

WEXFORD COUNTY COUNCIL

COMHAIRLE CHONTAE LOCH GARMAN



**Comhairle Contae
Loch Garman
Wexford
County Council**

**BURIAL GROUND
MAINTENANCE AND
DEVELOPMENT STRATEGY**

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1.0 INTRODUCTION

1.1 Legislative Background

The *Public Health (Ireland) Act* of 1878 legislates for the provision, maintenance and control of burial grounds. Burial grounds had been provided on a parish basis in Ireland and were frequently in the vicinity of, and associated with, the ruins of churches, which had existed in previous centuries. These burial places were controlled locally and, in the case of Catholic burial grounds, by the parish priest and his parishioners. The local authority, acting as the sanitary authority, became the burial board for each sanitary district. In the interests of public health, authority was given to local authorities to restrain the opening of new burial grounds and to order the discontinuation of burials in specified places.

The *Local Government (Sanitary Services) Act* of 1948 also deals with the disposal of bodies. It states that bodies must 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). The 1948 Act also makes provision for the exhumation of bodies.

The 1994 *Local Government Act* amended the law and essentially provided that any person or group could develop a burial ground, subject to obtaining full planning permission. This is a significant change, which facilitates the provision of burial grounds by persons or groups other than local authorities, but particularly local community groups. The law in relation to the exhumation of bodies was also amended by this Act.

1.2 Burial Grounds in County Wexford

Wexford County Council operates & maintains 14 Open Burial Grounds and approximately 135 vested burial grounds throughout County Wexford.

These burial grounds range in age from several hundred years old to the newly constructed Burial Ground in Enniscorthy.

Burial grounds in the County are operated and maintained by Wexford County Council's Water Services Department through the four Municipal Districts and also by local parish and community groups, some of whom are assisted with small annual maintenance grants by the Council. New burial grounds and extensions to existing burial grounds are provided by Wexford County Council and local communities.

The number of burial grounds in County Wexford which have available burial plots is decreasing. The County Council has an important role in ensuring the provision of burial grounds in County Wexford. A development policy is, therefore, required in order to ensure that sufficient burial spaces are available to meet the needs of the people of the County for the foreseeable future. The policy must consider the best use of available resources and the proximity of the location of burial grounds to the population of areas served within the County. The policy must also give priority to areas where the need is greatest.

1.3 Funding of Burial Grounds

Funding for the provision and maintenance of burial grounds in County Wexford is provided in the annual revenue budget of the Council. The provision of burial ground facilities is one of the few areas of local authority responsibility where no capital grants are provided by central government.

Financial resources for capital improvement works are always limited. The cost of purchasing land and developing burial facilities has risen sharply in recent years. It is important that the best use is made of available financial resources. The provision of a large burial ground with little demand would deflect resources away from areas where there are limited burial facilities available and where demand is greater.

A total amount of €468,389 has been allocated in the 2017 budget by the Council for burial grounds and is used to provide for the following:-

- Caretakers' Wages & Expenses
- Maintenance Grants to Voluntary Groups
- Provision of Capital Fund for New Burial Facilities and Improvements to Existing Facilities
- Grants to Communities for New Burial Facilities
- Portion of A.O. & Chief Technician's Salaries

E09 MAINTENANCE OF BURIAL GROUNDS					
Sub Service		Pay	Non Pay	Specific	Total
No	Description				
E0901	Maintenance of Burial Grounds Enniscorthy Burial Grounds Operations Maintenance of Closed Burial Grounds Contribution to St Senan's Burial ground Capital Fund Provision	86,917		20,000 39,000 5,000 50,000	200,917
E09 MAINTENANCE OF BURIAL GROUNDS					
E09	MAINTENANCE OF BURIAL GROUNDS				
E0901	Maintenance of Burial Grounds Crosstown Burial Ground Operations	101,500	41,054		142,554
E09 MAINTENANCE OF BURIAL GROUNDS					
E0901	Maintenance of Burial Grounds St. Stephens Burial Ground Operations	5,000	30,000		35,000
E0999	Service Support Costs Central Management Costs (CMC)				89,918
					468,389

Wexford County Council expects to realise €120,000 from the sale of burial ground plots in 2017.

