

**PERTH AND KINROSS COUNCIL****Environment Committee****23 March 2016****Bereavement Services - Future Cemetery Provision Strategy****Report by Director (Environment)**

This report considers the strategy for future burial provision within the Perth and Kinross area, primarily to address areas where there is a supply of 10 years or less new lair space. It proposes an approach to cemetery provision which will continue to serve both urban and rural communities, offering accessible, sustainable and appropriate resting places.

**1. BACKGROUND / MAIN ISSUES**

- 1.1 The Burial Grounds (Scotland) Act 1855 covers the provision and management of cemeteries by local authorities. This was reviewed with other related legislation in 2007 and is currently being consolidated through the Burial and Cremation (Scotland) Bill. Although the bill is yet to be enacted, this is anticipated to be by 24 March 2016. While it will result in changes to burial provision, there is also currently a need to ensure adequate burial ground is available across Perth and Kinross.
- 1.2 The Council does not have a duty to provide multiple burial grounds. However, it does have a duty to provide suitable ground for burial within the local authority area. Perth and Kinross Council manage and maintain 155 burial grounds and they are seen by communities as important to their historic and cultural identity.
- 1.3 Burial grounds have a limited capacity and when full have to either be extended or 'closed' in terms of new lair provision. A number of cemeteries have been closed for new lairs in the past, particularly where there is very low use in remote areas or where there is no suitable or available ground to extend. In such cases, they are still accessible to the public for visiting and for burials where there is space in existing lairs. Any new burial space is normally sought in the next nearest cemetery. For example, as there are no lairs available for sale at Fortingall, lairs would be offered at Aberfeldy or Kenmore.
- 1.4 Currently, the average annual lair usage in Perth and Kinross is 160 new lairs, 170 lair re-openings for second or third interments, 50 new cremation casket lairs and 100 cremation casket lair re-openings. The current cost to purchase a new lair is £855 and the interment fee is £891. By way of a comparison, the cremation fee is £749 and to purchase a half lair to accommodate cremated remains costs £427 as well as the interment fee of £206.

- 1.5 In order to reduce pressure on burial grounds with 10 or less years supply, the Council approved a policy at the Environment Committee on 20 November 2013 to limit the number of lairs available to pre-purchase (Report No. 13/541 refers). Since then, a comprehensive survey of all Perth and Kinross cemeteries has been carried out to identify available lair space. The survey has identified that 17 cemeteries (Appendix 1) have 10 years or less supply available and an additional 16 with less than 20 years.
- 1.6 As a result, a strategy for deciding where cemeteries should be extended, closed or new ones provided has been developed taking into account land availability, physical suitability, accessibility, costs and future maintenance. In addition, there may be sufficient space at other cemeteries which are within a reasonable distance of the one that is full, so burials could be accommodated there. In some circumstances, there are smaller cemeteries which cannot be extended and any nearby cemeteries are also reaching capacity. This would mean that a location for a new cemetery would be required.
- 1.7 An initial assessment has been done for the cemeteries listed in Appendix 1 and options considered for extension, closure and new provision. The survey has also identified the requirement for a stable long term (100 years and over) strategy that will ensure burial provision is sustainably provided over the whole of Perth and Kinross.
- 1.8 As part of the strategy development, consultation has been undertaken with Planning and Development to identify potential future burial ground as part of the Main Issues Report (MIR). As this progresses, further work will be undertaken to secure suitable sites through the Local Development Plan (LDP) process.
- 1.9 There are costs associated with extending or providing new cemeteries as suitable ground needs to be found, purchased and developed with new access roads, boundaries, concrete plinths for headstones and other landscape works. The new cemetery extension at Blair Atholl is a recent example, providing 168 lairs at a cost of £42k. Alyth was also extended recently at a cost of £60k, offering an additional 120 full lairs and 74 half lairs. The most recent cemetery extensions are listed below for information:

<b>Cemetery</b>	<b>Additional Lairs</b>	<b>Cost £k</b>	<b>Year of Cemetery Extension</b>	<b>Anticipated Number of years of Burials</b>
Blair Atholl	168 full lairs	42	2015	50
Alyth	120 full lairs and 74 half lairs	60	2013	40
Kinloch Rannoch	77 full lairs	12	2004	13
Muthill	134 full lairs	22	2003	15
Dunbarney	438 full lairs	40	2000	50
Comrie	341 full lairs	28	2000	50

