



29th October 2024

### **To Members of Environment Committee**

You are hereby summoned to a MEETING OF THE ENVIRONMENT COMMITTEE **to be held on** Tuesday, 5th November 2024 at 7.30pm at **Thanet House, 58 London Road, Stroud**, to conduct the following business.

Helen Bojaniwska  
Town Clerk

### **AGENDA**

1. To receive apologies
2. To receive declarations of interest or requests for dispensations
3. To receive questions from members of the public
4. To approve the minutes of the meeting of 17th September 2024 previously circulated
5. To receive the Green Spaces Manager's report (for information only)
6. To receive a budget report to 30 September 2024
7. To review draft 2025-26 budget for recommendation to Council
8. To approve a response to the Law Commission Consultation on Burials and Cremations via the National Association of Local Councils (NALC)
9. To receive a report on the RTV
10. To approve the installation of a gate at the Leazes Play Area
11. To approve the installation of a gate and Bisley Road Allotment site
12. To note the remaining funds in the Environment Fund
13. To discuss the grant applications received for the Environment Fund
14. To resolve to exclude the press and public in view of the confidentiality of the business to be discussed
15. To review tenders for new play equipment at Park Gardens

*Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: Equal Opportunities (age, race, gender, sexual orientation, faith, marital status and disability); Crime and Disorder (Section 17); Health and Safety; and Human Rights.*

# Green Spaces Manager Report

## NOVEMBER 2024

### **AUTHOR**

Green Spaces Manager

### **CONSULTEES**

Green Spaces Team

### **FOR MEETING**

Environment Working Group 5 November 2024

### **RECOMMENDATION**

For information

### **REPORT**

Annual Reviews have been carried out.

Strategy meetings attended by GSM.

#### **Biodiversity/Habitats**

- The horticultural and maintenance rangers attended a volunteering session at Halmore Orchard, a traditional orchard owned by the Ernest Cook Trust.
- The mild weather has meant that wildlife, particularly reptiles and amphibians, have still been active delaying our annual cuts at some sites.
- An otter spraint was found on a rock in the Painswick Steam at the Long Ground.
- Hedge trimming has been carried out at a number of our sites.
- Grass cutting and strimming have continued due to the mild weather.

#### **Burials**

There have been 4 burials and 1 crem burial since the last report.

#### **Health and Safety**

- The maintenance ranger attended a first aid course in October.
- As a result of the strong winds at the weekend of the 19<sup>th</sup> October a cherry tree shed a limb at the New cemetery. This rendered the tree dangerous and was felled by Silver Tree Services.

#### **Maintenance and Buildings**

- The contract with UK Landscapes has now been officially cancelled. Countrywide, our previous contractors have carried out a final cut and are keen to take on the work next year.
- Scrap metal from the depot was taken to H Burford & Sons who are based at Ryeford.
- The maintenance ranger has carried out PAT testing at the depot, Locking Hill and the office.
- Stroud Electrical installed an EV charging unit and external socket at Locking Hill.

- Stroud Alarms serviced the alarms at the Depot.
- Three swing seats were replaced at Uplands and the Leazes.
- Two residents from the Leazes have asked for a gate to be installed at on one of the bottom entrances to stop children from running on to the road.
- AP Facilities, who manage our out of hours security carried out a survey of Locking Hill.
- The architect presented a design update for Locking Hill.
- Primary Water Solutions have carried out quality surveys at Locking Hill.

### **Horticultural**

- The team have begun blowing and collecting leaves from our sites. They will be taken to the various allotments and used as mulch.
- The planters around Stroud have been taken down and emptied ready to be taken back to Yard House Plants. Three new planters have been ordered to be included with the existing ones. These will replace the ones currently situated one the traffic island near Brewery Bridge at Wallbridge. The three at Wallbridge will be placed behind Locking Hill to stop illegal parking on the path.
- The horticultural ranger has been looking into ideas for planting at Locking Hill.

### **Community Engagement**

- The GSM attended a meeting to discuss the Remembrance Sunday event at Park Garden.
- Two homeless people had set up camp at the entrance to Locking Hill. They have now left and the tent removed.
- The allotment holders at Bisley Road have made a request for STC to install a pedestrian gate where the old phone box used to be.
- An excellent harvest of apples was gathered by the team at the Long Ground and delivered to Trinity Rooms food hub.



## **Projects**

### Accessibility Audit

No further progress.

### Park Gardens Play equipment

See separate report.

## **Vehicles and Machinery**

- Renault van has been serviced.
- The hydrostatic transmission in the Kybota RTV is broken – see separate report.

## **LEGAL IMPLICATIONS FINANCIAL AND STAFFING IMPLICATIONS**

### Financial implications

N/A

### Staffing implications

N/A

## **EQUALITY AND HUMAN RIGHTS IMPLICATIONS**

There are no equalities or human rights issues to report

## **CO2 AND BIODIVERSITY IMPLICATIONS**

There are no additional CO2 or biodiversity issues to report

PB

09/2024

## Annual Budget - By Committee (Actual YTD Month 6)

Note: Environment Committee budget report 30 Sept 2024

		<u>2023/24</u>		<u>2024/25</u>				<u>2025/26</u>		
		Budget	Actual	Total	Actual YTD	Projected	Committed	Agreed	EMR	Carried Forward
<b><u>Environment</u></b>										
<b>316</b>	<b><u>DEPOT &amp; OVERHEADS</u></b>									
1002	WAYLEAVES	0	41	0	0	0	0	0	0	0
1095	MISCELLANEOUS INCOME	0	1	0	0	0	0	0	0	0
1101	CEMETERY INCOME	35,000	40,719	25,000	20,095	0	0	0	0	0
	<b>Total Income</b>	<b>35,000</b>	<b>40,761</b>	<b>25,000</b>	<b>20,095</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
4001	STAFF COSTS	140,807	127,740	139,042	65,569	0	0	0	0	0
4008	STAFF TRAINING	2,500	4,887	2,910	258	0	699	0	0	0
4009	TRAVEL EXPENSES	350	0	350	0	0	0	0	0	0
4010	MISC STAFF COSTS	0	0	0	96	0	0	0	0	0
4011	RATES	9,149	10,838	10,679	6,706	0	0	0	0	0
4013	RENT	11,000	11,500	11,500	8,625	0	0	0	0	0
4017	HEALTH,SAFETY,SECURITY	3,300	6,302	4,000	1,889	0	13	0	0	0
4018	UTILITIES	3,000	2,674	3,000	1,155	0	0	0	0	0
4019	CONSUMABLES	825	143	500	75	0	0	0	0	0
4021	TEL/POST/COMMUNICATIONS	0	-257	1,500	0	0	0	0	0	0
4026	INSURANCE	2,200	2,239	4,000	2,732	0	0	0	0	0
4030	RECRUITMENT ADVT'G	0	0	0	249	0	0	0	0	0
4037	SITE MATERIALS	2,500	3,506	4,000	1,082	0	0	0	0	0
4039	SMALL TOOLS & EQUIP.	1,200	1,649	1,200	480	0	0	0	0	0
4041	EQUIPMENT HIRE	500	363	500	0	0	0	0	0	0
4042	EQUIPMENT MAINTENANCE	1,650	392	1,750	155	0	0	0	0	0
4043	FUEL & OIL	1,650	1,843	2,000	759	0	0	0	0	0
4045	VEHICLE LEASE	330	0	330	0	0	0	0	0	0

Continued on next page

**Annual Budget - By Committee (Actual YTD Month 6)**

**Note: Environment Committee budget report 30 Sept 2024**

	<u>2023/24</u>		<u>2024/25</u>				<u>2025/26</u>		
	Budget	Actual	Total	Actual YTD	Projected	Committed	Agreed	EMR	Carried Forward
4046 VEHICLE MAINT/MOT/TAX	3,850	4,408	4,000	455	0	0	0	0	0
4047 PLANTING	11,000	10,658	12,000	9,975	0	0	0	0	0
4056 LEGAL EXPENSES	0	683	0	0	0	0	0	0	0
4069 CONTRACTED GRASS MAINTENANCE	12,500	7,985	8,000	3,315	0	7,744	0	0	0
4071 CONTRACTED INFRAS. REPAIRS	15,000	8,026	15,000	1,591	0	115	0	0	0
4072 CONTRACTED GRAVE DIGGING	16,500	21,560	15,000	11,550	0	0	0	0	0
4073 CONTRACTED WASTE MANAGEMENT	10,120	7,281	11,000	7,485	0	0	0	0	0
4074 CONTRACTED PLAY EQUIP WORKS	31,087	44,275	40,000	541	0	0	0	0	0
4076 CONTRACTED TREE WORKS/REPORTS	6,500	7,638	5,000	2,500	0	0	0	0	0
4078 ENVIRONMENT PROJECTS	74,820	28,442	64,000	0	0	0	0	0	0
4085 LARGE TOOLS AND EQUIPMENT	0	0	3,000	0	0	0	0	0	0
4089 STROUD VALLEYS PROJECT PROJECT	500	0	500	0	0	0	0	0	0
4091 STROUD NATURE SLA	2,000	2,000	0	0	0	0	0	0	0
4094 COMMUNITY ENGAGEMENT	1,800	278	1,000	17	0	0	0	0	0
4164 C Reduction/Biodiversity fund	10,000	3,000	5,000	0	0	0	0	0	0
4167 LOAN REPAYMENTS - WALLS PROJEC	15,484	15,485	15,485	7,743	0	0	0	0	0
4201 GRAFFITTI REMOVAL/VANDALISM	500	727	500	13	0	0	0	0	0
4202 Contingencies/liabilities (ENV	4,000	0	4,000	0	0	0	0	0	0
4998 TF FROM OTHER FUNDS	0	0	-35,000	0	0	0	0	0	0
4999 TF TO OTHER FUNDS	0	10,690	5,000	0	0	0	0	0	0
<b>Overhead Expenditure</b>	<b>396,622</b>	<b>346,955</b>	<b>360,746</b>	<b>135,015</b>	<b>0</b>	<b>8,570</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Movement to/(from) Gen Reserve</b>	<b>(361,622)</b>	<b>(306,194)</b>	<b>(335,746)</b>	<b>(114,920)</b>	<b>0</b>		<b>0</b>		

**Annual Budget - By Committee (Actual YTD Month 6)**

**Note: Environment Committee budget report 30 Sept 2024**

	<u>2023/24</u>		<u>2024/25</u>				<u>2025/26</u>		
	Budget	Actual	Total	Actual YTD	Projected	Committed	Agreed	EMR	Carried Forward
<b>Environment - Income</b>	35,000	40,761	25,000	20,095	0	0	0	0	0
<b>Expenditure</b>	396,622	346,955	360,746	135,015	0	8,570	0	0	0
<b>Movement to/(from) Gen Reserve</b>	<u>(361,622)</u>	<u>(306,194)</u>	<u>(335,746)</u>	<u>(114,920)</u>	<u>0</u>		<u>0</u>		
<b>Total Budget Income</b>	35,000	40,761	25,000	20,095	0	0	0	0	0
<b>Expenditure</b>	396,622	346,955	360,746	135,015	0	8,570	0	0	0
<b>Movement to/(from) Gen Reserve</b>	<u>(361,622)</u>	<u>(306,194)</u>	<u>(335,746)</u>	<u>(114,920)</u>	<u>0</u>		<u>0</u>		

