

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

12 APRIL 2007

**REPORT OF ENVIRONMENT
AND REGENERATION
SELECT COMMITTEE**

CABINET DECISION

Environment – Lead Cabinet Member – Councillor Nelson

CEMETERIES AND MEMORIALS: PHASE 1 - THE FUTURE DEVELOPMENT OF CEMETERIES

1. Summary

This report informs Cabinet of the outcomes of the review of the future development of cemeteries undertaken by the Environment and Regeneration Select Committee between December 2006 and March 2007.

2. Recommendations

That:-

Financial Issues

1. A comprehensive fees and charges review for the service be undertaken as part of the service planning process for consideration before April 2008.
2. The further capital investment to deliver the existing five year Improvement Plan for cemeteries and closed churchyards be considered through the Capital Asset Strategy Group to identify appropriate funding streams.
3. The service review its medium term financial plan to re-assess the assumptions on which the budget has been set.

Funeral Times and Office Opening Hours

4. Care for Your Area be asked to review working arrangements in order to establish whether there is scope to provide an extended service on Fridays and Saturdays
5. Registration and Bereavement Services review office opening hours to provide, where possible, an improved service to the public.

Safety and Security

6. In view of the experience at Durham Road Cemetery, the installation of CCTV be considered for inclusion within the five year Improvement Plan for other cemeteries.

7. Further efforts are made to establish friends groups for all of the Council's cemeteries
8. Planting be undertaken at strategic locations to deter vandals and assist with traffic control within cemetery grounds.

Maintenance

9. Localised flooding problems be investigated and any capital implications identified for consideration by the Capital Asset Strategy Group.
10. Improvements are made to the way graves are back filled and reinstated.
11. A "green" approach to the maintenance of cemetery grounds be developed.

Facilities

12. Improvements be made to the maps on display in the cemeteries in conjunction with section signage in the cemetery grounds.
13. The redevelopment of the disused chapels of Oxbridge and Durham Road Cemeteries be further explored and a feasibility study be prepared on the various potential options.

Future Provision

14. A project brief be prepared for submission to the Capital Asset Strategy Group to identify appropriate funding streams to meet the costs of extension into Area C at Billingham Cemetery (approximately £40,000) and the extension and development of a woodland cemetery at Thornaby (approximately £300,000).
15. The Land and Property Section identify additional land within the Borough for the siting of a cemetery in order to meet future burial needs.
16. Future burial provision be considered as part of the planning development framework.
17. Officers investigate alternative, space efficient ways of interring cremated remains within cemeteries.
18. The audit of space available in unpurchased graves within cemeteries be continued and upon completion grave space be offered in the following circumstances subject to appropriate consultation or awareness raising exercises:
 - Graves previously sold in perpetuity but containing no interments be identified for the purpose of cancelling Rights where the purchase took place over 75 years ago and re-offer the Rights of Interment and Rights to erect a memorial.
 - That unused space within, previously 'reserved' graves be used for future interments. The Committee recommended that those 'reserved' graves where the previous interments took place 100 years or more ago be offered first.
19. All graves be excavated, as a matter of course, to allow for 3 interments.

Publicity/ Public Awareness

20. Articles be included in Stockton News to raise awareness on the full range of burial options and alternatives together with information on grave rights and transfer and the service offered by the Council in respect of civil funerals.

21. Information leaflets be prepared on the issues to be considered when planning a “green” funeral, on how to organise your own funeral and that leaflets on planning funerals be provided to solicitors to distribute to people when they are making wills.

Extending Choice

22. A detailed business case be prepared on the feasibility of providing a crematorium for Stockton including possible funding streams and partnership arrangements.
23. The development of a woodland cemetery at Thornaby be considered by the Capital Asset Strategy Group to identify appropriate funding streams and that the extension and creation of a woodland cemetery be undertaken in one single phase to minimise the risk of subsequent phases causing damage to previously completed works.
24. The identification of further woodland burial sites be supported.
25. The Council’s current regulations in respect of type and design of coffin be reviewed to allow greater freedom of choice within the constraints of availability and safe materials.
26. Bio-degradable coffins be supplied via Bereavement Services and that a reusable coffin shell (to be used in conjunction with a cardboard coffin) and a pall be available for use.