The Council provides €378,471 towards the maintenance of burial grounds in County Wexford.

1.4 Maintenance of Burial Facilities

As detailed earlier, there are approx. 150 burial grounds in the County under the control of Wexford County Council. The Council, through its Municipal Districts, carries out maintenance on many burial grounds in the County. However, the limited financial and staff resources available to the Council dictate that the Council itself is not in a position to carry out on-going maintenance to all burial grounds and there are numerous voluntary local committees who carry out much needed maintenance to burial grounds in their localities. The high standard to which these burial grounds are maintained is a credit to these local groups. The Council seeks to assist these community efforts in a tangible manner by providing some limited grant assistance. The amount of the grant is variable, averaging €300.00 per burial ground.

The issue of insurances for voluntary groups maintaining burial grounds is often raised and the Council has sought clarification from its insurers in relation to this. The area of insurances is very complex and responsibilities can depend on many factors including who directed the work and the ownership of the lands upon which the work is being carried out.

1.5 Development of Policy in Relation to Provision of Burial Facilities

Wexford County Council does not have a policy in place for the provision of new burial facilities. A limited number of new burial grounds and extensions to existing burial grounds have been provided on an ad-hoc basis as the need arises and not in a structured manner. It is necessary to develop a policy on the provision of burial grounds in County Wexford which will respond to the needs and demands of communities in a structured manner. Burial needs should be anticipated and facilities provided on a planned approach which should ensure the best use of available resources.

2.0 DATA COLLECTION

In order to determine the burial needs of the County it will be necessary to carry out a comprehensive survey of all existing burial grounds in County Wexford. It will also be necessary to determine the population of the County and its distribution throughout the County.

Some burial grounds, which have no burial spaces available for the general public, have old family plots which are privately owned and are used infrequently for interments. Where very limited burial spaces are available in a burial ground to the general public, these burial grounds are designated as being 'full'. As the majority of these burial grounds are designated as national monuments interments should only take place where a right of interment has been established.

A search was carried out with Land Registry in order to determine, where possible, the ownership of each of the burial grounds. This search revealed that while some burial grounds are owned by the Council and others privately owned, the lands upon which a large number of burial grounds are sited are unregistered.

2.2 Population Survey

Population details are recorded by the Central Statistics Office (CSO) after each Census. The most recent Census was carried out in April 2016. The 2016 Census showed that the population of County Wexford grew by 2.94% from 145,320 to 149,605 since the 2011 Census.

Final results from the 2016 Census are not yet available, however, the 2011 Census showed a decline in population in some rural parts of the County and a marked increase in the Wexford Borough (in part, due to the boundary extension). County Wexford is divided up into 124 District Electoral Divisions (DEDs) and the population of each was obtained from the CSO. This is the smallest division of the population in the County which is available from the 2011 Census.

The mortality rate in County Wexford is presently at 0.7% or, in other words, approximately 1,020 people die in County Wexford each year. For the purposes of the analysis it is assumed that all persons who die in the County are also buried in the County. This does not take into consideration the following:-

- ◆ Deceased persons who are cremated and not interred;
- ◆ Deceased persons from outside the County, i.e. from another County or country, who are returned to County Wexford for burial;
- ◆ Deceased persons from County Wexford who are interred outside of the County.

However, the numbers of the above would be relatively small and have little impact on the provision of burial spaces in the County.

It should be noted that future population growth is difficult to predict and is not included in the analysis.

3.0 ASSESSMENT OF NEEDS

3.1 Burial Ground Needs

The findings of the burial ground survey were very positive in that there is substantial capacity for burials in County Wexford for the foreseeable future. However, the survey has also identified that the available capacity is not always in the locations where it is required.

