

# STOTFOLD TOWN COUNCIL

Greenacre Centre, Valerian Way, Stotfold, SG5 4HG  
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5 December 2024

## Members of the Public Realm Committee:

Cllr M Cooper (Chairperson), Cllr L Anderson (Vice-Chairperson), Cllr S Buck, Cllr S Hayes, Cllr J Headington, Cllr J Hyde, Cllr B Saunders, Cllr J Smith, Cllr J Talbot, Cllr B Woods

**You are hereby summoned to attend the Public Realm Committee Meeting to be held in the Stotfold Council Chamber, Greenacre Centre, Valerian Way, Stotfold, SG5 4HG on 11 December 2024 at 7.00pm for the purpose of transacting business detailed in the agenda.**

**E Payne**  
Town Clerk

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## Members of the public:

In addition to attendance in person, you are now able to observe our meetings by joining via MS Teams. Join on your computer or mobile app [Click here to join the meeting](#) Please note, our meetings are be recorded for minute taking purposes, and will be deleted after Minutes are approved.

Members of the public are invited to observe the meeting and may speak in the 'public section' agenda item. As per Standing Orders, if you wish to speak, you must notify the Town Clerk of your intention prior to the start of the meeting (contact in advance [enquiries@stotfoldtowncouncil.gov.uk](mailto:enquiries@stotfoldtowncouncil.gov.uk) or 01462 730064 or you will be asked at the appropriate point in the agenda if unable to give prior indication).

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IN COLLABORATION WITH SLCC, NALC, OVW, COUNTY ASSOCIATIONS

The seven principles of public life  
Selflessness | Integrity | Objectivity | Accountability | Openness | Honesty | Leadership

## AGENDA

### 1. APOLOGIES FOR ABSENCE

To receive and accept apologies for absence from Members.

For Decision

### 2. DISCLOSURES OF MEMBERS' INTERESTS AND DISPENSATIONS

Members are reminded of their obligations to declare interests in accordance with the Code of Conduct. The Town Clerk will report any dispensation requests received. Where a matter arises at a meeting which relates to a Councillor's interest, the Councillor has the responsibility to declare that interest in accordance with the adopted Code of Conduct.

- a. To receive Member's declarations of interest in items on the agenda.
- b. To consider any requests for dispensations.

For Decision

### 3. PUBLIC SECTION

Members of the public to speak are entitled to be at this meeting in accordance with the Public Bodies (Admission to Meetings) Act 1960, Section 1, extended by the Local Government Act 1972, Section 100 unless precluded by the Council by resolution during the whole or part of the proceedings. on matters of concern, ask questions or make statements (maximum of 3 minutes per speaker), after giving notice of their wish to do so to the Town Clerk prior to the meeting. Order of speakers will be in order of notification. [Public Participation Policy](#) applies.

For Information

### 4. MINUTES OF THE PREVIOUS MEETING

Members are asked to resolve that the Minutes of the Public Realm Committee meeting held on **13th November 2024** are a correct record.

For Decision

### 5. CLERK'S REPORT, CORRESPONDENCE RECEIVED AND MATTERS ARISING FROM PREVIOUS MINUTES, FOR INFORMATION

For Information

### 6. REPORTS

To consider the following reports:

#### 6.1. Street Lighting Additions

To consider a request for additional street lighting

For Decision

#### 6.2. Lone Working and Vehicle Tracking

To receive a report on lone working and vehicle tracking devices.

For Decision

#### 6.3. Stotfold Football Club - ASB Dogs

To receive a report on dog fouling and off-lead dogs at Arlesey Road following a meeting with the Football Club.

For Decision

#### 6.4. Allotment Toilet Funding

To receive an update on the allotment toilet funding.

For Decision

**6.5. Law Commission Burial and Cremation Consultation**

To consider the Town Council's response to this consultation.

For Decision

**6.6. Cemetery Task and Finish Group**

To consider forming a task and finish group to review cemetery documentation.

For Decision

**7. HIGHWAYS REPORT**

To receive a report from Cllr Smith.

For Information

**8. WORK PROGRAMME**

To receive this Committee's Work Programme.

For Information

**9. ITEMS FOR INFORMATION PURPOSES, RELEVANT TO THIS COMMITTEE ONLY**

For Information

**10 DATE OF NEXT MEETING**

Wednesday 5th February 2025.



**MINUTES OF THE MEETING OF THE PUBLIC REALM COMMITTEE HELD IN THE STOTFOLD TOWN COUNCIL CHAMBER, GREENACRE CENTRE, VALERIAN WAY, STOTFOLD, SG5 4HG ON WEDNESDAY 13<sup>th</sup> NOVEMBER 2024 AT 19:00**

**Present:**

Cllr M Cooper (Chair), Cllr L Anderson (Vice Chair), Cllr S Hayes, Cllr J Hyde, Cllr B Saunders, Cllr B Woods, Cllr J Talbot.

**Also Present:**

E. Payne – Town Clerk (Virtual)

A. Leadbeater – Public Realm Manager

**Apologies:**

Cllr S Buck (Mayor), Cllr J Headington, Cllr J Smith.

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**1. APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs Buck, Smith and Headington.

**DECISION:** It was **RESOLVED** to accept apologies.

**2. DISCLOSURES OF MEMBERS' INTERESTS AND DISPENSATIONS**

There were no disclosures of interest.

**3. PUBLIC SECTION**

There were no members of the public present.

**4. MINUTES OF THE PREVIOUS MEETING**

Members received the Minutes of the meeting held on 16<sup>th</sup> October 2024. It was noted that in the previous minutes circulated with the agenda there was an error for item 6.1 for the tree survey which had been amended in the version of minutes being signed. Under this item, Cllr Talbot pointed out that he had requested a review of the trees at the end of Thatch Cottage at Brook End and not Brook Street.

**DECISION:** It was **RESOLVED** that, after amendment, the Minutes of the meeting held on 16<sup>th</sup> October 2024 were approved.

**5. CLERK'S REPORT, CORRESPONDENCE RECEIVED AND MATTERS ARISING FROM PREVIOUS MINUTES, FOR INFORMATION**

- 5.1 Members received the Clerk's report which was noted. Members sought clarification on the weighting for the Rangers Relocation criteria. It was confirmed that the Town Rangers will be consulted on the final location for their location. Cllr Talbot asked whether it was feasible to use the tractor shed at Hitchin Road for flood equipment if it is vacant and the existing container relocated to another site for storage. This will be considered when the scoring is completed.



Cllr Hyde asked about the anti-social behaviour at the Memorial Hall. Was there going to be a report to this committee? Members discussed the benefits of the patrols and considered that it may be something that they want to continue in future incidents.

**Action:** Report on ASB and Riverside and Memorial Hall to next relevant committee.

## 6. REPORTS

### 6.1. Streetlights Repairs

Members received a report on street light repairs. Members discussed the pros of LEDs vs sodium; the unmetered power supply and whether the church yard lights are included in the inventory.

**DECISION:** It was **RESOLVED** to:

- a) *To implement the street light upgrades over a phased period over 4 years to allow sufficient funds in the budget for electricity and capital costs.*
- b) *Further costings for this approach to be taken to the next meeting.*
- c) *Areas which are particularly badly lit are to be upgraded first.*
- d) *Street light tree trims to be in the first phase.*

**Action:** Members to advise the Clerk of which streetlights need to be updated in the first phase.

### 6.2. Notice Boards

Members received a report on replacement notice boards. Members raised concerns that the public would not be able to put up their own notices and it was suggested that they could come to the Town Council for the Town Rangers to erect notices.

**DECISION:** It was **RESOLVED** to accept the quotes from Quote B from Greenbarnes Ltd at a cost of £7,201.11.

### 6.3. Snow Angels

Members received a proposal regarding setting up a scheme to help vulnerable residents clear snow and clear pavements in the locality.

