

House of Lords

Session 2022-2023

Bishop's Stortford Bill

Opposed Committee, House of Lords

Petitioners Submissions

and

Exhibits (2 Bundles)

Lodged by Petitioners:

Alan Careless

Malcolm Careless

Dorothy Cawrey

Elizabeth Starkey

Keith Unwin

Mary Taylor

Peter Careless

Leonard Careless

Tel.

email:

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1. Introduction

My name is Peter Careless. I am a Solicitor and Notary Public admitted to the Roll in 1970. Although I have been a Solicitor for 53 years, I currently do not hold a Practising Certificate and appear today on behalf of myself and the cousins enumerated in the Petition previously filed by me.

At the beginning of my career, I was Deputy Clerk of the Littlehampton Urban District Council until my Council was consigned to history as the result of the Local Government Act 1972 introduced by Harold Wilson. The development and demise of Littlehampton Urban District Council and Bishop's Stortford Urban District Council are similar, as are the population levels of those and the successor Councils.

As Deputy Clerk of the Council and Port Health Authority, I had a joint responsibility for the management of all Council Committees with the Clerk of the Council but with specific responsibility for the Health and Housing Committee and the Recreation and Foreshore Committee. The Health and Housing Committee had specific responsibility for the Horsham Road Cemetery, which served the population of Littlehampton.

Lord Goddard, the Lord Chancellor who died in 1971, said "give me your best six points and keep the rest..."

I need to focus on 6 main points:

1. Why we are here

This will be about the consultation process

2. Local Government Act 1972

This covers municipal cemeteries, distinguishes London and Private Cemetery Legislation and gives you the present HM Government thinking

3. Expediency

How it needs to be defined according to the circumstances of the case

4. Cemeteries versus Cremation

Statistics and future trends

5. Land Availability

*This will cover recent land purchases by the Town and District Councils,
Green Belt and land owned by Herts CC*

6. Public General Acts and Government Consultation

2. Why we are here

1. In November 2015 the Bishop's Stortford Town Council (TC) submitted a report to the Diocese of St. Albans requesting a faculty to disturb human remains. They represented in their report that having purchased land adjacent to the new cemetery which would allow for 260 graves, recovering 90 unused graves and 11 War Commission graves, they had capacity for a further 18 years, without the 3 years remaining in the current New Cemetery.

They also requested double decking. Highgate regretted the double decking 15 to 25 metres deep of soil into which to inter people above existing graves.

A faculty was issued on 22 April 2016 which also prohibited double decking. This covers the Old Cemetery Consecrated Area, not the non-conformist area, which are protected by the Ministry of Justice.

2. The New Southgate Act 2017 then came to the TC's attention.

In September 2021 TC resolved to investigate land availability, circulate estate agents and landowners for land in the Town.

In October 2021, the TC resolved to apply for a private Act of Parliament. This would give them access to the un-consecrated section as well and cover both Old and New Cemeteries.

The TC consultation document of November 2021 claimed that there was an acute need for burial space and that they only had 10 years land left for burials at 25 per annum.

If these were double graves, it only requires 12 spaces per annum.

The TC currently advertises availability of new adult graves in the lawned areas of the Old and New Cemeteries for a basic 50 years interment plus an extension of 25 years at £3025 but also another £210 if you're fat.

As Municipal cemeteries did not exist before 1853, on average only about 20% of burials are 100 years old or more. Accordingly, as far as the New cemetery is concerned, only those interments from 1940 to 1948 would be vulnerable, if this bill goes through,

3. Additional land was acquired by the TC from the East Herts District Council (DC) in 2021.

In addition they own land in Little Hallingbury and five acres at Jenkins Road and on 23rd March 2023 the TC and the DC completed the purchase of approximately two acres of land at Havers Lane.

The TC now own an area equivalent to the whole of the Old Cemetery, again whether consecrated or unconsecrated.

It is not inconceivable that the New Southgate Act 2017 passed by this House inspired this course of action by the TC. One can only assume they had a lightbulb moment as no other Municipal Burial Authority has applied.

The consultation claims that without the powers conferred by this Bill, the Cemetery has little economic value and it is almost inevitable that its condition will deteriorate, given the pressure on funding.

There has been no attempt to encourage the formation of a Friends of Stortford Cemetery Group. Only one woman helps out voluntarily on occasion.

4. The District Council took the matter in hand when the TC understood it was NOT empowered to seek a private bill and repeated in spirit the TC claim plus the representation that by extinguishing all perpetuity rights and clearing away memorials, it would give them, initially, 1000 extra grave spaces to last into the next century and, quite possibly, indefinitely.

This greatly affects the New Cemetery, where the majority of graves, unlike the Old Cemetery, are either in perpetuity or time limited.

Prior to the Consultations, no intention was shown to call a Public Meeting. Thereafter at the full council meeting, every District Councillor had to be in favour of proceeding to apply for a private act. Coincidentally, 9 out of 17 Town Councillors are also District Councillors.

There have been, no public meetings, no plans, no exhibitions, no leaflets or pamphlets, no publicity campaign, no consultation with the Member of Parliament for Bishop's Stortford nor with any of the religious leaders except possibly with the Baptist Minister. When asked in writing his views on the proposal that would affect the unconsecrated section of the Old Cemetery, he eventually replied, quoting the bible. The Wesleyan minister certainly knew nothing about it.

So, it was simply the publication of the consultation notices in the local paper and some press coverage by the Stortford Independent after the Council meetings that preceded this application for the Bill. Even the Diocese commented that there had been no comment when the TC had applied for the faculty most probably again caused by lack of Public Awareness.

Councillor George Cutting presented the proposal to the full Council Meeting of the DC. Mr. Cutting is a member of the District Council Cabinet and also a dual member of the Town Council. In what capacity did the 9 members of the District Council at that meeting, who were also dual members of the Town Council, feel they were voting? The legislation for this application requires each and every member of the Council to vote in favour with no abstentions.

3. Local Government Act 1972

5. This Act is the principal Act regulating the activities of a Local Authority exercising its function as a Burial Authority, of which the East Herts District Council is one, along with its subordinate Bishop's Stortford Town Council.

The wording of the relevant sections is abbreviated for this exercise, as follows:

Sect 125... If a Parish Council are unable to acquire by agreement... land for a purpose for which they are authorised to acquire land...if the District Council are

satisfied...they (*the District Council*)...may be authorised...to purchase land compulsorily.

Sect 126...A Parish Council may use land for other purposes than acquired for.

Sect 214...The Councils of Districts...Parishes and Communities...shall be Burial Authorities...

(a) powers exercisable by the Burial Acts 1852 to 1906 shall cease to be exercisable and (b) any existing Burial Board shall cease to exist...(c) Burial Authorities MAY provide and maintain cemeteries whether inside or outside the area.

Sect 239...where a Local Authority, other than a Parish Council, are satisfied it is expedient to promote...any local or personal Bill in Parliament...the Local Authority may promote...the Bill accordingly and may defray expenses.

6. On the 1st April 1974, this act consigned the existing District and Parish to history and swept away all the Victorian Burial legislation, leaving behind one or two Sections, the most important of which was Section 25 of the Burial Act 1857, not to disturb human remains. The rest of the Act, along with its sister legislation, was not saved.

Before being repealed, the Burial Act of 1852 required a Burial Authority to provide a burial ground. The new Act made this permissive.

The Burial Act of 1852 had itself, before its repeal, extended the provisions of the Metropolitan Interment Act 1850 which prohibited intra-mural interments to provinces.

Thus began the process that would lead to the passing of the Local Government Act 1894 that would create the system of local government until it was re-organised by the 1972 Act on 1st April 1974.

For a provincial town such as Bishop's Stortford, which had a population of 4,681 in 1851 and 40,909 in 2021, the only legislation the Committee need to consider is the 1972 Act, Section 25 of the 1857 Act and the Local Authorities Cemeteries Order 1977. Nothing else is relevant. Acts passed for the benefit of the Metropolis or for Private Cemetery Companies are entirely irrelevant for a provincial Local Authority.

7. When the new Act came into force and disbanded the existing Bishop's Stortford District Council and the Burial Board, there would have been no local

voice, had not the new Act created a new Parish Council, that also took over the functions of the old burial Board. Being a town, there were designated Town Councils.

The 1972 Act was hastily followed by the Local Authorities Cemeteries Order 1974 and 1977, otherwise the new Burial Authority had no rule book to follow, other than The Cemetery Clauses Act 1948. The new Orders included such material from the Victorian legislation as it was deemed necessary to preserve.

The debate on these Orders was originally reported in Hansard on the 28th March 1974 and, whilst the 1974 Order was subsequently repealed, it was incorporated into a revised 1977 Order. That left a number of aspects of the law of Burial which the Lords agreed could only be dealt with by another Bill or Public General Act.

Viscount Colville of Culross found... “it is most unusual to find a complete code of powers and provisions covering a subject like this in a statutory instrument. In Halsbury there is a whole section on burial and cremation . This will disappear completely because all the Acts will be repealed and the only thing put in its place is a Statutory Instrument. The advantage of course is flexibility and the ability to amend and consolidate without the necessity of putting a Bill before Parliament.”

Although the 1977 Order prohibited sales of graves in perpetuity and instead made future sales time limited to a period not exceeding 100 years, the most important provision in the 1977 is Section 23.

Section 23 of the Local Authorities Cemeteries Order 1977 states “nothing in this order shall be construed as authorising the disturbance of human remains.”

8. Accordingly, the Committee is asked to consider the normal Parliamentary presumption of *Lex prospicit non respicit* – The law looks forward.

The true principle is that Parliament is presumed not to alter the law applicable to past events and transactions in a manner that is unfair to those concerned in them, unless a specific intention is clearly unambiguously stated.

“The greater the unfairness, the more it is expected that Parliament will make it clear if that is intended.” (Secretary of State for Social Services v Tunliffe 19912AER page 724).

The proposed Bill would be unfair on those who had purchased burial rights in perpetuity and had arranged their affairs accordingly. The Local Authorities

Cemeteries Order 1977 reflects this. Only onward sales in perpetuity were prohibited and only time limited burial spaces could be purchased for a period not exceeding 100 years.

Bishop's Stortford Town Council only offer 50 years initially or 25 years longer if one is prepared to pay.

9. The Committee will note that this Order does not impose this restriction on those graves in perpetuity that have already been sold prior to its commencement. The law looks forward and not back but if that becomes a policy, a specific General Act would be required.

On the 15th March 2023 The Ministry of Justice issued a press release to the effect that being aware of the Bishop's Stortford Cemeteries Bill 2022 and the Private Burial Grounds and Cemeteries Bill being promoted by Baroness Hussein-Ece were before this House, the 13th Law Commission in December 2022 had commenced its "Modern Framework for the Disposing of the Dead" project. This will seek to future-proof the legal framework that brings existing law in line with modern practices. The Commission has begun its scoping phase with the Department of Justice.

On the 23rd March 2023 the Law Commission issued its own release to similar effect. This is the last topic the 13th Law Commission has to deal with.

The Petitioners therefore submit that any Bill now being proposed by the Promoters is premature and will be overtaken by events.

4. Expedient

10. The Petitioners are going to ask you to consider the word 'Expedient' in connection with this proposal as it is an obligation imposed upon the District Council by Section 239(1) of the Local Government Act 1972. It is the only time that the word has been used in a Public General act and whilst it is true that everybody assumes that they know the meaning of the word, the opposite is often true.

At the full Council meeting of the District Council on the 16th of November 2022, it was represented to the members assembled through Councillor George

Cutting...’ that the word in this context, includes, being for the benefit to the inhabitants of the Council’s area’

The word expedient is not defined in the Act so the Law Society was asked to research whether the word had ever been legally defined as it seemed that the reason ‘to be of benefit’ would not be an adequate reason to avoid the extant legal position not to disturb human remains under Section 25 of the Burial Act 1857.

11. The Law Society responded:

In R. (Gillan) v Metropolitan Police Commissioner 2004, Lord Woolf CJ said “ We would give the word expedient its ordinary meaning as advantageous”

In A. v HM Treasury 2008, Lord Justice Wilson said: “Expedient has become a dirty word. It has come to mean unprincipled but the word must be considered in the context in which it arises”.

In R. v Edmund Campion Catholic School 2012...’ useful or politic as opposed to just or right’

The Oxford English Dictionary definition reads... ‘convenient and practical although possibly improper immoral suitable or appropriate, means of attaining an end, especially one that is convenient but possibly improper’

12. Whilst it would seem immoral in the circumstances where grave spaces previously purchased in perpetuity are to be unilaterally confiscated, the Petitioners suggest in this context following the remarks of Wilson LJ. The Petitioners propose that the appropriate definition is ‘necessary’.

There are many synonyms for the word expedient and the meaning has to be ascertained by reference to the meaning of words associated with it. Noscitur a sociis, ‘it is known from its fellows and allies’ or rather from its circumstances.

13. The Promoters have themselves given you an example of expediency by referring you to the Swavesy By-ways Act 1984.

Although the Promoters intend to use that Act as a precedent for cost sharing, the reason for the Act arose from the fact that prior to the 1st April 1974, the Parish Council collected a rate from a small number of parishioners to maintain these highways following a determination by Commissioners. This function was removed from them on reorganisation but the new District Council to whom it was transferred did not have the power to differentiate between one rate payer

and another. The Local Government Act 1972 allowed local arrangements to continue for no more than ten years until alternative arrangements were put in place. It became expedient to promote a local act to reinstate the position only this time in favour of the successor council.

