

Report

Report to:	Community and Enterprise Resources Committee
Date of Meeting:	30 May 2023
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	South Lanarkshire Council Cemetery Strategy 2023 to 2033
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ request approval of the Cemetery Strategy for South Lanarkshire which will cover the period 2023 to 2033

2. Recommendation

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the Cemetery Strategy for South Lanarkshire for the period 2023 to 2033 be approved, including a catchment approach to managing cemetery capacity; and
- (2) that further work be undertaken to develop a Bereavement Services Strategy and that this be presented to a future meeting of the Committee for approval.

3. Background

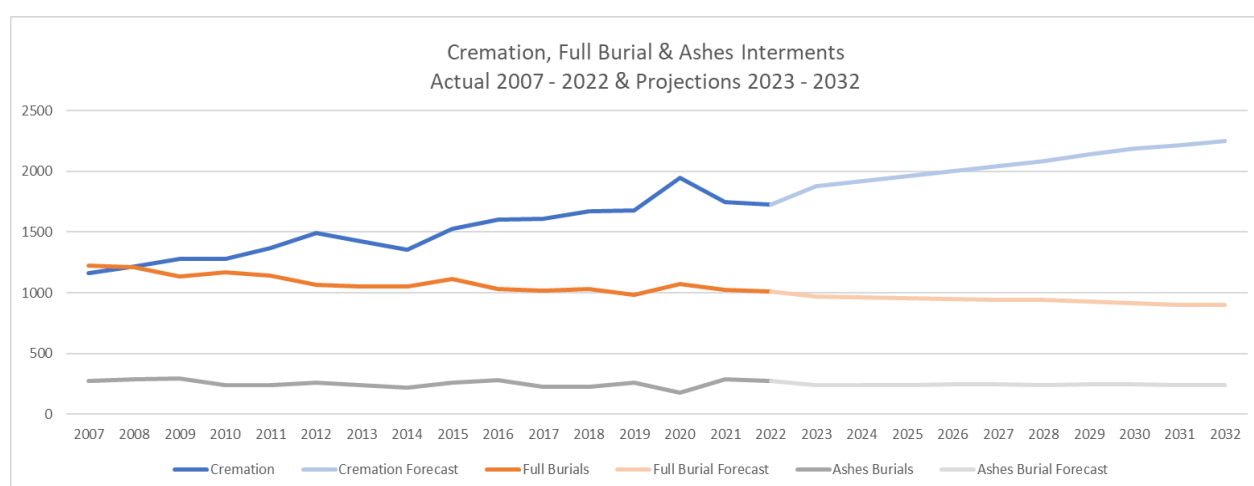
- 3.1. South Lanarkshire Council operates a Bereavement Service that provides a dignified and sensitive burial and cremation service. It is intended to develop a service wide Bereavement Services Strategy and the first phase of that process has been the completion of a Cemetery Strategy for elected member approval. It is anticipated the Bereavement Services Strategy will be presented to Community and Enterprise Resources Committee by March 2024.
- 3.2. The key piece of legislation governing the service is The Burial and Cremation (Scotland) Act 2016 which was passed by the Scottish Parliament on 22 March 2016. In July 2016, a Working Group was formed to commence work on the regulations of the Act. Priority was given to implementing part two of the 2016 Act on Cremation, resulting in the Cremation (Scotland) Regulation 2019. The COVID-19 pandemic disrupted and delayed progress, however, the current iteration of the Burial Regulations Working Group, set up in December 2021, seeks to continue the work of the previous Working Groups. Its remit is to inform the regulation of burial authorities and grounds in Scotland, the development of statutory guidance and the creation of a Code of Practice for burial authorities.
- 3.3. Whilst the legal requirement is to provide burial ground within the authority, there is no legal requirement for the Council to provide burial ground within each town or within any specific area. The Burial and Cremation (Scotland) Act 2016 states that for the provision of burial ground each local authority: -

- ◆ must provide one burial ground within the area of the local authority
- ◆ may provide other burial grounds within that area.

- 3.4. The right of burial can only be sold by the local authority and at present rights are sold in perpetuity, however, on implementation of the full Burial and Cremation (Scotland) Act 2016 rights will be sold on a lease basis of 25 years (excluding lairs owned by the Commonwealth Graves Commission, these rights will remain in perpetuity). If a lair is unused within a 25-year period, would then write to lease holder prior to expiry to confirm intention to use.
- 3.5. Under the Act, and previously the National Assistance Act 1984, the Council area has a legal obligation to provide a burial or cremation for anyone who dies within our authority who has left no funds for their funeral nor anyone willing to apply for a service. Working with other partners in the Police, Hospitals, Care Homes, and Social Work Departments along with family and friends we arrange a dignified service for the deceased ensuring any religious and cultural beliefs or preferences are recognised and respected.

