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<b>REPORT TO:</b>	<b>Overview and Scrutiny Committee</b>	<b>AGENDA ITEM: 6</b>
<b>DATE OF MEETING:</b>	<b>12<sup>th</sup> December 2012</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>Mark Alflat Director of Community Services</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>M Roseburgh 595774 roseburghm@south-derbys.gov.uk</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>Cemetery service and provision of cemetery space</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>All</b>	<b>TERMS OF REFERENCE: N/A</b>

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### **1.0 Recommendations**

- 1.1 To note progress to date in considering our cemetery service and the provision of cemetery space.
- 1.2 To advise on priorities for further review work.

### **2.0 Purpose of Report**

- 2.1 Further to the initial scoping document to advise members of background information and progress to date. Further to this information to seek direction on priorities for concluding the report.

### **3.0 Detail**

- 3.1 The initial scoping document approved by Overview and Scrutiny Committee in June 2012 contained the following terms of reference
  - To clarify statutory and discretionary responsibilities for a district council in providing a burials service.
  - To clarify the scope of the current service including facilities, management arrangements, burial statistics, plots available, costs etc.
  - To examine the potential for new sites.
  - To explore options and attendant financial implications for service delivery
  - To make policy recommendations.

Since that time the Cemeteries and Administration Officer has been on sick leave and consequently significant work on the review has had to be put on hold whilst the Assistant Cemeteries and Services Officer has prioritised running the service and covering other duties alongside colleagues in the Culture and Community team.

Nonetheless some consideration has been given to the report requirements and it was felt important to update members, particularly with regard to the main issue, that is, the lack of space at Church Gresley cemetery.

- 3.2 With regard to clarifying the Council's statutory and discretionary responsibilities, local authorities do not have a statutory duty to make provision for burials. The enabling legislation that identifies burial authorities and allows them to operate cemeteries and crematoria is most recently set out in section 214 of the Local Government Act 1972. Burial authorities are described in the act as 'the councils of districts, London Boroughs, parishes and communities, the Common Council and the parish meetings of parishes having no parish council.'
- 3.3 However, even though there is no statutory requirement for the Council to make provision for burials, custom and practice indicates that this is a provision that is expected, often within short travelling distances of most built up areas. This is a key principle that members may wish to recommend as a policy decision or consider when reviewing the service and attendant issues.
- 3.4 The current cemetery service directly administers six cemeteries - Church Gresley, Newhall, Findern, Etwall, Marston-on-Dove and Aston-on-Trent and maintains the closed churchyards at Findern, Willington and Barrow on Trent. The service includes a rolling programme of memorial inspections and resultant remedial works.
- 3.5 The Council also offer grant aid support to 13 churches throughout the District to assist with the maintenance of church yards that are no longer used for burials.
- 3.6 The above service is managed by a Cemeteries and Administration Manager and an Assistant Cemeteries and Services Officer with practical support for burials from the Grounds maintenance team and a sexton at the rural cemeteries.
- 3.7 Information illustrating the demand for service is attached as Appendix 1 to this report. It shows that whilst demand has slowed down over the past 10 years there is still a significant demand which is starting to show signs of growth. It is also worth noting that South Derbyshire still has a fast growing and ageing population.
- 3.8 A table illustrating plots available at each site is inserted below:

<b>Site</b>	<b>Full Grave</b>	<b>Cremated Remains plots</b>
Gresley	17	33
Newhall	188	5
Marston	294	20
Findern	28	4
Aston	0	20
Etwall	0	(remains scattered in Remembrance Garden) unlimited

- 3.9 When the figures are analysed they illustrate that the key issue for the service is that full grave plots are running out at Church Gresley cemetery with an estimated 18 months before the site is full.
- 3.10 As things stand urban burials would move to Newhall although combining burials from both communities once Church Gresley was closed would seriously shorten the lifespan of Newhall cemetery, perhaps to 10 years or so from a current projection of 18.

3.11 Another factor to consider is that the location of burial sites is a matter of some sensitivity and although Church Gresley and Newhall are not too far apart geographically a reduction in choice has the potential to cause local upset and adverse publicity.