14. In Littlehampton in 1972, it became expedient to promote a private bill (the terms of which were subsequently incorporated into the West Sussex County Council Act 1972) as the outgoing Littlehampton Urban District Council wanted to redevelop former estuary salt pans into a marina before it was extinguished. This was being blocked by the Harbour Board chaired by the Duke of Norfolk. The old Board was dissolved, a new smaller board constituted under the Act and a redevelopment agreement was signed a few months before the Council went out of existence.

A similar expeditious strategy was employed by the outgoing District Council to arrange the consecration of land adjoining the town cemetery which coincidentally was purchased like Bishop's Stortford in 1940, to avoid it being requisitioned for housing by the incoming Council.

In the context of these last two examples, expedient came to mean 'urgent'

The Petitioners contend that additional grave space in Bishop's Stortford is neither urgent nor necessary.

5. The Old Cemetery and the New Cemetery

15. The Petitioners are the family of the people enumerated in paragraph 1 of the Petition, the, the degrees of relationship being stated there.

In the bundle of exhibits which accompanies this submission, Item 1 is a photograph of the people, bar one, occupying the compound grave space in perpetuity in the un-consecrated section of the Old Cemetery.

Front row from left to right is: Charles Careless, the eldest son of William Careless, who died of tuberculosis without issue. Next to him is his father William Careless and then his mother Sarah. Behind Charles is his widow Mabel, who remarried and is buried elsewhere. To her left is the Petitioners Grandmother, Alice Maude Careless and her husband, William and Sarah's only surviving son, and Charles' younger brother, the Petitioners Grandfather, William Joseph Careless. There is one further occupant William Joseph and Alice's son Robert Careless who was the last interment in 1971.

Unfortunately, the Petitioners do not have a photograph of the three infant children of William and Sarah, Mary, Sarah and Joseph, interred in the grave adjoining the family compound, all of whom died in the diphtheria epidemic that followed the cholera epidemic of that era. Joseph was named after his Grandfather Joseph Careless, who is buried in the Histon Road Baptist Cemetery in Cambridge.

16. Item 1 also shows the photograph of William Joseph's and Alice's son Alfred William Careless and his wife Elfreda with their infant son Alan her lap. Alfred and his wife Elfreda are buried in perpetuity in the New Cemetery with Elfreda being the last interment in 1996.

The third photograph in **Item 1** is that of, from left to right, Phillip Markwell and Robert Careless. Robert is the last interment in the Careless compound grave, but Phillip is interred in a compound grave with his Grandparents, Alfred John Markwell and his wife Ellen. They are shown in the last photograph in **item 1**. Phillip is buried along with his mother, Florence Markwell, who died in childbirth with him. He was subsequently raised by his mother's sister, Alice Careless the Petitioners grandmother, until he succumbed to kidney failure at the age of 20. His was the last interment in 1939.

Item 2 of your exhibits shows initially a location plan of Bishop's Stortford and the reason that road map is included is to try and show you the proximity of the County boundary line to Essex. There is a faint pink line, from which you will see that any suggestion that an extra cemetery would be in a different County will be misleading as it is on the outskirts of the Town urban area.

The next plan shows how a cemetery, originally developed for extra-mural burials, has now become intra-mural, as the result of the town's encirclement, helped in part by our builder Grandfather, Alfred Markwell and his sons.

There follow 2 photographs taken from the Town Council's own publicity material, showing the generous Loudain style open vistas of the layout of both parts of the cemetery and their plan.

17. The Hertfordshire County Record Office supplied the copy Sentence of Concentration of 1888 with a plan that shows a greater area consecrated than represented by the Town Council when seeking a faculty to disturb human remains and create a bund of soil 15 to 25 metres deep, to double deck new graves over existing graves. The claim that the Town Council are having to inter into unconsecrated ground is perhaps misplaced.

Included in the second bundle of exhibits is a copy of the Town Council Plan attached to the application for a faculty, supplied under the Freedom of Information Act, which has been analysed by a mathematician, whose calculations are also attached. This shows that the roads and footpaths of the Old Cemetery alone occupy 21.4% or a fifth of the site, which if employed for burials, would release a further 1,772 grave spaces without utilising the sites of any disused chapels, such as the dissenters chapel presently used for storage.

Using areas not originally intended for that purpose is not unknown. The Scrutinising Committee that heard the evidence of Mr. Dungavell on the Highgate Bill was told at Paragraph 93 “everyone is doing it. It’s not just Highgate. The idea is that you narrow paths and you buried new graves on what should be a circulation route.”

This option was not referred to by the Town Council, when seeking the Diocesan Faculty.

This is also reported in the Members Briefing Paper, which in turn, took it from the Report prepared by the Ministry of Justice Adviser, Dr. Julie Rugg, referred to in Paragraphs 11 and 12 of the Petition.

Item 3 contains copies of the burial grants in perpetuity of the Careless family in the Old Cemetery. The Petitioners do not have copies of the grants for the other graves. These are followed by photographs taken at different times by family members. A professional photographer could have been used but the intention was to show family involvement over the years. The first one of the infants graves was taken by Kate Careless in 2022, again by Peter Careless in 2011; the next of the compound grave by Kate Careless; the next by Malcom Careless in 2011; the next by Alan Careless of his parents grave in 2023, and his daughter Tracy in 2022 and finally by Leonard Careless of the Markwell grave in 2022.

18. The Old cemetery along with 200 others was the catalyst for Local Government as you know it today.

The Burial Act 1853, now repealed, allowed people to vote for a burial board which could then apply for a Public Works Loans Board loan to buy and equip land for a burial ground. Bishop’s Stortford was one of the 200 towns to take advantage of this. These later translated into the Local Government Act of 1894.

The Burial Office and the National Board of Health in London made recommendations as to the siting and layout but they were not enforceable. This

lack of coercion led to a nationwide system of municipal cemeteries of which Bishop's Stortford is one.

The legislation had to balance the needs of the public against the pressure from the church to maintain income. One of the requirements was that part of the Burial Ground should be consecrated,

The Bishop of London, the Right Reverend C.J. Blomfeld, having consecrated part of a private cemetery in the morning, gave evidence to the 1842 Mackinnon Select Committee in the afternoon, advocated extra mural interments and said that he thought the clergy would manage financially.

Baptists and other dissenters by Trust Deeds and other mechanisms, had created a raft of cemeteries during this period as they shunned Anglican ritual and as a result, the clergy refused to bury anyone not christened or even christened by a Baptist minister.

The Church until 1801, when only 20% of the population lived in towns, was the only agency for disposal and vicars earned £239 p.a even though they needed £439. To lose a substantial part of their income needed to be recognised.

By 1901, 75% Of the population lived in towns illustrating the pressure which had been addressed by the Metropolitan Interments Act 1850 which banned intramural interments, promoted a system of extramural cemeteries and was given powers to compulsory acquire the likes of Highgate cemetery and others before the Treasury pulled the plug.

19. The difference between a churchyard, a cemetery and a burial ground, is that the freehold to the churchyard is vested in the incumbent from time to time from which he derives his living and a burial ground is one created under the Burial Acts. To achieve a balance, part had to be consecrated. A cemetery on the other hand, created other than under the Burial Act 1853, doesn't need to be consecrated and if when asked, a Burial Board refused to do so, the Home Secretary would arrange it.

20. Whilst this was going on, entrepreneurs such as Mr Stephen Geary saw a gap in the market and founded the London Cemetery Company which was given permission to build three cemeteries, of which, Highgate Cemetery, as this House heard earlier, was one.

However, the public, whilst coming round to extra-mural interment, still wanted their family to be buried in consecrated ground. The church refused to

consecrate unless it could be demonstrated that these sites would be permanent and the way to do that was by Private Act of Parliament.

The public disliked them. They were a business, so expensive, that by the time of the Metropolitan Interments Act of 1850, of the 238 acres owned by these companies, only 17 acres had been used. No more private companies were created after the 1850 Act came into operation, so to use the provisions of Private Cemetery Acts only relevant to them, as a precedent, has no bearing on the operation of a municipal cemetery.

The problems that beset London, did not beset, nor do they now beset, Bishop's Stortford. Whilst Highgate aimed up market, others sought the lucrative trade of burying London's poor in common graves. The 1850 Act identified the acreage held by these companies at the time;

Kensal Green, Abbey Road and others 30, Highgate 18, Nunhead 50, Victoria Park 11, City of London and Tower hamlets 30, Norwood 50. Brompton was subsequently compulsorily purchased.

Kensal Green was the most profitable. Its 1842 Annual Report shows that it would create 133,550 graves holding 10 coffins each to accommodate 1,335,000 of London's poor. Highgate in the mid 1850's saw 30 funerals a day, graves 20 feet deep 6x4 at £2.17.00 per body. Burial at an overflowing churchyard would cost 15/-.

Whilst common sense supposes that the disposal of the dead is a public health issue, because of the political/church/commercial balance required, it is now labelled as *ius generis*.

21. In Bishop's Stortford, the Old Cemetery comprising 8 acres, was purchased by the newly created Burial Board from land that was a former farm on the outskirts of the town and became the town burial ground in 1855. The burial ground is at 81 metres above sea level and the highest point in the town off Windhill. This site would have been one endorsed or recommended by the Burial Office as complying with its hygiene regulations. The New Cemetery was created on land adjoining that started out as allotment land and became a cemetery in 1940. That cemetery is 83 metres above sea level.

22. Dr Julie Rugg, in one of her reports, suggested that unconsecrated sections may be underutilised and where additional spaces may be found if Anglicans

could be persuaded. The TC referred to having to resort to the unconsecrated section in its application to the Diocese.

The Old Cemetery contains 7544 graves but the Petitioners have no information as to the split between consecrated and unconsecrated sections. What is known is, of that number 6700 are common graves and 844 are graves for which an exclusive right of burial has been sold either for a term of years but generally in perpetuity.

No right of burial attaches to a common grave so, graves can be reused if the Diocese issues a faculty for the consecrated section subject to Church Law. Legal opinion of the Church, published again in 2022, suggests that the consent of the Secretary of State is also required in the case of coffined graves, an opinion also said to be held by the Home Office.

The Church of England (Miscellaneous) Measures 2014 allows the Church to disturb human remains but the church is reluctant to see remains moved from a consecrated section to an unconsecrated section as that takes the remains outside the protection of the Consistory Court. The Measure may have overridden the decision of the Blagdon case which discussed the question of permanence and portability.

23. The Town council obtained a faculty to allow them to reuse some 3100 graves in the consecrated section but the faculty does not and cannot extend to the unconsecrated section where the diocese has no authority and the only agency to have authority is the Ministry of Justice where up to now, no consent is forthcoming for simple reuse.

By seeking these powers to reuse graves, the faculty will become subordinate to this Bill if allowed to pass into law. The District Council have disingenuously represented that it would give them a further 1000 graves to last 100 years when the powers sought would cover all 7,544 graves in the Old Cemetery and 11,973 if you include all the graves in the New Cemetery as well. The DC qualified that representation by saying it may in fact last indefinitely.

Initially the Town Council suggested 300 years but the Promoters have watered this down to 100 years. Where the rate of interments is only 25 per year, isn't this proposed Bill disproportionate to actual demand.

The New Cemetery on the other side of Cemetery Road, presently contains 3,929 graves of which only 460 are common graves. The Hertfordshire Record Office

could find no record of any Sentence relating to that cemetery where the first interments began in 1940 and those interments from 1940 to 1948 would now be vulnerable.

This Bill, if it became law, would give the Town Council access to a total of 11,973 graves to recycle together with any additional ones they inter in the virgin land they have remaining which in the original consultation claimed would only last them 10 years.

We now know different following their recent purchase of land.

24. The Home Office reported at the last review that most local authorities had at least 20% of land left unused and estimates of availability ranged from 10 to 45 years depending on the location.

The Town Council in addition to the Old and New Cemeteries own:

- a. land at Little Hallingbury which they do not want to use as capital has been expended on the land developing it as an amenity area,
- b. 8 allotment sites in Bishop's Stortford,
- c. 5 acres of land at Jenkins Lane earmarked as a future burial ground but now to be leased out as an orchard and,
- d. 2 acres of land purchase on the 23rd March this year at Thorley Street on old farmland which they also intend to use as allotments.

However not content with the existing law which enables the Town Council to use grave spaces privately purchased but empty and unused after 75 years, the Promoter wants to:

- a) Extinguish all contracted rights for interment whether in perpetuity or for a period of time across the board in all consecrated and unconsecrated sections in both cemeteries which would include those that have just been sold.
- b) There is nothing to say that, with the power to disturb remains, any contract will be honoured, if they are prepared to unilaterally ignore contracts that have previously gone before which they are asking this House to condone.

By allowing the Promoter to extinguish all rights of burial previously created, then it will not matter if in reusing existing graves the Town Council disturbs any remains in the pursuit of reuse, as any distinction between common and private, consecrated and unconsecrated will have been swept away and this House will have given the Burial Authority a clean slate and enable block clearances.

Is this expedient?

The ratio of Common graves to graves in perpetuity is explained by the fact that in 1855 most people in the area were either agricultural workers, labourers, matchmakers, or brewery workers. The town was a brewery centre for London but money was scarce and exacerbated by an agricultural recession of the 1870's.

25. Minutes of evidence of the Cohen Committee pages 532-542 discussed common graves. They were told, a common grave is dug fifteen to twenty feet deep and the bodies are put in one on top of the other. There will be about eight adult persons in this grave and they will finish off the top with a layer of four children so there may be twelve to sixteen to a grave.

