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<b>Report To:</b>	<b>Environment and Regeneration Committee</b>	<b>Date:</b>	<b>17 January 2019</b>
<b>Report By:</b>	<b>Head of Environmental and Public Protection</b>	<b>Report No:</b>	<b>003/19/SA/KL</b>
<b>Contact Officer:</b>	<b>Kenny Lang</b>	<b>Contact No:</b>	<b>714761</b>
<b>Subject:</b>	<b>Cemetery Development Update</b>		

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to update the Committee on progress with regard to the development of cemeteries and associated works throughout Inverclyde.□

## 2.0 SUMMARY

- 2.1 The provision of burial lairs is a statutory obligation on local authorities therefore Inverclyde Council is required to continue to provide burial lairs to meet this obligation. A number of reports have been presented to the Committee identifying the space and potential expansion of our existing cemeteries. The latest report in May 2018 identified Knocknairshill Cemetery as having 4.5 years capacity.
- 2.2 The May report advised the Committee that the Scottish Environment Protection Agency (SEPA) had revised its guidance and that a positive feasibility study of both Knocknairshill and Port Glasgow Cemeteries could bring these into consideration for expansion.
- 2.3 Officers have concluded their surveys and identified the potential to expand Knocknairshill Cemetery subject to SEPA approval. The expansion of Port Glasgow cemetery is not feasible due to the issues around rock strata and groundwater contamination. The ecological survey of the small area adjacent to Port Glasgow Cemetery and High Carnegie Road has concluded and costs are deemed to be prohibitive.
- 2.4 Officers have also explored the possibility of acquiring land adjacent to Kilmacolm and Inverkip Cemeteries. Positive discussions have taken place with regard to Kilmacolm and the expansion of this Cemetery could form part of a longer term Cemetery Development Strategy. A table summarising the feasibility for expansion of all six Council cemeteries is included in this report.

## 3.0 RECOMMENDATIONS

- 3.1 That the Committee note of the position with regard to the site investigations at Knocknairshill Cemetery and that a further report will be brought to this Committee following SEPA's determination of the Site Investigation Report.
- 3.2 That the Committee agree that the sale of lairs only be granted for immediate use and that this policy is reviewed when sufficient interment capacity is developed.
- 3.3 That Committee note the position in respect of the land adjacent to Kilmacolm Cemetery and that a report will be submitted to Committee prior to any decision to buy.

- 3.4 That the Committee agree to develop Port Glasgow and Kilmacolm Garden of remembrance in line with the identified costings.
- 3.5 That the Committee note the current position with regard to memorial inspections and that a report be brought to this Committee advising of the outcome of the proposed guidance on memorial inspections.
- 3.6 That the Committee agree to the siting of a Tree of Tranquillity at Gourock Walled Garden.

**Martin McNab**  
**Head of Environmental and Commercial Services**

## 4.0 BACKGROUND

- 4.1 A report to the May 2018 Environment and Regeneration Committee advised that there was sufficient burial lair capacity in Knocknairshill Cemetery to meet demand for approximately 4.5 years (currently 4 years). The provision of burial layers is a statutory obligation under The Burial and Cremation (Scotland) Act 2016. Each local authority must provide at least one burial ground within the area of the local authority.
- 4.2 The Council have six local authority managed cemeteries within Inverclyde. As part of the site investigations and options for expansion the suitability of each site is as follows:

Cemetery	Expansion feasible	Reason
Gourock	No	Surface rock, bedrock and groundwater would not allow sufficient depth for development
Greenock	No	Surface rock and bedrock would not allow sufficient depth for development
Knocknairshill	Yes	Revised guidance from SEPA has brought Knocknairshill back into scope for expansion
Port Glasgow	No	Surface rock, bedrock and proximity of groundwater would not allow for expansion.
Kilmacolm	Yes	Expansion would require land acquisition and a feasibility study
Inverkip	No	Expansion would not be feasible due to the ground conditions and the requirement for land acquisition which is no longer available

- 4.3 There is a requirement for 280 interments annually made up of approximately 100 new lairs and 180 reopened lairs. Additionally there is a requirement for interment of 205 cremated remains caskets which are traditionally interred in special designated areas such as gardens of remembrance.

