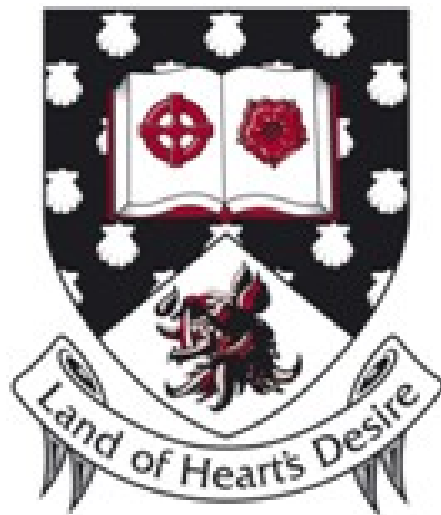


SLIGO COUNTY COUNCIL



BURIAL GROUND POLICY 2006-2010

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THE FUTURE OF BURIAL GROUNDS IN COUNTY SLIGO

1.0 Legislative Background

The Public Health (Ireland) Act 1878 provides for the provision, maintenance and control of burial grounds. Under this act, the local authority acting as the sanitary authority were given powers as “Burial Board” to restrain the opening of burial grounds and to prevent burials in specified locations.

The Local Government (Sanitary Services) Act 1948 states that bodies can only be buried in properly designated burial grounds. An exception to this is that a clergyman may be buried in or adjacent to a church. This act also dealt with procedures for exhumations.

The Local Government Act 1994 amended the earlier acts to provide that any person or group could develop a burial ground subject to obtaining full planning permission. This act now allows for other groups, in particular community groups to provide and maintain burial grounds.

1.1 Burial Grounds in County Sligo

Sligo County Council is currently responsible for the acquisition of land for the provision of burial grounds; the Council undertakes any necessary works on said lands and delineates plots suitable for burials.

There are 64 burial grounds under the control of Sligo County Council in the county. Some of the older burial grounds operated and controlled by the Council are no longer in active use. (*See Appendix I*). A number of extensions have been provided by Sligo County Council in locations near the existing site where the demand is evident e.g. the Council recently provided an extension in Calry burial ground and this extension is now complete. The Council have also purchased land for a future extension to Kilglass burial ground in Enniscrone, and works will be undertaken here when space becomes a problem in the existing burial ground.

1.2 Management and Control of Burial Grounds

At present the Council employ a Registrar in each of the active burial grounds to assist in the provision and maintenance of them, the Registrar undertakes the following tasks:

1. To keep the Register of Interments in accordance with the Regulations thereon and to enter in full the particulars required.
2. (a) To demand and receive fees, in respect of grave spaces, as levied from time to time and to issue a receipt in the proper form for each fee so received.
(b) To lodge any monies so received on behalf of the Local Authority promptly with the Treasurer of the Local Authority i.e. Bank of Ireland, Stephen Street, Sligo and to retain for production at any time the bank receipts for such lodgements.
3. To attend for checking of accounts as and when and where directed by the Local Authority or Auditor and to produce all books and documents for inspection at such checking.
4. (a) To allocate grave spaces in strict consecutive order in accordance with the layout plan.
(b) To keep the record showing the ownership of each grave and available accommodation therein.

5. To be present at the opening of graves and at interments for the purpose of ensuring that:
 - (a) Each new grave is sunk perpendicularly to a depth of 2.5m or to such lesser depth as may be authorised by the County Medical Officer.
 - (b) No unwalled grave shall be re-opened within the periods prescribed by the said Regulations, and where such re-opening is permitted by the said Regulations to ensure that a layer of earth, 300mm in depth shall be left undisturbed over the previously buried coffin.
 - (c) Remains for interment are enclosed in a coffin of wood or other sufficiently strong material.
 - (d) No coffin shall be buried in a grave unless when the interment has been made, the lid of the coffin is at least 1.2m below the ordinary level of the ground.
 - (e) Human remains shall not be removed from a grave except where such removal is authorised in pursuance of the said Regulations. Human remains accidentally exhumed shall be immediately restored to the grave.
 - (f) After interment, the grave is properly filled in and neatly finished.
6.
 - (a) Not to permit any grave to be opened except for the purposes of an interment or the erection of a tombstone or headstone unless authorised by the authorities specified in the said Regulations.
 - (b) To direct any person wishing to erect a monument or headstone to apply in writing to the Local Authority for permission to do so, enclosing for their approval with such application a plan or sketch of the monument or headstone and the foundation, and an undertaking accepting liability for any damage caused to adjoining graves by the excavation work. Not to permit any such excavation or erection until the approval of the Local Authority has been obtained.
7. To report promptly to the Local Authority:-
 - (a) Any unauthorised burial
 - (b) Any case where bones or human remains are accidentally exhumed in the course of an interment.
 - (c) Any unauthorised interference with any grave, or any damage or injury to vaults, tombstones, crosses or wreaths
 - (d) Any encroachment by trees on graves, or the planting on or near graves of shrubs, bushes or plants
 - (e) Any grazing animals in burial grounds
 - (f) Any damage to fences and boundary walls and
 - (g) Any case where the drainage of vaults or graves is necessary
8. To keep the gate of the burial ground closed when not required to be open in connection with an interment or other proper purpose and to retain the key in their possession.