The evidence of Mr Hurry to that committee was recorded as follows:

“Unless they are very poor, they will not have a common interment and one cannot blame them. It is not nice to think you are put in a grave with a crowd of other people. If they can possibly afford a private grave they will have it”

Yet isn't this the very thing that will be created in a lift and deepen exercise?

Less than 20% of all municipal graves are over 100 years old. All the rest are within the bounds of living memory.

26. Cremation was not considered legal by the Church or even the Home Office then. The Church even refused to sanction crematorium on the consecrated ground of the New Southgate cemetery over which it had authority.

Disposal therefore was inevitably by way of burial. If you were poor, you went into a common grave and family members were split up. If you could afford it, a compound grave was purchased in perpetuity to keep the family together. It was not a status symbol. The fee for the Careless compound grave was the equivalent of three weeks wages.

There are no proposals in the Bill for regulations to be promulgated as to the management, number and manner of interments. This is an issue that Baroness

Hussein-Ece seems to be trying to address in her private bill. All the Town Council will say is that it is likely to be no more than 7 feet because of soil conditions. No geological survey has been published other than the one by the Hertfordshire County Council which suggests the criteria of the old National Board of Health and Burial Office are met. They are obviously not expecting much to survive their excavation in order to reinter two old interments and add another two on top.

Naturally it will all boil down to how much money can be generated from this exercise.

6. The Sanitary Grave

Extracted from an article written by Dr. Julie Rugg in 2019 entitled 19th Century Reform in England – a reappraisal.

27. The General Board of Health drew up scientific guidelines for vestries to follow, that established cemeteries under the new Burial Acts. They had no power of compulsion. The Burial Office gave advice which was usually accepted if possible. It normally came hand in hand with a loan from the Public Works Loans Board.

Guidelines required placing one body in a defined grave with attention to drainage and soil type to ensure rapid decomposition.

Each grave was not to be in close proximity to another for fear of intensifying emanations and miasmas felt to be harmful to health.

Noxious air was deemed to be heavier, so the ideal location was on a hill with winds from north and east.

Each plot should be 52.5 square feet and the coffin at least four feet from the surface and not re-opened for four years.

28. The General Board of Health tried to define the specifications for the ideal sanitary grave, as they were convinced that miasmas had a deleterious effect on the living.

The increasing mass of urban dead was impossible to contain and cemeteries were moving from city centre to the periphery.

The density of one body to a grave was never followed after one authority agreed that with the Home Office. As the requirement was unenforceable it became common for spouses to be buried together.

The Old Cemetery fulfilled the conditions by being on the highest point, at 81 metres and the New Cemetery 83 metres above sea level, at the top of Wind Hill, on calciferous ground for proper drainage.

No evidence has been seen as to infilling between graves if those generous conditions had prevailed earlier.

7. Cremation

29. The first cremation was proposed for New Southgate Cemetery but blocked by the Bishop of Rochester, as it was proposed to be erected on consecrated ground within the Cemetery.

Lady Dilke was the first English person to be cremated but she had to be taken to Dresden as Europe had embraced cremation before the United Kingdom.

In 1879 a site was purchased adjoining Brookwood Cemetery in Woking. Home Secretary Sir Richard Cross said he had no power to ban cremations but would prosecute anyone who attempted to cremate a body.

In 1882 Captain Hanham cremated his wife and mother on his private estate, followed by himself a year later. No action was taken.

In February 1884, Dr. William Price was acquitted at the South Glamorgan Assizes held in Cardiff by Mr. Justice Stephen, of a public nuisance when as a druidic priest he tried to cremate his dead five-months-old son in a field behind his house. Price was awarded one farthing damages, when he later sued the Police.

Cremation is legal, provided no nuisance to others is caused in the process.

30. Woking Crematorium opened in 1885 and **Item 4** in your bundle of exhibits sets out the progress of cremation as a social trend from that time.

At first only 3 cremations out of a total of 522,750 deaths in England were carried out after the experimental cremation of a horse. Ten years later Scotland started cremations.

Manchester became the next provincial private crematorium in 1892 followed by Liverpool in 1896 and Golders Green in 1902. In 1901 Hull Municipal became the first public Crematorium.

By 1974 when the Local Government Act 1972 came into operation, there were 216 crematoria in England, cremating 61.3% of the 585,292 deaths in England.

Scotland is also shown on the tables, where cremations dealt with 47.21% of the 64,740 deaths that year. Government research had previously shown that the Scots public were against the re-use of graves.

In 2021 there were 315 crematoria in England, disposing of 80.93% of the 588,619 deaths in England, the Channel Islands and Isle of Man – some 476,210 cremations.

31.In Hertfordshire, there were no crematoria in 1958. Now there are 4 dealing with 7,077 cremations in 2021. Just six miles away, Harlow deals with 1,409, a drop on the previous year. The Bishop's Stortford Council had previously considered building a crematorium but dropped the idea on the grounds of staff management.

In June 2022, just 18 minutes or so away from the Old Cemetery, a new crematorium at Dunmow opened run by the family firm Michael J Walsh, an old established firm of undertakers and builders.

East Hertford is rated the 17th least populated area out of 45 local authority areas with a population of 316 per sq. kilometre. Great Parndon Crematorium was asked the percentage of bodies they cremate which originated in Bishop's Stortford but they declined to answer. It is part of the Westerliegh group who owns 34 crematoria and appears to be a joint exercise with the Harlow Development Corporation. Sir Frederick Gibberds designed Harlow New Town and made substantial provision for disposal of the Harlow dead where the population now numbers 90,000. It was the nearest crematorium until the one in Dunmow opened last June.

Failure to respond was also a problem found by the authors of the report 'Burial Grounds Survey' by the Ministry of Justice in 2007 that tried to analyse the returns to the Government survey. They found that only about 39% bothered to respond to a survey designed to establish the precise number of graveyards, burial grounds and cemeteries.

32.The only faiths to forbid cremation are inter alia Greek and Russian Orthodox, Orthodox Jews, Muslims, Parsees and Zoroastrians. All other faiths accept it. Historically, Roman Catholic Canon Law had forbidden cremation and that anybody being cremated would be denied a church service.

In 1963, the Catholic Church allowed cremation and now all Catholics are entitled to a church service. The Catholic Church now requires ashes to be buried in a sacred place.

Bishop's Stortford Independent, the local newspaper, reported in 2020 that the religious faiths in Bishop's Stortford could be categorised as:

Christian 20,236

Non-religious 16,597

Muslim 801

Jewish 149

Hindu 383

Sikh 84

Other 202.

Of those only a Muslim and Jew would seek burial. The Town Council appears to have no market research to establish the precise market share of disposal they need to be catering for.

33. Using the latest figures from the Office of National Statistics, cremation in 2021 now accounts for the majority of disposals of dead bodies in this Country at the rate of 80.93% and increasing at the rate of approximately 4% per decade.

Of the 588,619 deaths in England, 476,210 were cremated in 315 crematoria a large number of which are owned by Local Authorities.

Each town expects to lose 3.2% of its population every year but Bishop's Stortford they only bury 25 people of an estimated 1312 deaths.

Burial is becoming an unprofitable niche market but that doesn't warrant the widespread destruction of the heritage of the town which the Promoter is trying to persuade this Scrutinising Committee to endorse.

The new crematorium at Dunmow that opened in June 2022 and not even having completed their first year's trading, are now averaging 8 to 9 cremations a week as compared to the Town Councils 25 interments per annum. Already so far this 2022 to 2023 period, they have carried out 340 cremations.

8. Heritage Cultural Assessment

The Cemetery serves as a collective memory of the community for those who wish to access it.

Headstones reveal the families who for generations moulded the life pattern of the land around.

Bunhill Cemetery closed but was then restored and opened by Charles Reid MP who said: "men distinguished in literature, science and art are household words in every clime. Bunyan, Defoe, Watts are the property, not of any nation but of all mankind."

This view was reflected by this Government, as illustrated by their press release, during the clearance of St. James Churchyard to accommodate the new high speed train link, about Captain Matthew Flinders. This is **Item 5** in your bundle of exhibits.

34. The Petitioners sent a copy, the day it was published to a collateral cousin in Australia, who responded that it was unnecessary as it had already appeared on all main Australian TV new channels and newspapers. The man is a hero in that country, streets have been named after him.

The report of the Attorney General in the Highgate Bill, also emphasised the importance of preserving the cultural heritage of graves.

Emmeline Pankhurst would appear to be at risk, as she is buried in Brompton Cemetery, which is now a Council Cemetery after the private Company went bust.

35. As for Bishop's Stortford, no heritage assessment seems to exist. When the Rev. Rhodes moved to Bishop's Stortford, he started a family and his poor wife had 11 children, the fifth of which was Cecil Rhodes. Whilst the woke society would like to distance themselves from him, there are a number of Prime Ministers, including one American President who have benefited from his scholarships.

He is buried in Zambia but there has been no evidence of any Council investigation as to whether the Cemetery holds any of the remaining 10 siblings or any other notables, other than the Gilby family. Mrs Rhodes is in her husband's churchyard.

I have also included a picture of Cyril Banks, a Stortford resident, published by the Daily Telegraph, who died last year. I do not know where he or his ashes are interred.

Alfred Markwell, buried in the Old Cemetery, and his sons were prolific builders in Stortford who gave the town its Pavilion in the Castle Park.

If this Bill goes through it will give the green light to the Town Castle to destroy the local cultural heritage, if lift and deepen is ineffective and simply create a commercial necropolis recycling centre.

Sir John Simon, Mayor of the City of London said: "every dead body (within our walls) receives its accommodation at the expense of the living."

Bishop's Stortford is not London and Mrs Isabelle Holmes, who initiated the reclamation of over 90 disused burial grounds as play spaces for London Children, would argue that the living have had a benefit from those who have gone before.

9. Government Generated Reports

36. This next section deals with reports that have been commissioned by the Government or prepared as the result of the New Southgate Act 2017. Being lengthy documents, a precis of the first three that follows are included in your supplemental bundle of exhibits in the following order:

a) House of Commons Briefing Paper on Re-use of Graves dated 2017 by Catherine Fairbairn.

Here the House Librarian brings together some comments from the next two reports, but the final conclusion is that the Government do not see a need for re-use of graves and if it became an issue then a new Public General Act would be required. Draft legislation initiated by Harriet Harmen was dropped as reported to this House by Lord Bach. No statistics were published.

The precis that is in the exhibit bundle is annotated with the Petitioners comments.

b) Precis of an Audit of London Burial dated 2011 by Dr. Julia Rugg and Nicholas Pleace of the Cemetery Research Group of the University of York.

Dr. Rugg is the principal adviser to the Minister of Justice on Cemeteries and Burials now that this function has been taken over by him from the Home Office.

Dr. Rugg was briefly interviewed recently by ITN News in the private Highgate Cemetery when the media became aware of this municipal application. She spoke about the lack of burial space using Highgate Cemetery as an example. This is not about the municipal cemetery in Bishop's Stortford or any other provincial area.

She specifically mentions Ladywell and Brockley Cemeteries using land such as footpaths not originally intended to be used for interments: that cemetery managers expect to get 4,000 to 5,000 grave spaces per hectare: that no London Authority has adopted the powers under the London Local Authorities Act 2007 and a limited take-up of powers of reclamation under the Greater London (General Powers Act 1976): new powers relate to purchased graves and not common graves which are already heavily filled.

c) Burial Grounds Survey by Minister of Justice 2007.

The precis shows that although the churchyards outnumber the municipal cemeteries, municipal cemeteries are eight times larger on average and that 20% of land set aside for burials is unused.

37. Home Office Memorandum CEM49 published 2000.

This memorandum may appear old but the contents are still relevant in the absence of a current survey. It demonstrates that municipal crematoria make profits which generally wipe out the losses of maintaining cemeteries, leaving only a small balance to be covered by the general rates.

This publication was followed by a supplemental Memorandum CEM49d from the, then, Home Secretary the Rt. Hon. Paul Boateng M.P who wrote "There are no indications of any public demand to re-use burial grounds. That is why a Public Consultation is needed on the issue and why we need to consider new legislation, if we decide that disturbing old graves is the right way to tackle shortages of grave spaces."

The present-day position is reflected in the answer to the question raised in the House of Commons in September 2021.

Written Question:

On Friday 10th September 2021, Fiona Bruce M.P Conservative Member for Congleton asked in the Commons "What steps the Secretary of State for Housing, Communities and Local Government is taking to ensure local authorities make sufficient land available for burials to take place locally?"

Answer by Luke Hall:

Decisions on local burial space are for local authorities as they are best placed to understand what is required for their area. Government would not consider intervening at scale unless evidence suggested burial space became a national issue. In the event of a specific request for intervention from a local authority, the Ministry of Housing, Communities and Local Government would work with the Ministry of Justice, which is responsible for burial law, to support the local authority as appropriate.

No reason is given as to why the question was raised, unless the MP was being lobbied by the funeral industry.

10. Green Belt and Land Availability

“Hemmed in on all sides by more or less open land”

38. Bishop’s Stortford has a population of 40,909 and sits within the North East London Green Belt. The Committee will see from the plan in the supplemental exhibit now produced that the urban area is ring-fenced by this plan.

The Green Belt, whilst it would inhibit residential and industrial development, would not prevent the creation of a new cemetery. The Home Office Memorandum CM49 para 37 says that under Planning Policy G2 cemeteries can be acceptable in Green Belt. The criteria would seem to be that the safeguarded land may be developed as a cemetery to serve development in the longer term and even beyond the lifespan of the plan itself. Land management in the Green Belt both makes adequate provision for necessary development and ensures the Green Belt serves a proper purpose.