**DECISION:** It was **RESOLVED** to set up a Snow Angels Community Volunteer Group.

### 6.4. Law Commission - Cemetery and Burial Consultation

Members received a report on the cemetery and burial consultation. Cllr Hyde suggested that those Councillors who are interested in the topic form a group with a proposed response to be agreed at the next meeting.

**DECISION:** It was **RESOLVED** to

- a) *Set up a Task and Finish Group to compile a response to the consultation with Cllr Hyde, Talbot and Woods supported by the Cemetery & Allotments Officer.*
- b) *Publicise the consultation to the public so they can feed back directly.*

**Action:** Publicise the consultation in all social media and printed media.



## 6.5. Pitch Power Inspections

Members received a report on the Pitch Power inspections. Cllr Anderson commented about the continued use spray herbicide. The comments were that the spraying was June and July, but this is not good for pollinators and should be April and May. Arlessey Road should only be the pitches and avoid the swale and the hill. Cllr Cooper commented that that Hitchin Road the pitch area is now just grass, and the ground cover plants are around the perimeter of the pitch.

**DECISION:** It was **RESOLVED** to note the improvements through the Pitch Power grant.

**Action:** Advise the contractor not to spray during June and July.

**Action:** Write to contractor and feedback the comments on the improved condition of the pitches. Treatment should be on pitches only.

## 7. HIGHWAYS REPORT

Cllr Talbot reported that streetlight with ANPR and 30mph sign is intermittent. This will be reported via Fix My Street.

**Action:** Report faulty streetlight.

## 8. WORK PROGRAMME

The Work Programme was noted.

## 9. ITEMS FOR INFORMATION PURPOSES, RELEVANT TO THIS COMMITTEE ONLY

Cllr Anderson reported that the IDB is proposing to merge the Beds and Bucks boards.

## 10. DATE OF NEXT MEETING

Wednesday 11 December 2024.

The meeting closed at 20:15

**SIGNED BY CHAIRMAN:** .....

**MINUTES APPROVED (date):** .....

**STOTFOLD TOWN COUNCIL**

**COMMITTEE: PUBLIC REALM**

**DATE: 11<sup>th</sup> DECEMBER 2024**

**SUBJECT: CLERK'S REPORT**

1. Replacement planters located outside the shops on the High Street have been relocated to pedestrianise the area for the Christmas Lights Event.
2. The Town Rangers now have basic welfare facilities added into the tractor shed to address the loss of kitchen and facilities at the GAC which were previously used. This cost of this was £200 and is a purely temporary measures while other more permanent options are sort.
3. The Snow Angels Scheme is now up and running with the Cemetery and Allotments Officer taking the lead. Basic tools and equipment have been purchased to facilitate the scheme. The Cemetery and Allotments Officer is also compiling the volunteer agreement and associated risk assessments for distribution to volunteers.
4. The notice board colour swatch has been received and this is verified to be an acceptable match to the digital image accepted at the November committee meeting. This colour swatch is available for member to view if so desired.
5. The works at the GAC to relocate the Stotfold Library have now commenced. The proposed close down of the GAC for redecoration has been accepted by the contractor and this will be for the week of 6<sup>th</sup> Jan for 7 days. Normal service will be continued remotely including telephone enquiries.
6. EV Charging progress at the Memorial Hall update from CBC. As a bit of a timeline, the previous issue was getting the funding gap covered for the increased costs for the new electrical connection out onto Hitchin Road. That has been sorted but then there was an increase in costs for a bus stop suspension and different temporary traffic light arrangements that had to be in place to help the flow of traffic (automatically-timed 3 way junction traffic lights for Hitchin Road and Hallworth Drive would have given every junction the same amount of time on the lights, whereas the bulk of traffic would be flowing along Hitchin Road and so they need to be manned temporary traffic lights). CBC challenged those costs but have now come to an agreement on a revised price with the contractor and have raised a PO for those works. CBC are now waiting for the contractor to process that and get the works programmed in. Doing those before the Christmas period may be difficult but let's see, otherwise it is expected that work will be done in January.
7. Following a complaint from Stotfold Football Club regarding the EV charging works. CBC Officers have been out to site to assess. At first it wasn't obvious where the issue lay but if you follow the route of the trenching through the hardcore surface then there does appear to be dips in the surface along the route, particularly obvious with recent rainfall and the puddles that have formed along the route of the trench. CBC aim to get the contractor to come out to site, put some more material down and compact the trench to address this issue. This information has been conveyed to the Football Club.

**STOTFOLD TOWN COUNCIL**

**COMMITTEE: PUBLIC REALM MEETING**

**DATE: 11 DECEMBER 2024**

**OFFICER RESPONSIBLE: COLIN ROGERS, PROJECTS OFFICER**

**SUBJECT: PROPOSED NEW STREETLIGHTS**

**1. SUMMARY**

- 1.1 A Member has asked Officers to investigate the possibility of having two new streetlights installed on the Coppice Mead/Brook Street junction and on the footpath towards the bridge that connects Greenacre Estate to Howard Close to the north of Pix Brook play area.
- 1.2 Members should note that Stotfold Town Council does not own the land on which these columns would be and therefore the relevant consents would need to be obtained for the installation and maintenance thereafter should Stotfold Town Council install these are our own cost.

**2. RECOMMENDATION**

- 2.1 Members are asked to consider the proposal and instruct Officers as to whether they would like the pursue this request further. Members are asked specifically to confirm:
  - a) Whether Officers are to request that these columns are installed by Central Bedfordshire Council and next what next steps should be considered if Central Bedfordshire Council refuse this request.
  - b) Whether Officers are to proceed with the installation of the columns at the cost of Stotfold Town Council.
  - c) Whether Officers take no further action in relation to this request.

**3. PROPOSED LOCATIONS & COSTINGS**

**3.1 Location 1 – Coppice Mead/Brook Street**





Approximate location: - <https://w3w.co/encroach.returns.vertical>

Comments from the Member requesting the column:

1. *The current highways protocol is to locate a streetlamp opposite/overlooking a road junction to further vehicle and pedestrian safety.*
2. *This junction has no such lamp in situ. This junction accesses Coppice Mead and Hazel Grove, both cul-de-sacs with approximately 80 properties in total. The number of residents vehicles is nearer 240 using this area several times a day, excluding multiple home and business deliveries, carers etc. The first 24-40 metres of Coppice Mead has vehicles parked on one side of the road, sometimes over the yellow junction "no parking" lines because of personal parking difficulties etc all day.*
3. *With inadequate illumination of the road junction public safety is severely compromised.*
4. *Most people wear darker coloured clothing.*
5. *School uniform is never in light colours.*
6. *The footpath in Brook Street is used by people to access local properties, recreation area for play and dog walking, Town Rangers to get to tractor shed on foot, shops, Bowls Club etc, at all times of the day.*
7. *The nearest streetlamp in Coppice Mead is probably 40 metres from the junction.*
8. *The lamp set against the side boundary fence of 1 Coppice Mead casts no light on the junction area after dark.*
9. *Brook Street is 2-way from Hitchin Road to the junction involved. Brook Street is 1-way traffic from High Street and nearby is an island in the road partitioning off a section for cyclist to go against motorised traffic in the direction of the High Street, so there is always a mix of vehicles and pedestrians in the area.*
10. *With darker afternoons now, the situation is becoming much more dangerous than say in spring and summer.*

### **Electrical Supply**

*At the edge of Wycklond Close area there is a CBC highways lighted road sign. The new streetlamp could replace this, and the highways information sign could be on it too. (NB – Officers have requested confirmation that this possible from our lighting contractor who have stated "The answer to this question would be no because then we are mixing parish and local authority assets, they need to be kept separate.").*

