

CABINET
21st September 2021

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: The Future of the Wilbury Hills Crematorium Project

REPORT OF: Service Director - Commercial

EXECUTIVE MEMBER: Cllr Steve Jarvis – Executive Member for Environment and Leisure, Cllr Ian Albert – Executive Member for Resource and Cllr Sam Collins – Executive Member for Enterprise, The Arts and Transport.

COUNCIL PRIORITY: BE AN INCLUSIVE AND EFFICIENT COUNCIL / BUILD THRIVING AND RESILIENT COMMUNITIES

1. EXECUTIVE SUMMARY

- 1.1 To provide Cabinet with an update regarding the outcome of the planning process for a Crematorium at Wilbury Hills Cemetery, Letchworth Garden City and to explore other alternatives for the site going forward.

2. RECOMMENDATIONS

- 2.1 That Cabinet (having taken into account the matters set out in the Part 2) approves the ceasing of the Crematorium project at Wilbury Hills Cemetery and allow officers (Commercial and Greenspace teams) to investigate alternative, commercial opportunities for this site, whilst continuing the current letting arrangement with the tenant. If approved, commercial options will be presented to Cabinet by March 2022.

3. REASONS FOR RECOMMENDATIONS

- 3.1. Following the outcome of the Public Inquiry in February 2021 there is a need to consider future options at Wilbury Hills Cemetery, Letchworth site.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. The Appeal by the Council against the refusal to grant planning permission for a Crematorium was dismissed following the Public Inquiry in February 2021. As a result of this, other options for the site need to be investigated to ensure all possible alternatives have been explored.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 Consultation has taken place with the relevant Executive Members as to the recommendation in this report.

6. FORWARD PLAN

- 6.1 This report contains a recommendation on a key Executive decision that was first notified to the public in the Forward Plan on 22nd July 2021.

7. BACKGROUND

- 7.1 Please see below for a timeline of events so far regarding the overall Crematorium project, which will hopefully also explain why taking a new, different approach is recommended:

- In early 2017 the Council appointed a partner to work with the Council to develop the proposal for a Crematorium at Wilbury Hills. Under the arrangement, the Council would apply for outline planning permission.
- In September 2017, a consultant was appointed to progress the application for outline planning permission and coordinate all supporting reports and assessments.
- In May 2018, the Council applied for outline planning permission to develop a Crematorium at Wilbury Hills.
- The proposal is for the new Crematorium to have its own access via Arlesey New Road. This will allow cremations and burials to take place simultaneously and therefore allow the booking systems for cremations and burials to be managed independently.
- Planning permission for the access was granted in June 2018 by North Hertfordshire District Council.
- During the consultation period, it became evident that Central Bedfordshire Council was struggling to balance several issues relating to application of planning policy and decision-making.
- Early in 2019 Central Bedfordshire Council took the decision to refuse the Council's application for outline planning permission predominately based on harm to the countryside.
- The progression to a Public Inquiry was approved by the Executive Member and Service Director on 11th November 2020 with the appointment of a suitable Barrister and supporting consultants.
- The Public Inquiry was on the 22nd – 26th February 2021 with decision published on the 20th April 2021 to refuse the Council's Appeal Application.
- Officers have since undertaken an initial options appraisal to review all possible opportunities for the site, including the recommendation outlined in 2.1 above.

8. RELEVANT CONSIDERATIONS

- 8.1. Based on internal project discussions between officers and Executive Members, various options were identified. The preferred alternative option is outlined in the recommendation above. Otherwise, see Part 2 of this report.

9. LEGAL IMPLICATIONS

- 9.1 Within Cabinet's terms of reference are "*to prepare and agree to implement policies and strategies other than those reserved to Council*" and "*to approve those major service developments or reductions which also constitute Key Decisions.*" This project has been noted on the Council's forward plan as a key decision.
- 9.2 Please otherwise refer to Part 2 of this Report.

10. FINANCIAL IMPLICATIONS

- 10.1. The commercial options identified for the Wilbury Hills Cemetery site will require independent business cases developing for each option. As suggested previously, all commercial options will be presented to Cabinet before any business case is approved or progressed.

11. RISK IMPLICATIONS

- 11.1. Based on the recommendation of stopping the existing project and exploring alternative commercial options for the site, the main risk appears to be losing the opportunity to provide a new community Crematorium facility at Wilbury Hills to meet identified need and generate revenue for the Council. However, this is currently offset by the level of resources already previously committed to the project to date, the further cost of continuing to pursue the project and the remaining high likelihood that a further application would once again be refused via the planning process.
- 11.2. There is also the risk that the cost of exploring commercial options might not deliver any benefits due to further planning issues at the site.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their 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.
- 12.2. There are no equality implications attached to the recommendation to postpone the development and seek other alternative uses of the land. Dependant on the identified alternative uses, then an Equalities Impact Assessment may be required to assess impact on the North Herts community.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and “go local” requirements do not apply to this report as this does not deal with a procurement exercise or contract.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to the recommendation at 2.1. However, an Environmental Implications Assessment will need to be completed, either for an amended Crematorium proposal or for an alternative that arises from the subsequent investigation.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 None identified.

16. APPENDICES

- 16.1 None identified.

17. CONTACT OFFICERS

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18. BACKGROUND PAPERS

- 18.1 None identified.