There would be no risk of acquiring land with hope value to artificially inflate a purchase price.

39. The Town Council have complained that sites in Bishop’s Stortford are impossible to find but, on the 23rd March this year, purchased just under 2 acres of land to use as allotments in Bishop’s Stortford.

Section 126 of the Local Government Act 1972 allows Parish or Town Councils to appropriate land acquired for one purpose to be used for an alternative.

Whilst this may conflict with concept of extra mural interments, it could be used as an intramural burial ground instead of an allotment site, of which the Town Council already has 8 existing.

The Town Council also own land at Little Hallingbury which it doesn't want to appropriate but, more importantly, 5 acres of land at Jenkins Lane, Bishop's Stortford, which was recently earmarked as a future Burial Ground, until the Council began negotiations with the Bishop's Stortford Climate Group, who want to plant up the land as a Community Orchard.

The Bishop's Stortford Independent reported in March 2021 that the Town Council advised that such a scheme could become a problem in 20 to 50 years time, if the land was required for burials.

Hertfordshire is the 17th least developed County in England and the Hertfordshire County Council has 10,800 acres of rural estate made up of farms, as well as woodland and other assets. The County were able to buy up the large estates around the periphery of towns bordering London under the Green Belt (London & Home Counties) Act 1938.

40. There appears to be a conflict of information being presented to the public. On the one hand they are being told there is no land available and then 2 acres are purchased this year. 5 acres of land already earmarked for future burials may be needed in 20 to 50 years time. The Diocese was told that there was 18 years capacity left.

Agricultural land in the UK, according to the Government, amounts to 71% in England 91.1% is non-developed use, 8.7% is developed and 0.2% is vacant. Yet the Town Council seems to be acting in an insular fashion. 3.2% of its population dies every year but of that figure, the Town Council say they have only need for 25 interments.

London death rates are normally 59,000 per year, a number that is one a half times the entire population of Bishop's Stortford. Yet the Town Council want the same powers as private companies in the Metropolis. Is this necessary when considering the amount of their existing stock of land in light of recent purchases?

11. What Safeguards are Missing?

41. The Consistory Court provides protection for any member of the Church of England interred in consecrated Land. No such protection exists for non-conformists such as Baptists, Methodists or Presbyterians except as provided by the Secretary of State.

Will non-conformist be buried with non-conformist? - the Bill is silent.

Will it become totally non-denominational or will Muslims be buried with Muslims, Greek Orthodox with others of their own faith, Quakers with Quakers?

Everything is reduced down to one overall recycling plant.

How is it possible for any one Authority to have the arrogance to claim that recycling these graves will create a facility for a hundred years if not indefinitely when the evidence of the social trend for cremation suggests that burial in the future will become a niche Local Authority function.

As evidence of this, the Office of National Statistics point out that municipal spending of 0.2% is so small that they cannot even calculate whether it is good value for money.

42. Will heritage graves be protected? - the Bill is silent.

Will relatives alive today be able to give a statutorily enforceable notice today to prevent disturbance? - The Bill avoids that protection.

It doesn't apply to the New Southgate of Highgate Cemeteries. If the public are prepared to spend, according to the Guardian Newspaper who reported on the Highgate Bill, upwards of over £22,000 to be buried next to someone famous, those persons are buying a private facility and are now prepared to accept eviction in the future. The Sun Life Group state that the average cost of a funeral is otherwise £8,864.

Military graves and of those who subsequently succumbed to their war injuries will not be disturbed because they are protected by statute. Former service personnel such as Cyril Banks or for that matter Alfred Careless, are not so protected and are vulnerable if the bill goes through.

Does the Bill require a historic analysis of the occupants of the grave? The Bill is silent.

Once the original graves are gone and the social trends continue to favour cremation, will there be any similar regret by future generations that part of our culture has been erased?

Under Clause 4(8) there is no prohibition on these powers until the Secretary of State has made regulations for the proper conduct of re-use, as none exist at the present time.

Already mentioned in the petition is the present restrictive definition of a relative and the ability of the Burial Authority to avoid compensation, if negotiations are not to their liking, by simply revoking their notice of disinterment.

43.The original draft of this Bill, which was prepared before the result of the public consultation was known, a Sect. 3(6) tried to fetter the discretion of the Minister of Justice, in deciding whether to consent to extinguishment of the right to burial, that he must make the presumption in favour of the need for more burial spaces. This was deleted in the draft now filed but represents what this Bill is all about. It is interfering with current Government policy and the function of one of the Ministers of the Crown. Ministers need facts to consider on a case-by-case basis.

Sect. 4(4) begins with the pronoun 'Any'. This suggests that there is not likely to be a Time Team excavation here but a mechanical process where there is no expectation that any significant remains will survive the process.

Sect. 6(2) allows for notices to be given piecemeal and avoid any areas where there may be a groundswell of objection until any likely objectors die out.

Sect.9. I would suggest that the Localism Act 2011 never envisaged that such payments authorised under the scheme would include one Local Authority paying the administrative costs of another Local Authority.

12 Concluding Submissions

It is NOT expedient.

It is not NECESSARY.

44. The promoters claim this Bill would give them 1000 extra grave spaces but the bill if enacted would authorise 11,473 graves to be re-used over a period of time.

A considerable number could be achieved immediately if some existing roads and footpaths were used.

On the 10th September 2021, 13 months before this bill was filed, Luke Hall answered on behalf of the Government a question raised in the Commons by Fiona Bruce MP for Congleton about steps the Government is taking to help ensure local authorities make sufficient land available for burials to take place locally.

He replied that the government would not consider intervening at scale unless there was evidence to suggest burial space had become a national issue and if any local authority had a problem, it could liaise with the appropriate departments.

It seems, however, the Promoter has come directly to this House instead.

45. That report is deficient as it doesn't show where she perceives the clamour, if any, is coming from. Most of it seems to be from those active in the industry and as Government surveys found out, not from the Public.

It is not known what the Labour Government experienced when trying to promote its own reuse legislation. The cryptic comment from Lord Bach that you have to have everybody on board suggests a sharp lack of consensus.

Perhaps, as part of the Law commission Review, joint partnership arrangements that already exist with the funeral industry could be further explored. Otherwise, it is simply a case of the ratepayer having to shoulder the financial burden to provide land to enable a multi-million-pound industry to facilitate its business interests.

Now there is no obligation under the 1972 Act to provide burial grounds, this may be a fair approach.

The Government do not regard this to be a national problem and when Ms Julie Marson MP for Bishop's Stortford was asked about the Bill, it seems from her office, that this was the first she had heard about it. There has been no further response after promising enquiries would be made of the Town Council.

Simon Hughes, the then Minister of Justice, did not understand why London Authorities did not make full use of the powers previously given to them. Yet a small market town in Hertfordshire wants to embrace them.

46. On the 23rd March this year, The Ministry of Justice announced that the Law Commission would identify how to bring the law into line with modern needs. This should lead to a proper analysis and if they reach a conclusion that there should be a Public General Act to re-use burial spaces, then that would trigger a full parliamentary debate, where, in this democracy, one submits to the will of Parliament. It must not be pre-empted by this ill-conceived application now that the review is in train, having started on the 22nd December 2022.

In essence, the Town Council have been misled by the passing of two Acts of Parliament allowing a Private Company to be exempt from public law and in thinking that they too could take advantage of it. They are wrong. They are a public authority, a local arm of Government, regulated by the Public General Acts that created them in the first place.

It is true that the Secretary of State has made orders to the effect that human remains are disturbed but that was when the land was needed for something else - High Speed rail links, gas mains, wind turbines, but not for re-use.

Lex prospicit non respicit

47. The law looks forward not back. The true principle is that Parliament is presumed not to intend to alter the law applicable to past events and transactions in a manner unfair to those concerned in them, unless a specific intention is clearly and unambiguously stated.

The greater the unfairness, the more it is expected that Parliament will make it clear if that is what it intended. (*Secretary of State for Social Services v Tuncliffe*)1991 2AER. The proposed Bill would be unfair to those who purchased burial rights and arranged their affairs accordingly and it now affects subsequent family generations.

Since 1977, people are offered a temporary right of burial for 50 to 75 years and are obliged to accept the position.

In the New Cemetery, of the 3469 burials, 1600 are now time limited and the rate of interments has declined to present levels reflecting the trend for cremation. The days of being interred forever may now have gone for future generations but not for the existing dead. This is a matter for the 13th Law Commission to address together with proper regulation of common graves where the depth of grave still remains arbitrary.

And it's all about money.

48. A cash strapped District Council with a £1.2m to £2m deficit; the potential for a cash stream to avoid closing a cemetery and converting it into an expensive to maintain park or open space. If the Old Cemetery was full in 1940, why was it not converted into a park?

A Town Council, which is little more than a sub-committee of a District Council, with 9 out of 17 members having dual membership, where Community Centre assets can be sold between them to adjust deficit problems, is not working at arm's length to resolve any problems which the Petitioners believe to have been exaggerated, No other provincial Local Authority has sought the powers the Promoter is seeking.

It's always about money.

49. Private burial grounds in London thought they would create huge profits but only one made a good return. Dr Julie Rugg stated in her thesis that 70% of all private companies failed. The Church incumbents sat of their hands and turned their faces away as their churchyards filled to disgusting levels, which the MacKinnon select committee tried to rectify in 1842. The public still wanted churchyard burials paying 15/- instead of four times a weekly wage for a private cemetery.

This House had to help Highgate out for financial reasons where their income from increased burials now equals their income as a tourist destination.

A similar tantalising reward has erroneously beckoned the Promoter and the Town Council, if they can persuade you to go down the same route.

The Town Council has a land bank equal to that of the Old Cemetery or could have sought an Order for reclamation or simply utilised some of the generous pathway network. It seems that there is a reluctance to use land previously or currently purchased.

The Law Commission has indicated that it is aware of this Bill and the other proposed by Baroness Hussain-Ece which galvanised it into issuing a press release.

Because of this, the Petitioners request the status quo is preserved, and let the Commission do what it is charged to do.

50. In conclusion, the Petitioners submit that the Promoters have destroyed their own case by purchasing 2 acres of land in March of this year and for that reason alone, they have failed to prove the preamble.

