

Environment and Communities Committee

Date of Meeting:	11 th November 2021
Report Title:	Cemeteries Strategy Review
Report of:	Paul Bayley, Director of Environment and Neighbourhood Services
Report Reference No:	EC/26/21-22
Ward(s) Affected:	All wards

1. Executive Summary

- 1.1. At the Environment and Communities Committee meeting on 9th September 2021 it was resolved that a report be brought back to the committee to review the current Cemeteries Strategy for the whole of the borough.
- 1.2. This report provides an overview of the Cemeteries Strategy adopted by the Council in 2019.
- 1.3. It also provides further information on the land off Hassall Road adjacent to Sandbach cemetery that was the subject of the petition presented to the Committee at the meeting on 9th September 2021.

2. Recommendations

- 2.1. The Committee is recommended to:
 - 2.1.1. Note and make comment on the current Cemeteries Strategy;
 - 2.1.2. Approve an up to date assessment of the future demand and capacity for burial within the borough, including identifying options to optimise existing space within cemeteries where there is less than 30 years capacity remaining;
 - 2.1.3. Note that a report will be brought to the Committee to enable a further review of the Cemeteries Strategy based on the updated demand and capacity assessment.

3. Reasons for Recommendations

- 3.1.** At the Environment and Communities Committee meeting held on 9th September 2021, Councillor Mike Benson proposed that a review of the Cemeteries Strategy should be undertaken. It was resolved that a report be brought back to the committee to review the current cemeteries strategy for the whole of the borough.
- 3.2.** At the same meeting a petition was received by the Committee requesting that the Council allocates part of the field off Hassall Road adjacent to the cemetery for future expansion of the cemetery as was originally planned by the Council. It was resolved that a report on Sandbach cemetery be brought to the committee.

4. Other Options Considered

- 4.1.** There were no other options considered.

5. Background

- 5.1.** The Council provides cemeteries and crematoria for the residents of the borough, managed and maintained by Orbitas Bereavement Services, a company wholly owned by the Council.
- 5.2.** Cheshire East Council is a burial authority by virtue of the Local Government Act 1972 and is legally obliged to maintain its cemeteries 'in good order and repair'. It is not legally obliged to provide new burial space but the sale of space generates income that funds the ongoing maintenance of cemeteries. If the Council does not continue to provide new burial space to meet demand, maintenance costs will still have to be met, creating a budget shortfall.
- 5.3.** The Council owns ten cemeteries within the borough at:
- Alderley Edge
 - Congleton
 - Coppenhall
 - Crewe
 - Macclesfield
 - Meadow Brook
 - Nantwich
 - Sandbach
 - Weston
 - Wilmslow
- 5.4.** There are five cemeteries managed by town or parish councils or local trust: Audlem, Knutsford, Middlewich, Nether Alderley and Swettenham. Knutsford cemetery transferred to Knutsford Town Council from 1 January 2020.
- 5.5.** There are also 35 Church of England churchyards where burials still take place, although some only offer space for the burial of ashes.

- 5.6.** The purpose of the Cemeteries Strategy is to ensure that the provision of cemeteries meets local need for existing and future residents within Cheshire East. The strategy is provided as appendix 1.
- 5.7.** The strategy assessed the current demand (based on 2016 and 2017) and future demand and capacity for burial.
- 5.7.1.** Coffin burial accounted for 16% of funerals in Cheshire East.
- 5.7.2.** The Council's cemeteries accommodated 52% of coffin burials within the borough.
- 5.7.3.** Ashes following cremation accounted for 59% of total burials in the council's cemeteries.
- 5.7.4.** 16% of coffin burials take place in cemeteries managed by town or parish councils or trusts.
- 5.7.5.** 32% of coffin burials take place in churchyards.
- 5.8.** The strategy concluded that there is sufficient capacity within the Council's cemeteries overall to meet demand for new graves for over 30 years. However, individual cemeteries will run out of space for new graves sooner than this which means that some people will be required to bury their dead further away from their home.
- 5.9.** The key long term objectives set out within the strategy were:
- 5.9.1.** Cheshire East Council to focus its long-term burial provision in the two principal cemeteries in Crewe and Macclesfield, whilst continuing to operate and maintain the other cemeteries.
- 5.9.2.** Optimise the use of land already available within existing cemeteries, sensitive to aesthetic, heritage and access considerations, to maximise the period during which each cemetery will be able to offer new graves.
- 5.9.3.** Continue liaison, co-operation and joint-working, with town and parish council and churches to ensure continued burial space provision to meet local need.
- 5.9.4.** Consider, where appropriate, the transfer of existing facilities or working to set up a trust for future cemetery provision where there is a desire to provide more local provision over and above Cheshire East's principal provision.
- 5.10.** Cabinet approved the draft Cemeteries Strategy for public consultation on 10th July 2018 and delegated authority to the Executive Director – Place, in consultation with the Portfolio Holder for Environment, to finalise and publish the Final Strategy and Cemetery Regulations, taking account of the representations received during the consultation exercise.

