

**Full Council: 28 March 2023: To Follow Paper- Agenda Item 7 ii)
PADSTOW TOWN COUNCIL**

**Minutes of the Leisure, Tourism and Open Spaces Committee meeting held on
Tuesday 14 March 2023 at the Council Chamber, Council Offices, Station House,
Padstow at 7.30 pm**

Present: Councillors A P Flide (Chairman), A N Rees (Vice Chairman), Mrs J Colwill, Mrs J Dawe, M Rickard and Mrs T Walter

In Attendance: Mrs K Pemberton (Town Clerk) and Mrs S Daly (Support Officer and Minute Taker) and 10 members of the public.

LTOS2022/47 Apologies and Announcements: i) Apologies: There were no apologies for absence.

ii) Announcements: The Chairman welcomed members of the public to the meeting and advised of the meeting process. He acknowledged the emotiveness of the agenda items and apologised for the necessary formality of the meeting. Members of the public were advised they could address the meeting under public participation. The Chairman advised he was happy to move the meeting into confidential session if members of the public made him aware they considered their comments too personal; if not, comments would be captured in the public minutes.

LTOS2022/48 Declarations of Interest: There were no declarations of interest.

LTOS2022/49 Public Participation: 2 members of the public addressed the meeting in relation to agenda item 5 Padstow Cemetery. Comments included:

- Had submitted the formal complaint being considered by Committee;
- Look after brother's grave as his wife is over 80. Had no idea of regulations and upon visit to cemetery found everything removed, have had ongoing correspondence with office since;
- Consider if letters are sent to EROB owners but no acknowledgment is received then Council cannot know whether they have been received;
- Still waiting to know what can be placed on a grave in vase hole as according to regulations, no materials are permitted;
- Feel like grave of brother and great granddaughter have been picked on as believe these are the only graves which have had items removed;
- Consider that Council could at least put signs up to notify people;
- Regulations should be included on the form for reserving a grave;
- Have tended graves in the cemetery for 30 years, rules have been introduced by somebody without thought, consider Council has upset a few people so far but there will be more;
- Rules should be applied to all graves not just a few. More graves with non-permitted items in the cemetery, not prepared to comply if others do not.

1 member of the public addressed the meeting in relation to agenda item 7 ii) Padstow Cemetery Regulations: Children's Graves. Comments included:

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- Happy for personal letter submitted in relation to this item to be openly read [was included in confidential agenda papers only due to confidential nature];

A 2nd member of the public further added in respect of this item:

- The cemetery shouldn't feel like a place that can't be visited because it feels too maudlin and morbid;
- Feel taking items to a grave is all families can do, it should be a place of peace and tranquillity where families can remember;
- Eldest daughter lost cousin at very young age and experienced anxiety and problems at school, only thing she had was to paint stones and shells to take to cousins grave. Has not been able to visit since items removed;
- Grave no longer gives the family peace, gives more sadness.

2 members of the public addressed the meeting in relation to agenda item 7 Padstow Cemetery Regulations. Comments included:

- If a grave is well cared for, why can't families place what they want on a grave;
- Family bereaved suddenly, have young children and have made their grandfather's grave a special place to visit;
- Feel maintenance of cemetery is inconsiderate, grass sprayed over graves and on one occasion on a floral tribute following a funeral;
- Feel letters sent regarding non permitted items are thoughtless, would like graves to be bright, colourful and happy places to remember loved ones;
- Understand reasons for not allowing glass;
- Feel use of strimmer's in cemetery is wrong, memorial stones very expensive and chunks of grass and mess left by strimmer's is more detrimental than the well kept graves [with NPM items]. Could grounds team use hand mowers;
- Understand need for Council to take over if graves are untended but what is the issue if a grave is well tended and not affecting the grounds team, especially for cremation plots. If it's within the burial space, why must items be moved. Especially on a children's grave;
- Cemetery should be a place of celebration, respect and love.

A 3rd member of the public further added in respect of this item:

- Received letter advising planted shrubs needed to be removed. Shrubs had come from parent's garden, had rooted and grown;
- Visit cemetery every day and grave well-tended and grass cut with sheers, no reason for grounds team to go near but all had to be removed;
- Received another letter saying glass had to be removed from the plinth;
- After first letter, sent heartfelt email but did not receive a reply. Only acknowledgment was at the top of the second letter;
- Consider only a tiny bit of sympathy has been shown, should take care with letters and try to feel the situation from both sides as they try to;
- Cemetery shouldn't be a place of contention.

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LTOS2022/50 **RESOLVED** that the **minutes** of the meeting held on **Tuesday 17 January 2023** be signed as a true record of the meeting.

LTOS2022/51 **Padstow Cemetery:** The Chairman referred members to a complaint from a member of the public regarding the enforcement of cemetery regulations as set out in the agenda pages. There were 7 issues set out within the complaint and Committee gave consideration to each in turn.