Petition Exhibits

1. Photograph of Petitioners' Careless Family Members

Photograph of Family of Mr. A. W. Careless

Photograph of Phillip Markwell and Robert Careless

Photograph of Mr. & Mrs A. W. Markwell

2. Location Plans, Photographs of Old Cemetery and New Cemetery,

Copy Sentence and Plan 1886

3. Copy Burial Grants and Photographs of Graves

4. Progress of Cremation in the British Islands 1885 to 2021

5. Copy Government Press Release and photographs

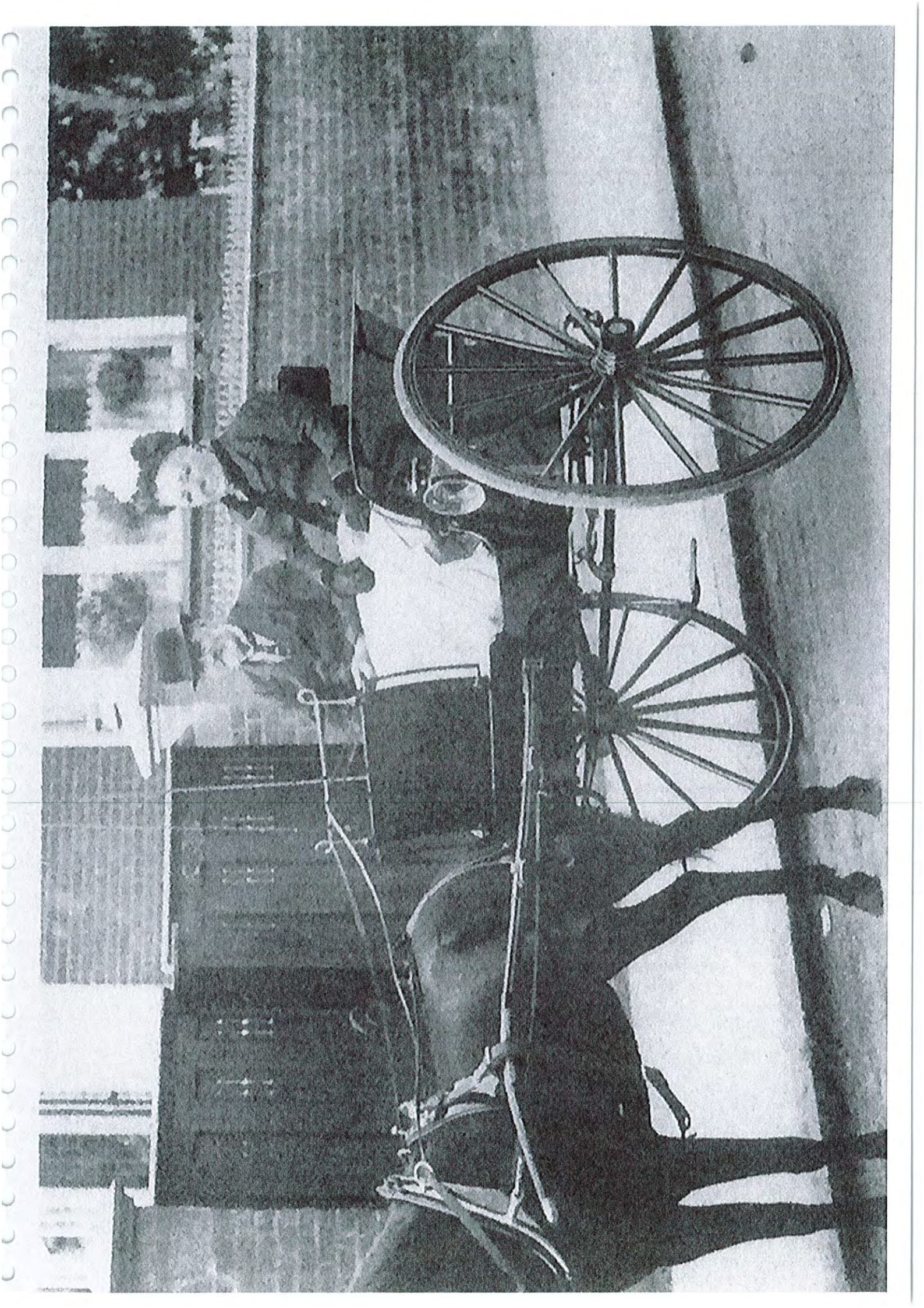
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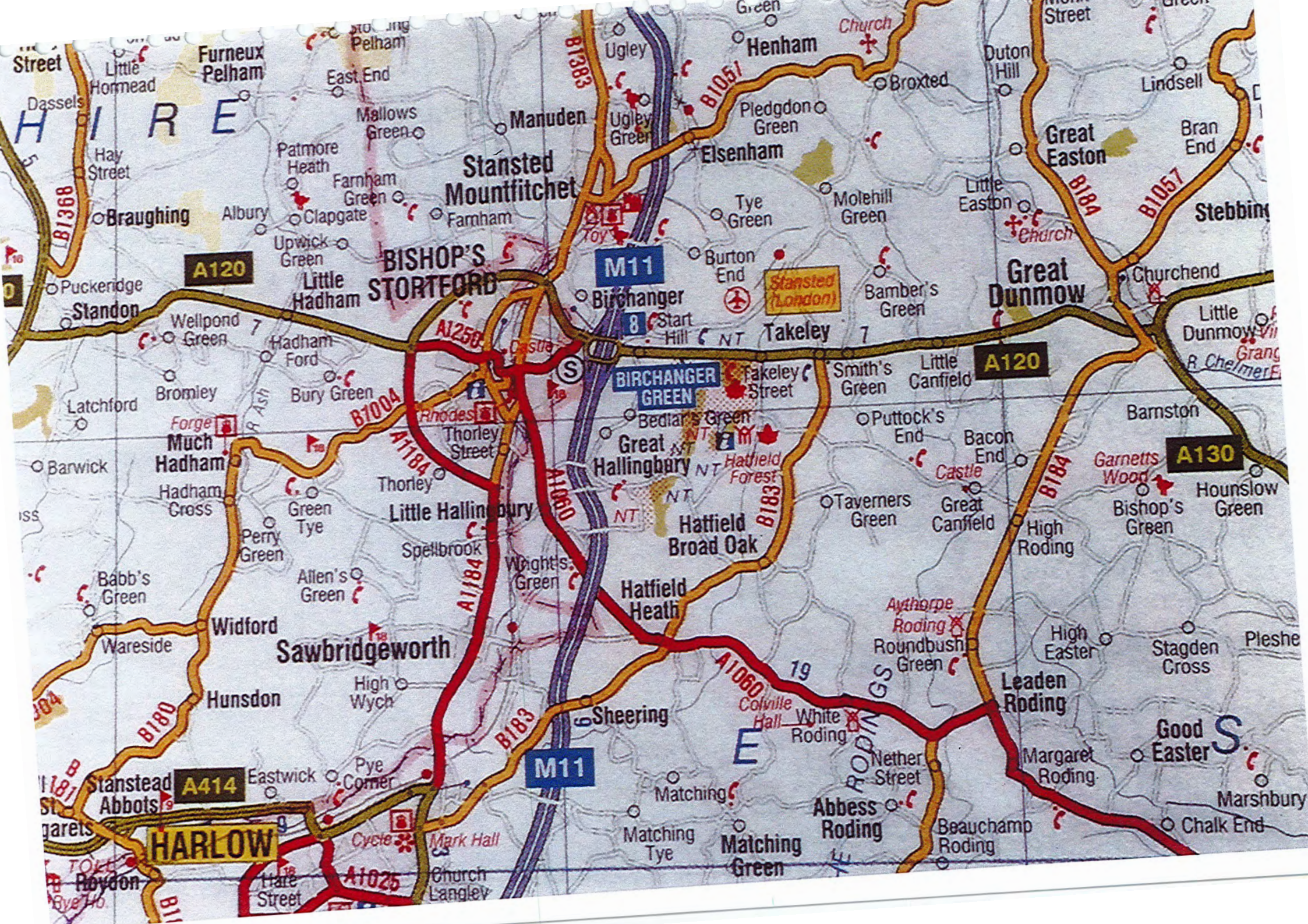
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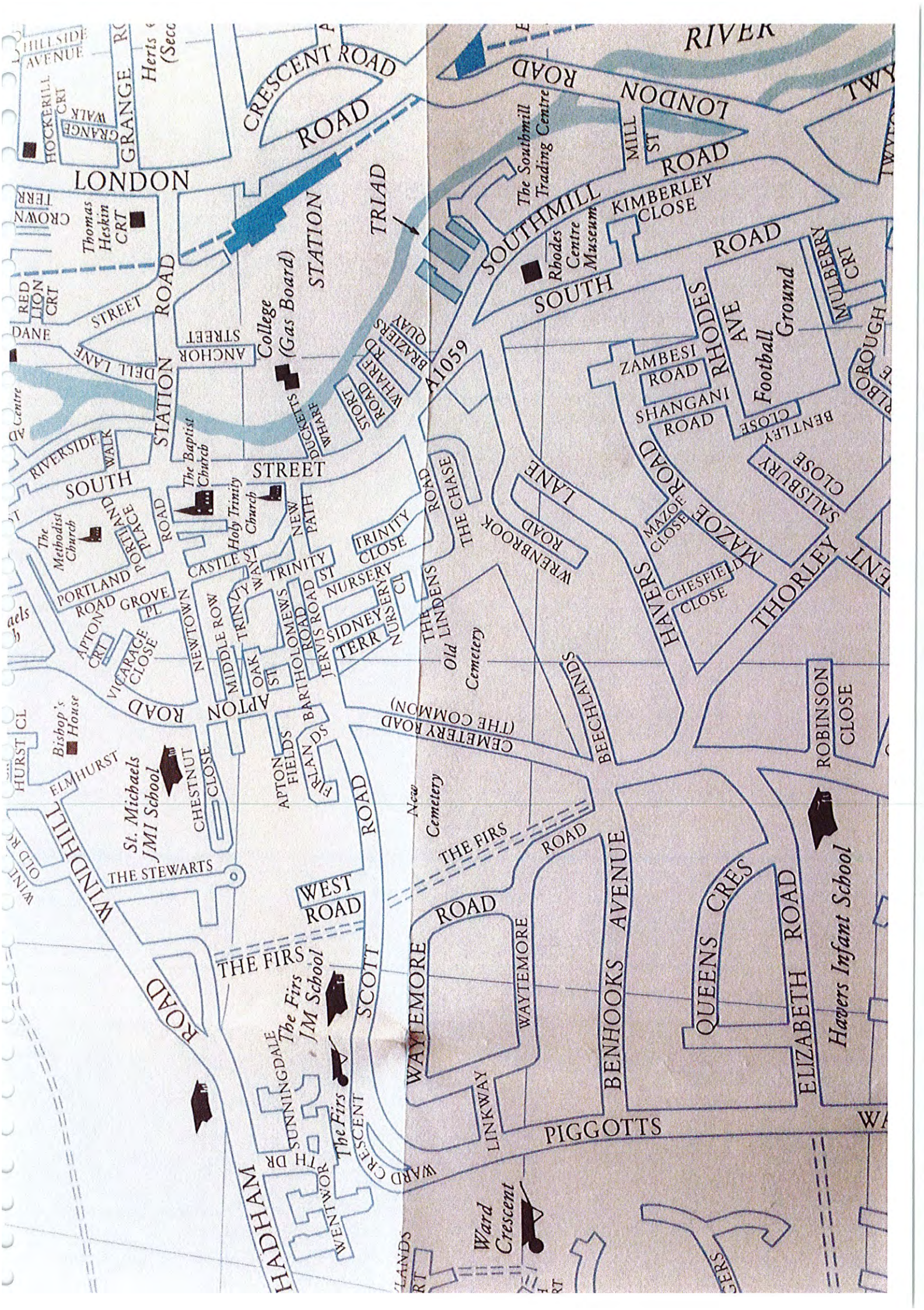






2.





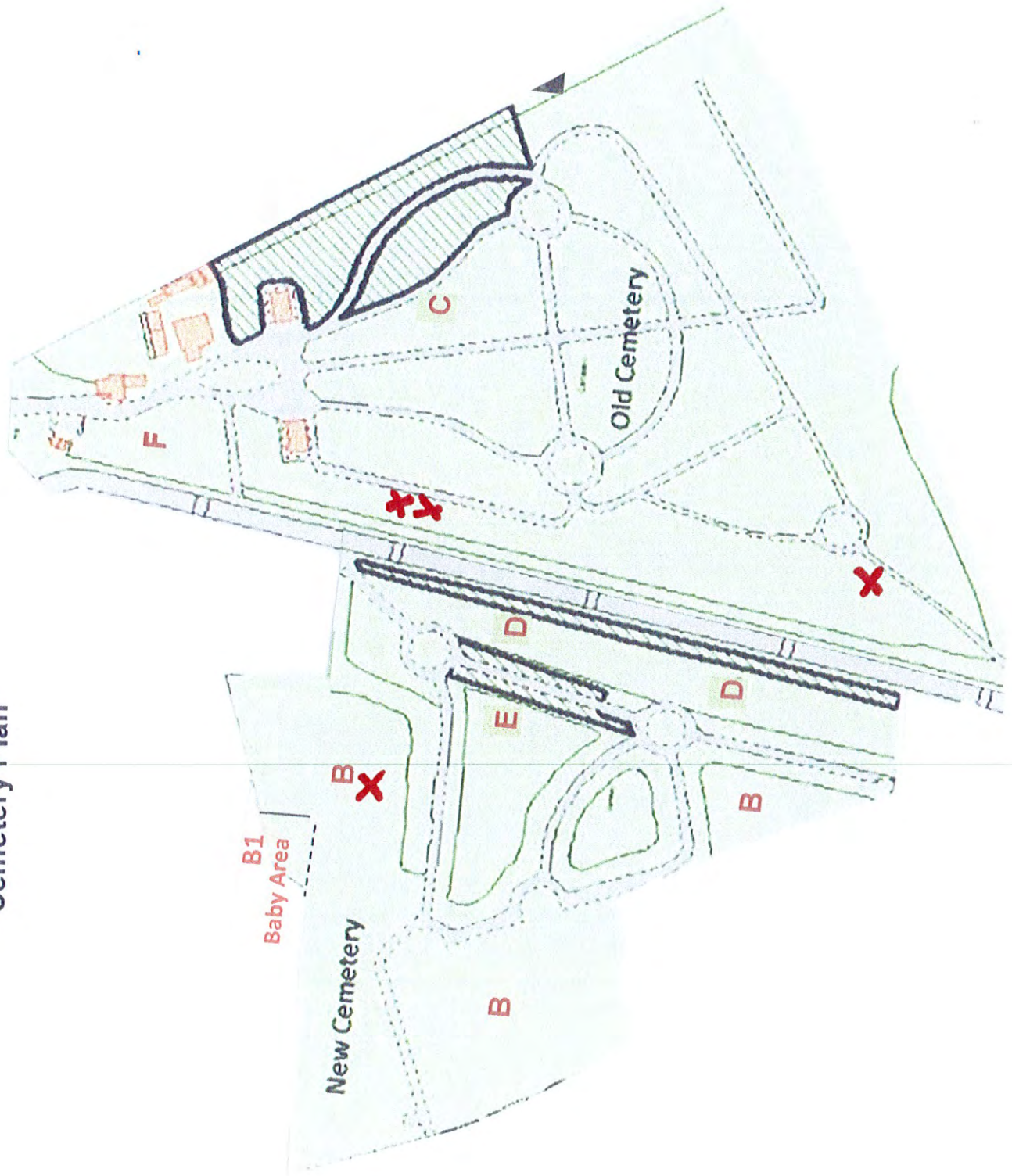
The Old Cemetery



The New Cemetery



Cemetery Plan



New Town

Cemetery Road

BACK ROW

BARTHOLOMEW ROAD

JARVIS ROAD

NURSEY ROW

NURSEY ROAD

Mortuary Chapel (Dissenting)

Mortuary Chapel (Episcopal)

