



The Queen's Hall
High Street
Cuckfield
West Sussex
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Full Council Meeting 21st September 2023

FC065 - To consider the complaint received regarding the resident and non-resident burial fees charged at Cuckfield burial ground

A complaint was received in May 2023 regarding the increase in the cost of burial fees at Cuckfield Cemetery for non-residents. A complaints panel sat to consider the complaint on 16th June 2023 and the outcome of this was to uphold the Clerk's decision to impose the current fees for the burial in 2023. The letter providing details of the outcome of the complaints panel is documented below, along with the complainant's response to this and the clarification made by the Clerk.

You are asked to consider the Complainant's email below and your response to the points that have been raised.

1. Complaints Panel Hearing Letter to Complainant on 16th June 2023

I am writing to inform you of the outcome of the complaints panel hearing which met to consider your complaint regarding the increase in non-resident fees for interments within the burial ground in Cuckfield.

Cllrs Gill, Sheldon and Symonds, all members of the Assets, Community and Environment Committee which oversees the burial ground on behalf of the Council, met on Wednesday 14th June to consider your complaint.

I have copied below their comments taken from the minutes of this meeting:

1. The fee increase was identified to be the main nature of the complaint. Mr XXX had two previous relatives buried in the plot with a third relative to be buried there and was challenging why the same level of rates could not be applied for this burial as those paid over 10 years ago.
2. It was also noted that Mr XXX was already aware that there were different rates for parishioners and non-parishioners, and that when the plot was purchased the deed holders lived in Haywards Heath and were charged the non-resident rate. Living in Haywards Heath the family would have been eligible to purchase a plot as residents within that burial ground.
3. The panel decided not to allow any discounts on the following basis:
 - a. The burial rates were reasonable and comparable to other burial grounds within the area.
 - b. The Parish Council had a duty to its parishioners to ensure the cemetery was self-funded and not a drain on Parish Council resources.



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- c. The panel noted that burial resources were limited and priority should be given to Cuckfield parishioners, and therefore non-residents fees should be applied to non-parishioners if they wished to be buried there without exception.

The panel resolved to uphold the Parish Council's position whereby no discount and waiving of the fees would apply. The panel also expressed their sincere condolences for your loss.

2. Email from Complainant in response to Complaints Panel Letter:

Dear Ms Heynes,

Thank you for your letter of 16th June informing me of the outcome of the complaints panel hearing on Wednesday 14th June. I thank the panel for their condolences and the time they have spent on this.

However, it is clear from the comments you have noted that the councillors who met to consider my complaint have failed to understand the point of issue and have instead made a decision which is unrelated to the complaint I have made.

Dealing with each of their comments in turn:

1. "The fee increase was identified to be the main nature of the complaint". This is not the complaint at all: it is nothing whatsoever to do with fee increase. The complaint is that there was no differential between the charges and fees payable by a parishioner and a non-parishioner at the time that the plot was purchased in 2003 and that the differential has only been applied since the time that I was morally committed to the burial of my other family members within that plot. If you wish to increase the fees differently for non-parishioners from a date forward so that the disparity is clear at the time the plot is purchased, then that is open and transparent; to introduce it and apply retrospectively is inequitable.

2. "...when the plot was purchased the deed holders lived in Haywards Heath and were charged the non-resident rate". Although we lived in Haywards Heath there was no separate rate for non-parishioners at the time the plot was purchased. We were eligible for and offered burial at either Cuckfield or Ardingly.

3a. "The burial rates were reasonable and comparable to other burial grounds within the area." This reasoning is irrelevant to my complaint and centres around the contractual agreements in place at the time the plot was purchased, and which have been altered by the council in such a way that the plot holder has no other viable option open to them. In practise the only other possible option to me was to have the bodies of my brother and



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father exhumed so that they could be laid to rest with my mother in Horsted Keynes and I am sure you will agree this was not something you would wish to encourage.

3b "The parish council has a duty to its parishioners to ensure the cemetery is self-funded and not a drain on the Parish Council resources." I am not doubting that you have a duty in this respect, but this is not relevant to my complaint. On the contrary in pricing for the future the Parish Council should have taken into account they had sold a number of plots which were at that time unused, and which would need to be charged for that the existing price arrangement in place at the time of purchase. I am not suggesting that prices should not have risen over time because of inflation but the price arrangements in place did not include a differential between parishioners and non-parishioners.

3c "Burial resource were limited and priority should be given to Cuckfield parishioners". Once again, this comment is irrelevant to my complaint. The differential in charging does not free up limited resource of plots which have already been sold and this plot could not have been made available to a Cuckfield parishioner when it had already been sold to my family.

I understand I have the right of appeal to the full council, and I should be grateful if this could now be referred to them. Your Complaints Policy states at 5.1 that "The decision of the full council will be final" but that of course does not affect my right to report the matter to the ombudsman if I remain unsatisfied. I understand that you will advise me of the date of the next full Council meeting.

Kind regards

3. Final Email from Clerk to Complainant

I would like to clarify your point regarding the resident and non-resident fee, which you state is the basis of your complaint. We have checked our records and can confirm that when this plot was purchased in 2003 it was done so as a non-resident at a cost of £525, as opposed to the resident rate of £215 at the time.

On this basis, we have continued to charge you the non-residents rate each time you have made interments over the years.