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**COMHAIRLE CONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL**



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, March 12, 2018**

**QUESTION NO.15**

**QUESTION: Councillor R. McMahon**

To ask the Manager and the Law Agent to investigate and report if there is any legal way of taking back in control all or some of the pre-sold burial plots which have not yet been used and have been sold more than 50 years ago (in the council controlled burial grounds in the county).

**REPLY:**

There are eighteen cemeteries within the Council’s administrative area. However, only eight of these cemeteries are under the control of the Council who holds records for Bohernabreena, Esker, Newcastle, Saggart, Templeogue, Cruagh, Colmanstown and Brownstown, while records in relation to the other cemeteries are held by relevant Church Office / Trusts etc.

There are grave spaces available for purchase in only four burial grounds and to which certain restrictions apply as follows:

* Bohernabreena - grave spaces cannot be purchased in advance and can only be purchased at the time of death, unless terminally ill (documentary evidence required)
* Saggart - advanced purchases are available to ‘local’ Senior Citizens only. (Documentary evidence required)
* Newcastle - advanced purchases are available, to Senior Citizens only. (Documentary evidence required).
* Esker - grave spaces cannot be purchased in advance and can only be purchased at the time of death.

Presold burial plots, which have not yet been used, remain in the ownership of the purchasers and the Council has no legal recourse in this matter.

There are occasions where pre-purchased plots are offered / surrendered back by the owner of the "grave paper".  In such cases the Council refund the initial purchase cost as paid at purchase date.

It is not possible to provide detail on the precise number of plots booked/sold/not yet opened between the old and new sections of the various cemeteries within our control at this point in time. This process would require significant resource to cross reference all relevant existing documentation (currently mostly non-digitised). Similarly, it may also be necessary to conduct on site non-intrusive surveys and a cost benefit analysis in advance of undertaking such works would be required.

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