

FOURTH PAPER OF AMENDMENTS

HOUSE OF LORDS

SESSION 2019–2021

HIGHGATE CEMETERY BILL [HL]

FURTHER ADDITIONAL AMENDMENTS PROPOSED TO BE MADE IN THE OPPOSED BILL COMMITTEE, HOUSE OF LORDS

Clause 4 – Power to extinguish rights of burial

- 1** In lieu of Amendment **11** of the Paper of Amendments deposited on 24 February 2021, the following amendment should be made –

Page 4, line 3, at end insert –

“(aa) publish such a notice and maintain that notice until the date specified under subsection (6)(b) –

- (i) if the burial authority has a website, on that website;
- (ii) otherwise, by using a means of electronic publication that the burial authority considers equivalent for the purposes of drawing attention to the burial authority’s proposals;”

- 2** Page 4, line 22, after subsection (6) insert –

“(6A) A notice under subsection (5)(aa) must contain the name, where known, of the registered owner of the right of burial or memorial.

(6B) A notice under subsection (5)(a), (b) or (c) must include details of where the notice under subsection (5)(aa) may be found and a statement that the notice under subsection (5)(aa) contains the information described in subsection (6A).”

Clause 5 – Power to disturb human remains

- 3** In lieu of Amendment **23** of the Paper of Amendments deposited on 24 February 2021, the following amendment should be made –

Page 5, line 27, at end insert –

- “(aa) publish such a notice and maintain that notice until the date specified under subsection (6)(b) –
- (i) if the burial authority has a website, on that website;
 - (ii) otherwise, by using a means of electronic publication that the burial authority considers equivalent for the purposes of drawing attention to the burial authority’s proposals;”

- 4** Page 5, line 46, after subsection (6) insert –

“(6A) A notice under subsection (5)(aa) must contain, where known, the name of the registered owner of the right of burial or memorial and the name of any person whose remains are proposed to be disturbed.

(6B) A notice under subsection (5)(a), (b) or (c) must include details of where the notice under subsection (5)(aa) may be found and a statement that the notice under subsection (5)(aa) contains the information described in subsection (6A).”

- 5** In lieu of Amendment **32** of the Paper of Amendments deposited on 24 February 2021, the following amendment should be made –

Page 6, line 2, delete subsection (8), and insert –

“(8) If notice of objection to the proposed disturbance of human remains is given to the burial authority before the date specified in subsection (6)(b) by–

- (a) the registered owner of the extinguished or expired right of burial;
 - (b) the registered owner of a memorial erected or placed in or on any grave spaces specified under subsection (6)(a), whether or not the memorial itself is proposed to be removed;
 - (c) a relative of the person whose remains are proposed to be disturbed,
- and that objection is not withdrawn, the burial authority may not, subject to subsection (8A), disturb or authorise the disturbance of those remains.

(8A) A burial authority may disturb or authorise the disturbance of human remains that are otherwise protected from disturbance under subsection (8) if –

- (a) after the expiry of a period of 25 years from the date on which notice of objection in accordance with that subsection was last given, the burial

authority has given further notice in accordance with subsections (5) and (6) in relation to the disturbance of those remains; and

- (b) no notice of objection in accordance with subsection (8) is given in relation to that further notice or, if such notice of objection is given, it is withdrawn."

Clause 7 - Register of burials and other records

6 Page 7, line 33, after "memorial" insert "within the cemetery"

7 Page 7, line 34, after "taken" insert – “;

“(c) if the memorial is disposed of, a statement of the details of its disposal”

A handwritten signature in dark ink, reading "BDB Pitmans LLP". The letters are cursive and fluid, with the "BDB" being particularly prominent and stylized.

BDB Pitmans LLP
Solicitors and Parliamentary Agents
4 March 2021