<b>Environment</b>	<b>Code</b>	<b>Actual 2023-24</b>	<b>Approved budget 2024-25</b>	<b>Year to end Sept 2024-25</b>	<b>Projected year end</b>	<b>Draft budget 2025-26</b>	<b>%change</b>	<b>Notes</b>
Staff costs	4001	127,740	139,042	65,569	69,521	167,160	20.2%	To be reviewed after budget 30/10/2024
Training	4008	4,887	2,910	258	2,910	3,000	3.1%	
Travel/expenses	4009	0	350	0	350	350	0.0%	
Misc staff costs	4010	0	0	96	0	0	0.0%	
Rates	4011	10,838	10,679	6,706	11,173	7,485	-29.9%	Cemetery only from 2025
Rent	4013	11,500	11,500	8,625	8,625	0	-100.0%	Depot relocated to Locking Hill
Health safety security	4017	6,302	4,000	1,889	4,000	4,000	0.0%	Includes PPE.
Utilities	4018	2,674	3,000	1,155	3,000	0	-100.0%	
Consumables	4019	143	500	75	500	500	0.0%	
Tel/post/communications	4021	-257	1,500	0	0	0	-100.0%	Budget transferred to 101 4021
Insurance	4026	2,239	4,000	2,732	2,732	3,000	-25.0%	Motor insurance only
Recruitment advertising	4030	0	0	249	249	0	0.0%	
Site materials	4037	3,506	4,000	744	4,000	4,000	0.0%	
Small tools and equipment	4039	1,649	1,200	819	1,200	1,200	0.0%	
Equipment hire	4041	363	500	0	500	500	0.0%	
Equipment maintenance	4042	392	1,750	155	1,750	2,000	14.3%	
Fuel and oil	4043	1,843	2,000	759	2,000	2,000	0.0%	
Vehicle lease	4045	0	330	0	0	0	-100.0%	Rental for electric van battery
Vehicle maint/MOT/tax	4046	4,408	4,000	455	8,000	4,500	12.5%	RTV repairs in 2024
Planting	4047	10,658	12,000	9,975	9,895	12,500	4.2%	
Legal expenses	4056	683	0	0	0	0		
Contracted grass maintenance	4069	7,985	8,000	3,315	5,000	10,000	25.0%	To be retendered
Contracted infrastructure repairs	4071	8,026	15,000	1,591	15,000	15,000	0.0%	Reactive repairs including planned walls maintenance and path resurfacing
Contracted grave digging	4072	21,560	15,000	11,550	15,000	15,000	0.0%	
Contracted waste management	4073	7,281	11,000	7,485	11,000	11,550	5.0%	Incl. UBICO contract for bins, and skip hire - 5% increase anticipated
Contracted play equip works	4074	44,275	40,000	541	40,000	40,000	0.0%	Refurbishment and new equipment
Contracted tree reports and works	4076	7,638	5,000	2,500	5,000	5,000	0.0%	
Environment projects	4078	28,442	64,000	0	30,000	60,000	-6.3%	See projects list.
Large tools and equipment	4085	0	3,000	0	3,000	3,000	0.0%	
Stroud Valleys Project	4089	0	500	0	500	500	0.0%	
Stroud Nature Festival SLA	4091	2,000	0	0	0	0		
Community engagement (Green Spaces)	4094	278	1,000	17	500	1,000	0.0%	Chapel St: Estate Condition Improvements



<b>Environment</b>	<b>Code</b>	<b>Actual 2023-24</b>	<b>Approved budget 2024-25</b>	<b>Year to end Sept 2024-25</b>	<b>Projected year end</b>	<b>Draft budget 2025-26</b>	<b>%change</b>	<b>Notes</b>
Carbon Reduction & Biodiversity Fund	4164	3,000	5,000	0	0	5,000	0.0%	
Loan repayments	4167	15,485	15,485	7,743	15,485	15,485	0.0%	
Graffiti removal / vandalism	4201	727	500	13	500	500	0.0%	
Contingencies / liabilities	4202	0	4,000	0	0	4,000	0.0%	
Transfer from reserves	4998	0	-35,000	0	0	0	-100.0%	
Transfer to reserves	4999	10,690	5,000	0	0	0	-100.0%	New EMR for vehicle replacements
Wayleaves	1002	-41	0	0	0	-50		
Miscellaneous income	1095	-1	0	0	0	0		
Cemetery income	1101	-40,719	-25,000	-20,095	-30,000	-33,000	32.0%	10% increase in fees.
<b>TOTAL ENVIRONMENT COMMITTEE</b>		<b>306,194</b>	<b>335,746</b>	<b>114,921</b>	<b>241,390</b>	<b>365,180</b>	<b>8.8%</b>	

**ENVIRONMENT COMMITTEE  
PROJECTS  
Play equipment updates  
2024/25**

Expenditure	Centre	Code	Budget	Year to end Sept 2024	Projected year end
Play equipment updates at Park Gardens	316	4074	20,000	0	20,000
Play equipment updates at other sites	316	4074	20,000	0	20,000
<b>TOTAL</b>		<b>TOTAL</b>	<b>40,000</b>	<b>0</b>	<b>40,000</b>

**Environment projects  
2024/25**

Expenditure	Centre	Code	Budget	Year to end Sept 2024	Projected year end
More wall repairs *	316	4078	30,000	0	10,000
Accessibilty improvements	316	4078	20,000	0	20,000
Interpretation - <i>(phase one carried forward)</i>	316	4078	14,000	0	14,000
Add to EMR for vehicle replacements	316	NEW	5,000	0	5,000
<b>TOTAL</b>			<b>69,000</b>	<b>0</b>	<b>49,000</b>

\* just large memorials this time

2025/26

Expenditure	Centre	Code	Budget	Funded by
More wall repairs	316	4078	5,000	Env Projects EMR
Accessibilty improvements	316	4078	10,000	Env Projects EMR
Interpretation - <i>phase two</i>	316	4078	10,000	precept
Add to EMR for vehicle replacements	316	NEW	5,000	precept
<b>TOTAL</b>			<b>30,000</b>	

Income	Centre	Code	Budget	Year to end Sept 2024	Projected year end
Precept	105	1176	40,000	20,000	40,000
<b>TOTAL</b>			<b>40,000</b>	<b>20,000</b>	<b>40,000</b>

Income	Centre	Code	Budget	Year to end Sept 2024	Projected year end
Use of reserve: Env Projects	105	4998	35,000	0	15,000
Precept	105	1077	34,000	0	34,000
<b>TOTAL</b>			<b>69,000</b>	<b>0</b>	<b>49,000</b>

	<u>Env Projects</u>	<u>Vehicle replacement fund</u>
Reserve carried forward		
Opening balance	64,686	5,000
use of reserve	- 15,000	5,000
Reserves carried forward	<b>49,686</b>	<b>10,000</b>

Income	Centre	Code	Budget
Use of reserve: Env Projects	105	4998	15,000
Precept	105	1077	15,000
<b>TOTAL</b>			<b>30,000</b>

	<u>Env Projects</u>	<u>Vehicle replacement fund</u>
Reserve carried forward		
Opening balance	49,686	10,000
use of reserve	- 25,000	5,000
Reserves carried forward	<b>24,686</b>	<b>15,000</b>

# Burials and Cremation Consultation

## **AUTHOR**

Deputy CEO

## **CONSULTEES**

CEO

Green Spaces Manager

Assistant Clerk

## **FOR MEETING**

Environment Committee 5<sup>th</sup> November 2024

## **RECOMMENDATION**

To approve the draft answers to the Law Commission Consultation Survey on changes to the laws around burials and cremations, as outlined in **Appendix 2**.

## **REPORT**

The National Association of Local Councils (NLAC) recently published information from the Law Commission regarding a consultation on burial law in England. A summary of the consultation can be found in **Appendix 1**. The Law Commission consultation ends on 9<sup>th</sup> January 2025.

The consultation has been undertaken to address a shortage of space in cemeteries across England and to propose a review of the laws around burials and cremations.

This consultation complements a wider piece of work around Burial, Cremation and New Funerary Methods project. Further information about the project can be found by following this link; [Burial, Cremation, and New Funerary Methods - Law Commission](#)

The Deputy CEO has undertaken a review of the information and has drafted the attached answers to the consultation in **Appendix 2**.

## **LEGAL IMPLICATIONS**

The Council may exercise the General Power of Competence in regard to expenditure and actions relating to this report.

## **FINANCIAL AND STAFFING IMPLICATIONS**

Financial implications

N/A

Staffing implications

N/A

## **CRIME AND DISORDER**

There are no crime and disorder issues.

## **EQUALITY AND HUMAN RIGHTS IMPLICATIONS**

There are no equalities or human rights issues.

## **CO2 AND BIODIVERSITY IMPLICATIONS**

There are no CO2 or biodiversity issues.

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24/10/2024



**Law  
Commission**  
Reforming the law



## **Burial and Cremation**

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### **Summary of the Consultation Paper**



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## This consultation

<b>Who we are?</b> 	The Law Commission of England and Wales is an independent body established by statute to make recommendations to government to reform the law.
<b>What are we doing?</b> 	Conducting a public consultation on our provisional proposals to reform the law governing burial and cremation.
<b>What is it about?</b> 	The law relating to burial and cremation.
<b>Why are we consulting?</b> 	We are seeking views on our provisional proposals and asking questions. Your views will be carefully considered when we decide on our final recommendations.
<b>Who do we want to hear from?</b> 	We are keen to receive responses from as many stakeholders as possible. That includes those who operate burial grounds or crematoria, those who use them, funeral directors, and those with an interest in what happens to our bodies after we die.

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<b>What is the deadline?</b> 	The consultation runs for 14 weeks and closes on 9 January 2025.
<b>What happens next?</b> 	After reviewing all responses, we will decide on our final recommendations for law reform, which we will publish in a report at the end of 2025.

## This summary

This summary does not summarise all of the provisional proposals and questions set out in our detailed Consultation Paper. Instead, it explains what the project is about, provides some context, and then highlights significant issues discussed in the Consultation Paper. This summary only provides an overview of those significant issues. There are Consultation Questions in the Consultation Paper which are not discussed in this summary.

Before responding, you are encouraged to read our full Consultation Paper, or the relevant parts of it. You do not have to respond to all the questions in our consultation. References in this summary are to the chapters of the Consultation Paper.

The Consultation Paper does not contain any final recommendations for reform of the law. Rather, it makes provisional proposals. We will analyse the responses we receive and consider what recommendations we make to Government in our report. It will then be for Government to decide how to take them forward, and for Parliament to pass any new Acts needed to change the law.

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## Responding to our consultation

The full Consultation Paper is available on our website at: <https://lawcom.gov.uk/project/burial-and-cremation/>. The deadline for responses is 9 January 2025.

We encourage you to submit your response using the online form available at the link above. If possible, please use this method.

Alternatively, you can send your comments:

- by email to [bcnfm@lawcommission.gov.uk](mailto:bcnfm@lawcommission.gov.uk); or
- by post to Burial and Cremation project, Property, Family and Trust Law team, Law Commission, 1st Floor, 52 Queen Anne's Gate.

If you send your comments by post, it would be helpful to also send them electronically if possible.

When providing responses, we ask consultees if they could avoid including personal identifying information in the text of their response, particularly where this may reveal other people's identities.

Some of our Consultation Questions ask for consultees' views on a provisional proposal, where we think that the evidence is sufficient for us to advocate a particular way forward. Others ask open questions, inviting consultees to share their views where we do not make a provisional proposal.

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## Why is reform needed?

Approximately half a million people die in England and Wales each year, and each death will affect the lives of many other people. Almost all of the bodies of those who die will be buried or cremated, and so this area of law affects how each of us grieves and commemorates our losses. This area of law impacts us not just as individuals, but also as members of different communities and faiths. The respect which we show to the dead is of significance to the whole of society.