- 1.10 Managing and maintaining burial grounds incurs ongoing revenue costs which includes routine grass cutting along and weed control along with planned maintenance programmes to repair paths, boundaries, signage and access gates. These are higher for the remoter rural areas due to travel distances and time. To reduce the costs, a number of smaller cemeteries, which have reached capacity, have been effectively 'closed' and put onto a much reduced basic maintenance scheme. This was undertaken as part of the Grounds Maintenance Review approved by the Environment Committee on 23 November 2011 (Report No. 11/587 refers).
- 1.11 Finding available and suitable land can also be an issue. Landowners may not wish to sell the ground and even if they do, the ground must be capable of excavation to the required depths. It also needs to have suitable drainage characteristics and not be within specific distances of a watercourse.
- 1.12 Maintaining multiple small cemeteries across a wide geographic area is also expensive and may not be sustainable in the long term due to pressures on public service budgets. As such, the strategy needs to consider alternatives to extending existing cemeteries and to provide a consistent and equitable approach to new burial provision.
- 1.13 An option would be to look for ground for a new cemetery where there is no land to extend existing cemeteries and limited capacity elsewhere within the local area. This could be on a larger new site which meets physical and planning requirements and is available to purchase at a reasonable cost. Such sites should be purpose designed and allow space for at least 100 years of burials. This approach would reduce the need for numerous smaller extensions and be more efficient for maintenance in the longer term.
- 1.14 The Council could decide not to provide any new space and continue using up currently available ground. This would inevitably mean closing cemeteries once they were full. This would be unpopular as people would not be able to be buried near their communities and travel distances for visiting would be increased for families and friends.

## **2. PROPOSALS**

- 2.1 It is very important that a structured long term strategy is developed to ensure the provision of burial grounds is equitable and sustainable across the area. It is therefore proposed that where additional burial space is required the following approach is taken:
- Small cemeteries are only considered for extension where there is suitable adjacent ground and it is likely to be available at a reasonable cost. Any new extensions will only be considered where there is available space for a minimum of 20 years of burial capacity, based on projected usage figures (Appendix 1).

- Where ground is unsuitable and or not available to extend, the cemetery will be 'closed', once all new lair space has been allocated. New lairs will be offered in the next nearest cemeteries with available space.
  - Where cemeteries are 'closed' and there is 20 years or less available new lair space across the adjacent cemeteries based on projected usage figures, suitable ground will be sought for a new larger cemetery to serve the wider local area. In these cases, provision of the larger cemetery would have priority over any possible extensions to other smaller cemeteries within that wider local area.
  - In all cemeteries where space remains available, the customer will ultimately have the choice of which cemetery to purchase a new lair in, irrespective of how many year's supply remains.
- 2.2 These principles have been applied to the list of priority sites where there is 10 or fewer years supply (Appendix 1) with the specific issues also shown in the table. This would potentially result in 4 cemeteries being extended and 10 closed, once the remaining lairs are used, with burials then transferring to an adjacent cemetery. There is also a need for potentially 8 new cemeteries in locations where several local cemeteries are nearing capacity. Settlement areas where larger cemeteries are likely to be needed are the City of Perth and Landward areas, Carse area, Kinrossshire area, Strathearn North (Crieff Area) and South (Auchterarder Area), Highland East (Pitlochry area) and West (Aberfeldy Area), Eastern (Blairgowrie area) as shown in Appendix 2.
- 2.3 Subject to capital funding being available, the process of identifying and developing specific extensions and new site provision would commence following approval of this strategy by Committee. Early negotiations would be undertaken with landowners to ensure the programme could be met and the costs for land acquisition were kept to a reasonable level. Where possible, suitable Council owned ground will be utilised first. The communities affected would be consulted on the proposals before they are developed.
- 2.4 In addition to the programme of works, the Council will be reviewing the outcome of the forthcoming Burial and Cremation (Scotland) Act 2016. One of the sections covers the duration of rights over a lair and restoration to use of lairs by applying agreed criteria. An initial assessment of the level of unused lairs within Perth and Kinross is already underway and may release some capacity in future. This is expected to be fairly limited in reality and will not reduce the need for addressing the current pressures identified in this report. A further report will be prepared for Committee outlining the requirements of the new Bill once passed.

