



EAST STAFFORDSHIRE BOROUGH COUNCIL

REPORT COVER SHEET

Title of Report:	Cemetery expansion	To be marked with an 'X' by Democratic Services after report has been presented
Meeting of:	Corporate Management Team: July 20th	X
	Leader and Deputy Leaders: July 25th	X
	Leader's / Leader of the Opposition's Advisory Group / Independent Alliance Advisory Group: August 3 rd and 4 th	X
	Cabinet / Council: August 16 th	



<p>Is this an Executive Decision:</p>	<p>YES</p>	<p>Is this a Key Decision:</p>	<p>NO</p>
<p>Is this in the Forward Plan:</p>	<p>YES</p>	<p>Is the Report Confidential: If so, please state relevant paragraph from Schedule 12A LGA 1972:</p>	<p>YES Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).</p>

Essential Signatories:

ALL REPORTS MUST BE IN THE NAME OF A HEAD OF SERVICE

Monitoring Officer: **John Teasdale**

Date Signature

Chief Finance Officer: **Sal Khan**

Date Signature

EAST STAFFORDSHIRE BOROUGH COUNCIL

Report to Cabinet

Date:

REPORT TITLE: Cemetery expansion

PORTFOLIO: Cllr Ray Faulkner

HEAD OF SERVICE: Mark Rizk

CONTACT OFFICER: Michael Hovers Ext. No. x1776

WARD(S) AFFECTED: Wards in the town of Burton-on-Trent, neighbouring rural wards, South Derbyshire and North-West Leicestershire

1. Purpose of the Report

- 1.1. This report provides a short progress update on the Cemetery expansion project and presents the current logistical challenges with the scheme before moving on to options for progression.

2. Executive Summary

- 2.1. Claverhouse allotments have been earmarked as a potential expansion site for Stapenhill Cemetery for many years. Recent soil tests have revealed that the proposed expansion scheme requires the importation of over 15,000m³ of soil, creating significant additional capital expense. Consequently, this report reviews a number of options for the progression of the project and as a result recommends that Cabinet proceed with the expansion- albeit on reduced footprint- and that additional capital funds are made available for the required soil importation.
- 2.2. In addition, it is further recommended that the Rolleston allotment site has a Tier 1 and (if applicable) Tier 2 soil assessment to verify suitability for burial and that desk top research is carried out on other potential burial sites.

3. Background

- 3.1. The former Claverhouse Allotment site has been earmarked for the future expansion of Stapenhill Cemetery for many years and was a feature of the lease with the Allotment Association. Subsequently, negotiations with the association commenced in 2014, with new allotments locations considered and efforts made to resettle people at other sites in East Staffordshire. With the notice given, the allotments closed for the last time in the winter of 2020.
- 3.2. In the intervening years, burials have continued with the service experiencing significant pressures during the height of the COVID-19 pandemic. Thankfully, the mass burial pandemic section -equivalent to approximately 400 spaces- was not called upon, although the intention is to utilise this space to provide short/medium-term additional space to ease the pressure on other sections of the cemetery. In addition, specialist tests have been conducted on the site at Claverhouse to establish the environmental requirements for the location. It is these findings and the subsequent requirements that are considered in the following report.
- 3.3 To provide further context and understand the scale of operations, East Staffordshire Borough Council have ran and operated two cemeteries for residents of the borough at Rolleston and Stapenhill. Stapenhill which was first opened in 1866, has seen over 62,000 burials and covers a site of approximately 30 hectares. Rolleston has been operational since 1975 with footprint size of 0.8 hectares.

4. Contribution to Corporate Priorities

- 4.1. Value for money Council

5.1 Cemetery expansion

- 5.1.1 The former Claverhouse allotments site has always formed part of the future expansion plans of Stapenhill Cemetery. Stretching back decades, the location's lease agreement has contained a clause allowing the Council to reclaim the land for burial usage. With the passage of time, this juncture is upon us. Set out in the main body of the report is an overview of the current situation with the Claverhouse extension, context on Rolleston allotments and an appraisal of the various options.

Claverhouse extension

- 5.1.2 Following the closure of the allotments the site has undergone extensive testing on ground suitability for burial. Detailed testing has revealed that the topsoil layer is not deep enough to meet current environmental standards for burial (Environment Agency: Protecting groundwater from human burials (April 1st 2022)). Consequently, the planned expansion requires the importation of over 15,000m³ of soil to raise the levels appropriately. Prior to this testing regime, Cabinet had approved a total £195,000 capital expenditure for the project which had the potential to yield 15+ years of further burial space.

