

TITLE OF REPORT: CEMETERY CAPACITY WITHIN ROYSTON

REPORT OF THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES

1. PURPOSE OF REPORT

- 1.1 To inform Royston Area Committee of the progress made since the previous Royston Area Committee meeting of the 11th January 2012.

2. FORWARD PLAN

- 2.1 This report contains a recommendation on a key decision that was first notified to the public in the Forward Plan in April 2010 as part of the Greenspace Strategy amendments.

3. BACKGROUND

- 3.1 Cabinet on the 28th September 2010 agreed:

1. to adopt Wilbury Hills Cemetery as a district wide facility
2. to encourage and promote its use as a district wide facility

In addition that the proposed Policy for Cemeteries, that will provide some longevity in the existing cemeteries in the towns of Royston, Baldock and Hitchin, be referred for consultation to the Area Committees.

- 3.2 Subsequently Cabinet on the 22nd March 2011 agreed

1. That an extension to 31 December 2011 in implementing the burial policies affecting Hitchin, Baldock and Royston be agreed, as detailed in Section 4 of the report;
2. That the results of the further work to be undertaken be reported to Cabinet for further consideration in due course, and that officers report at the earliest opportunity to Cabinet on a method by which any expressions of interest may be worked up to produce schemes for the development of future cemetery provision in Hitchin, Baldock and Royston.

- 3.3 Cabinet Recommendations from 13 December 2011 relevant to Royston.
- a) The Policy to limit burials in Royston from the 1st January 2012 is delayed for a further six months until the 1st July 2012 or such other date to be agreed by the Strategic Director for Customer Services in consultation with the Leader of the Council to enable Royston Town Council to further investigate and develop a business plan for providing cemetery provision.
 - b) That the Strategic Director for Customer Services in consultation with the Leader of the Council, under delegated authority and subject to reference to the appropriate Area Committee to take account of their views, to decide in relation to Royston Cemetery the timing of when to divert burials to Wilbury Hills with regard to the implementation of the new Cemetery Policy and whether Royston Cemetery be first allowed to reach full capacity if no alternative provision is in place all as per the Royston Area Committee Meeting of the 11th January 2012.
- 3.4 Following reference to the above Royston Area Committee Meeting on the 11th January 2012 the Strategic Director for Customer Services in consultation with the Leader of the Council agreed, subject to regular review, that burials should continue at the existing cemeteries in Royston until they reach full capacity during the period that Royston Town Council progress their project to develop a local facility.

- 3.5 The District Council currently manages cemeteries in the following locations –

Royston – two sites either side of Melbourn Road
Baldock
Letchworth – Icknield Way and Wilbury Hills
Hitchin
Knebworth

Current estimates indicate that there is a capacity of a further 7.5 years at the existing cemeteries in Royston.

- 3.6 Following the Area Committee meeting of the 11th January 2012 Royston Town Council have investigated the potential options of developing a new facility local to Royston. The preferred option has been identified at Wicker Hall adjacent Therfield Heath.

4. KEY CONSIDERATIONS

- 4.1 In the period since the January 2012 Royston Area Committee meeting and this meeting (26th September 2012) Royston Town Council have undertaken a significant amount of research into the suitability of the Wicker Hall location. This has involved the employment of a specialist consultant to investigate various issues with the Environment Agency and their concerns regarding ground water contamination and supply to the Royston populous. In addition two Environmental Studies have been completed to establish if any protected species are present on the site, such as newts and bats. No species of significance has been found. Further research has been completed regarding any Planning Conditions relevant to the site which has included the development and submission for pre planning advice of proposed site plans which have now been submitted for formal approval.

- 4.2 The consultant employed by Royston Town Council has identified the following criteria that need to be answered –
- a) Planning Approval and subsequent conditions– as per the meeting of the Planning Committee on the 16th August 2012.
 - b) Access to the site – this is up a hill using an unmade road which will need improvement, which will require the approval of the Highways Authority.
 - c) Environment Agency (EA) approval – to date the EA is demanding limited infrastructure to protect the quality of water extracted from an adjacent bore hole.
 - d) Finance – so far Royston Town Council has secured, via donation, the resources to purchase the preferred site with the agreement of the current owner. However funding for the capital investment is still required to develop the site with the access requirements and need to improve the road proving to be the most expensive item of the whole project.
- 4.3 Royston Town Council have a number of further decisions that will need to be taken in the future. These include but are not limited to –
- a) Fees and charging structure for each burial option available in the cemetery
 - b) Who is going to manage the cemetery, maintain ledgers, grass cutting, grave digging etc
 - c) Setting up and agreement of any Rules and Regulations that may apply.
- 4.4 Progress to develop a local cemetery has been consistent throughout the period since the previous report to the Area Committee and the majority of items in 4.1 and 4.2 above have been progressed to such an extent that Royston Town Council now has the basis on which to proceed with financial investment and be confident to commit to this issue as a future project.