Allotment Gardens

Lodge

Gravel Pit

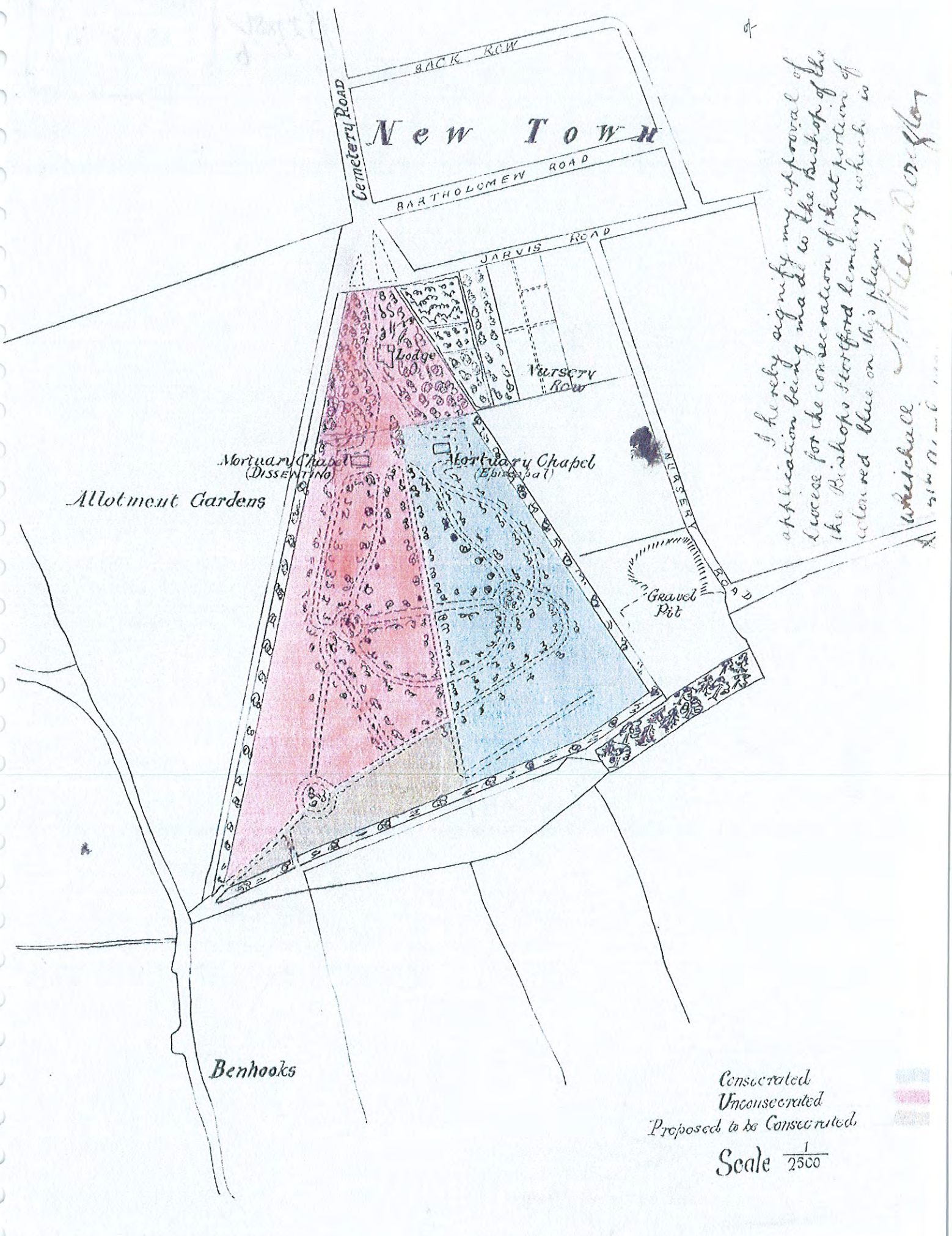
Benhooks

I hereby signify my approval of application being made to the Bishop of the Diocese for the consecration of that portion of the Bishop's Stafford Cemetery which is coloured blue on this plan.

Attest
Wm. D. Conybeare
 whichall
 25th Nov 1881

Consecrated
 Unconsecrated
 Proposed to be Consecrated

Scale $\frac{1}{2500}$



In the Name of God Amen Whereas

the Burial Board for the parish of Bishops Northford in the County of Hertford and within the Diocese of Saint Albans hath referred to the Right Reverend Father in God Thomas Legh by Divine Permission Lord Bishop of Saint Albans That the consecrated portion of the cemetery of the parish of Bishops Northford aforesaid is so full of graves that it requires enlargement That in the year one thousand eight hundred and fifty five the said Burial Board under the Acts of Parliament then in force relating to the Burial of the Dead or some or one of them in their corporate capacity duly acquired a piece of land situate at Bishops Northford aforesaid containing Nine acres one rood and sixteen perches or thereabouts as shown on the plan hereunto annexed and therein coloured red green and blue which piece of land was duly conveyed to the said Burial Board their successors and assigns for ever and that the said piece of land was afterwards laid out prepared and enclosed as a cemetery or Burial Ground for the use of the inhabitants of the said parish of Bishops Northford That a portion of the said piece of land distinguished on the said plan by the color green was afterwards duly consecrated by the then Lord Bishop of Rochester within whose Diocese the said piece of land was then situate as and for a cemetery or Burial Ground That the portion of the said land distinguished on the said plan by the colors red and blue are now unconsecrated That the said Division of the said land into consecrated and unconsecrated ground was (prior to the consecration by the said Lord Bishop of Rochester as aforesaid) duly approved of by one of Her Majesty's Principal Secretaries of State as by

Law required That the Petitioners are now desirous that a further portion of the said piece of land so acquired as aforesaid as shown on the said plan herewith annexed and thereon distinguished by the colour blue shall now be added to the consecrated portion of the said Cemetery and that the portion of the said ground distinguished on the said plan by the colour red shall remain unconsecrated. That one of Her Majesty's Principal Secretaries of State hath duly sanctioned the re-division of the said Land now so remaining unconsecrated as aforesaid That the said further portion of the said piece of ground so coloured blue as aforesaid hath been properly levelled and is now in all respects fit and ready for consecration. That there is no dwellinghouse situate nearer than one hundred yards to the said piece of land so conveyed as aforesaid, except those erected since the said land was appropriated for a cemetery. And whereas the said Burial Board hath besought the said Right Reverend Father in God Thomas Legh Lord Bishop of Saint Albans to consecrate the said piece of land so coloured blue on the said plan as aforesaid as and for an addition to the said consecrated portion of the said Cemetery or Burial Ground. Therefore We, the Right Reverend Father in God Alfred Bishop Suffragan of Exeter do by virtue of the Power and authority committed to us by the said Right Reverend Father in God Thomas Legh Lord Bishop of Saint Albans in that behalf and so far as in us lieth and by law and the said power and authority committed to us we may or can for the said Right Reverend Father in God Thomas Legh Lord Bishop of Saint Albans separate the said piece of land

hereinbefore described and so coloured blue on the said
plan as aforesaid from all former and other common and
profane uses whatsoever and do by the power and authority
ordinary and Episcopal in us and to us committed as aforesaid
and so far as aforesaid assign the same us and for an
addition to the said consecrated portion of the said cemetery
or Burial Ground and do by the power and authority aforesaid
dedicate and consecrate the same piece of land (so coloured
blue on the said plan) for that purpose and do openly and
publicly pronounce decree and declare that the same ought
so to remain separated dedicated and consecrated for ever by
this our definitive Sentence or final Decree which we cause to
be read and promulge by these presents *Dated* the eleventh
day of May in the year of our Lord one thousand eight hundred
and eighty eight and of our consecration the sixteenth.

A. C. Roberts

Dated the 11th day of May, 1888.

Red
11/11/88

Bishop's Stortford

County Stortford

Diocese of Albans

Devence

in consecration of additional
Burial Ground. —

3.

BISHOP'S STORTFORD BURIAL BOARD.

By Virtue of the powers conferred upon us under the Burials Act, 1853, 16 & 17 Victoria, Cap. 134, and other Acts incorporated therewith, We, the Burial Board for the Parish of BISHOP'S STORTFORD, in the County of HERTFORD, in consideration of the Sum of One



and one Pound, and one Shilling, to us paid by

William Gardner of Bishop's Stortford
of the said Parish, Stone Dealer

Do hereby Grant unto the said William Gardner

in perpetuity, the exclusive Right of Burial in the Grave Space No. 220

Letter B Section 4 on the plan of the Burial Ground in the said Parish of BISHOP'S STORTFORD, made in pursuance of the said Acts, such Grave Space being in the unconsecrated portion of the said Burial Ground, and being part of the Ground provided by us in

pursuance of the said Acts. To hold the same to the said William Gardner

his heirs and assigns, for the purpose of Burial, subject to the Regulations now in force, or which may hereafter be issued with regard to Interments in the said Burial Ground by His Majesty's Secretary of State, or by the said Burial Board, or any other competent Authority, and also subject to the payment of all the fees and charges for the time being payable in respect of such Interment or otherwise.

Given under our Common Seal, this fourth day of June One Thousand Nine Hundred and two



A Boardman
Geo Speckley
Francis Glascock
W. J. G.

Members
of the
Board.

Clerk to the Board.

102

Burials 28. Shaw & Sons, Fetter Lane, E.C. (5088-02)

BISHOP'S STORTFORD BURIAL BOARD.

By Virtue of the powers conferred upon us under the Burials Act, 1853, 16 & 17 Victoria, Cap. 134, and other Acts incorporated therewith, We, the Burial Board for the Parish of BISHOP'S STORTFORD, in the County of HERTFORD, in consideration of the Sum of one



and one Pound, and one Shilling, to us paid by

William Careless of Bishop's Stortford
of the said Parish of Bishop's Stortford

Do hereby Grant unto the said William Careless

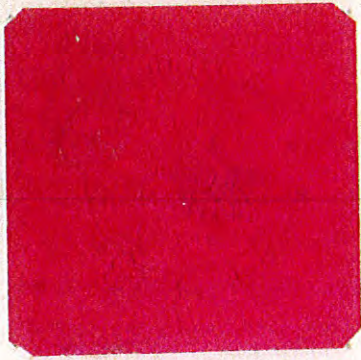
in perpetuity, the exclusive Right of Burial in the Grave Space No. 26a

Letter B Section 4 on the plan of the Burial Ground in the said Parish of BISHOP'S STORTFORD, made in pursuance of the said Acts, such Grave Space being in the unconsecrated portion of the said Burial Ground, and being part of the Ground provided by us in

pursuance of the said Acts. To hold the same to the said William Careless

his heirs and assigns, for the purpose of Burial, subject to the Regulations now in force, or which may hereafter be issued with regard to Interments in the said Burial Ground by His Majesty's Secretary of State, or by the said Burial Board, or any other competent Authority, and also subject to the payment of all the fees and charges for the time being payable in respect of such Interment or otherwise.

Given under our Common Seal, this fourth day of June One Thousand Nine Hundred and Two



A Boardman
Geo Spenceley
Francis Glasscock
W. Lyle

Members of the Board.

Clerk to the Board.

100

Burials 28. Shaw & Sons, Peter Lane, E.C. (5088-02)

No.

26th July 1902

Received of Mr William Cardless

the sum of Three Pounds

and Three Shillings and pence
being consideration money for (as under)
on purchase of grave plots No 22^a and 26^a
Plot C Section 4 Unconsecrated Ground

£ 2.. 2.. 0 Consideration
£ 1.. 1.. 0 Grants Stamp
£ 3.. 3.. 0



Geo
W

BISHOP'S STORTFORD BURIAL BOARD.

By Virtue of the powers conferred upon us under the Burials Act, 1853, 16 & 17 Victoria, Cap. 184, and other Acts incorporated therewith, We, the Burial Board for the Parish of Bishop's Stortford, in the County of Hertford, in consideration of the Sum of One



and one (Shilling), to us paid by William Careless of Bishop's Stortford
of said Parish, His Executor

Do hereby Grant unto the said William Careless
in perpetuity, the exclusive Right of Burial in the Grave Space No. 18^d
Letter 6 Section 4 on the plan of the Burial Ground in the said Parish
of Bishop's Stortford, made in pursuance of the said Acts, such Grave Space being in the
unconsecrated portion of the said Burial Ground, and being part of the Ground provided by us in
pursuance of the said Acts. To Hold the same to the said William Careless

his heirs and assigns for the purpose
of Burial, subject to the Regulations now in force, or which may hereafter be issued with
regard to Interments in the said Burial Ground by Her Majesty's Secretary of State, or by the said
Burial Board, or any other competent Authority, and also subject to the payment of all the fees
and charges for the time being payable in respect of such Interment or otherwise.

Given under our Common Seal this fourth
day of March One Thousand ~~Eight~~ ^{and} Hundred and
~~Ninet~~ one

Geo Speckley
W. M. Beard
William Halliwell
W. J. Gee
Members of the Board.
Clerk to the Board.



Burial Board - London: S.W. & Sons, Water Lane, E.C. (1871 O.D. - 1863)

No.

9th Dec 1901

Received of Mr Williams care of

the sum of One _____ Pounds

Seven Shillings and Six pence

being consideration money &c (as under)
on purchase of grave space of 18 sq. feet
of Section 4 unconsecrated ground

£	1. 1. 0	consideration
	10. 6	grant stamp
	<u>1. 11. 6</u>	

W. J. Gee
Clerk
per W. M.
//

Sunday 20 March 2022
by Kate Cateles





12 FEB 2011

PEC WITH LAC

02 01 BR
199 10 20

20 March 2022

by Kate Careless



26 May 2011
by Malcolm Careless



LOVING MEMORY
OF
ERIC HAUD BULL
DIED 27th OCT 1966
AGED 75 YEARS

Loving Memory of
WALTER MUMBY
OAKLEY
DIED OCTOBER 21st 1966
AGED 80 YEARS

IN
LOVING MEMORY
OF

A DEAR HUSBAND AND FATHER
WILLIAM ALFRED CARELESS
WHO DIED 29th MARCH 1966
AGED 67 YEARS

AND
ALFREDA MARY UNWIN
CARELESS
NÉE JACOB

DIED 21.10.97 AGED 87
BELOVED WIFE, ADORED MUM
AND GRANDMOTHER
TOGETHER FOREVER



27 FEB 2023 by ALAN CARELESS

IN
LOVING MEMORY

OF

A DEAR HUSBAND AND FATHER

WILLIAM ALFRED CARELES

WHO DIED 29TH MARCH 1966

AGED 67 YEARS

AND

ALFREDA MARY UNWIN

CARELESS

WIFE JACOB

1897

TRACY
1 JAN 2023

YVONNE
ALMA CARELES



2022 by
LEONARD CARELESS

4.

