

1. What are your views on all or some of the provisions covered in the Burial (Management) (Scotland) Regulations 2025 in relation to the management and maintenance of burial grounds in Scotland, including:

- The requirement to prepare and maintain a publicly accessible burial management plan

*Stirling Council Cemeteries would have no issues with a Burial Grounds Management Plan being compiled and accessible to the public or inspectors.*

- Maintenance and repair of burial grounds;

*It should be remembered that some buildings within burial grounds may require Listed Buildings/Scheduled Monument Consent which should be taken into account as this would involve Historic Environment Scotland or Local Authority Planning Department granting permission to carry out work. There has also been ongoing discussions around ownership of ruins and other structures within Churchyards, some of which may still be under Church ownership, this has never been fully resolved and requires further clarification.*

- Safety of headstones and other memorials;

*Headstone safety is of significant importance and a detailed process is required as Local Authorities have a duty of care to assure Cemeteries and Churchyards remain a safe place for visitors and employees and Stirling Council Cemeteries fully support the proposals.*

- Removal of unauthorised headstones or other memorials;

*Contact with the registered lair holder should be the first priority before any attempt to remove an unauthorised headstone. Removal could cause damage to the memorial and possibly lead to action being taken against the Local Authority if no attempt is made to contact the registered lair holder before any work is undertaken.*

- Training;

*Stirling Council Cemeteries Service have no issues with this.*

- Designation for use by faith, religious or belief groups.

*Stirling Council Cemeteries Service have no issues with this.*

2. What are your views on all or some of the provisions covered in the Burial and Cremation (Inspection) (Scotland) Regulations 2025, in relation to inspection, enforcement and appeals for burial authorities, cremation authorities and funeral directors?

*This is a fair and transparent process which makes allowances for appeals and revocation of any non-compliance issues raised during the inspection process along with timescales to remedy any issues.*

3. Do you have any specific concerns about any of the instruments outlined above?

*The above proposals is very much dependant on available resources and the extra burden of committing to and implementing a publicly available Burial Ground Management Plan. Once a plan is in place and available for public scrutiny we would then have an obligation to deliver. Staff availability, funding and an increase in service requirements could all have a negative impact on the ability to fully conform to the Management Plan.*

4. In your view, what financial impact could this legislation have on the delivery of burial services?

*There would be hidden costs involved with regards to compiling and maintaining a publicly available Burial Ground Management Plan, the plan would have to be revised and updated as required. There would also be additional costs associated with the added administration and training requirements.*

5. The Scottish Government's business and regulatory impact assessment states that burial authorities and funeral directors may experience minor training and administrative impacts associated with the legislation. How might the additional training and administrative requirements laid out under these instruments affect the delivery of these services in practice, and how could these impacts be managed or mitigated?

*Training requirements would have to be programmed in which may involve other services within the Local Authority so may take time to implement. There would also be a requirement for additional administration needs associated with any new processes and procedures implemented.*