This project makes provisional proposals for reform to the law governing burial and cremation. It represents a key opportunity for significant reforms to the law in these two areas. Some of the law on burial has remained unchanged since the 1850s, while the main piece of legislation on cremation dates to 1902. Aspects of the law in its current state offer too little protection to people who bury or cremate their family and friends. Research also shows that there is a risk of burial space running out in the future, which is an issue that law reform could help to address.

### Regulation of burial grounds

Burial law has evolved over the centuries, moving from being solely the responsibility of the Church of England to the diverse burial sector we see today. As a result, different laws apply to the burial grounds which are operated by local authorities, the Church of England, the Church in Wales, and to different kinds of private burial grounds.



## **“Private” burial grounds**

When we refer to “private” burial grounds in this Consultation Paper, we include burial grounds operated by private companies. But we also include all burial grounds which are not operated by local authorities or the Church of England (or the Church in Wales, in some contexts). That includes, for example, burial grounds run by charities or other religious faiths.

Some of the law that applies to burial grounds is over 170 years old, and it is not fit for the twenty-first century. The varied development of burial law also means that it features significant gaps. In many private burial grounds and in Church of England churchyards there is nothing in place to govern how bodies should be buried. There are different standards to which burial grounds should be maintained, and none which apply to many private cemeteries. In the rare cases where there are problems in private cemeteries, that can result in it being difficult for Government to take action to enforce standards. Other rules are inconsistent, such as those governing the rights to a grave space which can be purchased, or the extra protections afforded to burials of members of the armed forces who died in service in the two World Wars.

## **Reusing and reclaiming old graves**

Grave reclamation is when the space above existing burials in a grave is used to make further burials. It is already possible in circumstances where nobody owns the right to a grave, and our proposed reforms would not change this. Grave reuse is when remains in an old grave are disinterred, reburied, and the grave is used again. Reuse is commonly practised and

understood in many countries. While its use in England and Wales is less common and it is less widely known, it is far from novel. Grave reuse has been used in Church of England churchyards since time immemorial, and is also permitted in London local authority cemeteries, and three other cemeteries as a result of private Acts of Parliament.

The available evidence suggests that grave space is running out in many parts of the country. Reusing and reclaiming old graves could help address this problem, provided the law enabling it included sufficient safeguards to ensure public support. But in local authority cemeteries outside London, and in private and non-Church of England religious cemeteries, grave reuse is not permitted by law. Another means to create more burial space could be to reopen for reuse burial grounds, particularly Church of England churchyards, which were closed in the past – in some cases, well over a century ago. But the law does not permit this either.

## **Disused burial grounds**

Where a burial ground is no longer in use, there may come a time where it is preferable for the land to be put to an alternative use. At present there is a general prohibition on building over disused burial grounds. However, this prohibition is not absolute and in Church of England churchyards, other private religious burial grounds, and in burial grounds which have been compulsorily purchased or appropriated for development by a public authority, the law offers an exception to this ban. If the burial ground owner follows certain safeguards, they are able to develop the land which was formerly used for burials. In Church of England and private religious burial grounds, that includes a period of 50 years during which the family of those buried in the burial ground can veto any development.

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That leaves other private burial grounds and local authority cemeteries without such provision, meaning that other uses of that land in the future are not possible.

## Cremation

The regulations governing cremation have been subject to more recent reform than burial law. However, there are a number of areas of law which cause problems for those working in the sector, or where the law may be argued to no longer serve the purpose for which it was passed.

For example, there are currently a significant number of sets of ashes from cremation which funeral directors have received from the crematoria, but which are then left uncollected by family or friends of the deceased person. But while crematoria have permission to scatter ashes which are left in their care, there is no provision to enable funeral directors to deal with them.

Similarly, funeral directors must ensure that pacemakers are removed from the bodies of deceased people before cremation, otherwise they cause damage to equipment at the crematorium. But due to a feature of Department for Health guidance on pacemakers, funeral directors do not have the legal right to dispose of them, leading to them retaining large numbers of the devices.

Cremation law also includes a rule that crematoria must be constructed at least 200 yards from a home and 50 yards from a highway. That rule was put in place when there were concerns about the public health impacts of emissions from crematoria. Given the effect of modern technology in reducing those impacts, stakeholders have raised questions as to whether that rule is needed in the modern age.

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## The overall project

This Consultation Paper is part of an overall project called **Burial, Cremation and New Funerary Methods**. That project exists because stakeholders told us, in response to an open public consultation as part of our 13th Programme of Law Reform in 2017, that the law which governs how we deal with the bodies of dead people is out of date and not fit for purpose.

Because the issues involved are so broad, we have split the project into three parts. As well as this one, on **Burial and Cremation**, there are two others:

1. **New Funerary Methods**, which will identify an appropriate regulatory framework for new methods such as alkaline hydrolysis and human composting, which are in use in other jurisdictions. This part is currently in process; and
2. **Rights and Obligations Relating to Funerals, Funerary Methods, and Remains**, which will look at whether decisions you make about your body after death should be binding, and how disputes over funerary methods and remains should be resolved. This part will begin at the end of 2025.

# Burial, Cremation and New Funerary Methods

## Burial and Cremation

- Subject of this consultation
- Report in 2025
- Draft Bill at the end of the Rights and Obligations part of the project
- Considers the law governing existing funerary methods

## New Funerary Methods

- Currently in progress
- Consultation in 2025
- Report and draft Bill in spring 2026
- Considers regulation of new methods

## Rights and Obligations in Relation to Funerals, Funerary Methods and Remains

- Begins end of 2025
- Report at the end of 2027
- Considers whether funeral wishes should be binding, and how to resolve disputes
- Draft Bill at the end of this strand, also covering Burial and Cremation

Some issues which relate to this area of law are outside the scope of the project. These include, among others, death registration, the regulation of funeral directors, and planning and environmental law.

Burial and cremation law are matters on which the Senedd, the Welsh devolved legislature, has the power to make new laws. Enacting any reforms that need new primary legislation would require either an Act of the Senedd, or for the Senedd to give consent to the Westminster Parliament legislating.

This summary first sets out how burial and cremation law have evolved over time, and some issues which are relevant to this area of law as a whole. It then addresses the significant issue of grave reuse, and other issues which relate to the future availability of burial space and sustainability of burial grounds. We then look at the regulation of burial grounds, and, finally, cremation law.

## The development of burial and cremation law

The table below shows how burial and cremation law have developed over the centuries.

	Burial	Cremation
<b>Pre-1800s</b>	The Church of England is responsible for burials. Burial grounds from other faiths, and Protestant Christian dissenters, begin to develop.	Cremation is not typically practised in the UK.
<b>1800s</b>	First, private cemetery companies are established, often by Acts of Parliament. The Cemeteries Clauses Act 1847 establishes a template for such Acts.  Then, successive Burial Acts provide for public cemeteries run by Burial Boards, and some regulation of burials, including powers to close burial grounds.	Some in society begin advocating for cremation as a more sanitary funerary method.  The case of <i>R v Price</i> [1884] establishes that cremation is not unlawful.  Local Acts of Parliament enable councils or corporations to establish crematoria.
<b>1900s</b>	The Welsh Church (Burial Grounds) Act 1945 resolves the position of Church in Wales churchyards following disestablishment.  The Local Government Act 1972 and Local Authorities' Cemeteries Order 1977 replace much of the Burial Acts with simpler powers for parish and district councils to provide cemeteries.	The Cremation Act 1902 is passed, enabling local authorities to establish crematoria, with regulations made under that Act governing how cremation should be conducted in all crematoria.  Cremation becomes commonplace by the second half of the twentieth century.
<b>Today</b>	The result of the development of burial law over the centuries is that burial is now a diverse sector, with broadly a tripartite division between Anglican, local authority and private burial grounds.	Rise of direct cremation, where cremation takes place without a funeral service at the same time.

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## **Ecclesiastical law**

The Church of England is the established church in England, meaning that it has a formal relationship with the state. One element of that relationship is that the Church of England has its own courts. One such type of court, the consistory court, can hear applications for a type of decision called a “faculty”. A faculty is needed in order to permit many types of changes to churchyards.

## **The Church in Wales**

The Church in Wales was created in 1920 when the role of the Church of England as the established church in Wales was ended. Following disestablishment, it retained the duty to bury all parishioners without discrimination which the Church of England has in England.

## **Faith and cultural perspectives on burial and cremation**

Different faiths and cultures have different approaches to burial and cremation. The two major Christian denominations, the Anglican Church and the Roman Catholic Church, do not require one or the other. They do require that ashes are buried or strewn (laid on the ground and covered with soil) on consecrated ground. Islam places a prohibition on cremation. So does Orthodox Judaism, but not the Liberal or Reform traditions, and we have heard that some Caribbean and African communities in the UK have a strong preference for burial. Hinduism and Sikhism require cremation.

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## **Reusing and reclaiming old graves**

### **The need for reuse and reclamation of old graves**

Surveys have found that burial space is running out. A 2007 Ministry of Justice survey found that local authority cemeteries had on average 30 years’ space left, with less time in urban areas. Other studies have suggested that burial authorities have found strategies to release further space, such as using space which had not been intended for burials, but this approach may not be sustainable in the long run.

It is difficult to establish a causal link between the availability of space in cemeteries, and the cost of a funeral, which will include a range of services. Nevertheless, the cost of funerals is rising. The most recent annual SunLife *Cost of Dying* report found that the cost of a basic funeral rose from £3,953 to £4,141 from 2022 to 2023, and had increased 126% over 20 years. We have heard from stakeholders that the cost of burial in some London cemeteries, particularly private ones, can be close to £10,000.

New burial grounds can be developed to meet this need. For burial ground operators, that represents a significant cost, usually running into the millions. Requiring new land for burials means that it cannot be used for other purposes, which at a time of significant public debates around the availability of land for housing may represent a lost opportunity. When each burial plot in a cemetery is only used once, over the course of time the cemetery ceases to serve its original purpose and risks falling into disrepair and becoming a site for anti-social behaviour.

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Grave reuse and reclamation offer a potential solution to the problems arising from a shortage of burial space.

## Current law

Exclusive burial rights are the rights to control a grave space: to determine who is buried in it and to place any memorial over it. There are two types of burial grounds which have powers to extinguish burial rights early:

1. London local authority cemeteries; and
2. cemeteries which have obtained their own Acts of Parliament for the purpose (namely Highgate Cemetery, New Southgate Cemetery, and Bishop's Stortford Cemetery).

These cemeteries also have the power to reuse graves, which is when remains in an old grave are disinterred and reburied, and the grave is used again. Later in this section, we set out the different steps required by law to extinguish burial rights and then to reuse graves, in these cemeteries.

In Church of England churchyards, grave reuse has been permitted since time immemorial, and a faculty is required if reuse involves moving memorials or remains. We do not propose any changes to grave reuse in relation to the Church of England.

Grave reclamation is when the space above existing burials in a grave is used to make further burials. Under the current law, a grave can be reclaimed if there are no exclusive burial rights in relation to it. That may be because they have expired, because there never were any, or, in the cemeteries which have such powers, because they have been extinguished. Our provisional proposals would not change this position. They would however permit more burial grounds to extinguish burial rights in graves, after which they could then reclaim them.

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## Extinguishing burial rights

The same rules when it comes to extinguishing burial rights apply whether the grave is then reused, or reclaimed. For burial rights to be extinguished in a grave, there must have been no burials made for at least 75 years. The burial ground operator must publish a notice and serve it on the registered owner of the grave. After a minimum of six months the rights are extinguished. Any tombstone may be removed, and may be destroyed if it is not collected after three months.