- 5.11.** The consultation on the Cemeteries Strategy was undertaken from July to September 2018 along with consultation on the draft Cemetery Regulations. 297 responses were received to the consultation. The Consultation report is provided as appendix 2. 78% of respondents agreed that the Cemeteries Strategy was suitable. The main points raised were:
- 5.11.1.** Lack of burial provision - 20 respondents felt the strategy did not address the lack of long term burial provision adequately and felt burial provision should be provided in all key towns in Cheshire East;
 - 5.11.2.** Local responsibility - 13 respondents felt responsibility for managing cemeteries and cemetery provision should be passed to local town or parish councils;
 - 5.11.3.** Cremation - 12 respondents suggested cremation should be encouraged as a solution to lack of burial provision,;
 - 5.11.4.** The 2 principal cemeteries - 10 respondents felt having 2 principal cemeteries was inappropriate, feeling the 30 minute drive time was too far, and that public transport is not effective enough to enable convenient access to them;
 - 5.11.5.** Alternative methods of burial - 9 respondents felt that a lack of burial space could be addressed by implementing alternative, modern burial methods, such as having green, woodland or natural burial grounds.
- 5.12.** The final strategy was amended to reflect the requirements of different ethnicities or faiths requiring specific cultural considerations and future consideration of natural burial provision.
- 5.13.** On 11th March 2019, the Executive Director – Place, in consultation with the Portfolio Holder for Environment and taking into consideration the representations arising from the public consultation, agreed to finalise and publish the Cemeteries Strategy, subject to call-in. All Councillors were notified of the Officer Key Decision on 22 March 2019. The call-in period expired on 29th March 2019. The strategy was published on the Council's website on 15th April 2019.
- 5.14.** There are currently no plans or funding to develop new cemeteries or extend existing cemeteries except for Weston cemetery which has a section 106 developer contribution to fund its extension. A proposed scheme has been developed but following feedback from Planning of the need to provide additional infrastructure, such as car parking, the scheme is not affordable within the available funding.
- 5.15.** The Environment and Communities Committee received a petition at its meeting on 9th September 2021 to allocate part of the field off Hassall Road adjacent to the cemetery for future expansion of the cemetery as was originally planned by the council. The land is owned by the Council and is currently public open space that includes a football pitch and play area. A review of the conveyancing documentation from 1933 when the land

comprising the existing cemetery and adjacent field was purchased by the Urban District Council of Sandbach has confirmed that the land was purchased for the purpose of a cemetery. There is currently no funding to extend the existing cemetery onto this adjacent land. Legal advice would be required on the process to change the use of the land, including the potential requirement to provide alternative public open space in mitigation for its loss.

6. Implications

6.1. Legal

6.1.1. There is no statutory duty on a local authority to provide burial facilities, but if they do so, the management is governed by the Local Authorities' Cemeteries Order (LACO) 1977.

6.2. Finance

6.2.1. There are no financial implications arising from this report. If further investment is required following a review of the Cemeteries Strategy, business cases will need to be developed for consideration within the Council's Medium Term Financial Strategy.

6.3. Policy

6.3.1. There are no policy implications arising from this report.

6.4. Equality

6.4.1. There are no equality implications arising from this report.

6.5. Human Resources

6.5.1. There are no human resources implications arising from this report.

6.6. Risk Management

6.6.1. The Cemeteries Strategy is aimed at providing a proactive consideration of the Council's responsibilities and any risks in relation to burial and cremation.

6.7. Rural Communities

6.7.1. There are no implications for rural communities arising from this report.

6.8. Children and Young People/Cared for Children

6.8.1. There are no implications to children and young people, arising from this report.

6.9. Public Health

6.9.1. There are no public health implications arising from this report.

6.10. Climate Change

6.10.1. There are no climate change implications arising from this report.

Access to Information	
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Appendices:	Appendix 1 – Cheshire East Cemeteries Strategy Appendix 2 – Cemeteries Strategy Consultation Report
Background Papers:	None