The survey also showed that a small number of burial grounds have limited capacity remaining and will need additional burial spaces to be provided in order to meet demand.

It is recommended that funding for the provision of new burial grounds and the extension of existing ones be provided based on a number of factors including population served, cost of development and remaining capacity of nearby burial facilities.

4.0 PROVISION OF BURIAL FACILITIES TO MEET NEEDS

There are a number of ways in which new burial grounds may be provided and existing ones extended. These are outlined below.

4.1 Provision of New and Extensions to Existing Burial Grounds by the Council

The Council will continue to provide new burial grounds and extensions to its existing burial grounds. However, due to limited financial resources and the increasing cost of developing existing and new burial facilities, the amount of this work will be limited and may not be able to meet all future demand.

4.2 Provision of New and Extensions to Existing Burial Grounds by Local Groups

In many ways it makes much more sense for local community groups to develop and manage new burial facilities. Local groups are best placed to assess the demand for burial facilities in their area and can often obtain land more readily and develop burial grounds at lower cost than the County Council. Local groups can also use voluntary labour to develop and maintain burial facilities and are able to obtain commitments from local people to purchase burial plots in order to recover development costs. The provision of burial facilities by local groups will give them ownership of, and a sense of pride in, the facilities provided.

In order to encourage the development of burial facilities by local groups it is recommended that a formal capital grant scheme be introduced. It is further recommended that the maximum grant to be made available be €25,000 and that the amount of grant to be awarded in individual cases be determined by the Director of Services for Housing, Community, Libraries, Arts, Emergency Services & Environment. The award of a grant would be contingent on certain criteria being met and, in particular, the following:-

- Commitment by the local community to acquire land and develop burial facilities;
- Planning permission obtained for the proposed facility;
- Construction works imminent or underway;
- Local funding being raised towards the cost of the facility;
- Technical approval to the proposal granted by the County Council;
- Facility to be Non-denominational i.e. open to all of the public.
- Burial ground plots to cost the same as Local Authority burial ground plots.

The Council would provide technical assistance and guidance to the local community groups proposing to develop new burial facilities.

In any one year where a number of local groups are competing for limited capital grant funding, priority will be given to those who are at an advanced stage with their proposals and where the need for the facility can be readily demonstrated. The local group may sell burial plots to the local community and recover some of the development costs.

A local group can provide burial facilities in their area without grant assistance if they so desire, as long as the proposal is technically approved by the Council and the necessary consents and statutory provisions are followed by the group.

Land upon which it is proposed to provide burial facilities must be suitable for that purpose. The Council will also assist local groups who wish to develop new burial facilities by providing technical assistance and guidance during the design, planning and construction stages.

4.3 Use of Areas Within Existing Burial Grounds

Many older burial grounds, which have little or no designated burial spaces available, contain grassed areas where burials may have taken place in the distant past, but no indication of this is present in the form of headstones or markers.

These burial grounds are all deemed closed and many are National Monuments. Therefore, these areas will not be considered for new burials.

Burials in these burial ground will only be considered where a Right of Interment has been established.

The clearing of existing burial areas with existing headstones or markers in order to carry out new burials will not be permitted.

5.0 RECOMMENDATIONS

The policy recommendations are as follows:-

1. It is recommended that, subject to adequate finance being available, the amount of maintenance grant paid to local communities maintaining burial grounds be increased to €400 per location.
2. It is recommended that funding for the provision of new burial grounds and the extension of existing ones be provided based on a number of factors including population served, cost of development and any other relevant considerations.
3. Local community groups will be encouraged by the County Council to develop, manage and maintain new burial facilities by the provision of a capital grant of up to €25,000 and technical guidance and assistance.
4. All new burial grounds in the County must be available to the public at large and be non-denominational/multi denominational.
5. A risk assessment be carried out on the digging of graves, particularly in Crosstown, with a view to discontinuing the practice of graves being dug by Wexford County Council employees.
6. Due to pressure on space in some Wexford County Council burial grounds, it is recommended that plots in Council burial grounds not be sold in advance – only when an interment is to be carried out. No one individual shall be allowed to purchase more than 2 adjoining plots, i.e. a double plot.