The Community and Enterprise office provide regular training to Registrars on their role and responsibilities and the Heritage Officer also gives advice on matters relating to the care and conservation of burial grounds.

The Council will continue to employ Registrars in existing burial grounds but that under the new proposed policy the Community will now take a more active role in the management and upkeep of burial grounds.

1.3 Burial Ground Survey

Each year a survey is undertaken to record details on the condition of all Council controlled burial grounds, in particular the survey focuses on the critical issue of burial plot space and the state of buildings/structures in the burial ground. The information extracted from the 2006 survey conducted in February 2006 is provided in Appendix II.

2.0 Shortage of Burial Plots

The 2005 survey conducted identified ten burial grounds with potential space shortages, a site inspection was undertaken which confirmed that space was becoming limited or was non-existent in these burial grounds (See Appendix III). Based on results of this survey the Council are developing a plan of action and are giving consideration to the following criteria when deciding on the works required in these locations:

- I. No of Burials per year
- II. Census figures 2002 identifying population levels and demand for a new burial ground
- III. Availability of suitable land at an affordable price in the area
- IV. Community Support for extension
- V. Existence of Burial Ground Committee in the locality

2.1 Funding of New Burial Grounds

Each year the income generated from burial ground fees are offset against the cost of general upkeep of the burial grounds, and therefore there is no surplus available to fund any burial ground expansion plans. From the years 2002 to 2004 €32,000 Revenue expenditure was spent on the maintenance and upkeep of burial grounds in the county with a total of €10,000 in Capital expenditure incurred on the recent extension to Calry burial ground. In light of the significant cost outlay for this work, it is reasonable to expect the local community to take a more active role in the maintenance and upkeep of burial grounds in the future.

To date, the Council has been unable to identify suitable land from its own land bank for burial ground development and therefore it may be necessary to raise a loan (subject to Council approval and finances available) to cover the costs of site acquisition and to undertake the required infrastructural works. ***It is estimated that the total cost of the work required to acquire land and carry out infrastructural works on all sites (10) identified in the survey would be in the region of €5,000,000.***

2.2 Community Involvement

The maintenance and conservation of burial grounds is carried out by Sligo County Council in consultation with the community. The Community, Enterprise and Arts Office promote the establishment of burial ground committees, the aim being to involve the community in the upkeep and maintenance of the area. Each year, Sligo County

Council administers a burial ground grant scheme, to encourage and support these groups to maintain their local cemeteries and enhance their communities.

In 2005, €400 was provided to groups to assist in the upkeep of the burial grounds.

The Council acknowledges the great voluntary efforts of community group and local burial ground committees involved in care and conservation of these areas. The Council is pursuing this partnership approach throughout the county; with the community taking on more responsibility in the upkeep and maintenance of these places of natural heritage.

2.3 Dangerous Structures

A safety committee has been established and meetings were held to devise a procedure to deal with dangerous structures situated in burial grounds. The following measures have been proposed to deal with this critical safety issue:

1. Area Engineers to conduct a more detailed site inspection on structures located in every burial ground
2. Structures will be prioritised for further action based on Engineers and Health and Safety Officers report
3. Protected structures identified as dangerous will be referred to the Council's Heritage Officer and the DOEHLG for advice on appropriate remedial works and costing estimates. *However, public safety will take precedence in all instances.*
4. All other structures identified as dangerous will be ranked and remedial works undertaken using funding sources available.

3.0 Policy for the Future Provision of Burial Grounds

The Council has developed a policy which will act as a blueprint for all matters relating to the future provision and maintenance of burial grounds. The provisions are set out as follows:

COUNCIL'S ROLE

- 1 Sligo County Council will be responsible for the provision of land, delineation of plots and the construction and repair of boundary walls, along with providing access, parking and any other necessary infrastructure in a burial ground. It is estimated that this work programme for all 10 sites identified in the survey will cost in the region of €5,000,000.
- 2 The Council will seek to provide land from its current land bank for the provision and extension of burial grounds. If necessary, the Council will consider the purchase of suitable private lands subject to the finances available.
- 3 The Council may revert to the CPO procedure in situations where difficulties have arisen in acquiring lands through the normal process.