### **Cost**

*I do not expect CBC would fund this, but we could ask! Don't ask, will never know.*

*We do have money in our own lighting budget that could be used.*

**Quote A – This is the cost to include the Brook Street column where the Member suggested.**

### **Cornflower Crescent**

Supply and fit 5m galvanised column - £950.00

Supply and fit LED lantern for above - £350.00

Supply new UMC service - £2,350.00

Allowance for trenching - £1,600.00

Road Crossing - £2,350.00

### **Brook Street**

Supply and fit 5m column - £950.00

Supply and fit LED lantern for above - £350.00

Supply new UMC service - £2,350.00

Cable ID for above - £850.00

Road Crossing + Traffic management - £3,950.00

Trenching - £1,250.00

**Subtotal**                    **£17,300.00**

**Total VAT 20%**           **£3,460.00**

**TOTAL GBP**                **£20,760.00**

**3.2 Location 2 – On current footway leading to bridge over the 2 channels of Pix Brook and continuing into Howard Close, Off of Hyde Avenue**

Approximate Location: - <https://w3w.co/stole.accusing.songbook>



Comments from the Member requesting the column – typed from handwritten information supplied:

**Background** – As a Council we were considering this location when we first took on Greenacre Area, well before it was officially signed over to us. Then we felt 2 extra lights would be advantageous.

**Area** – Locate streetlamp approx. 20 metres from footbridge edge near to the shrub bed, and fenced MUGA alongside the tarmac footway/cycleway that was constructed to allow easy access to the estate and lower school from existing areas of Stotfold

Area is very dark for pedestrians, cyclists, dog walkers etc for a large part of the day. Nearest streetlamps are on Sorrel Drive, approx. 50 metres away. Extra lamp here would enhance public safety.

**Electricity supply**

*This would need to come from Sorrel Drive direction.*

### **Cost**

*I do not believe that CBC would fund this. We have lighting budget; we could also ask for a Ward Councillor grant towards it.*

**QUOTE B – This is to have the Brook Street column on the Coppice Mead side of the Road (approximate location <https://w3w.co/braved.regaining.quality>)**



### **Cornflower Crescent**

Supply and fit 5m galvanised column - £950.00

Supply and fit LED lantern for above - £350.00

Supply new UMC service - £2,350.00

Allowance for trenching - £1,600.00

Road Crossing - £2,350.00

### **Brook Street**

Supply and fit 5m column - £950.00

Supply and fit LED lantern for above - £350.00

Supply new UMC service - £2,350.00

Cable ID for above - £850.00

**Subtotal                    £12,100.00**

**Total VAT 20%            £2,420.00**

**TOTAL GBP                    £14,520.00**

**5.     IMPLICATIONS**

<b>Strategic Plan</b>	N/A
<b>Risk Management</b>	HERS registered contractor to undertake installation Permission from relevant landowner
<b>Legals</b>	Electricity at Work Act 1989
<b>Resources/Stakeholders</b>	Officers/Contractors
<b>Contracts/Financials</b>	Existing street light budget
<b>Crime &amp; Disorder</b>	N/A
<b>Equalities</b>	N/A
<b>Biodiversity</b>	Will be LED lights

**STOTFOLD TOWN COUNCIL**

**COMMITTEE: PUBLIC REALM COMMITTEE**

**DATE: 11 DECEMBER 2024**

**OFFICER RESPONSIBLE: COLIN ROGERS, PROJECTS OFFICER**

**SUBJECT: LONE WORKING AND VEHICLE TRACKING**

**1. SUMMARY**

1.1 In order manage the risk of those members of staff that work either alone or in isolated areas of the town, Officers have obtained quotes for lone working and vehicle tracking devices. Devices would be given to the Town Rangers, Keyholders and 2 spare devices will be used by Officers when out of the office. The Lone Working devices have been sourced to be able to deal with the following:

- Fall protection.
- Panic Button.
- Movement sensor, in that if the unit does not detect movement for X minutes, then an alarm is triggered.

**2. RECOMMENDATION**

2.1 Members are asked to:

- a) Consider the quotes below in respect of lone working devices and vote on a preferred option. Officers would recommend Quote A.

2.2 Officers have included quotes for vehicle tracking devices. Officers are of the opinion that this is surplus to requirements at this stage but could be revisited in the future if a need for vehicle tracking arises. If Members did wish to proceed with vehicle tracking, then the quotes are included in the report.

**3. BACKGROUND**

**3.1 Lone Working Devices**

**Quote A**

This is for a fob that is carried by the lone worker that can be activated in case of an emergency to track their location. Can also record audio in the event of an aggressive member of staff and includes fall detection.

CONTRACT LENGTH (MONTHS)	QUANTITY	UNIT PRICE PER MONTH, PER DEVICE
12	0 - 49	13.50
24	0 - 49	13.00
36	0 - 49	12.00

**TOTAL TAX VAT @ 20%**

**SHIPPING/HANDLING: £5**

**BELT HOLSTER (Required with MySOS Fall Detection): £5**

**OPTIONAL EXTRAS**

DESCRIPTION	AVAILABLE ON	UNIT PRICE (EXC. VAT)
Timed Activity	Pro App, MySOS, MySOS ID Badge (As standard on Pro App)	£0.70
Welfare Check	Pro App	£0.70
Fall Detection	Pro App, MySOS, MySOS ID Badge	£0.70
Automatic Tracking	Pro App, MySOS, MySOS ID Badge	£0.70
Travelsafe	Pro App	£3.00
Device Cover	MySOS, MySOS ID Badge	£2.50

This company has additionally added the following for context:

*“...the fall detection system is an optional extra and available at a cost of 70p (+VAT) per unit, with the device also needing to be ordered alongside a holster, at a one-off cost of £5 per unit.”*

**Quote B**

Quote includes the use of both an SOS Fob which contains a panic button, GPS tracking and fall protection. This also comes with access to a management programme.

The programme has the following features:

- Live/real-time statuses of all devices and lone workers
- Specific escalation paths for each worker
- Usage and alert history
- Alarm history
- License and billing status and control
- Device allocation
- Full history of all usage

Discipline	Level of Service	QTY	Response Level	Annual Charge
Lone Worker per device (ConnectME)	Standard	6	Standard “A”	£95.00 each

**Total Charge (3 Year Contract) 6 Devices £570.00**

**Quote C**

This quote is for a fob like device that is worn on the employee and includes. This does not come with an accompanying app as all emergencies are dealt with by the company’s control room:

24/7 emergency alarm, designed to get help to your workers when they need it most.

Will detect a slip, trip or fall (sometimes known as “man down”).

Alarm Receiving Centre which is accredited to BS 8484 and EN 50518.

Voice messages left by the device user containing valuable information about their location and activity.

A device user can easily check their battery life, geolocation fix, and cellular strength.

- £9.00 per device per month based on a 36-month contract term.
- £11.50 per device per month based on a 24-month contract term.
- £13.50 per device per month based on a 12-month contract term.

### 3.2 Vehicle Tracking

#### Quote A

This quote provides for Driver ID and vehicle trackers together with supporting app.

Info Plus	12-month contract	36-month contract
Installed	£9.00 per month	£8.00 per month
Driver ID	£3.50 per month	£1.50 per month

#### Quote B

To supply and install £280.00 ex VAT.

Monthly subscription of £20.00 ex VAT.