PROGRESS OF CREMATION IN THE BRITISH ISLANDS

1885 - 2021

Year	No. of crematoria in United Kingdom	ENGLAND, WALES, ISLE OF MAN, CHANNEL ISLANDS			SCOTLAND			N.IRELAND			BRITISH ISLES		
		Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percentage Cremated
1885*	1	522,750	3	-	74,607	-	-	-	-	-	597,357	3	-
1886	1	537,276	10	-	73,640	-	-	-	-	-	610,916	10	-
1887	1	530,758	13	-	74,546	-	-	-	-	-	605,304	13	-
1888	1	510,971	28	0.01	71,174	-	-	-	-	-	582,145	28	-
1889	1	518,353	46	0.01	73,238	-	-	-	-	-	591,591	46	0.01
1890	1	562,248	54	0.01	79,004	-	-	-	-	-	641,252	54	0.01
1891	1	587,925	99	0.02	83,573	-	-	-	-	-	671,498	99	0.01
1892	2	559,684	107	0.02	75,545	-	-	-	-	-	635,229	107	0.02
1893	2	569,958	131	0.02	79,670	-	-	-	-	-	649,628	131	0.02
1894	2	498,827	172	0.03	71,113	-	-	-	-	-	569,940	172	0.03
1895	3	568,997	208	0.04	81,852	1	-	-	-	-	650,849	209	0.03
1896	4	526,727	191	0.04	70,677	10	0.01	-	-	-	597,404	201	0.03
1897	4	541,487	234	0.04	79,144	16	0.02	-	-	-	620,631	250	0.04
1898	4	552,141	329	0.06	78,397	12	0.02	-	-	-	630,538	341	0.05
1899	4	581,799	351	0.06	79,593	16	0.02	-	-	-	661,392	367	0.06
1900	4	587,830	424	0.07	83,296	20	0.02	-	-	-	670,126	444	0.07
1901	6	551,585	427	0.08	80,107	18	0.02	-	-	-	631,692	445	0.07
1902	8	535,538	431	0.08	77,941	20	0.03	-	-	-	613,479	451	0.07
1903	9	514,628	453	0.09	76,002	24	0.03	-	-	-	590,630	477	0.08
1904	11	549,784	550	0.1	77,981	19	0.02	-	-	-	627,765	569	0.09
1905	13	520,031	569	0.1	74,536	35	0.05	-	-	-	594,567	604	0.10
1906	13	531,281	699	0.1	75,635	44	0.06	-	-	-	606,916	743	0.12
1907	13	524,221	677	0.1	77,296	30	0.04	-	-	-	601,517	707	0.12
1908	13	520,456	767	0.1	77,838	28	0.04	-	-	-	598,294	795	0.13
1909	13	518,003	825	0.2	74,632	30	0.04	-	-	-	592,635	855	0.14
1910	13	483,247	812	0.2	72,268	28	0.04	-	-	-	555,515	840	0.15
1911	13	527,810	984	0.2	71,732	39	0.05	-	-	-	599,542	1,023	0.17
1912	13	486,939	1,090	0.2	72,340	44	0.06	-	-	-	559,279	1,134	0.20
1913	13	504,975	1,139	0.2	73,069	49	0.07	-	-	-	578,044	1,188	0.21
1914	13	516,742	1,222	0.2	73,557	57	0.08	-	-	-	590,299	1,279	0.22
1915	14	562,253	1,347	0.2	81,631	63	0.08	-	-	-	643,884	1,410	0.22
1916	14	508,217	1,295	0.3	70,640	65	0.09	-	-	-	578,857	1,360	0.23
1917	14	498,922	1,444	0.3	69,483	65	0.09	-	-	-	568,405	1,509	0.27
1918	14	611,861	1,721	0.3	78,372	74	0.09	-	-	-	690,233	1,795	0.26

Year	ENGLAND, WALES, ISLE OF MAN, CHANNEL ISLANDS				SCOTLAND			N.IRELAND			BRITISH ISLES		
	No. of crematoria in United Kingdom	Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percentage Cremated
1919	14	504,203	1,947	0.3	75,149	84	0.11	-	-	-	579,352	2,031	0.35
1920	14	466,130	1,716	0.3	69,179	80	0.12	-	-	-	534,309	1,796	0.34
1921	14	458,629	1,905	0.4	66,210	87	0.13	-	-	-	524,839	1,992	0.38
1922	15	486,780	1,934	0.3	72,905	75	0.10	-	-	-	559,685	2,009	0.36
1923	15	444,785	1,896	0.4	63,238	90	0.14	-	-	-	508,068	1,986	0.39
1924	16	473,235	2,848	0.6	70,357	87	0.12	-	-	-	543,592	2,935	0.54
1925	16	472,841	2,585	0.5	65,507	116	0.18	-	-	-	538,348	2,701	0.50
1926	16	453,804	2,779	0.6	63,780	98	0.15	-	-	-	517,584	2,877	0.56
1927	16	484,609	3,136	0.6	65,830	129	0.20	-	-	-	550,439	3,265	0.59
1928	18	460,389	3,295	0.7	65,271	141	0.22	-	-	-	525,660	3,436	0.65
1929	19	532,492	4,149	0.7	70,917	192	0.27	-	-	-	603,409	4,341	0.72
1930	21	455,427	4,287	0.9	64,285	246	0.38	-	-	-	519,712	4,533	0.87
1931	22	491,630	4,868	0.9	64,229	327	0.51	-	-	-	555,859	5,195	0.93
1932	24	484,129	5,884	1.2	66,045	431	0.65	-	-	-	550,174	6,315	1.15
1933	24	496,465	6,910	1.3	64,848	561	0.87	-	-	-	561,313	7,471	1.33
1934	28	476,810	7,608	1.5	63,741	729	1.14	-	-	-	540,551	8,337	1.54
1935	29	477,401	8,766	1.8	65,331	848	1.30	-	-	-	542,732	9,614	1.77
1936	33	495,764	10,205	2.0	66,749	1,084	1.62	-	-	-	562,513	11,289	2.01
1937	38	509,574	12,666	2.4	68,942	1,463	2.12	-	-	-	578,516	14,129	2.44
1938	47	478,996	14,555	3.0	62,953	1,757	2.79	-	-	-	541,949	16,312	3.01
1939	54	499,902	17,670	3.7	64,413	2,143	3.33	-	-	-	564,315	19,813	3.51
1940	56	581,537	22,336	3.8	72,775	3,863	5.31	-	-	-	654,312	25,175	3.85
1941	57	535,180	22,834	4.2	72,558	3,387	4.67	-	-	-	607,738	26,221	4.31
1942	57	480,137	24,786	5.1	64,963	3,741	5.76	-	-	-	545,100	28,527	5.23
1943	58	501,412	29,956	5.9	66,733	4,303	6.45	-	-	-	568,145	34,259	6.03
1944	58	492,176	34,459	7.0	64,603	4,557	7.05	-	-	-	556,779	39,016	7.01
1945	58	488,108	38,274	7.8	62,655	4,689	7.48	-	-	-	550,763	42,963	7.80
1946	58	492,090	44,868	9.1	64,605	5,292	8.19	-	-	-	556,695	50,160	9.01
1947	58	517,615	55,197	10.6	66,200	5,963	9.01	-	-	-	583,815	61,160	10.48
1948	58	469,898	57,965	14.9	60,979	6,323	10.37	-	-	-	530,877	64,288	12.11
1949	58	510,736	72,579	14.2	63,488	7,028	11.07	-	-	-	574,224	79,607	13.86
1950	58	510,301	81,633	15.9	63,996	7,924	12.38	-	-	-	574,297	89,558	15.59
1951	59	549,380	98,113	17.8	65,778	9,046	13.75	-	-	-	615,158	107,152	17.42
1952	63	497,484	98,602	19.8	61,510	9,097	14.79	-	-	-	558,994	107,699	19.27
1953	68	503,529	107,578	21.3	58,878	9,150	15.54	-	-	-	562,407	116,729	20.76
1954	74	501,896	115,305	22.9	61,380	10,216	16.64	-	-	-	563,276	125,521	22.28
1955	82	518,864	130,060	25.0	61,645	11,293	18.32	-	-	-	580,509	141,353	24.35
1956	99	521,331	141,826	27.2	61,792	11,462	18.55	-	-	-	583,123	153,238	26.29
1957	108	514,870	151,059	29.3	61,143	12,299	20.12	-	-	-	576,013	163,358	28.36
1958	120	526,843	166,256	31.5	62,065	13,819	22.27	-	-	-	588,908	180,071	30.58
1959	131	527,651	175,864	33.3	63,061	14,955	23.72	-	-	-	590,712	190,878	32.31
1960	148	526,268	188,294	35.7	61,764	15,725	25.46	-	-	-	588,032	204,019	34.70
1961	161	551,752	207,146	37.5	63,928	17,414	27.24	-	-	-	615,680	224,560	36.47
1962	172	557,636	222,594	39.9	63,189	17,995	28.48	-	-	-	620,825	240,610	38.76
1963	177	572,868	241,181	42.1	65,521	20,157	30.76	-	-	-	638,389	261,338	40.94
1964	182	534,737	236,045	44.1	61,039	19,568	32.06	-	-	-	595,776	255,613	42.90
1965	184	549,379	250,236	45.5	62,868	20,894	33.23	-	-	-	612,247	271,130	44.28

Year	ENGLAND, WALES, ISLE OF MAN, CHANNEL ISLANDS				SCOTLAND			N.IRELAND			BRITISH ISLES		
	No. of crematoria in United Kingdom	Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percent Cremate
1966	196	563,624	271,604	48.1	63,689	22,450	35.25	-	-	-	627,313	294,138	46.89
1967	199	542,516	272,061	50.1	59,523	22,223	37.34	-	-	-	602,039	294,366	48.89
1968	203	576,754	303,394	52.6	63,311	24,523	38.73	-	-	-	640,065	327,901	51.23
1969	204	579,378	313,074	54.0	63,821	26,022	40.77	-	-	-	643,199	339,096	52.72
1970	206	575,194	327,127	56.8	63,640	26,854	42.20	-	-	-	638,834	353,957	55.41
1971	211	567,262	328,160	57.8	61,614	26,863	43.60	-	-	-	628,876	354,803	56.42
1972	211	591,605	346,967	58.6	78,550	28,806	36.60	-	-	-	656,906	375,773	57.20
1973	214	587,696	354,309	60.9	64,545	29,835	46.22	-	-	-	652,023	384,144	58.92
1974	216	585,292	358,645	61.3	64,740	30,568	47.21	-	-	-	650,032	389,213	59.88
1975	218	582,841	364,340	62.5	63,125	30,692	48.62	-	-	-	645,976	394,909	61.13
1976	218	598,516	381,264	63.7	65,253	32,448	49.72	-	-	-	663,769	413,722	62.33
1977	218	595,928	374,142	62.78	62,294	31,587	50.71	-	-	-	638,222	405,730	63.57
1978	218	585,901	382,436	65.27	65,123	33,679	51.72	-	-	-	651,024	416,049	63.91
1979	219	593,019	390,000	65.76	65,747	34,158	51.95	-	-	-	658,766	424,158	64.39
1980	220	581,385	387,296	66.61	63,299	33,421	52.80	-	-	-	644,684	420,717	65.26
1981	220	578,440	387,903	67.06	63,828	33,694	52.78	-	-	-	642,268	421,597	65.64
1982	221	581,861	395,640	67.99	65,022	34,813	53.54	-	-	-	646,883	430,453	66.54
1983	221	579,608	397,165	68.52	63,454	34,368	54.16	-	-	-	643,062	431,531	67.11
1984	221	566,881	387,929	68.43	62,345	33,642	53.96	-	-	-	629,226	421,571	67.00
1985	222	590,734	408,523	69.15	63,967	35,164	54.97	-	-	-	654,701	443,687	67.77
1986	223	581,203	405,748	69.81	63,467	35,249	55.54	-	-	-	644,670	441,021	68.41
1987	223	570,417	397,448	70.52	62,014	34,506	55.64	-	-	-	632,431	431,930	68.30
1988	223	574,790	402,163	70.80	62,314	34,687	55.66	-	-	-	637,104	436,850	68.57
1989	225	580,108	401,420	69.20	65,017	36,233	55.73	-	-	-	645,125	437,653	67.84
1990	225	568,102	403,290	70.99	61,527	34,776	56.52	-	-	-	629,629	438,066	69.58
1991	225	573,298	406,493	70.99	61,041	34,615	56.70	-	-	-	634,339	441,108	69.54
1992	226	561,473	402,482	71.68	60,937	34,518	56.65	-	-	-	622,410	437,000	70.21
1993	227	582,025	416,581	71.57	64,452	36,464	56.58	-	-	-	646,477	453,045	70.08
1994	228	557,010	400,002	71.81	59,709	34,221	57.31	-	-	-	616,719	434,223	70.41
1995	229	573,283	408,876	71.32	60,897	34,764	57.09	15,455	1,934	12.51	649,635	445,574	68.59
1996	230	563,674	408,711	72.51	61,036	35,248	57.75	15,371	1,975	12.85	640,081	445,934	69.67
1997	234	558,720	409,402	73.27	59,813	34,832	58.23	15,102	2,071	13.71	633,635	446,305	70.44
1998	238	558,432	400,137	71.65	59,515	36,846	61.91	15,115	2,162	14.30	633,062	439,145	69.37
1999	241**	559,423	404,050	72.22	60,567	37,716	62.27	15,795	2,403	15.21	635,785	444,169	69.86
2000	242	538,867	400,728	74.37	58,097	34,628	59.60	14,996	2,253	15.00	611,960	437,609	71.51
2001	242	532,532	392,183	73.51	57,678	33,883	58.75	14,625	2,317	15.84	605,835	428,383	70.71
2002	243	536,854	399,768	74.46	58,381	34,883	59.75	14,708	2,473	16.81	609,943	437,124	71.66
2003	244	541,839	404,887	74.72	58,768	35,339	60.13	14,570	2,312	15.87	615,177	442,538	71.94
2004	245	517,782	388,091	74.95	56,504	34,399	60.88	14,467	2,345	16.21	588,753	424,835	72.16
2005	248	516,477	387,832	75.09	56,039	34,454	61.48	14,313	2,398	16.75	586,829	424,684	72.37
2006	250	506,201	380,574	75.18	55,389	33,946	61.28	14,621	2,361	16.15	576,211	416,881	72.38
2007	253	507,652	380,764	75.00	56,313	34,557	61.37	14,751	2,599	17.62	578,716	417,920	72.22
2008	253	512,707	385,346	75.16	56,025	34,902	62.30	15,022	2,605	17.30	583,754	422,853	72.44
2009	256	495,036	377,326	76.22	54,173	34,075	62.90	14,532	2,469	16.99	563,741	413,870	73.41
2010	260	496,956	376,998	75.86	54,258	34,050	62.76	14,562	2,732	18.76	565,776	413,780	73.13
2011	265	488,179	376,511	77.13	53,960	34,536	64.01	14,295	2,798	19.57	556,434	413,845	74.37
2012	266	502,889	387,364	77.03	55,211	35,554	64.40	14,862	2,866	19.28	572,962	425,784	74.31