If any objection is made by the owners of the burial right within the six-month period, then the right will not be extinguished. Any other objections also stop the process, unless the Secretary of State provides their consent. There are provisions for a registrar to resolve any disputes as to ownership, for details of any tombstones to be recorded and deposited with the Registrar General, and for compensation for any extinguished right to be paid if a claim is made within six months. The power to extinguish burial rights early does not apply to any rights which were granted after these provisions came into force.

Once burial rights have been extinguished in a grave and any memorials dealt with, the law does not require any further steps under the law before a grave can be reclaimed.



## Reusing graves

Once any exclusive burial rights have been extinguished, additional steps must be taken before a grave can be reused. The starting point for grave reuse is that moving human remains requires either an exhumation licence from the Ministry of Justice or, if the remains are on ground consecrated by the Church of England, a faculty from the ecclesiastical courts. The Acts of Parliament which permit grave reuse provide an exception to the requirement for a licence (but not for a faculty).

A grave can be reused by removing remains already within it, and reintering them either at a deeper level (known as the “lift and deepen” method), or in another grave (“lift and rebury”). Only lift and deepen is permitted in London council cemeteries, but lift and rebury is permitted in the cemeteries which have obtained private Acts of Parliament.

There are safeguards in place for grave reuse, which are similar to those for extinguishing exclusive burial rights. Only graves where the last remains were interred at least 75 years ago can be reused. Notices must be served by the burial ground operator, and if the owner of the burial right or the relatives of the deceased person objects to the reuse, no further attempt can happen for another 25 years.

## Reform to the law

The law as it currently stands risks us running out of burial space; risks the cost of burial continuing to rise; has a particular impact on religious and cultural communities that require burial; risks anti-social behaviour as cemeteries fall into disrepair; and exposes burial ground operators to the cost of new burial grounds. It creates significant inconsistency in the tools to deal with these problems between different types of burial ground, and different parts of the country.

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For these reasons, we think that an extension of grave reuse and reclamation powers is desirable. We acknowledge that reuse of old graves is a sensitive issue. Our provisional proposals would introduce two stages of safeguards. First, a burial ground operator would have to consult the local community before obtaining reuse and reclamation powers for the cemetery. Then, there would be protections in place before any particular grave could be reused or reclaimed.

### **Obtaining reuse and reclamation powers**

It is important to note that no burial ground operator would be required to reuse or reclaim graves. Our proposed reforms would only give them the option to do so.

In order to obtain grave reuse and reclamation powers, we provisionally propose that burial ground operators should be required to apply for a decision to the Secretary of State. They would need to submit the results of a public consultation, and a grave reuse and reclamation plan including information about the graves affected, a conservation plan, and any mitigation steps identified through the consultation.

We acknowledge that these requirements are burdensome and would take time and cost money to comply with. They could reduce the extent to which graves are reused. However, the costs involved will be less than the effort and expense of securing a private Act of Parliament, and this approach would provide reassurance to the public.

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### **Safeguards for the reuse or reclamation of any specific grave**

We provisionally propose that expanded grave reuse and reclamation powers for all types of burial ground should have broadly the same safeguards as those in place where it is already permitted. Therefore, an objection from relatives of the deceased person or the grave owner should result in the process being stopped for 25 years.

The burial ground operator should be required to tell a potential purchaser that a grave they are considering buying an exclusive right to burial in is one that is being reused or reclaimed.

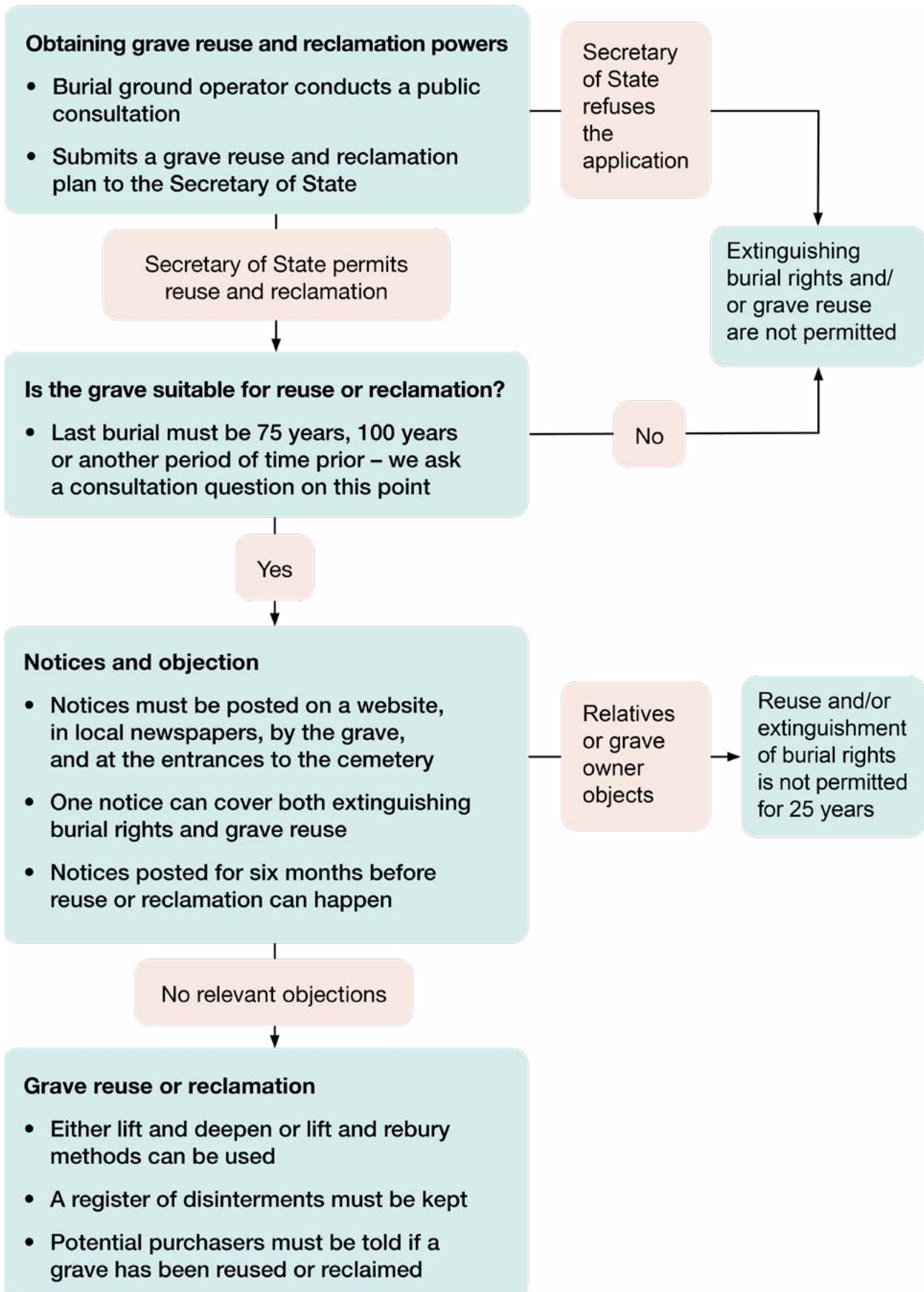
A key question on which we consult is how long the period should be between the last burial in a grave, and the point at which it can be reused or reclaimed. The current period before reuse or reclaimed is permitted is 75 years. Two main considerations are cited when it comes to how long that period should be: the time it naturally takes for a body to decompose, and ensuring that graves are not reused or reclaimed during the lifetime of someone who knew the deceased person. On that basis, we ask an open question consulting on a period of 75 years, 100 years, or another period.

We provisionally propose that both lift and deepen and lift and rebury methods should be permitted when reusing a grave. We ask whether there should be a requirement that a grave must not be reused if it still contains significant remains from a previous burial. We also ask whether the Secretary of State should be able to permit grave reuse after a shorter period of time in exceptional circumstances.

**See Consultation Questions 18 to 24. Chapter 6 of the full Consultation Paper addresses this issue.**



## Our provisional proposals for grave reuse and reclamation



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## Closed and disused burial grounds

### Closed burial grounds

Under the current law, all burial grounds can be closed to further burials by an Order in Council. Orders in Council are a legal instrument issued by the Sovereign on the advice of the Privy Council. In the case of closing burial grounds, the Secretary of State makes an application to seek one. The law governing this area was introduced in the 1850s to address the perceived public health risk from overly full burial grounds. Now, though, they are mainly used to close Church of England churchyards.

We consider that the use of Orders in Council to close a burial ground is outdated, and provisionally propose that it is replaced by a decision of the Secretary of State. The basis on which a closure order could be made would be set out in a reformed law.

The law currently does not permit closed burial grounds to be reopened. However, some stakeholders have told us that they may be interested in reopening burial grounds which have been closed by Orders in Council. The last burial in many of these will have happened well over a century ago, so they could be suitable for grave reuse. We provisionally propose that it should also be possible for the Secretary of State to reopen closed burial grounds.



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When a Church of England churchyard is closed, the parochial church council (the parish church's executive body) has the power to transfer responsibility for its maintenance to the secular parish council, who can then transfer it to the district council. We do not propose any changes to this power, as it results from the duty the Church of England has to bury all parishioners.

However, our proposed reforms would enable closed churchyards which have been transferred into local authority maintenance to be reopened. The question then arises as to who should be responsible for maintaining them when new burials begin to be made. We provisionally propose that it should continue to be the local authority, because returning responsibility to the Church would reduce the incentive to reopen churchyards. However, we consult openly on whether there should be any provision to share fees for burial, or to charge an additional fee for burials in previously closed churchyards, which would be paid to the local authority.

**See Consultation Questions 25 to 30. Chapter 7 of the full Consultation Paper addresses this issue.**

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## **Closed burial grounds in Wales**

The Church in Wales has no equivalent power to transfer the responsibility for maintaining burial grounds to local authorities. However, it continues to have a duty to bury parishioners without discrimination. As a result, we have heard that the Church in Wales is hesitant to open new burial grounds unless they have an endowment and financial plan to maintain them indefinitely. This in turn has a negative impact on the availability of burial space, particularly in areas of rural Wales where local authority burial grounds may be some distance away.

We ask for consultees' views on giving the Church in Wales an equivalent power to transfer maintenance responsibility to local authorities. We recognise that this would create a significant cost pressure on Welsh local authorities.

**See Consultation Question 31. Chapter 7 of the full Consultation Paper addresses this issue.**

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## Exhumation

Exhumation is when human remains are removed from a place of burial. Exhumation without lawful authority is a criminal offence. That authority can be obtained from the consistory court if the body is in ground consecrated by the Church of England, or through a licence from the Ministry of Justice if it is not. We do not propose significant changes to these processes, although we do provisionally propose an increase in the maximum penalty for unlawful exhumation.

**See Consultation Question 33. Chapter 8 of the full Consultation Paper addresses this issue.**

## Disused burial grounds

The Disused Burial Grounds Act 1884 prohibits building on disused burial grounds. However, there are a number of provisions which provide exceptions to that rule, which enable land which is no longer used for burial to be put to other uses. Those provisions also disapply the law on exhumations. A burial ground does not have to be formally closed to be disused, it must only no longer be used for burials.

The current exceptions to the ban on building on disused burial grounds cover three circumstances:

1. Church of England churchyards and burial grounds;
2. other religious burial grounds; and
3. burial grounds which have been acquired or appropriated for planning purposes.

In each case certain safeguards must be followed. For non-Church of England religious burial grounds, notice must be given by the owner of the land for two weeks in a newspaper and near the land itself.