- 4 The Council will consider land for development of burial grounds only if the said site is accessible, meets traffic management, public safety requirements and adheres to good planning and the County Development Plan.
The provision of burial grounds down narrow by-roads will be discontinued.
- 5 The Council will still assess the need for a burial ground as follows:
 - Priority will be given to areas where space shortage is an issue and where recent census figures confirm that a large population is living in the catchment area.
 - In areas where the population is declining; consideration will be given to the provision of one large burial ground for use by a number of parishes.
- 6 The Council will assist in the establishment of Burial Ground Committees within local communities when required.
- 7 The Council will provide and organise training for Burial Ground Committees/community regarding the care and conservation of burial grounds and on the management and operation of burial grounds.
- 8 A programme of remedial works for a burial ground will be agreed annually by the Director of Services with the local Area Engineer and provision will be made in the estimates to cover the cost of this work
- 9 Burial ground charges will be reviewed annually and will reflect the replacement cost of land in the county.
- 10 The policy of no pre booking of plots will be strictly enforced in the county
- 11 It is proposed that all burial grounds would be multi denominational.
Consultation would take place with Burial Ground Committees and any other interested parties in this regard.
- 12 All new burial grounds will display a map showing the division of the burial ground into spaces and an information board at the entrance gate to assist the general public in the identification of family burial plots
- 13 The “Green Lawn” effect will be considered in all new burial grounds. This is necessary to prevent future space problems and to facilitate the proper maintenance of the burial grounds.
- 14 A request for burials in a place other than a designated burial ground is governed by Local Government Act 1994 which states that an application for permission must be made in accordance with the Planning and Development Act 2000.

COMMUNITY ROLE

1. The Council will develop a partnership approach with the local community via the local burial ground committee for the future role of the management and operation of existing burial grounds.
2. Where a burial ground committee does not exist in the area, the community will be required to establish a committee and the Council will assist in this regard, if necessary.
3. *It is proposed to introduce on a pilot basis a structure whereby the management and operation of a new burial ground would be carried out by a local burial ground committee by way of a formalised agreement*

This formal arrangement would be made between the Council and the local Committee and would be subject to a number of conditions including:

- The development work necessary for the project would be undertaken by the Council in co-operation with the local committee.
 - Any future works necessary must have prior approval of Director of Services
 - The Committee must comply with the regulations governing the management of the Burial Ground and appropriate allotment, financial and other records must be made and available for inspection by the Council
 - The revenue generated from the sale of grave plots would be offset against loan charges with the balance used for the upkeep and maintenance of the burial ground.
 - Grave spaces must be sold at full economic cost
 - There can be no pre-booking of plots
4. The Committee will be fully responsible for the ongoing management and upkeep of this pilot facility.
 5. A period of consultation and agreement with interested Burial Ground Committees will be undertaken in 2006.

It is proposed to implement this policy over a period of five years with reviews undertaken on a yearly basis.

4.0 APPENDIX I

INACTIVE BURIAL GROUNDS:

<i>Ballinakill</i>
<i>Ballindoon</i>
<i>Ballisodare</i>
<i>Ballyara</i>
<i>Foyogues</i>
<i>Kilcummin</i>
<i>Kilglass Old</i>
<i>Killoran</i>
<i>Kilmorgan Old</i>
<i>Skreen Old</i>

