



Marine licensing guidance 6
Burials at sea
April 2011

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1.0 Introduction

The Marine Management Organisation (MMO) carries out licensing and enforcement functions under the Marine and Coastal Access Act Part 4, on behalf of the Secretary of State in the English inshore region and all English, Welsh and Northern Ireland offshore regions.

In determining an application for a marine licence, it is the duty of the MMO, under section 2 of the Act, to ensure that the carrying on of activities by persons in the MMO's area is managed, regulated or controlled.

The purpose of this guidance is to:

- Introduce applicants to the online application process;
- Detail how an applicant can contact the MMO;
- Introduce applicants to burials at sea applications;
- Detail each step required during the application process;
- Guide applicants through the application, consultation, analysis and decision making processes.

The MMO recognises that burial at sea is a long established tradition, particularly for those who have been associated with the sea. We have responsibility for applying the MCAA licence controls to the burial at sea of human remains, which we try to do in a sympathetic and respectful manner.

We do not encourage burial at sea, as tides and currents pose a significant risk of the body being returned to shore or being caught up in fishing gear. Such events naturally cause considerable distress to relatives, friends of the deceased and all concerned. To avoid that risk, we recommend the scattering of cremation ashes at sea as a more acceptable procedure - this can be carried out without a licence.

2.0 Does the Activity Require a Marine Licence?

Under the Act burials at sea fall under the following licensable activities:

- To deposit any substance or object within the UK marine licensing area, either in the sea or on or under the sea bed, from:
 - Any vehicle, vessel, aircraft or marine structure;
 - Any container floating in the sea; or
 - Any structure on land constructed or adapted wholly or mainly for the purpose of depositing solids in the sea.
- To deposit any substance or object anywhere in the sea or on or under the sea bed from:
 - A British vessel, British aircraft or British marine structure; or
 - A container floating in the sea, if the deposit is controlled from a British vessel, British aircraft or British marine structure.
- To deposit any substance or object anywhere in the sea or on or under the seabed from a vehicle, vessel, aircraft, marine structure or floating container which was loaded with the substance or object:
 - In any part of the United Kingdom except Scotland; or

- In the UK marine licensing area.

3.0 Process Overview

On the 6 April 2011 a new licensing service was introduced that will enable applicants to apply, pay for and track the progress of their licence applications online. This includes making online payments, licence variation requests and submitting licence returns. It will be accessible from the [MMO's website](#). The home page will provide full details of how to register and use it.

To make an application, the applicant will first need to register for an online service account. Once registered, it will be possible to submit an application for a marine licence.

The service provides an online application form. The forms will contain in-built applicant guidance to assist in their completion.

Once a form has been completed, the applicant will be able to pay any applicable fee by online credit / debit card, BACS or cheque. Once an application has been received by MMO, the applicant will receive an email acknowledging receipt of their application.

Applicants will be able to track the progress of their application, from submission through to determination, by logging into their service account and viewing the corresponding application status.

Once an application has been determined, the applicant will receive an email notification of the decision. Where a licence has been granted the applicant may log into their service account to view the proposed licence and confirm that they accept the terms and conditions contained within the licence. Once accepted, the applicant will be issued with a digitally signed licence which will remain in their service account for future reference. The applicant can also print a copy of their licence document.

In the event of an applicant wishing to vary the details of a licence then, subject to business rules, the applicant will be able to submit a variation request through their service account. If acceptable to the MMO the request will result in an amended version of the same licence being issued to the applicant.

4.0 Burial at Sea Sites

There are **only** three designated burial at sea sites around the English coast. These are:

- Off the Needles, Isle of Wight;
- Off the Northumberland Coast, near Tynemouth;
- Between Hastings and Newhaven, on the South Coast.

The site at Tynemouth is an emergency site. Licences will only be issued for this site in exceptional circumstances. Please contact the MMO (email: marine.consents@marinemanagement.org.uk; telephone: 0300123 1032) if you are considering applying for a burial at sea licence at the Tynemouth site.