## 5.0 KNOCKNAIRSHILL CEMETERY

- 5.1 Officers in consultation with SEPA have commenced a number of hydrological and topographical studies at Knocknairshill Cemetery. At present the monitoring process of the boreholes is taking place with sampling happening in January and it is anticipated that a final report will be available by the end of February 2019. Depending on the outcome of these site inspections there may be scope to expand Knocknairshill Cemetery and this would be the preferred medium term option. A map of the area identified for expansion is attached as Appendix 1.
- 5.2 The initial site plans for Knocknairshill indicate a capacity of between 2,000 to 2,400 lairs subject to favourable test conditions giving 20 to 24 years capacity at the current rate of 100 new lairs annually.
- 5.3 The Scottish Government's Burial and Cremation Review Group have recommended that the sale of burial lairs in perpetuity should end and be replaced by a limited tenure of 25 years in the first instance, which could be extended in 10-year periods for as long as interest in the lair remained. This would place the onus on the lair holder to contact the Council, Inverclyde Council has been invited by the Scottish Government to participate in developing the guidance on this.
- 5.4 In order to preserve the immediate availability of lairs for future use, given the limited lifespan of Knocknairshill it is proposed that the sale of lairs be restricted to one per bereavement only. This will alleviate the shortfall of available lairs during any development phase and would be subject to review when longer term capacity of cemeteries is in place. Members should note that a lair at normal depth can accommodate up to 3 burials and 6 caskets of cremated remains.

5.5 There is £1.45m allocated in the cemetery development capital fund in 2019/20, spend of £90k will be accelerated from this into 2018/19 in respect of the two Gardens of Remembrance detailed in this report. The balance of £1.36m will be fully committed in 2019/20.

## **6.0 PORT GLASGOW**

6.1 A site investigation has been carried out at Port Glasgow and has found that the surface rock and underlying strata of bedrock and proximity of groundwater would preclude the expansion of Port Glasgow Cemetery.

6.2 The May 2018 report identified land adjacent to Port Glasgow Cemetery and High Carnegie Road that could be used as a Garden of Remembrance. Detailed site investigations and an ecological survey identified that the ground would require extensive remediation due to contamination from demolished buildings. Costs of remediation are estimated at £292k, excluding any site development work, against an estimated lifetime income of £150k.

6.3 An alternative location has been identified at Port Glasgow cemetery and site investigations have commenced. Preliminary findings are positive and would allow around 100 lairs for cremated interments. The proposed site is outlined in Appendix 2.

## **7.0 KILMACOLM CEMETERY**

7.1 Positive discussions have been held with Scottish Water, the landowner of land adjacent to Kilmacolm Cemetery. Officers are exploring the possibility of a land purchase and preliminary negotiations have commenced. The land identified for potential development around Kilmacolm cemetery is designated as greenbelt in both the Adopted and Proposed Local Development Plan 2018. As part of the Local Development Plan process, a number of sites around Kilmacolm have been promoted for residential development, including land west of Quarry drive to the south of the cemetery. These proposals are to be considered as part of the Examination of the Proposed Plan.

7.2 Subject to the hydrology and topography surveys and future funding, there is an opportunity to develop Kilmacolm Cemetery to provide further burial space beyond the 20-24 years that would be available at Knocknairshill Cemetery. The initial survey findings have indicated that there may be a requirement to limit the lairs per grave from 3 to 2 dependent on the rock base in some areas, and this condition would be included in any future lair purchase. This would form part of a longer term Cemetery Development Strategy and be subject to further Committee consideration in future years.

7.3 A further positive site investigation has concluded at Kilmacolm Cemetery and a Garden of Remembrance will be developed at the site of the former Cemetery House, allowing a further 110 lairs for cremated interments. The proposed site is identified in Appendix 3.

7.4 There is a capital budget of £50k for 2018/19. The cost of the Kilmacolm Garden of remembrance has been estimated at £30k and Port Glasgow has been estimated at £110k. Full spend will be made in this financial year with the balance of £90k to be accelerated from 2019/20. A maximum of £50k recurring costs set have been aside from 2020 for additional maintenance costs at Kocknairshill extension.