4.1 APPENDIX II

RESULTS OF 2006 BURIAL GROUND AUDIT CONDUCTED IN FEBRUARY 2006

Electoral Area	Name	No. Plots Remaining	Is Extension required?	Structure Present	Condition of Structure
Ballymote	Foyogues	0	No	No	
Ballymote	Killaraght New	618	No	No	
Ballymote	Templevanney	0	No	No	
Ballymote	Ballinakill	0	No	Yes	Good
Ballymote	Emlaghfad	0	No	Yes	Poor
Ballymote	Sooeey	1167	No	No	
Ballymote	Aughanagh	348	No	Yes	Poor
Ballymote	Kiltycloghan	0	No	No	
Ballymote	Templeronan	40	No	Yes	Poor
Ballymote	Tawnagh	0	No	Yes	Fair
Ballymote	Kilmastranny	165	No	Yes	Poor
Ballymote	Killaraght	72	No	No	
Ballymote	Templemore	200	No	Yes	Poor
Ballymote	Carricktemple	98	No	No	
Ballymote	Ballyrush	103	No	No	
Ballymote	Carrownanty	356	No	No	
Ballymote	Ballindoon	0	No	Yes	Fair
Ballymote	Kilmorgan New	879	No	No	
Ballymote	Ballisodare	0	No	Yes	Poor
Ballymote	Kilross	0	No	Yes	Fair
Ballymote	Killery	0	Yes	Yes	Poor
Ballymote	Knockbrack	16	Yes	Yes	Good
Ballymote	Monasteraden	34	No	No	
Enniscrone	Killanley Old	0	No	No	
Enniscrone	Kilglass New	148	No	Yes	Good
Enniscrone	Grangemore	0	No		
Enniscrone	Killanley New	198	No	No	
Enniscrone	Kilglass Old	0	No	No	
Enniscrone	Dromard	10	Yes	Yes	Good
Enniscrone	Aughris	0	No	Yes	Poor
Enniscrone	Easkey	0	Yes	No	
Enniscrone	Kilmacshalgan	100	No	No	
Enniscrone	Templeboy	180	No	No	
Sligo	Rathcormac	982	No	No	
Sligo	Collooney	530	No	No	
Sligo	Clogher	200	No	Yes	Fair

Sligo	Carrigans	4	Yes	No	
Sligo	Keelogues	0	Yes	Yes	Poor
Sligo	Killaspugbrone	0	No	Yes	
Sligo	Rosses Point	72	No	No	
Sligo	Kilmacowen	0	Yes	Yes	
Sligo	Ahamlish	5	Yes	Yes	Good
Sligo	Drumcliffe	0	No	No	
Tubbercurry	Killoran	0	No	Yes	Good
Tubbercurry	Coolaney	450	No	Yes	Good
Tubbercurry	Ballyara	0	No	Yes	Good
Tubbercurry	Cloonacool	208	No	No	
Tubbercurry	Rhue	644	No	No	
Tubbercurry	Kilcummin	0	No	No	
Tubbercurry	Kilmactigue	327	No	No	
Tubbercurry	Kilturra	200	No	No	
Tubbercurry	Achonry	361	No	No	
Tubbercurry	Court Abbey	8	Yes	Yes	Poor
Tubbercurry	Kilshalvey	0	No	Yes	Poor
Tubbercurry	Mount Irwin	0	Yes	Yes	Good
Tubbercurry	Carrentemple	80	No	Yes	Good
Tubbercurry	Kilvarnet	156	No	Yes	Poor
Tubbercurry	Banada Abbey	0	No	Yes	Good
Tubbercurry	Curry	239	No	Yes	Good
Tubbercurry	Cloonameehan	440	No	Yes	Good
Tubbercurry	Gurteen	238	No	Yes	Good

4.2 APPENDIX III

PROPOSED PROGRAMME OF WORKS 2006-2010

No	Electoral Area	Name	Plots Remaining at 31/12/05	Proposed Solution	Progress Made
1	Sligo	Ahamlish (Grange)	3	Council land available in Grange Private lands available in Grange	This site was found to be unsuitable. Landowner has been approached and negotiations ongoing
2	Enniscrone	Easkey	1	Private lands available if Council agrees to grant a way leave for access to a new private housing development	Right of Way approved at Council meeting. Contract Documents being prepared by Solicitors
3	Sligo	Carrigans (Maugherow)	4	Council to consider the purchase of private lands beside existing BG	Trial holes completed and negotiations ongoing with landowner
4	Sligo	Keelagues (Ballintrillick)	0	Council to consider the purchase of private land beside existing BG	Negotiations ongoing with one landowner

5	Ballymote	Knockbrack (Culfadda)	8	Council land available for further development within Burial Ground	Cost estimates prepared for Budget 2006
6	Sligo	Kilmacowen	0	Suitable site has been identified	Burial Ground Committee are actively seeking land to extend site
7	Enniscrone	Dromard	11	Council to consider the purchase of available private lands opposite existing Burial Ground	Landowner approached but negotiations were unsuccessful Area office to clear some scrub land which will provide an additional 13 spaces
8	Ballymote	Killery (Ballintogher)	0	Need to identify suitable site	Ongoing
9	Tubbercurry	Court Abbey (Achony)	12	Need to identify suitable site	Landowner approached, heritage issues need to be resolved
10	Tubbercurry	Mount Irwin	0	Private Land available for extension	Trial holes completed, cost estimates prepared.