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The personal representative (the executor or administrator) or relatives of a person buried in the last 50 years in the burial ground have six weeks to object to the development, and if they do, it may not proceed.

If there are no objections, remains buried in the land must be removed and reburied or cremated, and memorials dealt with, in accordance with directions issued by the Secretary of State. Notices must be given of these plans, so that the relatives of people buried in the burial ground may remove the remains themselves at the expense of the owner of the burial ground.

The law in its current state leaves other private burial grounds, and local authority cemeteries, without any provision to enable building to occur on disused burial grounds. A number of stakeholders have told us this is confusing, and a barrier to the long-term financial sustainability of those who operate burial grounds, including local authorities.

We provisionally propose that the scheme applying to non-Church of England religious burial grounds should be extended to all private and local authority burial grounds. We also ask whether the period during which the relatives of people buried in the burial ground can veto development should remain at 50 years, or whether it should be brought into line with the longer period of 75 or 100 years that we consult on as a requirement before graves can be reused.

**See Consultation Question 36. Chapter 8 of the full Consultation Paper addresses this issue.**

# The law applying to different types of burial grounds

## Approach to regulation of burial grounds

There are a limited number of laws that apply to all types of burial ground, such as the Secretary of State’s powers to inspect them and seek Orders in Council to close them, and the duty to register burials.

Many other aspects of burial law vary depending on whether the burial ground is operated by a local authority, the Church of England, the Church in Wales, or a private operator.

This can lead to confusion as to which laws apply in any given case and, in particular, there have been calls for greater regulation of private burial grounds, given the relative lack of legislation that currently applies to them.

We do not think, however, that it would be right to apply a single set of uniform burial laws to all types of burial grounds. The different levels of regulation which apply in local authority and private burial grounds reflect their different histories and contexts, and what works for one sector may not necessarily always work for another. Private burial grounds are a place where private individuals can enter into contracts with private companies or organisations, and religious private burial grounds are a place where the private rules of association may reflect that religion’s practices and doctrines.

Instead, we make provisional proposals for reform where the evidence suggests that specific elements of regulation should apply to particular kinds of burial ground, or, in some cases, to all types of burial ground.

See Consultation Question 1. Chapter 2 of the full Consultation Paper addresses this issue.

## Laws applying to different types of burial ground

	Local authority	Church of England	Church in Wales	Private
Maintenance standards	Yes	Yes	Yes	Some
Burial specifications	Yes	No	No	No
Burial rights issued in writing	Yes	Yes	No	Some

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## Maintenance

Different maintenance standards apply to different types of burial grounds.

1. Local authorities must keep their cemeteries in good order and repair.
2. In some older private burial grounds, founding legislation says they must be kept in complete repair.
3. Canon law says Church of England churchyards must be kept in orderly and decent manner as becomes consecrated ground.
4. Church in Wales burial grounds must be kept in decent order, in such a manner as to preserve the cemetery for the enjoyment of the public.

In addition, burial ground operators will owe different duties of care under the Occupiers' Liability Acts 1957 and 1984 to visitors and to others, including trespassers.

The Secretary of State can authorise the inspection of any burial ground or cemetery to determine its condition, and, where any regulations apply, whether they have been complied with. The Secretary of State can also seek Orders in Council to close a burial ground, or to require actions to be taken to prevent one from being dangerous or injurious to public health.

We are not aware of widespread problems with the standards of maintenance in burial grounds in England and Wales. Over the last decade, however, there have been some complaints about maintenance in local authority cemeteries, and rare instances of more significant poor standards. Stakeholders have also told us that they would welcome greater clarity and uniformity when it comes to maintenance.

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## A uniform standard of maintenance

We consider that there is a case for a maintenance standard that applies to all burial grounds, including all private burial grounds. Burial is not simply a private matter, but rather one of public importance.

A uniform maintenance standard will need to be sensitive to the varied circumstances of burial grounds, ranging from newly established natural burial grounds to long-closed non-denominational churchyards. For that reason, we provisionally propose a contextual standard: that every burial ground owner should be required to maintain their burial ground in good order appropriate to its current use.

There is a lack of evidence of significant, widespread problems with maintenance in burial grounds. This could be because there is no problem, or it could be because there are problems, but they are not reported. We ask consultees if they have evidence on this point.

Because of this lack of evidence, we are cautious about imposing further regulatory requirements on burial ground operators, beyond a general maintenance duty. If consultation responses establish the need for such requirements, we consider that they could take two possible forms: a statutory code of practice, or a requirement for burial ground operators to publish a management plan. We ask for consultees' views on these options.

**See Consultation Questions 5 and 6. Chapter 3 of the full Consultation Paper addresses this issue.**

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## Enforcement

In order for a uniform standard of maintenance and burial specifications to be effective, there needs to be some mechanism to enforce them. We consider the best option is to retain but enhance the current system – that is, the Secretary of State having ad hoc inspection and enforcement powers. The main tool that the Secretary of State currently has is to seek an Order in Council to require actions to be taken. Our provisional proposals would give the Secretary of State the power, in response to an inspection report, to issue a notice requiring action to be taken by a burial ground operator in order to meet their statutory duties, including those imposed by the uniform maintenance standard.

The Secretary of State can currently direct a local authority to take actions in relation to a burial ground. We provisionally propose modernising this power, and enabling the local authority to charge back the costs of carrying out those actions to the cemetery owner.

**See Consultation Questions 7 and 9. Chapter 3 of the full Consultation Paper addresses this issue.**

## Burial specifications

All local authority cemeteries are subject to the same rules as to how a body should be buried. No other type of cemetery is subject to a consistent set of rules.

Within a local authority cemetery, a body must be buried at least three feet deep, meaning that no part of the coffin can be less than three feet below ground level. An exception applies where the coffin is made of perishable materials and the soil is suitable. In these circumstances a burial within a local authority cemetery may be

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made at the shallower depth of at least two feet. There are also specific provisions about walled graves and vaults.

There are no universal rules applying to Church of England churchyards or private cemeteries about the minimum depth of a grave.

We think there is a case for a single set of minimum burial specifications across different types of burial ground, on the basis of the impact that improper burials can have on the families and friends of deceased people – particularly if they result in remains being unearthed. The question is what those specifications should be.

The scientific evidence suggests that what happens to a body after it is buried is subject to a wide range of factors, such as the quality of the soil and physical characteristics of the person who has been buried. As a result, rules on how a body should be buried which sought fully to reflect all of these different factors through different rules for different circumstances might quickly become cumbersome.

We have not heard that the current rules in local authority burial grounds, that is, burial at two feet in a perishable coffin and in appropriate soil conditions, or three feet otherwise, result in these negative outcomes occurring. However, the limited research evidence seems to suggest that deeper burials should be required for burials made without a coffin (that is, burials in a shroud). We therefore ask an open question about what the requirements should be for a uniform burial specification. We provisionally propose that breaching the new rules should be a criminal offence.

**See Consultation Question 10. Chapter 3 of the full Consultation Paper addresses this issue.**



## Burial and memorial rights

Everyone in England has a right to be buried in a Church of England churchyard, which is known as an “ordinary right of burial”. The law then governs which churchyards a person has the right to be buried in. The ordinary right of burial does not include a right to be buried in a particular part of the churchyard or burial ground, or to further interments in the plot so that family members are buried in the same plot, or to the erection of a monument or the construction of a vault. For any of these to be granted in a Church of England churchyard, a faculty must be obtained.

An exclusive right of burial is different to the ordinary right of burial. Broadly, an exclusive right of burial is the right to bury one or more bodies or sets of ashes in a specific grave plot. Exclusive rights of burial can be granted in relation to a Church of England, local authority or private burial ground.

In local authority cemeteries, we understand that common practice is for exclusive burial rights and memorial rights to be granted for 50 or 75 years, but there is no lower limit in the law. These rights cannot be granted, in the first place, for longer than 100 years, but can be extended. They must be issued in writing, and can be passed on by deed or inherited. A local authority can also, separately, grant a right to place a memorial on a grave, either to the person who owns the burial right or to a relative, if the owner of the burial right cannot be traced.

In private burial grounds, the status of exclusive rights of burial varies. Private cemeteries established by Acts of Parliament may have requirements to issue rights in writing, but those which are not governed by any legislation may not.

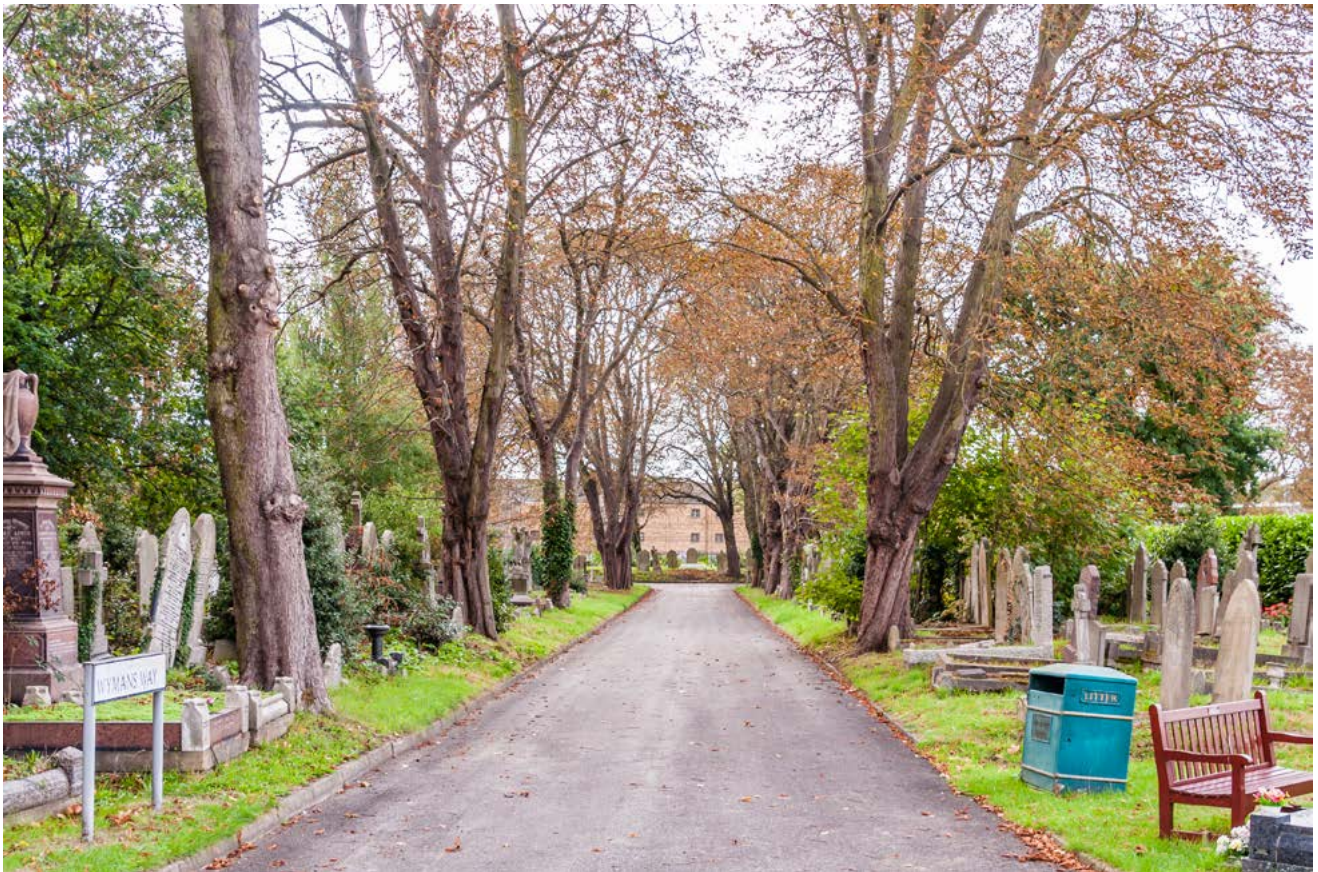
There are various effects of different exclusive rights of burial. These include the way that exhumation is controlled, remedies for infringement, who has control of the right and whether successors in title are bound by the right.