### 4. FINANCIAL

4.1 To be used from 27/2205 Legal & ROSPA – currently £3,500 left in budget.

### 5. IMPLICATIONS

Strategic Plan	N/A
Risk Management	Stotfold Town Council Lone Working Policy Stotfold Town Council H&S Handbook 2022, Lone Working Policy to be presented to Full Council 18 <sup>th</sup> December 2024
Legals	Health & Safety At Work Act 1974, British Standards Institution – BS8484
Resources/Stakeholders	Officers
Contracts/Financials	Product supplier
Crime & Disorder	N/A
Equalities	N/A
Biodiversity	N/A



**STOTFOLD TOWN COUNCIL**

**COMMITTEE:** PUBLIC REALM  
**DATE:** 11 DECEMBER 2024  
**OFFICER RESPONSIBLE:** EMMA PAYNE, TOWN CLERK  
**SUBJECT:** ASB DOGS AT ARLESEY ROAD

**1. SUMMARY**

- 1.1 At a recent meeting with Stotfold Football, an observation was made that there appears to be more dog fouling and off lead dogs at Arlesey Road and the Town Council was approached about how to deal with this.
- 1.2 The management of dog fouling is undertaken through Public Space Protection Orders (PSPO).

**2. RECOMMENDATION**

- 2.1 Members are asked to consider the request and ask CBC to include Arlesey Road Recreation Ground when the next review of PSPOs are undertaken.

**3. BACKGROUND**

- 3.1 The management of ASB including dog fouling was reviewed recently by CBC  
[14.2 Public Space Protection Order Consultation Report.pdf](#)
- 3.2 Arlesey Road is not currently covered by a PSPO.

**4. FINANCIAL**

- 4.1 There are no financial implications.

**5. IMPLICATIONS**

<b>Strategic Plan</b>	N/A
<b>Risk Management</b>	Land in question is leased to STC from CBC. Reputational risk
<b>Legals</b>	Anti-Social Behaviour, Crime and Policing Act 2014 PSPOs can only be enforced by CBC
<b>Resources/Stakeholders</b>	CBC
<b>Contracts/Financials</b>	N/A
<b>Crime &amp; Disorder</b>	See Legals above
<b>Equalities</b>	N/A
<b>Biodiversity</b>	N/A



**STOTFOLD TOWN COUNCIL**

**COMMITTEE:** PUBLIC REALM  
**DATE:** 11 DECEMBER 2024  
**OFFICER RESPONSIBLE:** EMMA PAYNE, TOWN CLERK  
**SUBJECT:** ALLOTMENT TOILET FUNDING

**1. SUMMARY**

- 1.1 It was resolved at the meeting of this committee held on 5 June 2024, to apply for funding from the UK Shared Prosperity Fund. This report is to advise Members that the funding application was unsuccessful.

**2. RECOMMENDATION**

- 2.1 Members are asked to consider:
- a) Do they want to purchase and install a compostable toilet at Norton Road allotments?
  - b) If yes, please identify funding sources.
  - c) If they want to approach the charity about them installing a compostable toilet at Common Road.

**3. BACKGROUND**

- 3.1 The previous reports on the allotment toilet project can be found here in the agenda packs for this committee on 14 February 2024, item 6.4 [176578-Rec 14 February 2024 Agenda Pack.pdf](#) and 5 June 2024, item 6.3 [182681-2024.06.05 - Public Realm Agenda Pack.pdf](#)

**4. FINANCIAL**

- 4.1 Any funding from the Town Council would need to be met from EMR Rec Rolling Improvements currently standing at £50,423.06

**5. IMPLICATIONS**

<b>Strategic Plan</b>	N/A
<b>Risk Management</b>	N/A
<b>Legals</b>	Equalities Act
<b>Resources/Stakeholders</b>	Charity owns Common Road allotments
<b>Contracts/Financials</b>	EMR available
<b>Crime &amp; Disorder</b>	N/A
<b>Equalities</b>	Would be accessible toilet
<b>Biodiversity</b>	Compostable toilet does not need to use chemicals.

## **STOTFOLD TOWN COUNCIL**

**COMMITTEE: PUBLIC REALM MEETING**

**DATE: 11 DECEMBER 2024**

**OFFICER RESPONSIBLE: SUE WARD**

**SUBJECT: LAW COMMISSION BURIAL & CREMATION CONSULTATION**

### **1. SUMMARY**

- 1.1 The Law Commission is conducting a public consultation, seeking views on their proposals to reform the law governing burials and cremation. Submission by stakeholders close on 9 January 2025. Following a meeting on 3 December attended by Cllr Jane Hyde, Cllr Bryony Ford, Sue Ward and Katie Hammond (apologies from Cllr John Talbot) our response to the individual items proposed was collated and is now available to the Committee for confirmation.

### **2. RECOMMENDATION**

- 2.1 It is recommended that Committee agrees to the response as detailed and the Town Clerk should submit this on behalf of Stotfold Town Council.

### **3. BACKGROUND**

- 3.1 Some of the law that applies to burial grounds is over 170 years old and not fit for purpose. Different regulations and standards apply to how burial grounds are maintained in Church yards, both open and closed, private burial grounds and those maintained by local authorities.
- 3.2 Space in graveyards is starting to run out, but reuse, common in lots of other countries, is subject to different laws depending on the ownership of the burial ground. Maintenance and administration also differs depending on the ownership and inconsistencies are evidenced widely which can lead to very little protection for families trying to bury or cremate their loved ones
- 3.3 Cremation legislation has been subject to more recent reform but there are still areas where there are problems: uncollection of ashes and how funeral directors deal with these, items such as pacemakers which need to be removed prior to cremation but the right to dispose does not lie with the Funeral Director.
- 3.4 A similar consultation in 2004 was undertaken and the Ministry of Justice produced a Government Response, detailing their intent to reform when opportunities arose, but on reflection a free-standing burial Bill wasn't proposed, instead they opted to develop advice and guidance, announced in Parliament in 2007

### **4. FINANCIAL**

This response does not require any financial input from the Town Council

## **5. IMPLICATIONS**

Our current administration, maintenance and methods of working are robust and would comply with the proposals the Law Commission has set out. The review has highlighted areas of possible reuse and grave space reclamation, plots where no burial has taken place and where the Right to Burial has expired, which could take place in the future. Further cemetery planning should be undertaken.

### **Consultation Question 1.**

2.50 We provisionally propose that there should not be a single uniform burial law applying to private, local authority, Church of England and Church in Wales burial grounds. Instead, we provisionally propose that different aspects of regulation should be introduced for different types of burial grounds, where there is a case for doing so.

Do consultees agree? [Yes – we feel this is a sensible approach](#)

### **Consultation Question 2.**

2.65 We provisionally propose that regulation of private burial grounds should encompass any land where the primary purpose is, or has been, burial. Do consultees agree? [Yes – consistent approach](#)

2.66 We invite consultees' views on whether the definition of burial in the Local Authorities' Cemeteries Order 1977 has caused any problems. [Not in our experience](#)

### **Consultation Question 3.**

2.84 We provisionally propose that:

(a) it should be a criminal offence for a person making a burial outside a burial ground to knowingly fail to register it; [Yes](#)

(b) it should be a criminal offence for a person transferring an interest in that land, or creating a lease of more than 21 years on that land, to knowingly fail to transfer the burial register to the new owner or lessee; or for the lessee to knowingly fail to transfer it to the owner at the end of the lease; and [Yes](#)

(c) the maximum penalty for these offences should be a fine at level 2 on the standard scale (£500). [No Comment](#)

Do consultees agree?

### **Consultation Question 4.**

2.102 We provisionally propose that in a local authority cemetery, the religious services that accompany a burial in all areas reserved or consecrated to a religious faith should be restricted to those of that faith, or to no service at all. Do consultees agree?

[No, multiple religions coexist and interact. All should respect each other so families should be allowed religious diversity in burial services. Our experience is that we serve a population that is predominantly a mix of atheist and Christian, our viewpoint may change in the future but currently we don't see this as needing any legislation](#)

### **Consultation Question 5.**

3.69 We provisionally propose that every burial ground owner should be required to maintain their burial ground in good order appropriate to its current use.

