

MUCH HADHAM PARISH COUNCIL BURIAL AUTHORITY

TERMS OF REFERENCE

Preamble

The Parish Council ("Council") is responsible for two Burial Grounds within the parish – St Andrew's Burial Ground is near St Andrew's Church and Perry Green Burial Ground is opposite St Thomas's Church.

St Andrew's Burial Ground has been closed to new burials for some years, but the interment of ashes into existing grave spaces is still accepted.

A Remembrance Garden, for the burial of ashes only, was opened in 2020 at the Perry Green Burial Ground.

The Burial Ground **Regulations** outline rules in place for the management of these burial grounds and the associated **fees** for interments and memorials. These Regulations and fees are kept under review by the Burial Authority ("Authority"). Any enquiries should be addressed to the Clerk.

The Burial Authority is constituted as a standing committee under Council standing order 4d and nothing in these terms of reference shall override or supersede the procedures in the Council standing orders.

These terms of reference are determined by the Council and it is only the Council that may amend them.

1. Areas of Responsibility

- 1.1 The Council owns and operates the two burial grounds under the Local Authorities Cemeteries Order 1977.
- 1.2 The Authority has delegated responsibility from the Council to monitor, review and change the Regulations as it considers necessary, and to ensure current legislation is applied.
- 1.3 The Authority has delegated responsibility from the Council to monitor, review and change the Fees as it considers necessary.
- 1.4 The Authority has delegated responsibility from the Council to consider the long-term direction, use and capacity of the burial grounds and make decisions accordingly.
- 1.5 The Authority will be responsible for directing the maintenance of the burial grounds to maintain a good standard of appearance.
- 1.6 The Authority will be responsible for directing the management and operation of the burial grounds including the setting of Regulations that ensure the safety, dignity and ongoing use of the grounds.
- 1.7 The Authority will be responsible for conducting a risk assessment, reviewed annually, and ensuring those risks that cannot be eliminated are properly monitored. This includes conducting safety tests on memorials and gravestones, and inspections and maintenance of trees and paths.
- 1.8 For the avoidance of doubt, the Authority does not have delegated responsibility to approve payments to suppliers, which remains the responsibility of the Council.

2. Membership

- 2.1 Membership shall consist of up to 5 Council members.
- 2.2 The Chair of the Committee shall be elected by the Council from the Committee members.
- 2.3 A quorum of the Committee shall consist of no less than three members.

3. Meetings

- 3.1 The Council's Standing Orders are to be followed in all respects.
- 3.2 The calendar of ordinary meetings shall be confirmed at the first meeting after the Annual Meeting of the Council. There will be a minimum of five such meetings each year, usually in February, April, June, September and November, held immediately prior to that month's Council meeting.
- 3.3 The Parish Clerk or the Chair of the Committee may call additional Committee meetings as and when necessary.
- 3.4 A Notice of Meeting together with agenda shall be published by the Parish Clerk at least 3 clear days prior to a meeting and shall specifically include time for Residents' Comments to allow public participation in accordance with Council standing orders.
- 3.5 Minutes of all meetings will be recorded by the Parish Clerk. Council meetings shall receive a copy of the minutes of the Committee and this shall be recorded in the Council minutes.

4. Day to Day Management

- 4.1 The Council's Financial Regulations are to be followed in all respects.
- 4.2 The accounting for receipts, expenses and balances relating to the burial grounds shall be ring-fenced from those of the Council. Surpluses from the fees for burials, interments and other fees shall not be available to the Council and are to be used only for the future operations, maintenance and investment in the burial grounds.
- 4.3 The Clerk shall present a financial report to each meeting of the Authority and a summary of receipts, expenses and balances to each ordinary meeting of the Council.
- 4.4 The Clerk shall annually prepare and present a budget and financial forecast for the Authority, for approval by the Council at the same time as it approves its own budget and financial forecast. Once approved, the Authority will have delegated authority to incur expenditures in accordance with the budget.
- 4.5 The Authority shall ensure the Clerk and/or any other named person as approved by the Council has effective documented procedures in place to take day-to-day operational decisions on the management of the burial grounds to include:
 - Keeping records of all burials and interments and their locations and maintaining a register of all burials
 - Liaising with funeral directors on all matters pertaining to burials and interments
 - Meeting with funeral directors on the day of a funeral and collecting the relevant documentation for forwarding to the Register of Deaths
 - Facilitating the installation of approved memorials
 - Ensuring all relevant provisions of The Local Authorities' Cemeteries Order 1977 are observed and advising the Authority on a timely basis of any instances of non-observance.
- 4.6 The Clerk and/or any other named person as approved by the Council acts on behalf of the Authority to ensure compliance with the Regulations. Any applications for burials, interments or memorials outside of the Regulations will be referred to the Authority for a decision.

- 4.7 The Clerk and Authority shall ensure that any decisions and rulings that might be considered controversial or reputationally damaging, and any disputes are brought to the attention of the Council at the earliest possible opportunity.

5. Review

- 5.1 These terms of reference are to be reviewed periodically by the Council and the review minuted.

6. Dissolution

- 6.1 The Council may dissolve the Committee following a properly approved resolution to that effect.

Approved at Parish Council meeting 4th November 2025

Amendments approved at Parish Council meeting 7th July 2026