## **8.0 MEMORIAL SAFETY INSPECTIONS**

8.1 Members will be aware of the Council's responsibility for the overall safety within a burial ground and in particular the Health & Safety Executive's instructions requiring Local Authorities to carry out regular and routine safety checks of all the memorials within their cemeteries. As a result of this instruction we have applied the Ministry of Justice Memorial Scheme (MOJ) which identifies a 5 step process for inspecting memorials.

- Step 1: Identify the Hazard
- Step 2: Decide who might be harmed and how
- Step 3: Evaluate the risks and decide on the precautions
- Step 4: Record the findings and implement them
- Step 5: Review the assessment and update if necessary

8.2 Memorials that are found to be unsafe and present a risk to the public are either trenched in or laid flat to remove the danger. Burial Grounds staff will thereafter endeavour to contact the lair owner at their last known address to allow them to effect a repair through an approved and suitably qualified monumental stonemason. The works must meet the BS8415 standard, subject to approval by an authorised Council Officer. As a result no DIY repairs are permitted to be carried out by lair owners.

8.3 To date officers have surveyed over 5,000 memorials between Inverkip, Kilmacolm and Port Glasgow Cemeteries and identified 757 unsafe headstones of which it has been possible to identify 357 lair owners to date. A total of 332 headstones are in the process of being made safe with applications pending to be processed. The remaining headstones which cannot be identified will be trenched in or laid flat. There is an overtime cost to the service particularly in respect of the ongoing requirement to inspect all headstones, maintain records and inspect repairs. This additional cost is currently being contained within the existing budget.

8.4 The Scottish Government will be developing further guidance on memorial inspections and a report will be presented to the Committee in due course advising of the outcome of the guidance and any attendant budgetary pressure which may arise.

## **9.0 TREE OF TRANQUILITY - SiMBA**

9.1 The Council have received an approach to locate a Tree of Tranquillity at Gourrock Walled Garden. This is backed by the Simpson Memorial Box Appeal (SiMBA) a charity who provide support to parents of stillborn children. Trees of Tranquillity are located in the following areas:

- Borders
- Edinburgh
- Glasgow
- Inverness
- Orkney
- Airedale

9.2 The trees measure around 2.5-3 meters high and are made of copper, they have a concrete foundation secured with a metal base plate. Parents are gifted leaves to have engraved, which are then attached to the tree by SiMBA usually twice a year. The trees need to be in a secure area, locked at night, so SiMBA can have them insured and are provided free of charge to the Authority.

## **11.0 IMPLICATIONS**

### **Finance**

#### **11.1 Financial Implications**

One off Costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend £'000	Comments
Capital	Cemetery Development	2018/20	1,360	Design and construct extension Knocknairshill. This is the balance of available funding. Officers will report back on any variations.
Capital	Garden of Remembrance	2018/20	140	Garden of remembrance at Port Glasgow and Kilmacolm. Funding of £90k brought forward from 2019/20

#### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact £000	Virement From (If Applicable)	Other Comments
Revenue	Cemeteries	2020/21	50		Grounds maintenance of Knocknairshill extension.

### 11.2 Legal

In terms of the Burial and Cremation (Scotland) Act 2016, Inverclyde Council has duties and powers in connection with the provision of burial grounds and lairs within its area.

### 11.3 Human Resources

There are no human resources issues arising from this report.

### 11.4 Equalities

There are no equality issues arising from this report.

### 11.5 Repopulation

There are no repopulation issues arising from this report.

## 12.0 CONSULTATIONS

12.1 Planning have been consulted with regard to the development of both Knocknairshill and future options at Kilmacolm.

12.2 Legal and Property Services was consulted as regards the estimated scope and cost of the proposed works at Knocknairshill and land acquisition at Kilmacolm.

