

### **Cemeteries non-resident fee policy**

#### **General principles**

The provision of burial land by the council is discretionary. However, even when all of the land has been used and no further burial income is forthcoming, the council must maintain all of the burial land in the district.

Whether directly through the acquisition and development of land, or indirectly due to the reduction of the contribution from the crematorium, cemeteries in the district are supported by the general fund.

Based on the concept that residents contribute to the council's funds during their residency and to reflect the ongoing maintenance costs of the cemetery to which the deceased has not contributed, any person who is not resident in the district at the time of their death will be charged a premium for their burial.

To reflect the scarcity of land for future burials residents of the district and the need to identify new burial grounds any person from outside the district who wishes to purchase an exclusive right of burial will be charged a premium.

#### **Extract from the cemetery regulations** (approved by executive members October 2009) **Fees & Charges**

47. The fees and charges prescribed for the use of the Cemetery shall be those specified in the table of fees, as amended from time to time subject as follows:
- a) Where two or more interments from one family take place in the same grave at the same time the fee for one interment as prescribed in the table of fees will apply.
  - b) the fee for interment shall be doubled where the deceased, within one year of death, was not ordinarily resident within the area of Warwick District Council.
- 48 All fees and charges payable to the Council are due in advance except in the case of tradesmen dealing continuously with the Council when a monthly account will be operated.

Fees and charges are payable to the Council's treasury unless otherwise directed.

#### **Specific fee setting principles**

The non-resident premium, as specified in the cemetery regulations and in the table of fees and charges, is double that charged to residents. To reflect there being no exclusive right of burial granted for graves in Oakley Wood natural burial ground the premium has been set at 50% more than that charged to residents, this prevents disproportionately high non-resident fees being charged for natural burial.

Any person who resides in the district at the time of their death is entitled to burial at single fees, irrespective of their duration of residency in the district.

Any person of no fixed abode whose death occurred within the district and funeral arrangements are made under the Public Health (control of disease) Act 1984 is entitled to burial at single fees, irrespective of previous residency in other districts.

Any child under the age of 16, who has one parent (or a person with parental responsibility) residing in the district is entitled to burial at single fees, irrespective of that child's residence at the time of their death.

Persons who reside outside the district at the time of their death are subject to a premium charge for burial fees. Close relatives of the deceased generate no entitlement for the burial of their non-resident relatives.

Persons who reside outside the district and purchase an exclusive right of burial are subject to a premium charge for the granting of those rights, because owning those rights automatically entitles that person to be buried in that grave. Close relatives (even when it is the deceased person being buried) generate no entitlement for the purchase of the exclusive right of burial by non-resident relatives.

Where the exclusive right of burial has been purchased by a resident of the district "for future use" and the rights are assigned to a person who resides outside the district a premium based on the original purchase price shall be levied.

Where the exclusive right of burial has been purchased by a resident of the district at the time of the burial for a non-resident and are subsequently assigned to a person who resides outside the district a premium based on the original purchase price shall be levied, unless the new owner can prove they were resident at the time of the initial purchase.

No premium will be levied on the transfer of exclusive right of burial to a non-resident if the transfer is subsequent to the burial of the deceased registered owner in that grave.

Where two or more burials take place in the same grave at the same time and where one is a full burial and other(s) are burials of cremated remains the fee charged will reflect the residential status of the full burial.

### **Exemptions for former residents**

Where a person has been resident in the district for a period of 10 years or more and during the 12 months prior to their death moved out of the district, they shall be entitled to burial at single fees.

Where a person was resident in the district at the time they purchased an exclusive right of burial; providing they have during their lifetime been resident in the district for a period of 10 years or more they shall be entitled to burial in that grave at single fees, irrespective of the length of time they have left the district.

Where two or more full burials take place in the same grave at the same time and only one of the deceased were resident in the district, the residents fee shall apply.

The 10 year period of qualifying residency will date from the recorded residence on electoral registers/council tax databases. It is up to the deceased's family members to supply information to support a claim for exemptions for former residents.