Do consultees agree? [Provisionally agree, we are governed by LACO 1977 which specifies good order and repair already, but private burial grounds aren't.](#)

#### **Consultation Question 6.**

3.78 We invite consultees' views on whether problems of poor maintenance of burial grounds are sufficient to impose requirements on burial ground operators, over and above setting a uniform standard of maintenance.

[No, there are woodland areas and well manicured lawn areas and so hard to specify a uniform all encompassing standard, need to think about Green Space and biodiversity requirements](#)

3.79 We invite consultees to provide examples or evidence of issues with poor maintenance that would potentially justify such requirements. [None available](#)

3.80 We invite consultees' views as to whether, if further regulatory action should be taken in relation to the maintenance of burial grounds:

(1) the Secretary of State should issue a statutory code of practice for burial ground maintenance, following consultation with stakeholders; [No](#)

(2) or all burial ground operators should be required to publish a management plan on a periodic basis. [Yes, all should have a publicly available plan](#)

#### **Consultation Question 7.**

3.89 We provisionally propose that the Secretary of State should continue to be able to authorise inspections of burial grounds. Where an inspection finds that the law is not being complied with, the Secretary of State should be able to issue a notice requiring actions to be taken to bring the burial ground into compliance. Do consultees agree?

[Local laws, LACO 1977, and Health&Safety Law are used currently but there is no regular inspections undertaken, so yes](#)

#### **Consultation Question 8.**

3.95 We provisionally propose the abolition of the offence of failing to adhere to cemetery regulations in section 8 of the Burial Act 1855. Do consultees agree? [Yes](#)

#### **Consultation Question 9.**

3.101 We invite consultees' views on whether the Secretary of State should have the power to direct that a local authority takes over the management of a burial ground which has failed to comply with the actions required in a notice, and whether local authorities in such circumstances should have the power to charge costs back to the cemetery owner.

No, do not agree. We don't see this as workable if the cemetery owner has gone out of business, and we don't have limitless funds to enable us to take anything over

#### **Consultation Question 10.**

3.119 We invite consultees' views on what the minimum burial depth should be for bodies buried in a non-perishable coffin, and for bodies buried in perishable coffin or wrappings. We don't agree that non-perishable coffins should be used as others are available. Burials should be at a depth to prevent animal interference,

3.120 We provisionally propose that:

(1) in all burial grounds there should be six inches of soil between two coffins or bodies which are interred in the same grave; and Yes

(2) for walled graves or vaults, there should be a requirement for them to be properly constructed of suitable materials, and for the coffin to be embedded in concrete or enclosed in a separate airtight compartment within 24 hours of the interment. Have no experience

Do consultees agree?

3.121 We provisionally propose the creation of a new criminal offence of recklessly breaching minimum burial requirements, with a maximum penalty on summary conviction of a fine at level 2 on the standard scale (£500).

Do consultees agree? All Contracting Gravediggers should provide Risk Assessments to burial authority, this fine bears no resemblance to any health and safety issues that may arise

#### **Consultation Question 11.**

4.66 We provisionally propose that, in relation to all cemeteries:

(1) it should be a requirement for all burial rights, both exclusive and non exclusive, and memorial rights, to be issued in writing;

(2) where this requirement is not met on the grant of a burial right, the purchaser should be able to request that their burial right is made out in writing, and that where the operator does not comply within a month the Secretary of State should have the power to issue a civil penalty; and

(3) that where a burial right has not been issued in writing, there should be a presumption that the right is a statutory exclusive burial right.

Do consultees agree? Yes we agree this should happen, but digital documents can be provided with appropriate records kept by the authority

### **Consultation Question 12.**

4.73 We invite consultees' views as to whether an optional scheme of statutory exclusive burial rights should be introduced for private cemeteries which are not already governed by their own Act of Parliament. [Yes](#)

4.74 If consultees support the introduction of an optional scheme of statutory exclusive burial rights, we invite consultees' views on the following.

(1) Should the right be able to be assigned by deed or inherited? [Yes](#)

(2) Should the right have a maximum duration of 100 years, subject to extension at the discretion of the cemetery operator? [Yes](#)

(3) Should there be any other features of such a scheme?

### **Consultation Question 13.**

4.86 We provisionally propose that:

(1) in its cemetery, a local authority should have the power to grant a memorial right to any relative of a person buried in a grave if no memorial has been placed on the grave two years after the burial;

(2) and if there is a dispute between different relatives, or between the relatives and the owner of the exclusive burial right, a local authority should only have the power to grant the right to a neutral memorial displaying the name of the deceased person and their dates of birth and death.

Do consultees agree? [Yes but we have no experience of memorial issues to date](#)

### **Consultation Question 14.**

4.118 We provisionally propose that a local authority should be permitted to maintain a tombstone, memorial or vault without the consent of its owner, if they have served notice on the owner at their last address known to the authority, and the owner has not objected within three months of such notice being served.

Do consultees agree? [Yes, as inspections sit with the local authority then we should be allowed to do this but not obliged to do it](#)

### **Consultation Question 15.** 5.72 We provisionally propose that:

(1) a consistent system of burial registration should be introduced;

(2) the requirement for burials (of both bodies and cremated remains) to be registered as soon as possible should be retained;

(3) all burial ground operators should be under a statutory duty to keep the following documents: (a) a burial register; (b) a register of disinterments (c) a plan of the burial

ground; and (d) a register of rights granted; and (4) these records should be kept either electronically or on paper.

Do consultees agree? [Yes to all these](#)

5.73 We provisionally propose the repeal of the criminal offences of failing to register a burial:

(1) by a private burial ground operator where registration is not governed by an Act of Parliament;

(2) by a Church of England minister when a burial takes place in consecrated ground in a Church of England churchyard without the rites of the Church of England.

Do consultees agree? [Yes](#)

**Consultation Question 16.** 5.81 We invite consultees' views as to whether burial registration documents should be sent to the General Register Office or Historic England when a burial ground closes. [Yes, records should be maintained](#)

**Consultation Question 17.** 5.87 We provisionally propose that the criminal offences relating to burying a child as if it were stillborn and burying more than one body in a coffin should be repealed.

Do consultees agree? [Concealing the birth of a child should still be an offence, Don't see why it's ok to open a coffin to bury someone else in?](#)

**Consultation Question 18.** 6.81 We provisionally propose that any grave reuse powers should apply to common or public graves, and to those where exclusive rights of burial have expired, as well as those where exclusive rights of burial have been extinguished. Do consultees agree? [Yes](#)

**Consultation Question 19.**

6.94 We invite consultees' views on the minimum time that must elapse between the last burial in a grave, and the burial rights in that grave being extinguished and the grave being reused. Should it be:

(1) 75 years;

(2) 100 years;

(3) or a different period?

[Minimum of 75 years for immediate family to pass](#)

6.95 We invite consultees' views as to whether there should be a requirement that a grave must not be reused if it still contains significant remains from a previous burial.

6.96



If so, we invite consultees' views on what should count as "significant remains".

We feel that removal of significant remains should be a minimum of bones, and reburial or using an ossuary should be allowed

6.97 We invite consultees' views on whether there is a case for the Secretary of State to be able to permit certain cemeteries to reuse graves after a shorter period of time in exceptional circumstances, and where the people, making burials in the graves which are to be reused, consent to it We feel that may cause future problems if we wanted to reuse a whole area where reuse was significantly later than most burials in that area

**Consultation Question 20.** 6.106 We provisionally propose that, in any extension of grave reuse and burial right extinguishment powers, notices should be posted:

- (1) on the burial ground operator's website if they have one;
- (2) in local newspapers;
- (3) by the grave and entrances to the cemetery;
- (4) and should be sent to the last known address of the owner of the burial rights and memorial.