## Problems with burial and memorial rights

We have heard of varied practice in private cemeteries which are not established by statute when it comes to issuing burial and memorial rights, with documentation varying from a simple receipt at one end of the scale, to a deed at the other.

We have also heard of disputes in which family members of deceased people have been unable to place any memorial over their graves because another member of the family, who owns the burial right, has not done so or refuses to do so.





## Reform of the law

We consider that imposing some of the formality and record-keeping requirements currently in place for local authority cemeteries upon all private cemeteries would address some of the issues we have heard of, as regards relatives and executors of deceased people being provided with little information on the rights they have purchased. We provisionally propose that all burial rights and memorial rights should be issued in writing.

We also consider that there may be benefit in introducing an optional scheme of statutory exclusive burial rights in private cemeteries, and provisionally consult on such a proposal. Such a scheme could offer certainty and clarity to the purchaser of the right. It could be seen as of benefit to the cemetery operator, by saving the time costs of creating their own scheme.

We also provisionally propose that where no memorial is raised over a grave within two years, local authorities should be permitted to grant a right to place a memorial on the grave to any relative of the deceased person – a neutrally-worded one, if there is any dispute as to what the memorial should say.

**See Consultation Questions 11 to 13. Chapter 4 of the full Consultation Paper addresses this issue.**

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## Private land burials

Burial on private land, as opposed to in a burial ground (including a private burial ground), is believed to be rare. It is often used where there is a connection between the deceased person and the land, such as a family farm or landed estate. There is no law prohibiting burial on private land. Private land burials must adhere to the law which applies to all other forms of burial, such as death registration and environmental law.

Private land burials must also be registered. However, there is no requirement that the register is handed over when the land is sold or transferred. This could lead to problems, such as future building works resulting in an exhumation causing distress and cost to the new owners, and the family of the deceased person. We provisionally propose that it should be a criminal offence to fail to transfer the record of a burial that is made on private land when property on the land is sold.

**See Consultation Question 3. Chapter 2 of the full Consultation Paper addresses this issue.**

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### **The Commonwealth War Graves Commission**

The Commonwealth War Graves Commission (“CWGC”) was established under Royal Charter in 1917 to commemorate the 1.7 million service men and women of the Commonwealth Forces who died in the First and Second World Wars.

There are specific rights afforded to the CWGC so that it can protect war burials in the law governing local authority cemeteries, Church of England churchyards, in the law on grave reuse, and in the law on building on disused burial grounds.

However, there are gaps in these rights, and we make provisional proposals which would address them. We also make provisional proposals which would give the CWGC new rights in relation to private cemeteries. Chapter 9 of the full Consultation Paper addresses this issue.

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## Cremation

The regulations governing cremation have been subject to more recent reform than burial law, and indeed remain in a state of transition following the introduction of the new statutory medical examiner system. However, there remain specific issues which merit a review.

In addition to these issues, we note that the current rules which govern cremation applications can result in disputes, including about who should be able to receive ashes after cremation. We consider that this issue can only be properly considered alongside the overall issue of who should have the right to decide what happens to our bodies after we die. That issue will be addressed in the third part of the overall **Burial, Cremation and New Funerary Methods** project, so we do not make any proposals at this stage – but we do ask for evidence on the scale of the problem.

See Consultation Question 45. Chapter 11 of the full Consultation Paper addresses this issue.

### Uncollected ashes and removed pacemakers

Two issues of cremation law cause particular problems in relation to funeral directors.

First, the law provides for crematoria to scatter or bury ashes after 14 days if they are uncollected. Funeral directors have no similar provision, and it has been reported that they hold a quarter of a million sets of uncollected ashes as a result. As well as the practical difficulties arising from storing ashes, the premises of funeral directors are not a suitable final resting place.

We provisionally propose that where funeral directors have held ashes for at least four weeks, they should take reasonable steps to contact the person who applied for the cremation to find out what they want to happen to the ashes. If the applicant does not respond within four weeks, the funeral director should be able to return the ashes to the crematorium, and the crematorium should have a duty to accept them. The crematorium would then be able to bury or scatter the ashes under its existing powers. This provisional proposal would apply retrospectively, that is, to ashes which are currently unclaimed and in funeral directors' possession, as well as to those which are not collected in the future.



Secondly, due to an unintended consequence of Government guidance from the 1980s, many funeral directors hold large numbers of pacemakers removed prior to cremation for safety reasons, which they do not have legal authority to dispose of. We provisionally propose a scheme to enable them to dispose of them as they see fit, once relatives of the deceased person have had an opportunity to claim them.

**See Consultation Questions 50 and 53. Chapters 11 and 13 of the full Consultation Paper address these issues.**

## Where cremations can happen

Cremation law restricts where new crematoria can be constructed. They must be built at least 200 yards from a dwelling house (unless the owner, lessee and occupier consent in writing) and 50 yards from a public highway.

This requirement was introduced in the Cremation Act 1902, due to concerns about the impact of cremations on air quality. While sensitivities on this point continue to exist, environmental protection requirements in relation to cremation are extensive and ought to ensure that emissions, particularly from new crematoria, are not harmful to public health. The rule may be said no longer to serve the purpose for which it was introduced.



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However, it appears from planning cases that the rule may now be serving a different purpose, of enabling crematoria to be built on Green Belt and countryside sites where they would otherwise not be permitted. It has also been argued that it therefore ensures an appropriate degree of solemnity at crematoria, by restricting noise and disturbance from neighbours. For this reason, we ask an open question as to whether the rule on where crematoria can be sited should be repealed or retained.

**See Consultation Question 51. Chapter 12 of the full Consultation Paper addresses this issue.**

## Next steps

The provisional proposals contained in the full Consultation Paper provide a key opportunity to bring the law governing burial and cremation up to date. Doing so will ensure that with appropriate safeguards, reuse and reclamation of old graves is available to secure burial space for the future across the country. It will enable closed Church of England churchyards to be reopened so that more people have access to burial space close to them, and in settings which are meaningful for them. It will ensure that there are sufficient protections for bereaved people who choose to bury their families and friends, whatever type of burial ground they use. It will address unresolved and outdated aspects of cremation law.

Your responses to this consultation will enable us to make final recommendations that reflect the expertise of those who work in the burial and cremation sector, and the real-life experiences of those who use the sector for the funerals of their friends and relatives.



## **Burials and Cremation consultation sector survey**

NALC will be responding to the Law Commission's consultation paper on Burial and Cremation. The Law Commission is an independent statutory body which is tasked with keeping the law of England and Wales under review and making proposals for reform, however it does not have the power to make changes to the law.

The paper is part of the Law Commission's 13th programme of Law Reform and seeks to create a future proof legal framework to address what happens to our bodies after we die. As part of this, it will seek to make recommendations that will provide modern, certain and consistent regulation across different funerary methods. It will also seek to allow individuals to make decisions about what will happen to their bodies after they die which the law will respect, and to provide a fair and modern framework for decision-making by the deceased person's family where they have not made an advance choice. This includes on grave reuse, closed and disused burial grounds, commonwealth war graves and cremation.

NALC's existing policy positions on this are:

### **Churchyards**

Changes in burial legislation to allow local councils to enter into some form of joint arrangement with churches of all denominations, to enable them to manage and maintain a churchyard.

### **Grave reuse**

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.

To help inform the development of a submission to the Law Commission on the consultation, NALC has also launched it's own online survey in order to gather views and insights from local councils and county associations of local councils.

The [consultation document](#) should be read in conjunction with completing NALC's online survey.

The closing date for completing the survey is 23.45 on 15 November 2024.

Thank you for taking the time to complete this survey.

**1.The Law Commission provisionally proposes 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, they are provisionally proposing that different aspects of regulation should be introduced for different types of burial grounds, where there is a case for doing so. Do you agree?**

Yes

**No**

**2.Please explain your answer to the previous question.**

*In order to bring the industry and sector together, it is imperative that the public have clarity on how and where they or their loved ones can be buried. One uniform law, which gives appropriate division for certain religions or denominations would ensure that each burial ground is met with the same laws and regulations giving absolute rules regardless of the jurisdiction. This would also enable funeral directors to navigate the rules seamlessly without requiring specialist knowledge of several different laws, depending on the operator.*

**3.The Law Commission provisionally proposes that regulation of private burial grounds should encompass any land where the primary purpose is, or has been, burial. Do you agree?**

Yes

No

**4.Please explain your answer to the previous question.**

*As with the previous answer, this gives further clarity for all burial grounds, regardless of the operator and ensures those buried and their loved ones are protected.*

**5.The Law Commission invite consultees' views on whether the definition of burial in the Local Authorities' Cemeteries Order 1977 has caused any problems.**

*Not for this council*

**6.The Law Commission provisionally proposes 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 you agree?**

No

**7.Please explain your answer to the previous question.**

*With the extreme need for space, this element needs to be flexible to those who need it. This could also exclude certain groups from accessing their local burial ground.*

**8.The Law Commission provisionally proposes that every burial ground owner should be required to maintain their burial ground in good order appropriate to its current use. Do you agree?**

Yes

No

**9.Please explain your answer to the previous question.**

*This seems sensible in order to protect those who purchase exclusive rights and their families or loved ones. Provision should be made, however, for natural sites and sites with nature reserves.*

**10.Are problems of poor maintenance of burial grounds sufficient to impose requirements on burial ground operators, over and above setting a uniform standard of maintenance?**

Yes

No

**11.Please explain your answer to the previous question.**



*Uniform standard should be sufficient, with appropriate provision made for natural burial grounds or those with nature reserves. Imposing additional measures may be cost prohibitive to many local authorities and parish and town councils who maintain closed churchyards.*

**12.The Law Commission invite consultees to provide examples or evidence of issues with poor maintenance that would potentially justify such requirements.**

N/A

**13.The Law Commission 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; or (2) all burial ground operators should be required to publish a management plan on a periodic basis.**

The Secretary of State should issue a statutory code of practice for burial ground maintenance, following consultation with stakeholders

OR

All burial ground operators should be required to publish a management plan on a periodic basis.

**14.Please explain your answer to the previous question.**

*This gives burial ground operators greater scope to create management plans appropriate to their locality, population and remaining space.*

**15.The Law Commission provisionally proposes 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 you agree?**

Yes

No

**16.Please explain your answer to the previous question.**

*This would be cost prohibitive. Current H&S laws allow for the regular inspection and maintenance of grounds and public spaces without the need for additional inspections. There should be a body who people can refer to however which can undertake inspections and issue compliance notices such as DEFRA.*

**17.Should the Secretary of State 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?**

Yes

No

**18.Please explain your answer to the previous question.**

*There is already a provision in place for this which requires Parish and Town Councils to undertake the management of closed cemeteries if a parochial church requests it which has caused significant additional costs to budgets which are already stretched. It is for the operator to comply or face tougher punishment.*

**19. In such circumstances should Local Authorities have the power to charge costs back to the cemetery owner?**

Yes

No

**20. Please explain your answer to the previous question.**

*This would mitigate against some of the costs which would befall the local authority, however even with this in place, there are significant resource implications (would these also be charged back to the cemetery owner?)*

**21. The Law Commission invites consultees' views on what the minimum burial depth should be for bodies buried in a non-perishable coffin. Please explain your answer.**

<<unsure>>

**22. The Law Commission provisionally proposes 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 (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. Do you agree?**

Yes

No

<<unsure>>

**23. Please explain your answer to the previous question.**

<<unsure>>

**24. The Law Commission provisionally proposes 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 you agree?**

Yes

No

**25. Please explain your answer to the previous question.**

*This may mitigate against the breach of requirements.*

**26. The Law Commission provisionally proposes 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; (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 you agree?**

Yes

No

**27. Please explain your answer to the previous question**

*This gives consumers greater rights.*

**28.**The Law Commission proposes 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; and (2) 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 you agree?