Issue 1: Members noted under the current process, more than one letter is sent before enforcement action is taken and that it is the Exclusive Right of Burial (EROB) owner's legal obligation to ensure they notify the Council of any changes to their address. It was noted that EROB owners are made aware of this at a number of stages.

Members were supportive of improvements made to help ensure details are accurate, being the system of a 5 year contact detail check introduced in April 2022.

It was felt that the current process for contacting EROB owners and the system for checking was acceptable but it was suggested this be reviewed in 12 months.

RESOLVED to make the following response/take the following action, in relation to issue 1 of the Padstow Cemetery

complaint: The current process for contacting EROB owners and the system for checking their contact details is acceptable at present but should be reviewed in 12 months' time.

Issue 2: Members noted that the Town Council is not required to notify EROB owners that non permitted memorial (NPM) items are being removed and acknowledged that despite this, letters are sent out to EROB owners. Committee noted the recommendation from Full Council in November, that LTOS look at "future improvements in the cemetery to help advise and inform the public and grave owners of the cemetery regulations". It was further noted that this was a later agenda item.

One member noted that there were currently a lot of NPM items in the cemetery and queried whether the Maintenance Team found it difficult to remove items. It was acknowledged that all team members, inside and out, found the issue difficult however, both teams had roles in managing the cemetery in accordance with the regulations.

It was generally felt that improved signage would help both the members of the public and the team because it could also be used to communicate the process of removal. Mention was also made that this could include a QR Code, as well as contact information such as phone number and email address.

RESOLVED to make the following response/take the following action, in relation to issue 2 of the Padstow Cemetery

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Issue 3: Committee noted that under the wording previously used in the paperwork for purchasing EROBs (both in advance of and at the time of a burial) there was confusion over what constituted a memorial - tributes and tokens not being considered under this term by members of the public. Members were supportive of the improvements made over the last 2 years in respect of this paperwork with one member commenting that it all came back to communication. It was felt that improvements made would take time to show their full effect.

Committee acknowledged that whilst there may have been some communication issues with graves purchased before the improved paperwork, the regulations had not changed and that the only way forward at present was to accept that despite this, the regulations still exist.

RESOLVED to make the following response/take the following action, in relation to issue 3 of the Padstow Cemetery

complaint: Committee acknowledge issues with the communication of cemetery regulations relating to graves purchased before the improved paperwork. Committee support the improvements made to the paperwork in order to address this going forward and will continue to work towards raising the awareness of the regulations.

Issue 4: Member's noted the current process for removing items from graves, being to write to EROB owners first, except where items have deteriorated to a poor or dangerous state. Officers outlined the rationale for the pragmatic approach applied in respect of NPM items placed on graves at certain times of year e.g Christmas. Committee noted the improvements made this year in respect of the removal of these items after the occasion, being a notice in the cemetery advising EROB owners to remove any items they wished to keep by a set date with the team then removing any remaining after that date. In response to a member query the Town Clerk advised she would raise with the Foreperson that members had noted Christmas items still on some graves.

Generally, Committee felt that the notice displayed following Christmas had been "a good starter for 10" but felt that further improvements could be made. There was further discussion on this matter and whether such an approach should be applied to other times of the year such as Easter and May Day. It was suggested by a member that the process be managed through a cemetery management review every 8 weeks with any NPM items being removed from graves, thereby capturing all special occasions. Further, that a notice be displayed in the cemetery to this effect. It was felt this would be an initial improvement to consistency and it was agreed that this approach could remain open to review.

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RESOLVED to make the following response/take the following action, in relation to issue 4 of the Padstow Cemetery

complaint: A more defined process for the removal of non-permitted items placed on graves which are specific to key times of year e.g Christmas/Easter will be introduced. A cemetery management review be undertaken every 8 weeks and if necessary removals will be undertaken and cemetery signage will reflect this. This will be an initial improvement that will be open to review.

Issue 5: The rationale for the current process of staggered enforcement being reflective of team capacity and capacity for respectful storage was noted, as was the rationale for the specific areas of initial focus. Committee noted that officers would be seeking input from Committee as to the approach to be taken for graves pre-dating the 2014 regulations. Committee noted that the initial focus was specific to areas and to the latest interments and did not look at individuals. Committee was satisfied with the approach within resources.

RESOLVED to make the following response/take the following action, in relation to issue 5 of the Padstow Cemetery

complaint: The current staggered approach to the enforcement of non-permitted memorial items [where they do not relate to key times of year as in iv) above] is acceptable within the resources of the Council. The Committee will give future consideration to how this is managed in relation to areas which pre-date the 2014 regulations.

Issue 6: The Chairman outlined the legislation permitting cemeteries to set their own regulations and gave an overview of how Padstow Town Council agreed their regulations when they were introduced in 2014. Committee noted that looking at several cemeteries across the county, these were broadly in line with Padstow Cemetery. Comment was made that how other cemeteries were managing those regulations was a matter for them.