Do consultees agree? Yes absolutely

6.107 We provisionally propose that one notice should suffice for both grave reuse and extinguishing burial rights.

Do consultees agree? Yes

**Consultation Question 21.**

6.111 We provisionally propose that in any extension of grave reuse powers, remains which are moved in order to reuse a grave must be either reinterred in the original grave, or in another grave in the same cemetery, below the level of the ground in a grave consisting wholly or substantially of earth.

Do consultees agree? No, only that it should be within the cemetery boundaries, should be allowed to maintain in an ossuary also

**Consultation Question 22.**

6.113 We provisionally propose that burial ground operators should be required to keep a register of disinterments.

Do consultees agree? Yes

**Consultation Question 23.**

6.117 We provisionally propose that burial ground operators should be required to disclose the fact that a grave has been reused or reclaimed to potential purchasers.

Do consultees agree? [Yes](#)

#### **Consultation Question 24.**

6.130 We provisionally propose that burial ground operators should be able to apply to the Secretary of State for a decision enabling them to extinguish burial rights in graves and reuse graves, on a case-by-case basis. Do consultees agree? [Yes, should have to give reasons](#)

6.131 We invite consultees' views on whether applications for grave reuse and reclamation powers should be made:

- (1) by each burial authority to cover all of their burial grounds; or
- (2) for each burial ground individually. [Yes to individual, as they have different requirements](#)

6.132 We provisionally propose that an application for grave reuse and reclamation powers should be accompanied by:

- (1) a grave reuse and reclamation plan setting out any additional mitigation proposed and identifying the graves which are intended to be affected; and
- (2) the results of a consultation with those living near the burial ground and those with friends or relatives buried in the burial ground.

Do consultees agree? [Yes to all](#)

#### **Consultation Question 25.**

7.62 We provisionally propose that a burial ground, or any other specified area, should be closed to new interments by a decision of the Secretary of State, rather than by Order in Council.

Do consultees agree? [Yes but would be concerned about removal of rights within the Church of England](#)

#### **Consultation Question 26.**

7.73 We provisionally propose that the Secretary of State should have the power to close a burial ground where:

- (1) there is no useable space for new burials in graves which are free from exclusive burial rights; [No, there may be ashes space and burial space in graves that have EROB](#)
- (2) the legal minimum standard of maintenance or burial specifications have not been complied with; or [This can be rectified, so not a reason to close](#)
- (3) the burial ground represents a risk to public health.

Do consultees agree? [Groundwater contamination may become more of a health issue due to climate change to yes to 3\)](#)

7.74 We invite consultees' views as to whether there are other reasons why a burial ground should be closed to new interments. [Significant numbers of burials in a short space of time may cause issues, on sensitive surface water, wetland habitats,](#)

7.75 We provisionally propose that the Secretary of State must post notice of the intention to close a burial ground at the entrances to the burial ground, and in the London Gazette, for two months before a burial ground can be closed. [Yes](#)

Do consultees agree?

#### **Consultation Question 27.**

7.81 We provisionally propose that the fault element of the offence of burying a body in a closed burial ground should be knowledge that the burial ground has been closed to further burials.

Do consultees agree? [Ignorance is not an excuse for breaking the law](#)

7.82 We provisionally propose that the maximum sentence for the offence of burying a body in a closed burial ground is increased to level 3 on the standard scale of fines, which is currently set at £1,000.

Do consultees agree? [Does this fine cover any mitigation needed?](#)

#### **Consultation Question 28.**

7.86 We provisionally propose that the existing exceptions to the power to close a burial ground to new interments should be ended, and that the existing exemption in relation to burials with the approval of the Sovereign in St Paul's Cathedral or Westminster Abbey should be extended to include all royal peculiars.

Do consultees agree? [Have no comment](#)

#### **Consultation Question 29.**

7.91 We provisionally propose that the Secretary of State should have the power to reopen burial grounds which have been closed to new interments, with the agreement of the burial ground owner, or the incumbent. Burial grounds could be reopened in full, or partially by reference to a particular area or purpose.

Do consultees agree? [Yes](#)

#### **Consultation Question 30.**

7.100 We provisionally propose that where a closed Church of England churchyard is reopened, any local authority which has become legally responsible for its maintenance should continue to have that responsibility.

Do consultees agree? [Yes](#)

7.101 We invite consultees' views on whether Church of England fees for funerals and burial should be shared with local authorities, or whether an additional fee payable to local authorities should be charged, in relation to reopened churchyards.

[We should be able to charge an additional fee for maintenance as the Church benefits](#)

### **Consultation Question 31.**

7.108 We invite consultees' views on whether the Church in Wales should be able to transfer the responsibility for maintaining its churchyards and burial grounds to the community council or county council, on the same model as in place in England.

[No comment](#)

### **Consultation Question 32.**

8.95 We provisionally propose that the fault element required for the commission of the offence of unlawful exhumation should be recklessness.

Do consultees agree? [Yes](#)

### **Consultation Question 33.**

8.99 We provisionally propose that the maximum penalty for unlawful exhumation should be an unlimited fine on summary conviction, or imprisonment for a term not exceeding three years, or both, on indictment.

Do consultees agree? [Yes](#)

### **Consultation Question 34.**

8.105 We provisionally propose that the offence of exhuming human remains without authorisation should include removing human remains from the grave without lifting those remains above ground (so-called "coffin sliding").

Do consultees agree? [Yes, still interfering with human remains from their original resting place](#)

### **Consultation Question 35.**

8.111 We provisionally propose that there should be an exception to the exhumation offence where the exhumation is authorised by a police officer of at least the rank of Inspector, who has reasonable grounds to believe that an exhumation is urgently necessary to prevent forensic evidence from being lost. Do consultees agree? [Yes](#)

### **Consultation Question 36.**

8.123 We provisionally propose that the scheme in the Disused Burial Grounds (Amendment) Act 1981 permitting building on a disused burial ground and exhumation without a licence or faculty, where notice requirements are met, should be extended to all private and local authority burial grounds.

Do consultees agree? [Yes](#)

8.124 We invite consultees' views on the appropriate period of time during which an objection by the personal representative or close relatives of a deceased person should prevent building works from taking place on the burial ground in which they are interred. Should it be:

(1) 50 years;

(2) 75 years;

(3) 100 years; or

(4) another period? [We would agree that 75 yrs is consistent with our reuse policy](#)

8.125 We provisionally propose that it should be a criminal offence to fail to comply with directions issued by the Secretary of State as to how remains exhumed for development purposes should be reinterred or cremated, with a maximum sentence of an unlimited fine on summary conviction, or imprisonment for a term not exceeding three years, or both, on indictment.

Do consultees agree? [Yes](#)

### **Consultation Question 37.**

9.74 We provisionally propose that:

(1) every time a local authority burial authority seeks to exercise powers under articles 10(5) or 16(2) of LACO 1977, it should be required to notify the CWGC; and

(2) it should be a requirement for the local authority to share information about which graves it intends to take this action in relation to, and then for the CWGC to confirm whether the grave is a Commonwealth war grave.

Do consultees agree? [Yes](#)

### **Consultation Question 38.**

9.80 We provisionally propose that where a local authority has followed the process to obtain the right to maintain a monument whose owner cannot be contacted:

(1)the consent of the CWGC should be required for the local authority to undertake ordinary maintenance to Commonwealth war graves in relation to which they do not own the memorial or the burial rights; and

(2)the CWGC should have the right to maintain such graves.

Do consultees agree? [Yes](#)

9.81 We provisionally propose that the CWGC should be able to maintain any memorial over a Commonwealth war grave in a private burial ground without the consent of its owner, if a notice has been served on the owner of the memorial right and they have not responded within three months.

Do consultees agree? [Yes](#)

#### **Consultation Question 39.**

9.85 We provisionally propose that the CWGC should be informed every time a burial ground operator seeks to extinguish burial rights or reuse a grave, and it should have the power to object to these actions in relation to Commonwealth war graves.