Within the online application form for a burial at sea marine licence, the location of the proposed burial at sea will be requested. The applicant can select the three sites mentioned above. However, they can also select “other” from the drop down list. In some **exceptional** circumstances the MMO will allow burial at a non-designated burial site however, this is highly discouraged. If the applicant would like to request this they must provide evidence that there are exceptional circumstances involved.

The applicant must also be aware that this may substantially prolong the application process as the MMO would have to designate a temporary burial at sea site. In order to do this a consultation period is required. Depending on the nature and location of the proposed location, the MMO may need to consult the following organisations:

- The Centre for Environment, Fisheries and Aquaculture Science (Cefas), on scientific grounds,
- Natural England, on environmental grounds,
- English Heritage, on archaeological grounds,
- Maritime and Coastguard Agency, on navigational grounds;
- National Federation of Fishermen’s Organisations;
- Inshore Fisheries and Conservation Authorities;
- Cable companies;
- Any Local Authorities which border the proposed site; and
- Any other organisations the MMO considers appropriate.

5.0 Enquiries

The preferred method to contact the MMO is to submit a query. Queries can be submitted online by completing our online enquiry form or through our hotline, telephone: 0300 123 1032.

Alternatively, if you would like to contact the MMO in writing please address correspondence to:

Marine Environment Team

Marine Management Organisation
PO Box 1275
Newcastle upon Tyne
NE99 5BN

Please state the following information when contacting the MMO:

- Name and contact details;
- Proposed location;
- Proposed date; and
- Any other information that may be applicable.

If the query is sent to the MMO in writing it will be passed to a case officer to answer. The MMO answers queries with reference to the MMO [Customer Charter](#). To summarise the MMO will:

- Acknowledge the query within **five** working days from initial receipt, if a full response cannot be provided straight away;
- Answer the query within 10 days from initial receipt, if no additional information / research is required allowing the query to be answered.

6.0 How to Apply for a Burial at Sea Marine Licence

The applicant can apply for a licence electronically through their service account.

If the applicant does not have access to the internet they should phone the MMO helpline number (0300 123 1032) and request to speak to the Marine Environment Team (MET). A member of MET will make arrangements for an application form to be sent to the applicant.

The application form will guide the applicant through the process, detailing what information is required, and any supporting documentation. There are help icons provided throughout the process.

The following documents and information will be specifically asked for during the application process:

- Name of deceased;
- Name and contact details of applicant;
- Name and contact details of undertaker;
- Proposed date of burial;
- Proposed burial site;
- Copy of the death certificate;
- Note from GP / hospital doctor that the body is free from fever and infection; and
- Notice of intention to remove a body from England (available from Coroner in Exchange for a Certificate of Disposal provided by the Registrar).

Once an application has been submitted it will be assigned to a case officer who will start processing it once payment and supporting documents have been received.

7.0 Application Consultation

During the burial at sea application process, if all supporting documents have been received, the fee has been paid and the MMO District Office is satisfied, a licence can be issued, usually within **two** days, however this may vary.

If consultation is required due to designation of a temporary burial at sea site, all consultees comments have to be assessed. If any issues arise then the MMO will try and resolve these by liaising with the consultee and the applicant. However, if a resolution cannot be found then the licence cannot be granted.

The applicant will be contacted if any further information is required or if any issues arise during the consultation. Once the consultation period expires, the applicant will be made aware of the decision.

8.0 Burial at Sea Marine Licence

The MMO cannot issue a licence without the following:

- Payment must have been received and cleared;
- All supporting documents have been received and are adequate;
- The primary advisors and consultees have been consulted and any issues resolved or answered (where applicable).

If a licence is issued, it will contain conditions (see section [9.0](#)) and will specify any returns that are required.

9.0 Conditions

There are certain conditions which will always be attached to a burial at sea licence, as set out below. However, in particular circumstances there may sometimes be the need to include other conditions, for instance where the licence is to be granted for a non-designated site and there are specific navigational requirements. The case officer will be able to give guidance in individual cases.