Yes

No

**29.**Please explain your answer to the previous question.

*This over-simplifies an often extremely complex area. Memorial rights should be given to the owner of the exclusive right of burial only (or their executors).*

**30.**The Law Commission provisionally proposes 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 you agree?

Yes

No

**31.**Please explain your answer to the previous question.

*This allows for the safe removal of unsafe or dangerous memorials with less risk that a family member will then require it to be re-instated. For very old memorials, this allows for the local authority to potentially re-use the space if not for a burial ground (as a nature reserve for example).*

**32.**The Law Commission provisionally proposes 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 you agree?

Yes

No

**33.**Please explain your answer to the previous question.

*This should already happen and is the practice used as advised by the ICCM.*

**34.**The Law Commission provisionally proposes 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; and (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 you agree?

Yes

No

**35. Please explain your answer to the previous question.**

*Notification should be a requirement, but not doing so should not constitute a criminal offence.*

**36. Should burial registration documents be sent to the General Register Office or Historic England when a burial ground closes?**

Yes

No

**37. Please explain your answer to the previous question.**

*General Register Office should be the preferred body however this will cause additional resource requirements.*

**38. The Law Commission provisionally proposes 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 you agree?**

Yes

No

**39. Please explain your answer to the previous question.**

*This allows for greater protection for the families of those buried due to the notification requirements for those types of graves.*

**40. The Law Commission invites 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; or (3) a different period**

75 years

100 years

A different period

**41. Please explain your answer to the previous question.**

*Due to significant limitations on space for burials.*

**42. Should there be a requirement that a grave must not be reused if it still contains significant remains from a previous burial?**

Yes

No

# Repair of Kobuta RTV

## **AUTHOR**

Green Spaces Manager

## **CONSULTEES**

Green Spaces Team  
CEO (Town Clerk)

## **FOR MEETING**

Environment Committee 5<sup>th</sup> November 2024

## **RECOMMENDATION**

To authorise repair of the RTV.

## **REPORT**

The Kobuta T90 Rough Terrain Vehicle (RVT) was due to have a service by Lister Wilder on Thursday 10<sup>th</sup> October. However, 2 weeks leading up to this date the rangers noticed that there was a potential problem with the acceleration on the vehicle.

The problem was explained to the Lister Wilder mechanic who knew straight away what the problem was. A quick inspection and drive confirmed that the hydrostatic transmission had broken. This meant that the vehicle would keep going forward for a short distance without the driver touching the accelerator, rendering it dangerous to drive. This problem would only get worse with continued driving. The RTV was taken off the road instantly.

The vehicle age is 12 years 7 months. Lister Wilder have quoted £3,905.79 to repair. An online search for a replacement has indicated that a second-hand RVT would cost at least £6,000. This would be without delivery costs.

### **Option 1**

Carry out repair work and continue to search for an electric alternative.

### **Option 2**

Sell RTV (selling price and demand unknown) and purchase a second hand one and continue to search for an electric alternative.

## **LEGAL IMPLICATIONS**

The Council may exercise the General Power of Competence in regard to expenditure and actions relating to this report.

## **FINANCIAL AND STAFFING IMPLICATIONS**

### Financial implications

Repairing the RTV would cost £3,906.

A replacement vehicle would cost at £6,000 without the cost of delivery, which could be substantial.

### Staffing implications

The GSM would have to allocate time to source a suitable replacement.

### **CRIME AND DISORDER**

There are no crime and disorder issues.

### **EQUALITY AND HUMAN RIGHTS IMPLICATIONS**

There are no equalities or human rights issues.

### **CO2 AND BIODIVERSITY IMPLICATIONS**

As there are currently no suitable electric options available therefore the replacement would have to be diesel.

Whilst it is still feasible, extending the life of the existing machine is more sustainable than purchasing a new one, because of the embedded carbon.

We will continue to watch the market for electric options ready for when the RTV can no longer be maintained.

PB/2024

# Proposed installation of gate at the Leazes

## **AUTHOR**

Green Spaces Manager

## **CONSULTEES**

Green Spaces Team

## **FOR MEETING**

Environment Working Group 5<sup>th</sup> November 2024

## **RECOMMENDATION**

To decide on the installation of the new gate and associated fencing.

## **REPORT**

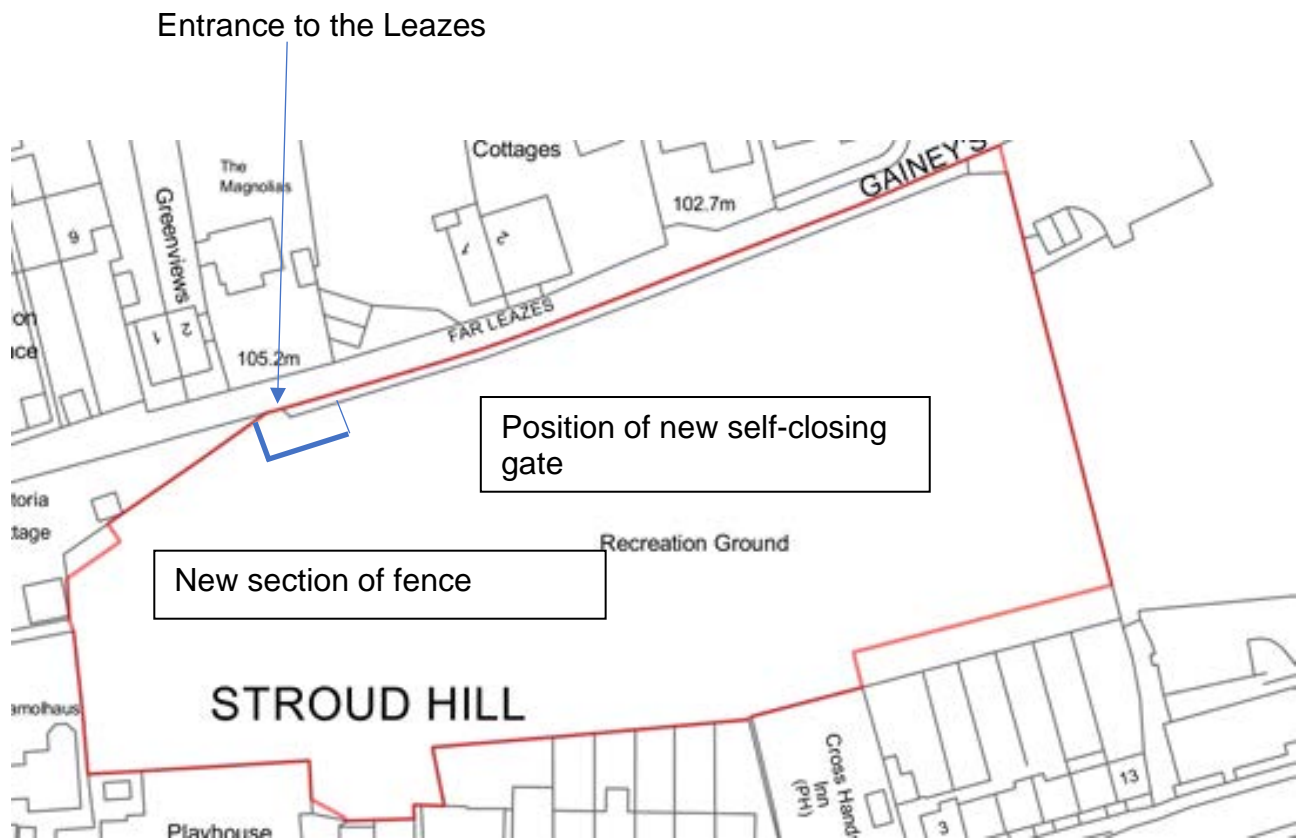
Two residents of the Far Leazes have raised concerns about the lack of a gate at one of the northern entrances to the Leazes playing field, see photo 1 and diagram. Their main concern is that a child could run out into the road from the playing field.

In order that the new gate worked to prevent a child from accessing the road it would need to be a self-closing similar to those used in other play areas. This would illuminate the risk it being left open. Due to the steps and narrow gap between the walls the gate would have to be positioned inside the boundary wall as shown in the photograph 1 and diagram. Once in position the surface would have to be levelled and made safe. Photograph 2 & 3 shows the type of fencing and gate to be installed.

Photograph 1

New gate and a short section of fence to be installed here





Photographs 2 & 3



## LEGAL IMPLICATIONS

Standard paragraphs:

“The Council may exercise the General Power of Competence in regard to expenditure and actions relating to this report.”

## FINANCIAL AND STAFFING IMPLICATIONS

### Financial implications

The cost of a new gate and 2 sections of 2.75m fencing would be approximately £3000.

### Staffing implications

The work would be carried out by contractors.



**CRIME AND DISORDER**

There are no crime and disorder issues.

**EQUALITY AND HUMAN RIGHTS IMPLICATIONS**

There are no equalities or human rights issues.

**CO2 AND BIODIVERSITY IMPLICATIONS**

N/A

PB/2024

# Installation of Gate at Bisley Old Road Allotments

## **AUTHOR**

Green Spaces Manager

## **CONSULTEES**

Green Spaces Team

## **FOR MEETING**

Environment Working Group 5<sup>th</sup> November 2024

## **RECOMMENDATION**

To decide whether to install the new gate.

## **REPORT**

The Bisley Road Allotments Committee have asked if Stroud Town Council would be willing to install a pedestrian gate where the old phone box was sited on Bisley Road, see photograph below.

The blockwork that surrounded the old phone box and the notice board would have to be removed as part of the project. At present the access here to the allotments is via the locked fieldgate or through a small gap between the gate post and the blockwork. No digging would be involved as the gate could be hung from the existing gate post on the left or the wall on the right.

Blockwork to be removed



## **LEGAL IMPLICATIONS**

Standard paragraphs:

“The Council may exercise the General Power of Competence in regard to expenditure and actions relating to this report.”

## **FINANCIAL AND STAFFING IMPLICATIONS**

### Financial implications

The cost of a pedestrian new gate, whether wood or metal, and associated furniture would be around £150.

### Staffing implications

The removal of the blockwork and installation of the gate would take 2 rangers 1 day to complete.

## **CRIME AND DISORDER**

There are no crime and disorder issues.

## **EQUALITY AND HUMAN RIGHTS IMPLICATIONS**

There are no equalities or human rights issues.

## **CO2 AND BIODIVERSITY IMPLICATIONS**

If a timber gate was installed it would have a minimum FSC certificate.

PB/2024

# Stroud Town Council – Grant Application Form

This page is required for all applications, and will be shared publicly on the council’s website and in paper form.