Year	ENGLAND, WALES, ISLE OF MAN, CHANNEL ISLANDS				SCOTLAND			N.IRELAND			BRITISH ISLES		
	No. of crematoria in United Kingdom	Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percentage Cremated	Number of Deaths+	Number of Cremations	Percenti Cremate
2013	270	510,074	397,279	77.89	54,934	36,000	65.53	15,078	3,001	19.90	580,086	436,280	75.21
2014	273	504,678	390,494	77.38	54,467	35,746	65.63	14,759	3,014	20.42	573,904	429,254	74.80
2015	277	532,802	421,150	79.04	57,790	38,547	66.70	15,624	3,219	20.60	606,216	462,916	76.36
2016	282	525,048	417,619	79.54	56,728	38,553	67.96	15,430	3,521	22.82	597,206	459,693	76.97
2017	291	533,253	425,851	79.86	57,883	39,479	68.20	16,036	3,372	21.03	607,172	468,702	77.19
2018	300	543,886#	437,236	80.73	58,503	40,589	69.38	15,922	3,483	21.88	618,311#	481,308	77.84
2019	307	533,031#	428,041	80.63	58,108	40,670	69.99	15,758	3,591	22.79	606,897#	472,308	77.82
2020	310	610,124#	493,540	80.89	64,093	45,335	70.73	17,614	3,914	22.22	691,831#	542,789	78.46
2021	315	588,619#	476,210	80.93	63,587	44,975	70.73	17,556	3,907	22.25	669,762#	525,092	78.40

* The first cremation was carried out on 26th March 1885, at Woking. The deceased was a Mrs Jeannette C. Pickersgill.

** Includes Arnos Vale which closed in 1998

Number of deaths includes Isle of Man, Guernsey and Jersey from 2018 onwards

! Provisional figure

+ Source for statistics of Numbers of Deaths:

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CONTACT


The Cremation Society

Brecon House (1st Floor),

16/16a Albion Place,

Maidstone,

Kent ME14 5DZ.

 (01622) 688292/3
(tel:+441622688292)

TOP



Year	Harwood Park	Hitchin (North Hertfordshire)	Hoddesdon (Woollensbrook)	West Hertfordshire
1958				N/R
1959				1,519
1960				2,041
1961				2,037
1962				2,236
1963				2,513
1964				2,473
1965				2,597
1966				2,666
1967				2,600
1968				2,823
1969				2,779
1970				3,048
1971				2,932
1972				3,139
1973				3,199
1974				3,197
1975				3,223
1976				3,325
1977				3,347
1978				3,499
1979				3,630
1980				3,610
1981				3,694
1982				3,869
1983				3,837
1984				3,699
1985				3,964
1986				3,918
1987				3,873
1988				3,950
1989				3,915
1990				3,819
1991				3,858
1992				3,702
1993				3,832
1994				3,778
1995				3,762
1996				3,605
1997	1,186			3,465
1998	1,665			3,300
1999	1,783			3,329
2000	1,833			3,226
2001	1,843			3,194
2002	1,911			3,288
2003	1,957			3,258
2004	1,838			3,293
2005	1,936			3,186
2006	2,075			3,065
2007	2,071			2,975
2008	2,152			2,997
2009	2,094			2,854
2010	2,233			2,746
2011	2,176			2,846
2012	2,220			3,016
2013	2,233			3,044
2014	2,300			3,024
2015	2,427			3,182
2016	2,367			3,114
2017	2,135	637	402	3,273
2018	1,854	1,362	833	3,115
2019	1,670	1,295	864	3,062
2020	1,778	1,539	1,131	3,347
2021	1,679	1,402	1,112	2,884

N/R (Not recorded)

Year	Basilston	Braintree	Brentwood	Chelmsford	Colchester	Harlow	Redbridge (Forest Park)	Saffron Walden (Cam Valley)	Southeast-on-Sea	South Essex	Weeley
1953									602		
1954									982		
1955									1,181		
1956									1,391		
1957					15				1,396	282	
1958					686				1,478	948	
1959					798				1,693	1,025	
1960					859				1,762	1,217	
1961					1,035	16			1,891	1,364	
1962		45		530	1,116	226			1,914	1,496	
1963		691		1,208	1,208	257			2,186	1,746	
1964		771		1,227	1,227	301			2,044	1,678	
1965		868		1,408	1,408	326			2,041	1,910	
1966		988		1,522	1,522	453			2,333	2,085	
1967		1,035		1,631	1,631	530			2,369	2,079	
1968		1,193		1,752	1,752	632			2,661	2,375	
1969		1,344		1,949	1,949	697			2,804	2,476	
1970		1,371		2,065	2,065	801			2,856	2,598	
1971		1,530		2,116	2,116	905			2,756	2,806	
1972		1,541		2,176	2,176	1,054			3,097	3,103	
1973		1,646		2,279	2,279	1,044			3,044	3,223	
1974		1,583		2,380	2,380	1,176			3,169	3,207	
1975		1,668		2,140	2,140	1,111			3,151	3,230	
1976		1,780		2,511	2,511	1,242			3,307	3,477	
1977		1,704		2,542	2,542	1,205			3,260	3,605	
1978		1,868		2,626	2,626	1,330			3,337	3,750	
1979		1,924		2,604	2,604	1,355			3,264	3,947	
1980		1,730		2,585	2,585	1,408			3,121	4,198	
1981		2,018		2,705	2,705	1,302			3,124	4,077	
1982		2,028		2,577	2,577	1,376			3,114	4,185	
1983		2,103		2,592	2,592	1,504			3,305	4,276	
1984		1,953		2,697	2,697	1,465			3,280	4,093	
1985		2,170		2,760	2,760	1,542			3,314	4,500	
1986		2,061		1,781	1,781	1,564			3,317	4,548	1,163
1987		2,066		1,745	1,745	1,077			3,398	4,357	1,306
1988		2,145		1,794	1,794	1,683			3,334	4,467	1,287
1989		2,109		1,822	1,822	1,678			3,210	4,346	1,258
1990		2,257		1,588	1,588	1,744			3,224	4,512	1,412
1991		2,285		1,686	1,686	1,704			3,302	4,562	1,368
1992		2,168		1,602	1,602	1,757			3,307	4,553	1,408
1993		2,440		1,714	1,714	1,820			3,450	4,636	1,532
1994		2,319		1,750	1,750	1,848			3,345	4,565	1,443
1995		2,365		1,680	1,680	1,904			3,421	4,740	1,443
1996		2,556		1,584	1,584	1,969			3,483	4,886	1,529
1997		2,606		1,610	1,610	1,913			3,337	4,751	1,546
1998	843	2,571		1,477	1,477	1,710			2,994	4,126	1,608
1999	1,607	2,591		1,471	1,471	1,744			2,670	3,805	1,688
2000	1,650	2,578		1,505	1,505	1,844			2,693	3,832	1,670
2001	1,454	2,482		1,491	1,491	1,775			2,586	3,999	1,622
2002	1,711	2,552		1,513	1,513	1,761			2,543	4,157	1,750
2003	1,760	2,585		1,485	1,485	1,850			2,580	4,310	1,653
2004	1,776	2,428		1,472	1,472	1,822			2,410	3,983	1,638
2005	1,743	2,513		1,437	1,437	1,708	674		2,380	3,799	1,738
2006	1,832	2,333		1,540	1,540	1,725	965		2,331	3,600	1,598
2007	1,794	2,424		1,484	1,484	1,553	1,066		2,310	3,509	1,581
2008	1,885	2,549		1,516	1,516	1,625	1,186		2,323	3,502	1,611
2009	1,750	2,249	353	1,379	1,379	1,580	1,240		2,287	3,379	1,580

Year	Basildon	Braintree	Brentwood	Chelmsford	Colchester	Harlow	Redbridge (Forest Park)	Saffron Walden (Cam Valley)	Southend-on-Sea	South Essex	Weeley
2010	1,892	685		2,202	1,304	1,586	1,146		2,381	3,239	1,551
2011	1,919	764		2,056	1,215	1,623	1,183		2,236	3,252	1,665
2012	1,982	835	82	2,283	1,324	1,615	1,250		2,220	3,138	1,631
2013	2,016	858	484	2,112	1,354	1,662	1,258		2,354	3,056	1,623
2014	1,936	832	603	2,092	1,346	1,744	1,201		2,237	3,042	1,497
2015	2,180	969	709	2,201	1,667	1,813	1,334		2,503	3,192	1,400
2016	2,275	962	734	2,181	1,453	1,824	1,321		2,420	3,193	1,703
2017	2,237	1,054	856	2,154	1,480	1,719	1,234		2,514	3,211	1,663
2018	2,295	1,197	947	2,135	1,494	1,575	1,312	635	2,623	3,012	1,691
2019	2,314	1,101	936	2,193	1,577	1,485	1,265	890	2,299	2,955	1,677
2020	2,722	1,367	1,160	2,205	1,629	1,619	1,832	1,291	2,574	3,288	1,403
2021	2,793	1,490	1,139	1,984	1,716	1,409	1,652	1,169	2,580	3,148	888

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Press release

The final voyage of Captain Matthew Flinders

Over 200 years after his death, Captain Matthew Flinders, the Royal Navy explorer discovered at St. James's burial ground in Euston, will be going home to Lincolnshire.

From:

[High Speed Two \(HS2\) Limited \(/government/organisations/high-speed-two-limited\)](/government/organisations/high-speed-two-limited)

Published

17 October 2019



HS2 Ltd's Chief Executive, Mark Thurston, has written to the family of Captain Matthew Flinders to say that his remains can be reinterred in the local parish church of St. Mary and The Holy Rood. This follows a request made by the descendants of the Flinders family and the local community for his remains to be returned to the village where he grew up.

In January this year, archaeologists working on the HS2 project in Euston, London discovered the burial ground of the explorer as part of the archaeological works in advance of construction of the new high-speed terminus station. HS2 archaeologists were able to identify his remains by the ornate lead name plate placed on top of his coffin.

The discovery of Captain Matthew Flinders



His final resting place will be in at the Church of St Mary and the Holy Rood in Donington, near Spalding, where he was baptised, and where many members of his family are buried. There is currently no set date for when his body will be reburied in at the church. However, the diocese of Lincoln has given planning consent to the reburial and, now HS2 have announced the news, the Parochial Church Council is expecting to work speedily to submit the details of a suitable memorial.

A specialist team from HS2 will transfer the remains to the Diocese of Lincoln for safekeeping until further burial arrangements can be made. Details of which will be announced at a later stage by the diocese.

Helen Wass, HS2 Ltd Head of Heritage, said:

It is fitting that the last voyage of Captain Matthew Flinders will be back to the village of Donington where he grew up and we are pleased to be playing our part in his last journey.

This local boy from Donington put Australia on the map due to his tenacity and expertise as a navigator and explorer. The Flinders name is synonymous with exploration, science and discovery, and HS2, through its archaeology programme, will ensure that we maximise the opportunities for further academic and scientific study.

Captain Flinders made several significant voyages, most notably as commander of H.M.S. Investigator which he navigated around the entire coast of Australia. This made him the first known person to sail around the country in its entirety, confirming it as a continent. He is also credited with giving Australia its name, although not the first to use the term, his work popularised its use. His surname is associated with many places in Australia, including Flinders Station in Melbourne, Flinders Ranges in South Australia and the town of Flinders in Victoria.

Press and media enquiries

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Cyril Banks swept mines off Gold Beach while being attacked by German aircraft and coastal guns during the D-Day landings in 1944

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