

## 7. CEMETERIES BURIAL PLOT PRE-PURCHASE POLICY

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The purpose of this report is for the Committee to consider and recommend on the adoption of a policy to control the pre-selling of burial plots in Council Cemeteries.

There has been a longstanding practice to allow the pre-purchase of burial plots in all Council cemeteries. This has enabled the public to purchase a number of plots together to provide for future burial needs for their families. With an increasing population and diminishing land available for burials within existing cemeteries it is timely to review this practice and develop an appropriate policy.

### EXECUTIVE SUMMARY

The current practice to allow uncontrolled pre-selling of burial plots in Council cemeteries is not sustainable from a number of perspectives. The practice has been operating for many years and has resulted in a significant portion of the city's total burial plot capacity being sold but unused. This has the consequent effect of accelerating the need for additional burial grounds and associated infrastructure to meet the city's future requirements. Furthermore the ability to manage cemeteries operations in the most effective and efficient way is reduced.

Many of the other Councils throughout the country place restrictions on burial plot pre-sales or prohibit the practice altogether. Options to continue current practice, prohibit pre-purchase and limit pre-purchase of burial plots have been considered as part of this report. It is proposed that this Council adopt a policy that places controls on pre-selling of burial plots. The recommended policy would be to restrict pre-sales to one additional plot adjacent to the plot purchased at the time of death. This would curtail the existing ability to purchase any number of plots at any time but would still enable purchasers to have a limited "family" burial area.

### RELEVANT POLICY AND LEGAL FRAMEWORK

Section 5 (1) of the Burial and Cremation Act 1964 gives power to the Council to manage and control cemeteries and the right of the Council to sell burial plots is conferred under Section 10 (1) of the Act which states that "*A local authority may sell either in perpetuity or for a limited period the exclusive right of burial in any part of a cemetery*". The pre-selling of burial plots is not included in the current Cemeteries Bylaws.

### OPTIONS FOR CONSIDERATION

#### Overview

A number of existing Council cemeteries are now reaching a point where there is little available capacity remaining for burial purposes. In response to this, expansion of existing cemeteries where possible along with the acquisition of additional land purchases is being considered. This is intended to provide the choice, capacity and distribution to meet future city requirements. The table below sets out the current situation.

CEMETERY BURIAL PLOT AVAILABILITY ANALYSIS						
Cemetery	Total Burial Plots	Plots Sold & Unused	Plots Available for Sale	Additional Plot Capacity	Expected Time Frame for Plot Availability	Comments
Belfast	1,934	450	17	nil	3 months	Burial in pre-purchase plots only within three months
Ruru Lawn	14,696	276	665	nil	3 years	Coming to the end of its operating life
Sydenham	10,841	34	254	30	15 years	Older cemetery with few plots remaining and limited appeal to purchasers

Avonhead	2,922	300 (197 in upright headstone area, 103 in lawn area)	1,222 (34 in upright headstone area, 1188 in lawn area)	nil	3 months for upright area; 30 years+ for lawn area	Upright headstone area is almost full but there is resistance to using the lawn area
Memorial Park	4,242	737	841	6,000	40 years	Additional area to be developed that will meet needs with Ruru closing
Yaldhurst	561	35	507	2,800	30 years	Additional capacity for development to acknowledge the needs of Avonhead
Total	35,196	1,832	3,506	8,830	Estimated 25 years	

The overall picture presented above indicates there is sufficient capacity to meet future demands however, when analysing this information in more detail, some issues are evident. In the cemeteries where pre-purchase has been prevalent available burial space has been eroded more quickly and some of these cemeteries now have little space available. The consequence of this has been the earlier than anticipated requirement to provide additional space by acquiring land or developing extensions. This is exemplified with Belfast Cemetery where 23% of the total plots are sold but unused and there is now no further space available. Work is now underway to secure additional land to meet the needs of the city's northern community. Similarly with Memorial Park Cemetery the number of pre-sold plots has contributed to accelerating the need to develop the extension.

Burial plot pre-sales also create problems in terms of cemetery operation and maintenance. The practice determines that a more unplanned approach is inevitable and exacerbates the need to carry out burial and restoration work in a haphazard manner over the cemetery site. This ultimately has an impact on maintenance and operating costs.

Although pre-purchase of plots has benefits to individual members of the public in terms of giving them the opportunity to provide for their future burial needs, it does create many negative effects that ultimately translate to disbenefits to the wider public. Therefore it is clear this issue needs to be addressed and a number of options have been put forward for consideration.

