

HOUSE OF COMMONS

SESSION 2021–2022

HIGHGATE CEMETERY BILL [HL]

AMENDMENTS TO BE MADE IN THE
UNOPPOSED BILL COMMITTEE, HOUSE OF COMMONS

EXPLANATORY MEMORANDUM

Page 2, line 2, at end insert a new paragraph—

“Subsection (9A) provides that extinguishment takes effect on the date specified under a notice, or where an objection is made, the day after consent is given by the Secretary of State under subsection (9)(b).”.

Page 2, line 6, at end insert a new paragraph—

“Subsection (10A) requires the burial authority to publish a policy setting out how it will exercise the powers of disposal in relation to memorials.”.

Page 2, line 31, at end insert the following new paragraphs—

“Subsection (12) provides that where a memorial is removed in connection with the disturbance of human remains it remains the property of the owner, but where it is not claimed within six months, the burial authority may put the memorial to another use or dispose of it.

Subsection (12A) requires the burial authority to publish a policy setting out how it will exercise the powers of disposal in relation to memorials.”.

Page 3, line 3, at end insert a new paragraph—

“Subsection (3A) enables the revocation of designations of protected graves, following consultation with the Historic Buildings and Monuments Commission for England and the London Borough of Camden.”.

THE BILL

Clause 4, page 4, line 6, after “may,” insert “by notice given”

Clause 4, page 4, delete line 23 and insert—

“(i) on the burial authority’s website; or”.

Clause 4, page 4, line 24, delete “otherwise,”

Clause 4, page 5, line 1, delete “(12)” and insert “(11), (13) and (14)”.

Clause 4, page 5, line 15, at end insert—

“(9A) An extinguishment under subsection (1) takes effect—

- (a) where no notice of objection is given under subsection (9), on the date specified under subsection (6)(b), or
- (b) where the Secretary of State consents to the extinguishment under subsection (9)(b), on the day after that consent is given.”.

Clause 4, page 5, line 20, at end insert—

“(10A) The burial authority must publish on its website or by other appropriate means, and make available on request, a policy setting out how it will exercise its powers under this section in relation to memorials.”.

Clause 5, page 6, delete line 15 and insert—

“(i) on the burial authority’s website; or”.

Clause 5, page 6, line 16, delete “otherwise,”

Clause 5, page 7, line 22, at end insert—

“(12A) The burial authority must publish on its website or by other appropriate means, and make available on request, a policy setting out how it will exercise its powers under this section in relation to memorials.”.

Clause 6, page 8, line 7, at end insert—

“(3A) The burial authority may from time to time, following consultation with the Historic Buildings and Monuments Commission for England and the London Borough of Camden, revoke the designation of any grave as a protected grave.”.

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

BDB Pitmans

Solicitors and Parliamentary Agents

15 July 2021