5. LEGAL IMPLICATIONS

- 5.1 Area Committees within their terms of reference may “provide local input into centrally determined specifications for all services”. In accordance with the Cabinet decision of 13 December 2011 the Strategic Director of Customer Services in consultation with the Leader of the Council will decide upon the timing of the implementation of the Cemetery Policy with the Area Committee having an opportunity to provide its views.
- 5.2 As a burial authority under section 214 Local Government Act 1972 the District Council has a statutory duty to provide facilities for the burial of the dead on behalf of the community it serves. However there is no stipulation that this duty has to be delivered locally or centrally.
- 5.3 There are no specific Legal Implications whilst officers continue to investigate the future provision of burial services, although further legal consideration may be necessary once the detail of the proposals are confirmed, for example in establishing management arrangements with the Town Council.

6. FINANCIAL RISK IMPLICATIONS

- 6.1 None as the financial implications are the responsibility of Royston Town Council in both the short and long term.

7. RISK IMPLICATIONS

- 7.1 Potential risks could be associated with a general concern by local residents once historic or traditional burial sites are closed and families are required to visit the deceased at another site.

8. HUMAN RESOURCE IMPLICATIONS

- 8.1 The Council incorporates the statutory equalities duties which apply to all its activities into policies and services as appropriate, as set out in the Council's Corporate Equality Strategy. We also recognise that in our society, groups and individuals continue to be unfairly discriminated against and we acknowledge our responsibilities to actively promote good community relations, equality of opportunity and combat discrimination in all its forms.
- 8.2 During the development and consideration of service and budget planning options the impact of equality of access and outcomes should be considered.

9. EQUALITIES IMPLICATIONS

- 9.1 The Equality Act 2010 came into force on the 1st October 2010, a major piece of legislation. The Act also created a new Public Sector Equality Duty, which came into force on the 5th April 2011. There is a General duty, described in 7.2, that public bodies must meet, underpinned by more specific duties which are designed to help meet them.
- 9.2 In line with the Public Sector Equality Duty, public bodies must, in the exercise of its functions, give **due regard** to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 9.3 The provision of space for burials should be as accessible as possible to those wishing to visit family graves, and the burial locations themselves mindful of different cultural needs. The proposals in this report will ensure an accessible and local facility for the people of Royston and its immediate surrounds.

10. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 10.1 Royston Town Council has undertaken a consultation with all the residents of Royston with over 700 responses received. This identified a higher than 80% response in support of the proposal for a new cemetery in Royston.

11. RECOMMENDATIONS

- 11.1 That the Area Committee notes the progress made by Royston Town Council regarding this issue and comments on the proposal to extend current burial practice until the current cemetery is full or when the Royston Town Council cemetery is open.
- 11.2 That the Service Manager for Grounds undertakes an annual review of the situation and reports his finding to the Royston Area Committee including any proposals relevant at that time regarding the future management of the existing cemeteries in Royston.

12. REASONS FOR RECOMMENDATIONS

- 12.1 To ensure that a consistent and highly valued burial service is delivered to the residents of North Herts in the future.

13. AUTHOR

- 13.1 Andrew Mills x 4272 andrew.mills@north-herts.gov.uk
Service Manager Grounds

14. CONTRIBUTING OFFICERS

- 14.1 John Robinson x4655 john.robinson@north-herts.gov.uk
Strategic Director Customer Services
- 14.2 Vaughan Watson x4641 vaughan.watson@north-herts.gov.uk
Head of Leisure and Environmental Services
- 14.3 Anthony Roche x4588 anthony.roche@north-herts.gov.uk
Acting Corporate Legal Manager
- 14.4 Maggie Williams x4506 maggie.williams@north-herts.gov.uk
Employee Relations Officer – Human Resources in the absence of Kerry Shorrocks

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