

Report of the Portfolio Holder for Environment and Climate Change**Revised Cemetery Rules and Regulations****1. Purpose of Report**

To seek approval for the revised Cemetery Rules and Regulations, including the associated fees for memorial garden applications.

2. Recommendation

Cabinet is asked to RESOLVE that the revised Cemetery Rules and Regulations be approved and that a memorial application fee be set at £75 per application, with no fee to be charged for Memorial Garden applications relating to the grave of a child or young person under the age of 18 years.

Cabinet is asked to NOTE the estimated annual programme delivery cost of £59,887 per annum, with a subsequent report to be brought to Cabinet regarding the establishment of additional Cemeteries Safety Officer posts.

3. Detail

On 3 February 2026, Cabinet approved 17 recommendations received from the Overview and Scrutiny Committee relating to memorials and put forward a further four recommendations. One of the approved recommendations was the review and revision of the Council's Cemetery Rules and Regulations.

This review has now been undertaken in collaboration with the Friends of Broxtowe Cemeteries. The group's knowledge, input and ongoing support have been instrumental in the development of a significantly more comprehensive set of Cemetery Rules and Regulations, which provide greater clarity for residents and establish a clear framework for the installation, management and maintenance of memorial gardens and associated memorial items.

As part of the revised arrangements, it is proposed that applications for new memorial gardens be subject to an application fee of £75. This fee has been calculated to recover the administrative costs associated with processing applications, undertaking the necessary site inspections and assessing compliance with the Cemetery Rules and Regulations.

In recognition of the sensitive nature of memorial applications for children, it is proposed that no application fee will be charged where the memorial relates to a person who was under the age of 18 at the time of their death. An application will

still be required in these circumstances to ensure compliance with the Rules and Regulations.

Subject to approval of the revised Cemetery Rules and Regulations, a phased programme of implementation will be undertaken across the Council's cemeteries. The programme will provide support and guidance to grave owners and families to assist them in meeting the new requirements.

To ensure a proportionate and manageable approach, implementation will be undertaken on a cemetery-by-cemetery basis, commencing at Chilwell Cemetery and concluding at Beeston Cemetery. The full programme is anticipated to take approximately 18 months to complete.

The revised Cemetery Rules and Regulations are attached at **Appendix 1**. An updated Equality Impact Assessment (EIA) is attached at **Appendix 2**.

4. Key Decision

This report is not a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

It is recognised that the implementation of the revised Cemetery Rules and Regulations will give rise to additional resource and operational costs associated with memorial management, inspection and compliance activities.

Current estimates indicate that delivery of the programme would require the appointment of **two Cemeteries Safety Officers** at an estimated annual cost of **£74,612**. In addition, the Council would need to procure the **HAVSPRO hand-arm vibration monitoring system** to support safe operational delivery at an estimated annual cost of **£7,275**.

These costs would be partially offset by the removal of the current requirement to procure external memorial testing services. The Council currently budgets approximately **£22,000 per annum** for memorial testing. By employing appropriately trained and certified Cemeteries Safety Officers, this work could be undertaken in-house, reducing the net annual staffing cost to **£52,612**.

Taking account of this offset and the HAVSPRO subscription, the estimated net annual cost of delivering the service is therefore **£59,887**.

A separate report will be presented to Cabinet seeking approval for the establishment of the additional Cemeteries Safety Officer posts and any associated budget requirements.

At this stage, officers have identified that an additional Grounds Maintenance operative may be required to support service delivery, at an estimated annual cost of **£32,903**. However, it is proposed that the impact of the revised arrangements is monitored following implementation before any recommendation is made regarding the creation of this post.

The proposed application fee of £75 for memorial garden applications has been calculated to reflect the administrative costs associated with processing applications, undertaking site inspections and assessing compliance with the Council's Cemetery Rules and Regulations. As such, the fee is considered reasonable and proportionate to the service being provided. The proposal to waive the application fee for memorials relating to children under the age of 18 is noted and any associated loss of income is not anticipated to have a significant impact on the overall cost recovery of the service.

7. Legal Implications

The comments from the Head of Legal Services / Monitoring Officer were as follows:

There is no statutory duty on a local authority to provide burial or cremation facilities, but in doing so, they are governed by the Local Authorities' Cemeteries Order 1977. Local authorities are defined as burial authorities and/or cremation authorities and given the power to provide services by virtue of the Local Government Act 1972.

Under the Regulations a burial authority may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery. A burial authority may also enclose, lay out and embellish a cemetery in such manner as they think fit, and from time to time improve it, and shall keep the cemetery in good order and repair, together with all buildings, walls and fences thereon and other buildings provided for use therewith.

All local authority managed cemeteries are subject to standards and conditions known as "Cemetery Rules and Regulations". These are designed to inform all cemetery users about the management of the cemeteries and the reasonable requirements applicable to them. A burial authority may grant to a person, burial rights to a grave space or grave, on such terms and subject to such conditions as they think proper.

There are no specific statutory provisions that require a local authority/burial authority to follow a certain procedure when amending their Cemetery Rules and Regulations. It is however good practice to undertake a public consultation before deciding whether to implement any changes.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

Not applicable.

11. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

12. Equality Impact Assessment

An Equality Impact Assessment is attached in **Appendix 2**.

13. Background Papers

Nil.