

CLAYBROOKE CEMETERY JOINT BURIAL BOARD

Clerk to the Board
Church View Cottage
Claybrooke Parva
LE17 5AE

30th October 2022

Parish Clerk
Claybrooke Magna Parish Council
11 St Marys Road
Lutterworth
LE17 4PS

Dear Clerk

Thank you for the Parish Council's letter dated 1st October 2022, the Joint Burial Board responds as follows to the questions contained therein.

1. Cemetery Annual Inspections including Risk Assessments are undertaken by members of the Joint Burial Board (**JBB**) in accordance with its lawful responsibilities as a Burial Authority. The JBB does not disclose any of its operating procedures and is not required to do so.
2. The document referred as "*Managing Safety of Burial Ground Memorials*" is a generic guidance document produced by the Institute of Cemetery & Crematorium Management" (**ICCM**) and not a legislative authority. While the JBB recognises generic advice from a number sources, it is at liberty to select what it considers to be appropriate in managing Claybrooke cemetery given its limited resources.
3. The Cemeteries Order 1977 sets out the lawful responsibilities for Burial Authorities. Section-3 "*General powers of management*" provides that Burial Authority "*may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery*". The results of the cemetery Risk Assessment performed on 25th September 2022 confirmed a very high level of category-1 public safety risks which in consideration of the JBB's lawful responsibility to maintain the cemetery as a safe public space required that level of risk to be quickly and significantly reduced. The JBB does understand the laying down of memorials can cause distress, however its overarching responsibility is to maintain public safety.
4. The JBB will in due course carry out further category-1 risk reduction measures, primarily now made more urgent by the recent irresponsible and unlawful actions of individuals dangerously re-erecting category-1 memorials earlier laid-down by the JBB. The JBB does not plan also has no responsibility to contact memorial owners before taking action to mitigate category-1 risks, including that of laying down memorials. The JBB does not maintain a register of memorial headstone owners, this would be impractical given the cemetery has been in operation since 1859, with many memorial owners of older memorials being deceased. The JBB will however publish a list of identified category-1 risk memorials ahead of progressing risk mitigation work.

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5. If a memorial owner or family relative wishes to re-erect a 'laid-down' memorial, the JBB will be happy to help facilitate this and they should contact the JBB Clerk who will provide any necessary information.

We hope the Parish Council finds this information of assistance, it may be helpful for the Parish Council to let interested residents know that the responsibility for maintenance of memorials is that of the individual memorial owner and or family / relative, it is not that of the JBB. Where a memorial is not maintained and becomes a category-1 risk to public safety, it is incumbent that the JBB steps in to mitigate that risk.

We hope this information is helpful.

Yours sincerely

Neil Repton
Clerk to the Board