<b>Name of organisation</b>	Common Soil (Cotswolds) Ltd
<b>Main purpose/activities of your organisation</b>	<p>Common Soil is a community farm. To contribute towards alleviating the human health and environmental crises affecting us all, we grow food in a respectful relationship with nature that supports biodiversity, connects people to where their food comes from, provides opportunity to learn about agriculture and develop new skills whilst working with others in the local community.</p> <p>The organisation was set up as Community Benefit Society by local residents three years ago (and formed as an unconstituted group five years ago), to serve local people in Stroud. We are a not-for-profit community organisation run by a voluntary management committee.</p> <p>We supply regular veg boxes to 65 local families and make farming accessible to the community by offering:</p> <ul style="list-style-type: none"> <li>• therapeutic food growing sessions</li> <li>• workshops on working with the produce</li> <li>• farm tours</li> <li>• outdoor cookery workshops for young people</li> <li>• seasonal community events</li> <li>• regular family volunteering sessions</li> <li>• a space to bring the community together to connect to the environment and to agriculture.</li> </ul> <p>The purpose of these activities is to create:</p> <ul style="list-style-type: none"> <li>• better health of local people through nutritious food, new knowledge and skills, connection to others in the community and connection to nature.</li> <li>• better health of the natural environment through increased biodiversity, mitigating the impact of climate change and CO2 emissions, reduced food miles and increased respect for the natural world.</li> </ul> <p>We trial agro-ecological food growing techniques and invest in hedging, diverse crop/herb/flower planting and wildflower meadows to support biodiversity at the farm.</p>
<b>How is your organisation constituted?</b>	<input type="checkbox"/> Registered Charity <input type="checkbox"/> Charitable Incorporated Organisation <input type="checkbox"/> Community/Voluntary Group <input type="checkbox"/> Not-for-profit limited company <input type="checkbox"/> Community Interest Company <input checked="" type="checkbox"/> Other (please explain) Community Benefit Society
<b>Grant fund applied to</b>	<input type="checkbox"/> Small Grant <input type="checkbox"/> Community Support fund <input type="checkbox"/> Arts and Culture fund

# Stroud Town Council – Grant Application Form

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	<input checked="" type="checkbox"/> Carbon Reduction fund
<b>Overall purpose of grant</b>	<p>We request support to establish a model for saving seed at this community farm, teaching others in the community the techniques involved and creating and supporting a Stroud-wide network of seed savers. Seed saving is often a missed aspect of agriculture, yet it is an essential skill to master to increase biodiversity and create a sustainable agricultural and ecological future in Stroud.</p> <p>Our ancestors harnessed the natural reproductive methods of nature by working with open pollinated seed and were able to produce tens, if not hundreds, of varieties within one crop. In the last 100 years, the globalisation and industrialisation of modern agriculture has meant uniformity has been prioritised over diversity, which has led to a 90% loss of crop varieties, hugely reducing biodiversity. Without a diverse genetic pool within our mainstream vegetable crops, plants are susceptible to crop failures through lack of genes that protect against extremes of weather, pest and disease and are adapted to the local environment. Tackling these issues with pesticides, chemical fertilisers and further hybridisation of seed varieties further perpetuates the problem, decimating biodiversity further and creating environmental damage and releasing carbon into the atmosphere.</p> <p>Project aims:</p> <ul style="list-style-type: none"><li>- To produce our own local seeds, chosen and adapted to our soil and climate, from which to grow crops for the community farm.</li><li>- To educate individuals, families and young people (through school and College groups) through workshops in the importance of seed saving and how to begin as a back-garden seed saver, as well as allow year-round involvement in the seed saving process at Common Soil.</li><li>- To build and support a network of seed savers across the local agricultural network in Stroud.</li></ul> <p>We must reintegrate seed saving into our local agricultural systems and community knowledge to support a balanced ecosystem and the health of our future local population.</p> <p>There has been some previous local seed saving work (e.g. by Down to Earth and Stroud Valleys Project) that we have been involved with and will build on, but these have been volunteer initiatives without the resource to co-ordinate across many growers or initiatives (the consultant that this project would support has been part of this work).</p> <p>We now want to establish a project that focuses this at a farm and properly resources co-ordination of local seed</p>

# Stroud Town Council – Grant Application Form

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	<p>saving. We have already been in touch with partners, such as Down to Earth, to share knowledge and plans and will have their involvement. We now want to expand the network to include other farmers and growers and interested parties.</p> <p>Seed saving is a beautiful and fascinating craft which draws people in and we want to educate local people in its importance and the processes involved, so that they can use these skills in their own projects or gardens to contribute to increased biodiversity across Stroud.</p> <p><b><u>Outputs/activities of the project:</u></b></p> <ul style="list-style-type: none"><li>• A seed saving <b>contractor to isolate, harvest and process seeds at Common Soil</b> and plan seed saving in our crop rotation.</li><li>• Delivery of <b>at least three community workshops</b> to educate people around the importance of seed saving and give a series of beginner lessons in how to bring seed saving to your back garden or allotment. These will be beginner lessons in how to bring seed saving to your back garden. These sessions will be orientated towards families and young people, with the intent to lay down the importance of understanding the cycle of life and the impact of seed saving. They will also lay the foundation for workshops in future years to increase knowledge of seed saving techniques. We already have relationships with Stroud College and a local secondary school who send students to the farm for workshops and placements.</li><li>• <b>A supported network of small-scale seed savers across Stroud</b>, bringing farmers and growers together to share seed saving techniques, learnings and crucially, to share seed saved. Includes <b>facilitation of quarterly meet ups, online connection and harvest gathering.</b></li><li>• Once enough seed is set aside for the community farm, <b>surplus seed will be available for members of the local community free of charge</b>, to grow as they wish or to pass on to other willing allotment and back garden growers. A thriving plant grown well will produce seed in abundance, enough to provide for the habit it lives within and for the community. This is seed that will have been properly and skilfully saved for appropriate growing in the next season.</li></ul> <p><b><u>Intended outcomes of the project:</u></b></p> <ul style="list-style-type: none"><li>• Seed saving work at Common Soil will enable us to establish a solid foundation from which to grow a diverse range of vegetables. These well adapted healthy crops, suited to our soils and climate will</li></ul>
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# Stroud Town Council – Grant Application Form

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	<p>increase the biodiversity at this site and set up a future of food security and food sovereignty.</p> <ul style="list-style-type: none"> <li>Plants grown for seed are always grown in surplus, providing plenty of seed for the benefit of insects and birds, contributing to greater biodiversity.</li> <li>Annual seed sharing between locally situated farms reduces the load required for one farm to produce seed. Farmers and growers will feel better supported in their own seed saving and learn new skills and techniques from each other. Creating a network of resilience in this way produces a system which supports, educates and advocates for seed saving as part of our farming models, preserving and increasing local biodiversity.</li> <li>A strong network of local seed saving agricultural projects will also allow us to highlight Stroud’s abundant scene of small-scale sustainable food producers to food procurers, encouraging businesses to support sustainable producers.</li> <li>Those who attend our seed saving workshops will have a better understanding of the importance of seed saving, the importance of biodiversity and skills to carry out back-garden and allotment seed saving techniques. It is our intention that they leave inspired!</li> <li>Sharing surplus seed means that more people can receive free and appropriately saved seed which also gives the opportunity to explain where the seed came from, thus increasing understanding of open pollinated techniques to contribute to a diverse gene pool of resilient vegetable crops.</li> </ul>		
<b>Amount applied for</b>	£4,370		
<p><b>How do you intend to spend the grant if successful?</b> (e.g. equipment, materials, staff expenses, training, room hire etc.)</p>	<p><b>Purpose</b></p> <p>Contract expert ‘seed saver’ resource for 12 months @ £13 per hour. To include: Planning, management of biennial crops, seed crop growing, setting up structural supports, isolation, harvest, drying, threshing, winnowing, fermenting, packaging, storage, preparation and administration of community seed saving workshops and connecting a local seed network with other growers.</p>	<p><b>Total spend</b></p> <p>£3,770</p>	<p><b>Spend from this grant</b></p> <p>£3,770</p>

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	<p>Essential equipment requested for seed saving (total £600):</p> <ul style="list-style-type: none"> <li>- Chug bucket x 3, different sizes £40</li> <li>- Sieves x 6, different sizes £50</li> <li>- Real Seed seed-saving winnower £100</li> <li>- A small second hand Hoover (to power the winnower) £20</li> <li>- Bats for threshing x 3 £30</li> <li>- White sheets x 2 £10</li> <li>- Ton bag or Hippo bag x 2 £30</li> <li>- Plastic sheets x 2 £20</li> <li>- Isolation netting and cages £150</li> <li>- Structural supports; canes, posts and string £100</li> <li>- Storage boxes, jars, envelopes and labels £50</li> </ul> <p>Common Soil staff time for co-ordination, administration and evaluation (not included in application) £455</p> <p>Common Soil staff time for grower to work with seed saver £364</p>		
<p><b>How will the balance be funded?</b></p>	<p>Common Soil staff time for this project in terms of co-ordination, administration and evaluation, as well as grower time and workshop support, will be funded through vegetable sales and existing grant funding.</p>		
<p><b>Give details of other applications for funding for this project.</b>  <i>*If you have not yet received a decision on other applications, please give the date when the decision is expected</i></p>	<p><b>Source</b></p>	<p><b>Amount applied for</b></p>	<p><b>Amount awarded*</b></p>
	<p>N/A</p>		



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<b>If the grant is for an event when will it take place?</b>	Workshops will take place in May, September and November 2025
<b>How will your project meet the criteria for this grant fund?</b> <i>(See guidance notes)</i>	<p>This project is <b>innovative</b> in our current world (although resurrecting ancient techniques) to introduce and teach techniques of saving seed where seed is most often bought from large companies with a monopoly on crop varieties. Developing a strong network of local seed saving agricultural projects will also allow us to highlight Stroud's abundant scene of small-scale sustainable food producers to food procurers, in an effort to bring businesses to work together to promote sustainability and food resilience.</p> <p>The project directly <b>encourages local people to engage with the importance of saving seed and biodiversity</b>, to learn about it through receiving surplus seed or through attending seed saving workshops. This empowers people to be connected to this sustainable way of producing their own food. Coming to the farm for these workshops will also connect the community to this wider, agroecological way of growing food and <b>build sustainability</b> through people being able to get involved in or shape local food growing.</p> <p>Establishing a network of growers saving seed across Stroud will also support other projects to engage people with issues around biodiversity and <b>increase the sustainability</b> of food, herb and flower growing across gardens, allotments and small scale growing schemes throughout the community.</p>
<b>How will your project help to reduce CO<sub>2</sub> emissions?</b> <i>(See guidance notes)</i>	<p>Common Soil exists to create the necessary shift in our food system to address climate change and biodiversity loss. We use a variety of agroecological methods, including minimum-till and use of green manures to sequester carbon and support soil health - a crucial aspect of addressing climate change and mitigating impacts of extreme weather, such as drought and flooding.</p> <p>We work to improve biodiversity in our food growing, planting a wildflower meadow and a diverse range of crops and leaving plants to flower.</p> <p>We use compostable packaging for the vegetables and reused cardboard boxes.</p> <p>We link neighbours up to minimise journeys to the farm. Three-quarters of those receiving vegetables from the farm live within a mile of the farm, and the rest within three miles, meaning that their food miles are very low compared to supermarkets and even to the farmers market.</p>

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<b>CHECKLIST</b> <b>I confirm that:</b>	<b>Yes/No/ N/A</b>
I have read the grant terms and conditions	Y
I have attached a copy of our latest accounts, including a breakdown of salary costs	Y
I have attached a copy of our governing document/constitution	Y
I have attached a copy of our safeguarding policy (only required for projects working with children, young people or vulnerable adults)	Y

Please send your completed application to [council@stroudtown.gov.uk](mailto:council@stroudtown.gov.uk)