However, the cost of soil transportation for the whole site has been estimated at £750,000 to £1.1million, making a full expansion expensive.

- 5.1.3 Since the soil transport costs have been understood, the appointed consultant has been charged with coming up with a scheme of design that is more economical. Subsequently, a reduced size expansion has been proposed (Phase 1) which seeks to utilise spoil from previously dug graves and from excavating a corner of the current cemetery estate.
- 5.1.4 Based on current prices, to complete the full extension in future years (Phase 2) the additional cost is currently estimated to be in excess of £175,000. Clearly, this figure will be subject to current market prices at the time and annual inflation.

Rolleston allotments

- 5.1.5 Rolleston Allotments, like Claverhouse, have always formed part of the Council's plans for cemetery expansion. This plot covers 6,673m² and provides an estimated 4-7 years burial capacity. In 2013 it was recommended that both Rolleston and Claverhouse Associations be approached about the ending of their lease. Negotiations with both parties did progress, but it was eventually felt that the Claverhouse land would yield more burial space and was more appropriate to utilise first, as it was in the heart of Burton. Rolleston Allotments signed a new five year lease in 2016. When the lease expired in 2021 the Association were given a shorter three year lease as result of the uncertainty around Claverhouse. Should Cabinet wish to convert the allotments into burial space, both tier 1 and 2 soil testing may be required to establish the environmental suitability of the land. Dependent on the equipment required a tier 1 and 2 assessment costs £10,000.

5.2 Options

Based on the information set out above, Cabinet have a number of possible options for the future expansion of the Cemetery these are set out in turn below.

Option 1: Carry on the proposed expansion based on the reduced scheme

- 5.2.1 The first option is to proceed with the existing project and increase the capital outlay to reflect the new estimated cost. Despite the scheme being reduced in scale (see Appendix 2) as a cost saving measure, the estimated cost is £226,000 due to the requirement for extra earthworks. If this option is approved a procurement exercise would be undertaken. This exceeds the existing capital allocation by £44,000 and the estimated burial capacity is reduced to 7-10 years. It should also be noted that the reduced scheme does not provide road access from Claverhouse Road although the scheme does include an additional access road through the site.

A smaller reduced design also enables the Council to create more parking provision on the land that is not going to be used for burial, a 15-20 space car park would cost an estimated £20,000.

Option 2: Cease the expansion of Stapenhill Cemetery and commence tier testing on Rolleston allotments

- 5.2.2 Experience garnered from the Claverhouse exercise suggests that it would be prudent for the Council to carry out testing at Rolleston. The benefits of this move are two-fold. Firstly, it establishes the suitability of the land. Secondly, if deemed unsuitable, the Council can offer the allotment association a longer lease and attention can be turned to either Claverhouse or other land options.

Option 3: Pause the expansion project and identify other land

- 5.2.3 Given the financial resource required there is an option to pause the expansion for a short period of 2-4 years. Pockets of land across the existing cemetery could be used for burial such as the pandemic section and Woodland areas. The pandemic section alone is anticipated to create a maximum of 400 spaces, although this does not factor in the building of footpaths. However, once used, and with no expansion site established, then the Council would have reached capacity limits. This will defer not avoid the expenditure associated with Option 1 and 2 and there will be estimated additional expenditure of £5,000 in creating the required footpaths.
- 5.2.4 The Council owns significant tracts of land that may have the potential to be converted into burial space. Like Claverhouse, the environmental suitability would need to be established as a first step and further down the line would be subject to costs associated with land preparation. However, unlike Claverhouse, this option comes with a host of complications. These include loss of green space, complaints/resistance from neighbouring properties, creation of an onsite office or not, and the political ramifications set out in option 1. A variation of this approach, would be a compulsory purchase which also generates a raft of political, reputational and financial risks. The estimated costs of the work cannot be considered until further appraisal has been undertaken of any sites identified.

5.3 Summary and Recommendation

- 5.3.1 Only one certainty exists with this project: at some point in the future the Council will need to create and provide additional burial space. With the various elements of risk and uncertainty this report recommends that Cabinet continue with the proposed expansion- with the reduced footprint (Option 1) - and increase the capital commitment. Furthermore, Cabinet should seek to rule in or out Rolleston allotments through the completion of a Tier 1 and 2 assessment, whilst also carrying out desk top research to identify other suitable land options.