The MMO reserves the right to inspect the body and coffin, and will give at least one day's notice of their intention to do so.

Although embalming is the established, hygienic and most convenient way of preserving a body before burial, bodies that have been embalmed will not be permitted to be buried at sea. This is due to the fact that embalming substantially delays decomposition of the body tissues which increases the chance that the body may be returned to the shore by tidal currents or be caught in fishing gear.

If the burial cannot take place on the date specified in the licence through adverse weather conditions or other circumstances, the licence holder must obtain an amendment to the licence from the MMO.

9.1 Acceptable Materials

The body may be lightly clad, commensurate with modesty, in biodegradable material. Biodegradable, absorbent padding may be used to absorb any leakage of body fluids.

9.2 Identification

A band of plastic or other durable material should be locked around the neck of the deceased and this band should be either punch-marked or indelibly marked with a telephone number and reference number that would allow the remains to be positively identified should the need arise.

9.3 Coffin Specifications

- The coffin will be subjected to considerable stress when entering the sea and during its descent to the seabed. It must be constructed in such a way as to make sure that it will withstand any impact and carry the body to its final resting place;
- To ensure that only natural, non-toxic and biodegradable materials enter the marine environment, the coffin and any inner box or liner must be constructed from solid softwood (rather than veneered board or solid hardwood) and must not contain or have any fittings made of plastic, lead, copper or zinc;
- All corners of the coffin should be butt-jointed and strengthened with either mild steel right angle brackets screwed internally; or substantial wooden bracing struts (such as 50 x 38 mm).
- Forty to fifty holes of 50 mm (2 inches) should be drilled in the coffin. This allows the rapid ingress of water and exit of air, thereby ensuring that the coffin will sink quickly to the seabed.

- To ensure that the body remains on the seabed it is required that approximately 200 kg in total of iron, steel or concrete should be clamped to the base of the coffin with brackets of 10 mm mild steel bar. Experience has shown that blocks of weak concrete mix are suitable. The weight should be distributed in such a way that will resist any tendency for the coffin to assume a vertical position; A system of mild steel banding must be applied to the coffin with two bands around the longitude axis and bands also at approximately 30 cm intervals around the coffin along its length to ensure that it withstands the impact on entry to the sea and deposit on the seabed.

9.4 MMO Notification

The licence holder must inform the District MMO Office one day before the burial at sea that the activity will be taking place and when.

10.0 Terms and Conditions

If the application is successful and a licence is issued the applicant will receive an email notification. The applicant must acknowledge the terms and conditions of the licence through their online service account. Once the applicant accepts the terms and conditions of the licence the MMO will digitally sign the licence to activate it. The licence will not become active until the applicant accepts the terms and conditions of the licence. The terms and conditions must be accepted within 28 days of the licence being issued.

11.0 Public Register

The MMO must keep a public register of licensing information. The register must contain the following:

- 1) Applications for licences;
- 2) Licences granted;
- 3) Variations of licences;
- 4) Revocations of licences;
- 5) Information supplied in connection with any licence;
- 6) Convictions for any offence;
- 7) Any other enforcement action taken;
- 8) Occasions on which any remedial action has been taken; and
- 9) Such other matters relating to licences or the licensable marine activities as may be prescribed.

The MMO must make arrangements:

- For its register to be available for inspection at all reasonable times by members of the public free of charge;
- For copies of entries in its register to be supplied, on request, to members of the public on payment of a reasonable charge.

The public register will be electronic and available through the [MMO's website](#).

13.0 Application Withdrawal Process

If the applicant wants to withdraw their application, they can request this by logging into their service account. The applicant must submit a reason why they wish to surrender their application.

If you wish to contact us with any questions or feedback regarding this guidance document, please email us at marine.consents@marinemanagement.org.uk or phone 0300 123 1032 and ask for the Marine Environment Team.