In response to a query from a member of the public, the Chairman confirmed that the current item related to a matter concerning the regulations as they were at present. He advised the cemetery regulations were being considered at a later agenda item. The Vice-Chairman further added that Committee would not be able to make any changes to the regulations at this meeting, any suggested changes would be a recommendation to the Full Council.

RESOLVED to make the following response/take the following action, in relation to issue 6 of the Padstow Cemetery

complaint: To share with the complainant the background to the regulations as outlined in the agenda pages.

Issue 7: Members noted the comments raised in the complaint regarding the maintenance of the cemetery. The Town Clerk confirmed that she would raise with the Foreperson the possibility of not using strimmer's in the cemetery, in response to a member of the

Full Council: 28 March 2023: To Follow Paper- Agenda Item 7 ii) public's comments regarding the impact these have on the condition of a grave. It was noted that the Support Officer was working on a memorial safety management plan for the cemetery and it was confirmed that memorial stones were the responsibility of the EROB owner. It was suggested that a site meeting be attended by Committee members, members of the outside team and members of the office team to look at how cemetery maintenance could be improved. It was agreed this would be a good way forward.

RESOLVED to make the following response/take the following action, in relation to issue 7 of the Padstow Cemetery

complaint: A site meeting is to be held to look at possible improvements to the maintenance of Padstow Cemetery. This will be attended by members of the Committee, outside team members and office team members.

LTOS2022/52

CCTV Lawns Area Update: The Town Clerk referred members to the agenda report highlighting community support for the CCTV proposal. The Support Officer further updated that Council's provider, Tanist had recently re-visited the site in preparation for the installation. Having taken account of the new structures in the play area they now considered that the proposed camera locations would not provide sufficient height for a useful vantage point. Therefore, they propose that the camera positions be moved to 2 cameras mounted near the top of the lamp post and 1 camera on the Core Building. Members were supportive of the recommendation by Tanist and noted the next steps in relation to the compliance paperwork and policies as outlined in the agenda pages.

RESOLVED to i) agree to the recommendations from Tanist to move the proposed CCTV camera locations to 2 cameras mounted on the lamp post and 1 camera mounted on the Core Building, to take account of the new wooden play structures installed in the play area since the initial proposal; and ii) to note the next steps as set out on agenda page 15.

LTOS2022/53

Padstow Cemetery Regulations:

i) Future Improvements: Members gave consideration to this item and were agreed that formal cemetery signage with an incorporated noticeboard element would be beneficial in helping to advise and inform the public and EROB owners of the cemetery regulations. Members were also supportive of exploring the possibility of placing a small structure near to the entrance where non permitted memorial items that have been removed from graves could be placed.

RESOLVED to i) install informative welcome signage referring to the cemetery regulations at the entrance to the cemetery and that to avoid delay the sign be delegated to the Town Clerk in consultation with the Chairman to progress; and ii) to work up proposals for a small structure to place items removed from graves and that this be considered at a future meeting.

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ii) Children's Graves: The Chairman referred members to the agenda report in this regard. The agenda report set out research outlining the significance of children's graves as a place of comfort and detailed existing support for individualised memorial spaces within Padstow Cemetery's regulations. The Chairman noted the approaches suggested by the Institute of Crematorium Management as well as alternative approaches that could be considered.

Members expressed concern for the consequences of discriminating between graves, both for families and aesthetically. Members considered separate regulations would mean differentiating between types of grief and found this idea difficult with one member expressing that each death is significant to each family.

It was acknowledged that some of the regulations, such as those relating to glass, were included for clear practical reasons, and it was also understood that it was unlikely that the regulations, whatever they be, would please everyone.

One member expressed they felt unable to make a decision in respect of regulations concerning children's graves at this meeting. They wished to give consideration to the facts and comments by members of the public in order to make a reasoned decision. This was supported by other members who wished to visit the cemetery again in order to consider all the information from the meeting. It was felt important however, that Committee reconvene as soon as practicable following this pause for consideration.

RESOLVED that in consideration of the facts and situations presented at the meeting, not to make a decision regarding children's graves but to meet again within 2 weeks [subject to diary commitments] in order to make a reasoned decision for all families following further individual member visits to Padstow Cemetery.

LTOS2022/54 **Date of next meeting:** To be confirmed but, subject to diary commitments, within the next 2 weeks or as soon as possible thereafter.

LTOS2022/55 **It was RESOLVED to exclude the press and public due to the confidential nature of the business about to be transacted.**

LTOS2022/56 **RESOLVED** that the **confidential minutes** of the meeting held on **Tuesday 17 January 2023** be signed as a true record of the meeting.

LTOS2022/57 **Padstow Cemetery Regulations:** The confidential papers relating to agenda item 7ii) were noted. No discussion was required.

Meeting closed 9.15 pm