6 Financial Considerations

This section has been approved by the following member of the Financial Management Unit: Anya Murray

6.1 The main financial issues arising from this Report are as follows:

Revenue	2022/23	2023/24	2024/25
Recommendation 12.2 Tier 1 and/or 2 audit of Rolleston Cemetery	£10,000	£-	£-

Capital	2022/23	2023/24	2024/25
Recommendation 12.1 Phase 1 Revised Cemetery design scheme	£226,000	See 5.2	£-
Parking provision	£20,000		
Remaining uncommitted MTFS Cemeteries Budget	£181,970	£-	£-
Additional Capital Expenditure for revised scheme (Phase 1)	£64,030	£-	£-

6.2 It is proposed that Cabinet approves extra funding from existing uncommitted capital resources to allow the revised scheme to enter procurement stage and minimise the risk of the anticipated projected cost being subject to inflationary pressures. Alternatively, this could be considered at the next capital bidding round during the setting of the 2023/24 Medium Term Financial Strategy (MTFS) to enable members to consider this in the round alongside other capital bids/priorities. If approved, the revised scheme would then be anticipated to commence in 2023/24.

7. Risk Assessment and Management

7.1 The main risks to this Report and the Council achieving its objectives are as follows:

7.2 **Positive** (Opportunities/Benefits):

- i. Proposed expansion provides additional burial capacity

7.3 **Negative** (Threats):

- i. Increased costs are an estimate- with prices of materials rising this figure could steepen.
- ii. Potential reputational risk after closure of Claverhouse Allotment site.

iii Environmental restrictions on burial locations may become more stringent in future.

7.4 The risks are referred to in the Risk Register numbered. The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

8. **Legal Considerations**

*This section has been approved by the following member of the Legal Team:
Glen McCusker*

8.1 The main legal issues arising from this Report are as follows:

- *Schedule 26, Local Government Act 1972 provides a power to the Authority, as a Burial Authority, to use land for the purpose of burials.*
- *Planning Permission will be required for a change of use of the land.*

9. **Equalities and Health**

9.1 **Equality impacts:** The subject of this Report is not a policy, strategy, function or service that is new or being revised. An equality and health impact assessment is not required.

9.2 **Health impacts:** The outcome of the health screening question does not require a full Health Impact Assessment to be completed. An equality and health impact assessment is not required.

10. **Data Protection Implications – Data Protection Impact Assessment (DPIA)**

10.1. A DPIA must be completed where there are plans to:

- use systematic and extensive profiling with significant effects;
- process special category or criminal offence data on a large scale; or
- systematically monitor publicly accessible places on a large scale
- use new technologies;
- use profiling or special category data to decide on access to services;
- profile individuals on a large scale;
- process biometric data;
- process genetic data;
- match data or combine datasets from different sources;
- collect personal data from a source other than the individual without providing them with a privacy notice ('invisible processing');
- track individuals' location or behaviour;
- profile children or target marketing or online services at them; or
- process data that might endanger the individual's physical health or safety in the event of a security breach

10.2 Following consideration of the above, there are no Data Protection implications arising from this report which would require a DPIA.

11. Human Rights

11.1 There are no Human Rights issues arising from this Report.

12. Sustainability (including climate change and change adaptation measures)

12.1 Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) N/A

13. Recommendation(s)

13.1 Cabinet continue with the revised expansion (Phase 1) as shown in Option 1 (and Appendix 2) - with the reduced footprint- and approve an additional £64,000 funding from existing uncommitted capital resource or its inclusion at the next round of capital bids during the 2023/24 MTFS budget setting process to enable this to be considered alongside other capital priorities.

13.2 Complete a Tier 1 and (if required) Tier 2 assessment of Rolleston allotments to be financed from the existing allocation in the MTFS towards feasibility analysis of capital schemes.

13.3 Carry out desk top research to identify other suitable land options.

14. Background Papers

14.1 Cabinet report (2013/14): Strategic review of the Cemetery estate and services

15. Appendices

15.1 Appendix 1: Tier 2 report

15.2 Appendix 2: Reduced area design

15.3 Appendix 3: Rolleston Allotments