Wexford County Council reserves the right to deal with special or unique cases, as they arise.

It is proposed that this policy be implemented and reviewed and updated within the next 5 years.

The policy recommended in this document will ensure, in so far as possible, that adequate burial facilities are made available for the people of County Wexford for the foreseeable future and that available resources for the provision of burial grounds are concentrated on the areas of greatest needs.

APPENDIX A

OPEN BURIAL GROUNDS IN COUNTY WEXFORD

Ardamine	Askamore	Ballymurn
Bunclody	Castledockrell	Clongeen
Enniscorthy	Ferns	Glenbrien
Oulart	Oylegate	Rathnure
Wexford (Crosstown)	New Ross (St. Stephens)	

APPENDIX B

CLOSED BURIAL GROUNDS IN COUNTY WEXFORD

NEW ROSS

Adamstown	Clonmines	Kilgarvan
Ballingly	Coolhuss (W'Bridge)	Killegney
Ballybrazil	Courtast (Newbawn)	Kilmokea
Ballyanne	Courthoyle	Kinnagh
Ballygurrán	Drilliestown	Longraigue
Ballyhack	Dunbrody	Nash
Ballykerogue	Duncannon	Newbawn
Ballylannon	Faree	Owenduff
Bannow	Glenow (Adamstown)	Rathimney
Carnagh	Horeswood	Rathroe (Ramsgrange)
Chapel	Kayle (Inch)	Templetown
Churchtown	Kilcavan	

ENNISCORTHY

Ardcavan	Ballyvaldon	Killeagh
Artramont	Ballyvaloo	Killilla (Blackwater)
Askinvillar	Begerin	Killmallock

Ballinaslaney	Castledockrill (Old)	Marshalstown (Old)
Ballindaggin (Old)	Castlellis	Meelnagh
Ballybrennan	Cherryorchard	Rossdroit
Ballyhogue	Clonmore	Saunderscourt
Ballyhuskard	Carrig	Templeudigan
Ballylannon (Ballylinew)	Garrynisk	Templeshambo
Ballymore (Scarawalsh)	Killanne	Templeshannon

GOREY

Ballinure (Killincooley)	Kilconnib	Kilnahue
Brideswell	Kilcorkey	Kiltannel (Courtown)
Clonattin	Kilcormick	Kiltannel (Old) (Ballaghkeen)
Clone	Kilcowan	Kiltrisk
Donaghmore	Kilgorman	Limerick
Ferns (Old)	Killincooley	Meelnagh
Kilcashel	Killimor	Rossminogue
Kilcavan	Kilmyshall	Toom
Kilcomb	Kilnamanagh	

WEXFORD

Ambrosetown	Drinagh	Lady's
Ardcandrisk	Glebe (Killinick)	Maudlintown
Ballyboker	Glebe (Mulrankin)	Rathmacknee
Ballybrennan	Grahormick	St. Bridget's (Kilscoran)
Ballyconnick	Grange (Kilmore)	St. Iberius

Ballymore	Hooks (Mulrankin)	St. Margaret's (Carne)
Bush	Kilbride (Killurin)	St. Mary's
Carrig	Kilcavan	St. Manna's
Churchtown (Tagoat)	Killag	St. Vaugh's (Carne)
Churchtown (Carne)	Killiane Little	Tomhaggard
Churchtown (Tacumshane)	Kilmachree	Trinity
Colaw	Kilmannon	Whitechurch
Coolcull	Kilmore	Wilkinstown
Coolastuff		
St. Mary's	St. Patrick's	St. John's
St. Michael's	Coolcotts	