Do consultees agree? [Yes](#)

9.86 We provisionally propose that the CWGC should be informed every time a burial ground operator seeks to make a further burial above a grave where the person buried died between 4 August 1914 and 31 August 1921, or between 3 September 1939 and 31 December 1947. The CWGC should have the power to object to the reclamation of Commonwealth war graves.

Do consultees agree? [Yes](#)

#### **Consultation Question 40.**

9.90 We provisionally propose that the CWGC should have the right in respect of compulsorily purchased land to remove remains in Commonwealth war graves and to reinter or cremate them, and to remove any memorials.

Do consultees agree? [Yes](#)

#### **Consultation Question 41.**

9.92 We invite consultees' views on whether the Ministry of Justice should be required to consult with the Commonwealth War Graves Commission in relation to exhumations of deceased people who died during the periods between 4 August 1914 and 31 August 1921, or between 3 September 1939 and 31 December 1947. [No views](#)

#### **Consultation Question 42.**

9.98 We provisionally propose the following:

(1) private burial ground operators should be required to inform the CWGC when they seek to maintain, remove or destroy a tombstone, memorial or other fittings of a grave where the burial was made within the periods between 4 August 1914 and 31 August 1921, or 3 September 1939 and 31 December 1947; and

(2) where that grave is a Commonwealth war grave, the CWGC should be granted the right to give or refuse consent to these actions.

Do consultees agree? [Yes](#)

#### **Consultation Question 43.**

11.22 We invite consultees' views as to whether any new legal requirements at crematoria or burial grounds could help to address the problem of mistaken cremations or burials, and if so, what those requirements could be.

[Instructions for burial or cremation could be signed by the executor of the will? Digital copies of maps kept? Regular review of the records process](#)

#### **Consultation Question 44.**

11.79 We invite evidence from consultees as to whether, in relation to direct cremation, there are cases where the applicant for cremation will not know which crematorium will be used at the time of application. If there are, we invite consultees' views on whether the cremation forms should be amended to accommodate this practice.

[This is offered on most direct cremation websites, and Cremation Form 1 specifies the name of the crematorium and the form could be amended to allow the cremation authority to complete this, the name of the crematorium is a legal requirement currently](#)

#### **Consultation Question 45.**

11.97 We invite consultees' views on the position in the current law that the rules which govern who can apply for cremation, and collect the ashes, are different from the rules which govern who has the legal right to make decisions about dead bodies. We invite consultees to tell us of their experience of the current law and of any problems that they have encountered as a result. [We don't have a viewpoint currently](#)

11.98 We invite consultees' views as to whether the current law strikes the right balance between certainty as to who can apply and receive the ashes, and flexibility in ensuring that a timely funeral happens. [As the burial authority we don't check who has the right to request burial, given the increase in blended families then this perhaps needs to be addressed legally](#)

#### **Consultation Question 46.**

11.109 We invite consultees' views on which relationships between two deceased people should mean the law permits their bodies to be cremated together, provided both applicants for cremation give their written consent. [Currently in the UK the code of Practice insists each cremation is carried out separately, exceptions can be made in the case of mother and baby or twin children. But for adults this is not permitted. Not sure this is feasible as most crematoria don't have cremators that take two people, and the identification of each should be maintained. Allowing this might increase blended family arguments about the manner of burial and also increase complications should the wrong person be cremated. Commingling of ashes \( combining\) is a common process involving a larger 'companion urn'](#)

**Consultation Question 47.**

11.110 We provisionally propose that it should be a requirement that ashes from a cremation should be removed from the cremator before another cremation occurs. Do consultees agree? [See above, crematoria should preserve the dignity of the deceased](#)

**Consultation Question 48.**

11.125 We provisionally propose that:

- (1)neither cremation nor any other irreversible funerary method should be permitted in relation to unidentified bodies or body parts; and
- (2)before any unidentified bodies or body parts are buried, a DNA sample should be taken for storage on the national central database held by the UK Missing Persons Unit.

Do consultees agree? [Yes, Code of practice for Cremation requires adequate information on the deceased.](#)

**Consultation Question 49.**

11.151 We provisionally propose that the Department for Health and Social Care should issue new guidance transferring ownership of any pacemakers in relation to which the HN(83)6 consent forms were signed from the NHS to funeral directors.

11.152 We provisionally propose that, where any funeral director holds a pacemaker which was removed prior to the new guidance being issued, and where they hold a record linking the pacemaker to a specific deceased person:

- (1) they must post a notice stating that they hold pacemakers removed from bodies of deceased people prior to cremation, and the date range within which they were removed, and that they intend to dispose of them if they are not claimed. The notice should be placed on their website and visibly at their offices;



(2) in order to claim a pacemaker a person should have to provide the funeral director with evidence that they are the deceased person's relative, using the definition used in LACO 1977, or that they were their cohabitant until they died; and

(3) three months after the notice is posted, if the pacemakers are not claimed, the funeral director may dispose of them as they see fit.

Do consultees agree? [Yes but there may be an associated cost for disposal which should be passed to executor as part of claims against the estate](#)

11.153 We provisionally propose that, in circumstances where funeral directors hold a pacemaker but do not hold a record linking it with a specific deceased person, they should be able to dispose of the pacemakers as they see fit without issuing a notice.

Do consultees agree? [Yes](#)

#### **Consultation Question 50.**

12.45 We invite consultees' views on whether the rule that a crematorium cannot be constructed within 200 yards of a dwelling house without the agreement of the owner, occupier and lessee, or within 50 yards of a public highway, should be repealed, or retained.

12.46 If the rule is retained, we invite consultees' views on whether the distance should be measured from the buildings equipped for cremation, and any other buildings or structures ancillary to the process, or from another location.

12.47 If the rule is retained, we provisionally propose that the Secretary of State should have to certify a crematorium before it can be used. It should be a requirement for certification to be granted that the plans for the crematorium must have been approved before construction as not breaching the rule.

Do consultees agree? [No view](#)

#### **Consultation Question 51.**

12.53 We provisionally propose removing the restriction on constructing a crematorium on the consecrated part of a local authority burial ground.

Do consultees agree? [Yes, in keeping with use of land](#)

#### **Consultation Question 52.**

13.62 We provisionally propose that, where a funeral director has held ashes for at least four weeks and wishes to return them to the cremation authority:

(1) the funeral director must take reasonable steps to contact the applicant for cremation to determine whether they want to collect the ashes, or want the funeral director to return the ashes to the crematorium;

(2) if no response is received within four weeks, the funeral director should have the right to return the ashes to the crematorium where the cremation took place; the cremation authority should have a statutory duty to accept the return of the ashes to them by the funeral director; and

(3) where ashes have been returned to the crematorium, the existing process for dealing with uncollected ashes should apply.

Do consultees agree? [Ashes can not belong to anyone under British Law so they are usually returned to whoever made the funeral arrangements so yes they should be offered back to the applicant. There should be a right of return to the crematorium who can then arrange scattering](#)

### **Consultation Question 53.**

13.66 Are consultees aware of legal mechanisms that have been used to try to prevent ash scattering, and if so, do consultees know whether these measures have been effective?

[No](#)

### **Consultation Question 54.**

13.82 We invite consultees' views on which of the following two options they prefer. Either:

(1) option 1: authorisation should be required to remove ash remains from a place of burial when:

- (a) the ashes are likely to be identifiable. This mean that they are separable from the earth, and that their identity within a plot of land can be ascertained; and
- (b) those who interred the ashes intended that they should remain identifiable;

(2) option 2: authorisation should be required to remove ash remains from a place of burial when:

- (a) ashes are interred in a container; or
- (b) ashes are interred in land where an exclusive burial right exists.