3.12 The current budget for the cemetery service is set out below

<b>Expenditure</b>	<b>Amount</b>
Salaries, NI, Superannuation etc	31,024
Repairs /Grounds maintenance	13,130
Rates	3,080
Refuse collection	1,700
Insurance	310
Sexton service	3,500
<b>Total</b>	<b>52,744</b>
<b>Income</b>	
Fees	45,250
<b>Total</b>	<b>45,250</b>
<b>Overall Cost</b>	<b>7.494</b>

Income from fees to date this year is above budget target and it is likely the service will prove virtually cost neutral in 2012/13.

3.13 The shortage of land means it comes at a high premium and a lack of burial space is becoming a national problem. In relation to finding new cemetery space attempts have been made in the past by the Council's Property Services Unit to locate new space as close as possible to the existing cemeteries and in particular at Etwall and Church Gresley with mixed results and in the case of Church Gresley with no success.

3.14 Informal discussions noting the requirement have been held at monthly facility meetings between units although there are currently no obvious alternative locations from within our property portfolio. None the less a clear policy direction in light of the space/time issue would give discussions added impetus. In addition property services would be able to conduct a full land search and draw up a schedule of potential sites with a list of their merits and demerits. There is one piece of land owned by the council nearby to the existing cemetery which has been informally considered in the past but as it is HRA land it has been deemed too valuable as a potential housing site to give over for cemetery space.

3.15 Initial discussions have been held with managers from the Planning and Planning Policy units with regard to the support planning could give to securing a new site. Essentially either a site acquisition fund could be started from section 106 funding agreements or land secured specifically for cemetery use from within a future section 106 agreement.

- 3.16 There are currently some monies available from within existing Section 106 funds to start a site acquisition fund. Whether there is enough available now to purchase a suitable site depends on a closer scrutiny of existing commitments and the cost of any purchase. There are also opportunities to include the need for cemetery space within future section 106 agreements although negotiating with developers does potentially add extra complications and delays to bringing forward sites.
- 3.17 Assuming provision of new cemetery space was a clear Council priority or requirement then an informal working group could be set up to include officers from Culture and Community, Planning and Property Services to identify and progress sites and options. There is a willingness to do this.
- 3.18 Again subject to a clear policy steer and lack of success via the above routes another option would be to explore the potential for using a Compulsory Purchase Order to procure a suitable site. This is not an option previously pursued by the Council in other service areas but if desired a more detailed analysis of the pros and cons of this option could be brought back to committee. It is envisaged that there might be significant legal costs and an unpredictable and lengthy timescale to finalise the purchase.
- 3.19 It is difficult to gauge the exact size of land required for a cemetery but as a rough guide an acre would supply approximately 800 graves which would accommodate needs in the urban core for the foreseeable future and would seem a suitable size as a start for a land search.
- 3.20 In addition to any purchase costs most sites would likely require set up costs such as ground testing, habitat and ecological surveys, legal fees, fencing, pathways, water services, parking, landscaping etc. Future maintenance would likely be absorbed via the existing budget and service arrangement with Grounds maintenance although this would need to be properly checked and verified.
- 3.21 It would be helpful if committee could consider issues raised by work to date including whether the principle of securing new cemetery space in the urban core is accepted and is a priority. Further consideration should be given to utilising section 106 monies or opportunities to acquire new cemetery space and whether utilising compulsory purchase orders to acquire new cemetery space is an option worth further research.

#### **4.0 Financial Implications**

- 4.1 The service itself is currently budgeted to cost £7,494 although difficulty in predicting numbers and types of calls on service means this is not an exact forecast. If no new cemetery space was found then the Council would still retain maintenance requirements and existing costs but lose income. If new space was found then there would likely be some additional revenue costs offset by income from fees. This might include some internal payments to SDDC grounds maintenance as new space would be outside their existing works specification.
- 4.2 Depending on the route taken then sourcing or acquiring new land would involve purchase and set up costs as detailed above.

#### **5.0 Corporate Implications**

- 5.1 Although not a direct target or outcome the provision of new cemetery space links to the Lifestyle Choice and Value for Money themes within the Corporate Plan.

## **6.0 Community Implications**

6.1 Provision of cemetery space is a matter of some sensitivity to communities and a reduction in choice has the potential to cause local upset and adverse publicity.

## **7.0 Conclusions**

7.1 Cemetery space at Gresley is likely to run out within 18 months. Although there is no outright statutory duty to provide new space there are opportunities to progress such provision at no significant detriment to the Council.

## **8.0 Background Papers**

8.1 None.