4. Cemetery Strategy – key points

- 4.1. South Lanarkshire is an area of 684 square miles with a population of 322,630 as at 2021. There are 55 cemeteries within the South Lanarkshire area (see table at 4.6 of the Appendix for more detail) in which services are delivered and these include churchyards, small rural cemeteries, and large urban cemeteries. Within the 55 cemeteries there are 11 Church yards and 2 cemeteries which are privately owned for which the Council carries out excavation works required for burials.
- 4.2. With an ageing population demand for bereavement services is increasing year on year. In 2021 the service undertook 1,749 (63%) cremations and 1,022 (37%) burials. Demand for cremations is increasing over time whilst the demand for burials is reducing and the trend is expected to continue.



- 4.3. There are currently over 105,000 existing lairs across all South Lanarkshire cemeteries and a further 4,024 new lairs available. There are on average 1,154 interments every year and of those 342 are new lairs. More detailed information is provided within the appended Strategy.

Catchment approach to cemetery capacity

- 4.4. A key aim of the Council's strategic approach to cemetery provision is establishing catchment groupings in relation to their geographical location within the authority area.

This approach will allow an area-based measurement of lair availability and usage within each catchment, providing appropriate medium and long-term burial provision within communities.

- 4.5. Proposed South Lanarkshire Cemetery Catchments showing cemeteries within that catchment is shown below:-

	Hamilton/ Blantyre	East Kilbride	Cambuslang /Rutherglen	Strathaven	Larkhall/ Stonehouse
	Bent Priestfield High Blantyre West	East Kilbride Philipshill Philipshill ext	Rutherglen Westburn	Chapelton Glassford Strathaven Glebe*	Glebe* Larkhall Stonehouse
New lairs available	1,772	1,208	323	150	338
Average new lairs	122	68	37	4	29
Capacity (Years)	14.5	17.7	8.7	37.5	11.6

*Glebe has the capacity to serve Strathaven and Larkhall/Stonehouse catchments

Clydesdale							
	Catch A	Catch B	Catch C	Catch D	Catch E	Catch F	Catch G
	Carnwath	Carluke	Carmichael	Biggar	Douglas	Lamington	Crawford/ Kirkton
	Dolphinton	Lanark	Carstairs	Coulter	Douglas St Bride's	Roberton	Crawford/ John
	Dunsyre	Springbank	Carstairs Avenue Rd	Symington	Lesmahagow	Wiston	Elvanfoot
	Walston		Covington	Symington St John's			Leadhills
	Wilsontown		Libberton Pettinain				
New lairs available	250	371	69	179	170	164	147
Average new lairs	10	25	6	8	27	3	3
Capacity (Years)	25	14.8	11.5	22.3	6.3	54.6	49

- 4.6. Work is also underway or anticipated in the future to increase capacity in the following cemeteries:-

- ◆ Philipshill cemetery extension is expected to be completed by March 2024 providing an additional 1,117 new lairs.
- ◆ Planning permission has been granted for an extension at Douglas cemetery to provide an additional 391 new lairs. As there is sufficient capacity in the catchment currently, it is proposed to begin work on the extension in 2 to 3 years.
- ◆ Springbank Cemetery has the potential maximum capacity of 8,000 lairs within the Councils existing land ownership. This will require enabling infrastructure at the appropriate time to increase capacity.

