

5) Clerk's Report, Correspondence and Donations:

The Clerk reported that he had received a flyer from VE 75 Fireworks and a price list from the Suffolk Association of Councils (SALC). The Clerk said that Susan Moore had resigned from the Council and he had received advice from SALC regarding Cemetery Soil.

The Clerk read out the following advice:-

Disposal of surplus grave soil is one aspect of cemetery management you will struggle to find any specific legislative or regulatory reference to in books or on the internet.

My views, on behalf of SLCC, supported by the Institute of Cemetery and Crematorium Management are that:

- 1. Under Article 3(1) of the Local Authorities' Cemeteries Order 1977 (LACO) burial authorities have wide discretionary powers to manage and regulate civil cemeteries.*
- 2. There is no legal debarment to removing 'non-offensive' surplus soil from cemeteries by the burial authority or a contractor or individual with the authority's approval whether from consecrated or unconsecrated graves.*
- 3. Surplus soil resulting from digging a new grave or reopening an existing grave for a second or subsequent interment and then back filling the grave should not be 'contaminated' as it would not have come into contact with decomposing/decomposed remains provided the statutory depth of soil (see Schedule 2 - Part 1 of LACO 1977) between interments has been properly observed and no remains, either cofined or cremated, have been disturbed during digging. Neither should soil used to mound graves which is later removed following settlement be regarded as contaminated or to give it its correct legal term 'offensive'.*
- 4. Soil excavated in the course of disinterring/exhuming remains should be treated as offensive and should not be removed from the cemetery unless required under health and safety regulations. Proper reuse of such soil is usually covered by the Ministry of Justice Order and/or Faculty and any additional requirements of an environmental health officer who should be present.*

Where graves are not dug by burial authority employees most have a regulation along the lines of 'persons responsible for grave digging must dispose of surplus soil from a plot to an area agreed by the Council within the cemetery'. If a Council wishes surplus soil to be taken off site and disposed of I would strongly recommend it either:

pays a licensed waste carrier who can (and should) provide the authority with a waste transfer note which effectively protects the authority, or

requires the funeral director to confirm, in writing, that all surplus soil will be 'properly' disposed of

If the council does neither it could be liable for prosecution. Most smaller councils either spread surplus soil across other parts of the cemetery or pay to have it removed and recover the cost by adjusting their interment fees.

It was agreed that Cllr. M. Porter would define an area in the cemetery where the surplus soil would be put in the future. The Clerk would ask Funeral Directors to make sure that the gravediggers will put the soil extracted from digging a grave in the designated area.

Proposer: Cllr. M. Porter: Second: Cllr. R. Chase:

6) **Cheques for Payment and Receipts:**

There were no cheques or receipts.

The Village Green was discussed and the Clerk was asked to put flooding and the Environment Agency on the Agenda for the next Parish Council Meeting.

The Meeting ended at 7-51pm.