#### ***Option 1 – Current Practice of Uncontrolled Pre-purchase***

The current practice of uncontrolled pre-sale of burial plots could be continued given that it delivers a very generous service and choice to individuals in providing for their family burial needs. The disadvantages with continuing this practice are that it is not an efficient practice in terms of cemetery management, planning and land use, it accelerates the need for additional burial capacity and associated infrastructure, it can create administrative difficulties in terms of ownership, transfer etc, and, it ultimately contributes to increased costs for the wider public. There are also instances of individuals buying multiple plots which leaves large portions of the cemetery unused for many years.

#### ***Option 2 – Disallow any Form of Burial Plot Pre-purchase***

This option would mean that there would be no pre-sales of burial plots permitted at all and that plots would only be available for purchase at the time of death. This option would provide a very efficient approach to cemetery management and planning whereby allocation of plots would be undertaken on a systematic basis taking full advantage of land use, restoration and maintenance requirements. It would also mean the annual plot sales would reduce by around 15% which would slow down the need for additional capacity. The main disadvantage with this proposal is that it gives families very limited opportunity for burial together apart from a single grave with double depth capacity.

### **Option 3 – Restricted Pre-purchase of Burial Plots**

Pre-selling of plots could be restricted to one additional plot adjacent to the plot purchased at the time of death. This means families would have the option to purchase an extra plot alongside the plot they purchase at the time of a family member's death. This proposal would provide four full burial plots for a family based on two adjoining plots at double depth. This would reduce the haphazard approach to burial plot allocation and eradicate the 'bulk buying' of plots. It would, therefore, ensure a more planned approach to cemetery operations and maintenance. It is estimated that overall plot sales would reduce by around 7.5% which, in turn, would slow down the need for extra burial space.

### **Financial Implications of Options**

The following table sets out the financial implication of each option:

	<b>Revenue Reduction</b>	<b>Maintenance/Operating Cost Reduction</b>	<b>Impact on Future Capex and Opex</b>
<b>Option 1 – Current Practice of Uncontrolled Pre-purchase</b>	\$0	\$0	Earlier capex requirement and associated opex
<b>Option 2 – Disallow any Form of Burial Plot Pre-purchase</b>	\$39,300	(\$15,000)	15% delay until capex and opex required
<b>Option 3 – Restricted Pre-purchase of Burial Plots</b>	\$19,650	(\$9,500)	7.5% delay until capex and opex required

Obviously Option 1 has the least immediate effect on current costs but it substantially accelerates the need for future capital and operational expenditure. Option 2 has the highest cost initial impact with the reduction in revenue but produces the maximum delay for capital and operational expenditure requirements. Option 3 has minimal initial costs and a medium effect on delaying the need for additional operational and capital expenditure.

### **Recommended Option**

Taking all matters into consideration the preferred option is to impose a restriction on the pre-selling of burial plots (Option 3). This option produces advantages in terms of improved management and operational planning as well as tempering the need for additional burial space. It also meets the social need of giving families the opportunity to have co-located burial plots although with some limitation. This option has a minimal initial cost with the revenue reduction being largely offset by maintenance and operational savings and, the need for future capital and operational expenditure is deferred.

At this point in time it is intended that any restriction on pre-sales refers to full burial plots and does not include ashes burial plots. Ashes plots tend to be purchased at the time of death or after and there are a very large number throughout the cemeteries that are currently available for use.

### **CONSULTATION**

This proposal relates to the development of a policy to support management practice that applies to all city residents. It would, therefore, be impractical and unnecessary to seek views on this policy. It is intended that, once adopted, funeral directors and any other interested parties will be informed of the policy and the resultant change in practice.

## **CONCLUSION**

Recent networking with other Councils has revealed that the pre-selling of burial plots is a common issue and many have put in place measures to control the practice. There is clearly a social demand to provide an opportunity for people to have family burial areas. However, this needs to be considered alongside the wider needs of the community in planning and providing for an effective cemetery operation. This being the case it is proposed to place a restriction on burial plot pre-sale that will cater for family needs to a limited degree but, at the same time, ensure improved cemetery planning and management.

It is intended, in the near future, to develop a comprehensive Cemeteries Operational Practices and Procedures Manual as a guide for cemeteries management. As part of this exercise it is likely some further policies may need to be formulated for adoption.

### **Staff**

**Recommendation:** That the Parks Gardens and Waterways Committee recommend the adoption of the policy entitled "Cemeteries Burial Plot Pre-purchase Policy" as set out below:

#### **Cemeteries Burial Plot Pre-purchase Policy**

The pre-purchase of full burial plots in Council Cemeteries is restricted to one (1) additional plot adjacent to the plot purchased at the time of death. No other pre-purchase of full burial plots in Council cemeteries is permitted.

### **Chairperson's**

**Recommendation:** That the above recommendation be adopted.