## 13.0 LIST OF BACKGROUND PAPERS

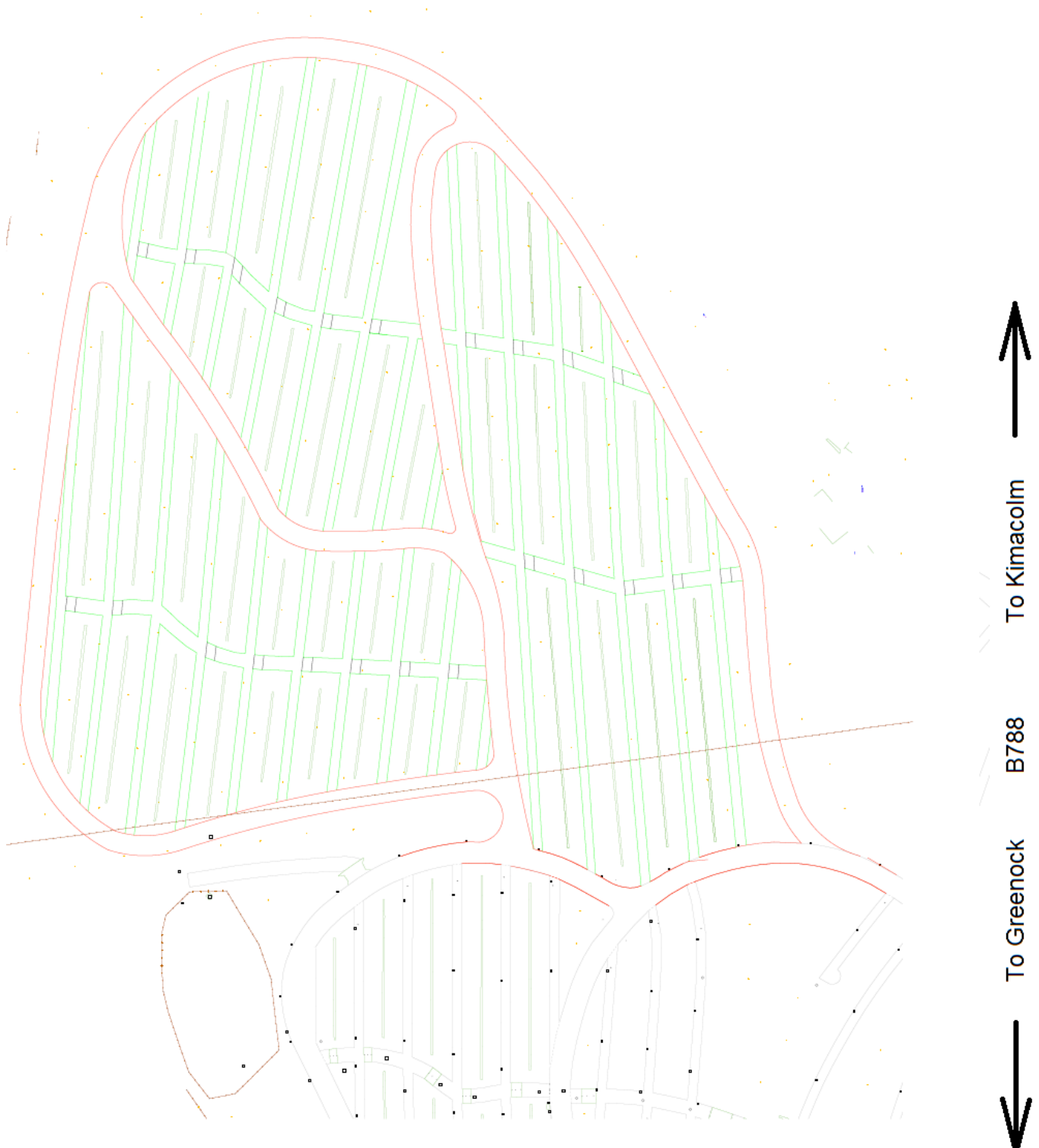
13.1 The Burial and Cremation (Scotland) Act 2016.

SEPA Land Use Planning System GU32 version 4, 20/09/2016: Guidance on Assessing the Impacts of Cemeteries on Groundwater.

The Ministry of Justice Memorial Scheme

<https://www.gov.uk/government/publications/burial-grounds-guidance-on-managing-unstable-gravestones>

Appendix 1 – Knocknairshill proposed expansion sketch





Appendix 2 – Port Glasgow proposed Garden of Remembrance



# Appendix 3 – Kilmacolm Proposed Garden of Remembrance