### **3. CONCLUSION AND RECOMMENDATIONS**

- 3.1 To ensure there is an equitable sustainable approach to dealing with the cemeteries where there is 10 years or less lair capacity remaining, the Council requires a strategy for future cemetery provision.

3.2 Detailed assessments would be undertaken of the capacity of adjacent cemeteries where sites cannot be extended. Site investigations would be undertaken where cemetery extensions are suggested and at potential locations for new cemeteries where these are required. As this progresses, there would be full consultation with local elected members and the wider community about the specific proposals for their areas before any plans are implemented.

3.3 It is recommended that the Committee:

- (i) approves this Future Cemetery Provision Strategy, subject to capital funding being available to deliver it; and
- (ii) requests the Director (Environment) to continue to explore the potential for re-use of unused lairs in line with current policy and ensure this is reviewed once the new Burial and Cremation (Scotland) Bill 2016 is enacted.

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#### Approved

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Barbara Renton	Director (Environment)	22 February 2016

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>Yes</b>
Workforce	<b>Yes</b>
Asset Management (land, property, IST)	<b>Yes</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>Yes</b>
Risk	<b>Yes</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>None</b>

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

- 1.1 The policy relates to the delivery of the Perth and Kinross Community Plan/Single Outcome Agreement by helping to create a safe and sustainable place for the general public. They contribute to the following Local Outcomes: Our communities will have access to the key services they need; Our area will have a sustainable natural and built environment.

#### Corporate Plan

- 1.2 The Council's Corporate Plan 2013 – 2018 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:
- (i) Giving every child the best start in life;
  - (ii) Developing educated, responsible and informed citizens;
  - (iii) Promoting a prosperous, inclusive and sustainable economy;
  - (iv) Supporting people to lead independent, healthy and active lives; and
  - (v) Creating a safe and sustainable place for future generations.
- 1.3 This Policy relates to (ii), (iv) and (v) above.

## 2. Resource Implications

### Financial

- 2.1 Capital funding for implementing the programme of extensions and site investigations would require to be sought through the Council's Budget setting process. An outline business case has been submitted for possible consideration by the Council in 2016.
- 2.2 Rationalisation and consistency of provision through a strategic approach should ensure the most efficient use of capital and revenue resources.

### Workforce

- 2.3 There are potential future efficiency savings in terms of cemetery maintenance through provision of fewer larger cemeteries and reduced maintenance on 'closed' cemeteries.

### Asset Management (Land, Property and IST)

- 2.4 The Council is maximising use of its land assets by utilising available lair space as effectively as possible. It will also seek to provide the optimal level of new ground required to maintain service delivery and avoid over provision.

## 3. Assessments

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
  - i) Assessed as **not relevant** for the purposes of EqIA as an equitable and strategic approach to burial provision will affect everyone equally and disadvantages no specific groups.

### Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. Pre-screening has identified that the PPS will have no or minimal environmental effects, it is therefore exempt and the SEA Gateway has been notified.

### Sustainability

- 3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.
- 3.5 The proposals have been assessed in terms of the requirements to provide burial space in a sustainable and equitable long term way.

### Legal and Governance

- 3.6 The Head of Finance and the Head of Legal Services have been consulted on the content on the report.

### Risks

- 3.7 The availability and suitability of the land to allow development of cemeteries are the most significant risks. Any rationalisation and 'closure' of local facilities are likely to be of concern to the local communities and may have a reputational and political risk.

## **4. Consultation**

### Internal

- 4.1 The Head of Finance, the Head of Legal Services and the Head of Planning and Development have been consulted in the preparation of this report.

### External

- 4.2 There would be full consultation with the local elected members and wider community about the specific proposals for their areas before any plans are implemented.

## **5. Communication**

- 5.1 A communications plan will be developed and updated information will also be provided on the Bereavement Services web page.