13.83 We invite consultees' views on whether there should be any more circumstances in which authorisation is required to exhume ashes under the second test.

### **Consultation Question 55.**

14.32 We invite consultees' views on:

(1) whether there are circumstances or places in England and Wales where it is difficult for people to find a burial space in locations of their choice;

(2) whether our provisional proposals in this Consultation Paper would help to address the availability of burial space;

(3) what impact our provisional proposals in this Consultation Paper might have on reducing distress to family and friends of deceased people; and

(4) whether more comprehensive or frequent collection of data on burial grounds would be of practical value.

#### **Consultation Question 56.**

14.42 We invite evidence from consultees on:

(1) their general perception of the affordability of burial and cremation;

(2) the contribution that burial costs and burial plot fees make to the costs that families and friends bear when organising a funeral; and

(3) the impact that our proposed reforms might have on reducing or increasing these costs.

#### **Consultation Question 57.**

14.48 We invite evidence from consultees on:

(1) the costs and benefits private burial grounds are likely to see as a result of our provisional proposals; (2) the costs and benefits funeral directors are likely to see as a result of our provisional proposals;

(3) and any benefits or costs that are likely to arise if the rules on the siting of crematoria were repealed. provision of burial and cremation services uneconomic for local authorities.

#### **Consultation Question 58.**

14.54 We invite evidence from consultees on:

(1) the scale of any benefits that are likely to accrue to local authorities if they obtain grave reuse and reclamation powers;

(2) the likely additional cost of maintaining Church of England churchyards if they are reopened, and the level of fees that would be required in order to mitigate that cost;

(3) the cost to Welsh local authorities if maintenance responsibility for Church in Wales churchyards could be transferred under the law;

(4) and any impact on local authorities that might arise from repealing the rule on the siting of crematoria.

#### **Consultation Question 59.**

14.59 We invite consultees' views on the potential impact of our provisional proposals on costs to Government, and other operators and owners of burial grounds and crematoria.

**STOTFOLD TOWN COUNCIL**

**COMMITTEE:** PUBLIC REALM

**DATE:** 11 DECEMBER 2024

**OFFICER RESPONSIBLE:** SUE WARD, CEMETERY & ALLOTMENTS OFFICER

**SUBJECT:** CEMETERY TASK AND FINISH GROUP

**1. SUMMARY**

The Town Council owns Stotfold Cemetery and is responsible for all policies relating to managing burials and internments as well as memorials within the cemetery. As part of its effective governance, the Town Council should review the current documents relating to the Cemetery. In addition, there should be a review on what documents also need to be provided to mitigate risk for the Town Council.

**2. RECOMMENDATION**

2.1 Members are asked to:

- a) Consider the formation of a Cemetery Task and Finish Group to assist with a review of documentation and identifying gaps where additional documentation may be needed.

**3. BACKGROUND**

3.1 The Town Council has a number of documents relating to actions within the Cemetery which were reviewed and adopted some time ago. These include (but not limited to):

- Handbook & Regulations – adopted April 2023
- Memorials Policy – Covered in this meeting
- Memorial Inspection Policy reviewed February 2024
- Cemetery Application forms covering memorials, purchase of exclusive right of burial, internment of Ashes and Burials, scattering of ashes and requirements
- Risk Assessments – Various
- Exhumation documents - Covered in this meeting

3.2 The proposed Working Party would meet quarterly with the Democratic Services Manager and the Cemeteries and Allotments Officer (with other input from relevant officers when appropriate) for the purposes of review of the documentation relating to the cemeteries only and after the project is finished, the Task and Finish Group would be disbanded.

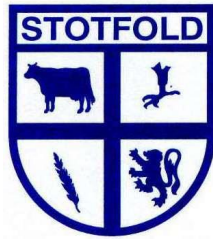
3.3 The group will be provided with an Agenda a week in advance and reports on progress will be provided to the Public Realm Committee. Any documents reviewed by this Working Party and subsequently approved by the Public Realm Committee, will then be forwarded to a Town Council meeting for approval and/or adoption.

**4. FINANCIAL**

4.1 There are no financial decisions being made by this group.

## 5. IMPLICATIONS

Strategic Plan	Improving relations with local people as users of the Town Council's services. Improving the management of the Council's assets.
Risk Management	Updating documents in line with current legislation and identifying risks to the Town Council will form part of the Town Council's Risk Management Strategy and Risk Register.
Legals	Statutory Burial Laws are various.
Resources/Stakeholders	Officer resources.
Contracts/Financial	Fees received from burials and memorial permit charges
Crime & Disorder	N/A
Equalities	N/A
Biodiversity	Biodiversity impact in some of the memorial items seen in the cemetery
Privacy Impact	N/A



## **CEMETERY TASK AND FINISH GROUP**

### **TERMS OF REFERENCE**

#### **Membership of Committee**

- Three Town Councillors appointed by the Public Realm Committee.
- Two Members shall constitute a quorum.
- The Mayor and Vice Mayor are ex-officio on all Committees and Task and Finish Groups.
- All non-Committee Members may attend Committee meetings and speak at the Chairman's discretion, but not vote.

#### **Frequency of Meetings**

- Quarterly until the review of all cemetery documentation is ratified by the Public Realm Committee.
- As this is a Task and Finish Group, the meetings will not be open to the public and can be held virtually.

#### **Scope of Task and Finish Group**

The Town Council has a number of documents to control the administration and operation of the cemetery, which were reviewed and adopted some time ago. These include (but not limited to):

- Handbook & Regulations – adopted April 2023
- Memorial Permit Application – reviewed July 2019
- Memorial Inspection Policy reviewed February 2024
- Cemetery Application purchase of exclusive right of burial reviewed Nov 2023
- Application for internment of Ashes and Burials – reviewed July 2019
- Application for scattering of ashes - reviewed November 2023
- Application for a Memorial Tree – reviewed Jan 2023
- Application for Bench – reviewed Feb 2023
- Risk Assessments – Various

This Task and Finish Group has no delegated powers and may make recommendations to the Public Realm Committee for ratification.

Reviewed December 2024

## PUBLIC REALM COMMITTEE WORK PROGRAMME 2024-2025

Meeting Date	Agenda Item	Description	Officer
11/12/2024	Common Road Allotments	To review the agreement between STC and the Charity	Town Clerk
	Lone Working and vehicle tracking	To receive a report on lone working and vehicle tracking devices.	Project Officer
	Rangers Location Update	Update Report on the relocation of Rangers.	Public Realm Manager
	Stotfold Football Club - ASB Dogs	To receive a report on dog fouling and off-lead dogs at Arlesey Road following a meeting with the Football Club.	Town Clerk
	Allotment Toilet Funding	To receive an update on the allotment toilet funding.	Town Clerk
	Law Commission Consultation on Burials and	To consider the Town Council's response to this consultation.	Cemetery & Allotments Officer
	Cemetery Task and Finish Group	To consider forming a task and finish group to review cemetery documentation.	Cemetery & Allotments Officer
	Street Lighting additions	Request for additional street lighting from Cllr Cooper.	Project Officer
05/02/2025			
	Environmental Policy Task & Finish Group	To consider a proposal to implement an Environmental Policy Task & Finish Group (deferred from 2024.07.03).	Public Realm Manager
	GAC Planters and bins	To receive a report on a proposal for new planters and bins at GAC.	Public Realm Officer
	Easement at Norton Road Allotments	To consider a request for an easement across Norton Road Allotments to accommodate the development of the adjoining plot.	Town Clerk
	Town Entrance Signage	To receive quotations for entrance signage.	Town Clerk
	Stotfold JFC	Reconsideration of hire cost increase for 25-26.	Public Realm Manager & Town Clerk
	Drinking Fountain at Greenacre Centre	Additional quotes following report in Sept 24.	Public Realm Manager



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