full graves, or the erection of stone or marble kerbs (allowed in older sections only) to enclose cemetery memorials.

## **4. CONSULTATION**

- 4.1 Please see paragraph 7.1 of this report.

## **5. ASSESSMENT**

- 5.1 As stated in the previous report to members the Council's current cemetery and crematorium regulations are adequate in terms of their content. However, due to the combination of reasons, such as limited staff resources to proactively enforce the policy and risks to the Council's reputation through potential adverse publicity, enforcement of the rules governing cemetery/crematorium memorial policy has been inconsistent and patchy in relation to its cemeteries.
- 5.2 It is unfortunate that we have not been able to properly start the process of systematically removing breached memorials (as outlined in paragraph 3.3). This was due to the fact that the awareness raising/promotional activities were not completed until August/September 2018. Thereafter, the Bereavement Service team experienced some short term staff sickness absence, which delayed the process. It is anticipated that the removal of breached memorials in the older sections of Woodlands will start in earnest during the first quarter of 2019 (January to March).

## **6. IMPLICATIONS**

### **Financial**

- 6.1 No implications - all costs will be from existing budgets as referred to within the Action Plan.

### **Environmental**

- 6.2 The existing Policy and Action Plan support maintenance of a tidy and well-kept local environment.

### **Communications**

- 6.3 Easily accessible information on appropriate memorial decorations etc. is available through the Council's website and, as outlined in the Action Plan, officers pursue education awareness and make every effort to consult people individually over any on-site concerns.

### **Policy, Legal and Equalities and Diversity, Staffing Implications, Planning Implications, Crime and Disorder Implications, Health and Safety implications**

I have considered whether the following implications arise from this report and am satisfied that there is no identified implication that will arise from these actions.

There is no new policy or planning implication that arises from this report.

The Council's existing crematorium and cemetery regulations contain adequate powers to address the range of memorial decorations that do not comply with its rules. There are no new legal implications arising from this report.

Under s17 of the Crime and Disorder Act 1998 the Council has a duty to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it can to prevent, crime and disorder in its area. There are no direct crime and disorder issues within the context of this report.

The existing Policy took into account any equalities and diversity considerations. Compliance with the Policy will ensure a safe environment mitigating against any potential health and safety risks.

Staffing resource has been considered sufficient to deliver the Action Plan.

**Lisa Dixon**  
**Director**

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**Background Papers:**  
None.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT THE AUTHOR VIA HIS TELEPHONE NUMBER OR EMAIL ADDRESS GIVEN ABOVE