## **2. BACKGROUND PAPERS**

2.1 The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above Report;

- Report to the Environment Committee on 20 November 2013, report number: 13/541
- Report to the Environment Committee on 28 August 2013, report number: 13/417
- Report to the Environment Committee on 29 August 2007, report number 07/566
- Report to the Environment Committee on 19 January 2005, report number 05/15

## **3. APPENDICES**

3.1 Appendix 1 - List of Cemeteries with 10 years or less capacity and 11-20 years

3.2 Appendix 2 – Potential Areas for New Cemetery Provision.



Cemeteries and Burial Grounds with 10 years or less capacity

	<b>Cemetery /burial ground</b>	<b>Estimated new lair capacity left in years*</b>	<b>Extension options</b>
1	Portmoak	1	Investigating ground
2	Clunie (nr Forneth)	2	Potential land for expansion
3	Kenmore	2	No ground available
4	St Madoes	3	No ground available
5	Abernyte	4	No ground available
6	Kilmaveonaig	5	No ground available
7	Orwell (Milnathort)	6	No ground available
8	Dunkeld	7	No ground available
9	Findo Gask	7	No ground available
10	Forgandenny	7	No ground available
11	Fowlis Wester	7	No ground available
12	Inchture	7	No ground available
13	St Martins	7	Potential land for expansion
14	Auchtergaven	8	Potential land for expansion
15	Kettins	9	Potential land for expansion
16	Fonab	10	Potential land for expansion
17	Kinross	10	Limited ground available

Cemeteries and Burial Grounds with 11-20 years capacity

	<b>Cemetery /burial ground</b>	<b>Estimated new lair capacity left in years*</b>	<b>Extension options</b>
1	Aberdalgie	15	No ground available
2	Aberfeldy	15	No ground available
3	Caputh	15	Potential land for expansion
4	Blackford	16	Potential land for expansion
5	Muthill	17	Potential land for expansion
6	Abernethy	20	Potential land for expansion
7	Ardler	20	No ground available
8	Blairgowrie	20	No ground available
9	Jeanfield Extn	20	Potential land for limited expansion
10	Kinloch	20	Potential land for expansion
11	Tibbermore	20	Potential new cemetery on adjacent land
12	Trinity Gask	20	Potential land for expansion

\*based on current usage rates.



## Potential Areas for New Cemetery Provision

The following list is not exhaustive but gives an indication where potential new cemetery provision could be made to address a reduction in available new lair space to serve a number of communities and settlements. Any proposals would be subject to finding suitable available ground, local consultation and funding.

**1. Perth and landward** – ground needs to be identified close to Perth for new cemeteries for the city, its expansion and potentially the following adjacent settlements:

- Perth
- Scone
- Luncarty
- Methven
- Tibbermore
- Logiealmond
- Redgorton

**2. Carse area** – Parts of this area are currently requiring new lair space and new cemetery provision could potentially serve the following settlements:

- St Martins
- Abernyte
- Longforgan
- Dargie
- St Madoes

**3. Kinrosshire Area** - The Kinross area is currently requiring new lair space and new cemetery provision could potentially serve the following settlements:

- Kinross
- Milnathort
- Portmoak
- Scotlandwell
- Glenfarg
- Crook of Devon
- Cleish
- Blairingone

**4. Strathearn Area (North)** - Parts of this area are currently requiring new lair space and new cemetery provision could potentially serve the following settlements:

- Crieff
- Muthill
- Comrie
- Fowlis Wester
- Madderty
- Amulree

**5. Strathearn Area (South)** - While there is no immediate pressure on new lair space in this area, a new cemetery could potentially serve the following settlements:

- Auchterarder
- Aberuthven
- Dunning
- Findo Gask
- Braco
- Madderty
- Forgandenny
- Aberdalgie

**6. Highland Area (East)** – Parts of this area are currently requiring new lair space and new cemetery provision could potentially serve the following settlements:

- Pitlochry
- Moulin
- Struan
- Dowally
- Dunkeld
- Blair Atholl
- Logierait
- Kinloch Rannoch
- Lagannallochie

**7. Highland Area (West)** – Parts of this area are currently requiring new lair space and new cemetery provision could potentially serve the following settlements:

- Aberfeldy
- Kenmore
- Fortingall
- Weem
- Dull
- Foss
- Glenlyon
- Ardtalnaig
- Camghouran

**8. Eastern Area-** Parts of this area are currently requiring new lair space and new cemetery provision could potentially serve the following settlements:.

- Blairgowrie
- Alyth
- Meigle
- Ardler
- Kettins
- Coupar Angus
- Leystone
- Kinclaven
- Bendochy
- Caputh
- Clunie (near Forneth)
- Kirkmichael

**Note** - Some of these areas are quite extensive and may require a mix of extension of some cemeteries and one or more new cemeteries depending on the outcome of site assessments and community consultation.