Dedicated Benches and Trees

27. Clearer guidelines are developed in respect of the dedicated benches and trees schemes together with the introduction of appropriate fees and that the benches, trees and other appropriate memorial dedications be extended to locations other than cemeteries.

Timescales

28. The timescales included in the action plan for implementation of the review recommendations reflect a desire to make significant progress by December 2007.

3. Reasons for the Recommendations/Decision(s)

The following key objectives were identified for the review:

- To ensure that there is adequate provision for future burial needs in the Borough
- To identify improvements to existing cemeteries for inclusion on the 5 year improvement plan
- To develop the range of burial options available
- To introduce measures to reduce the incidence of unsocial behaviour at cemeteries

The attached report outlines the results of the Committee’s work.

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.

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RECOMMENDATIONS

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DETAIL

1. The Environment and Regeneration Select Committee agreed to examine the future development of cemeteries as part of a two phased review of cemeteries and memorials with the first phase focusing on the development of cemeteries and long term strategy for the provision of cemeteries within the Borough. It is the intention to conduct the second phase of the review following the May elections and this will be examining the management of memorials within cemeteries.
2. Although there is no legal requirement for a council to provide burial or cremation facilities, this Authority has acted as burial authority for almost 140 years. The Council has five cemeteries and has a legal responsibility for the maintenance of all or part of nine closed churchyards within the Borough. Due to a history of minimal maintenance and age of the assets within the Cemeteries, the Council on 1 March 2006 approved capital resources of £150,000 to fund improvements to cemeteries. The Council also approved, in principle, allocations of £150,000 for the following two years subject to capital resources being available.
3. The Committee found that there was a projected shortage of burial space across the Borough and recommended that this situation needed to be addressed through extension to existing cemeteries, where possible, and additional burial land, if this could be identified. In view of the pressure on burial land, the Committee also concluded that the Council should also consider using remaining grave depths and explore more space efficient ways of interring cremated remains.
4. The Committee found that there was a lack of awareness of burial options amongst the public and felt that more information should be provided together with an extended choice of funeral

and burial options. The Committee also felt that funeral times and office opening hours should be reviewed to provide, where possible, an improved service to the customer.

5. The Committee found that the Council's cemeteries were maintained to a high standard but felt that some localised drainage problems needed to be addressed and made suggestions for improved facilities within cemetery grounds.
6. The redevelopment of the disused chapels in Durham Road and Oxbridge Lane were considered by the Committee as was the possibility of a crematorium for Stockton. However, the Committee were mindful that such developments would need to be subject to more detailed feasibility work and investigation of funding streams.
7. Following consideration by Cabinet an action plan will be submitted to the Select Committee setting out how the approved recommendations will be implemented detailing officers responsible for action and timescales.

FINANCIAL AND LEGAL IMPLICATIONS

Financial

8. The report identifies where further capital investment is needed to deliver improvements to cemeteries through the five year improvement plan. Additional investment will need to be considered through the Capital Asset Strategy Group to identify appropriate funding streams.

Legal

9. There is no legal requirement for a council to provide burial or cremation facilities. However, the Council is responsible for the maintenance of closed churchyards. The main legislation that governs cemeteries is the Local Authorities' Cemeteries Order 1977. The Order sets out the general parameters under which cemeteries operate. The Order allows considerable management discretion and regulation on a range of matters.

COMMUNITY STRATEGY IMPLICATIONS

10. The review relates to the key service improvement objective - Maintain the cleanliness of streets in the Borough, and improve the quality of open spaces (Develop a 5 year Improvement Plan to restore/develop the Borough's parks, cemeteries and open spaces).

CONSULTATION INCLUDING WARD/COUNCILLORS

11. Viewpoints Focus Groups were held and funeral directors and faith groups were consulted as part of the review.

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Background Papers None

Ward(s) and Ward Councillors: n/a