Increasing existing capacity

- 4.7. The Council will also undertake 2 new areas of work to increase new lair provision within our existing cemeteries. The first will see a pro-active approach to recovering underutilised space within individual cemeteries. Recent work in this area has identified the potential creation of 28 new lairs within Strathaven Cemetery. Similar investigatory work in Rutherglen Cemetery has identified potentially 65 to 70 new lairs and a further 100 at Philipshill. This additional lair provision will further extend the life capacity of cemeteries shown in section 4.5. A programme of work will now be developed to identify further opportunities to increase new lair capacity from existing cemetery provision.
- 4.8. Furthermore, within the legislative framework Councils have the powers to reclaim burial ground for which the right of burial has been purchased in advance and where no interments have taken place over a period of time. Within the Councils current management rules this period of time is 40 years, however, this is believed to be too short a timeframe. To give families extra security, the management rules will be updated to increase the period of inactivity to 60 years and the Council will now begin the legal process to reclaim lairs unused after this timeframe or longer.
- 4.9. The catchment with the shortest capacity in years is Group E (Douglas and Lesmahagow) with a capacity of 6.3 years. As outlined in section 4.12 of the report, an extension is planned at Douglas Cemetery that will increase catchment capacity by a further 14 years. The catchment approach and the work identified in sections 4.7 and 4.8 of the report suggest that there are no immediate concerns around new burial capacity in South Lanarkshire. It is proposed that capacity will now be formally reviewed every 5 years. Each review process will consider whether existing provision is adequate based on current trends and whether further extensions or new provision is required.
- 4.10. Presently the Council permits the purchase of burial plots in advance in a limited number of cemeteries. This has been further restricted following the COVID-19 pandemic, however, it is proposed to cease this practice and only allow purchase of plots at the time of need. This will help ensure the effective management of capacity within each catchment.

Infrastructure and maintenance

- 4.11. The Council is also responsible for the ongoing and long-term maintenance of associated infrastructures within cemeteries such as roads, footpaths and walls. Given the age of many of our cemeteries, the maintenance requirements are increasing year on year. Many of the boundary walls around churchyards both in urban and rural areas are deteriorating with some cemeteries having sections closed or barriered off.
- 4.12. The Council has allocated funding in the Capital Programme for new cemeteries, extensions and infrastructure. This funding will be aligned with existing commitments and proposals outlined in the Strategy:-
- ◆ completion of Philipshill cemetery extension
 - ◆ Douglas cemetery extension
 - ◆ enabling infrastructure for the recovery of space within existing cemeteries
 - ◆ ongoing infrastructure maintenance of roads, footpaths and walls
- 4.13. It is anticipated that further funding may be required following the 5-year capacity review process if further capacity is required in the current cemeteries with expansion capability (Springbank) or if new areas are identified as part of the process. The

headstone inspection and stabilisation programme has been supported by annual allocations from the Councils capital programme. The service will continue to explore opportunities for funding essential works including the capital programme and existing capital allocations.

5. Employee Implications

- 5.1. No employee Implications as result of the contents of this report.

6. Financial Implications

- 6.1. The capital funding allocation for cemeteries in 2023/2024 is £0.662 million and this will be utilised for the completion of Philipshill cemetery extension, enabling works for the recovery of new lairs in existing cemeteries and infrastructure investment to deliver our statutory obligations. A further £1,148,000 is allocated for 2024/2025 and beyond, and this will be utilised on the remaining areas outlined in section 4.12.

Area of spend	2023/2024 Capital (£m)
Philipshill extension	0.553
Infrastructure investment to deliver statutory obligations <ul style="list-style-type: none">• Enabling infrastructure• Footpaths• Walls	0.109
Total	0.662m

7. Climate Change, Sustainability, and Environmental Implications.

- 7.1. The Cemetery Strategy will support delivery of the Council's Climate Change and Sustainable Development Strategy and progress more sustainable options for delivering services such as alternatives to coffin and burial provision and woodland burials.

8. Strategic Environmental Assessment

- 8.1. A screening determination was completed in relation to the Strategic Environmental Assessment (SEA) which confirmed there is no need for a separate SEA for these proposals.

9. Equality Impact Assessment and Consultation Arrangements

- 9.1. An equality impact assessment (EQIA) has been undertaken during the development of the proposals to identify and mitigate any negative impacts and seek opportunities to promote equality.
- 9.2. The assessment is that the proposals do not have any adverse impact on any of the protected characteristics groups.

10. Other Implications

- 10.1. There are no other significant implications as result of the contents of this report.

David Booth
Executive Director (Community and Enterprise Resources)

15 May 2023

Link(s) to Council Values/Priorities/Outcomes

Values

- ◆ Focused on people and their needs
- ◆ Working with and respecting others
- ◆ Accountable, effective, efficient and transparent
- ◆ Ambitious, self-aware and improving
- ◆ Fair, open and sustainable

Priorities

- ◆ We will work towards a sustainable future in sustainable places
- ◆ We will work to recover, progress and improve

Outcomes

- ◆ Good quality, suitable and sustainable places to live
- ◆ Caring, connected, sustainable communities

Previous References

- ◆ None

List of Background Papers

- ◆ None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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