

## CEMETERIES PROVISION

### 1. RECOMMENDATIONS

- 1.1 That the Cabinet approves the following recommendations:
- i. In order to meet predicted future interment needs, officers carry out further work to progress the expansion of interment provision at Calshot cemetery, and that the Cabinet agree a new budget of £60,000 to facilitate this work;
  - ii. In order to meet predicted future interment needs, officers continue discussions with the landowners of the adjacent and adjoining land identified at Milford Cemetery, with a subsequent project budget to be confirmed at a later date;
  - iii. To progress a review of eight closed churchyards, and two additional nearing closure, to ensure the associated transferred liabilities and risks are in full compliance with legislation; and
  - iv. To progress options for cremated remains columbaria and identify the most appropriate locations in our cemeteries, paying particular attention to Calshot and Milford Road.

### 2. INTRODUCTION

- 2.1 A local authority is defined as a burial authority under the Local Government Act 1972.
- 2.2 The Act states *burial authorities may provide and maintain cemeteries whether in or outside their area*. It has historically been the Council's preferred option to provide interment provision on suitable land within our district boundary.
- 2.3 This report is intended to provide a way forward to plan future cemetery provision, ensuring we adhere to the terms of the Local Government Act, 1972, in addition to the needs and trends relating to interment in the New Forest, until at least 2040.
- 2.4 The report considers how future needs can be met through the extension of existing cemeteries or new sites. Any considerations need to go through a standard process to identify site suitability risks associated with investing in developing or expanding existing sites and the relevant permissions required.
- 2.5 Furthermore, the report also considers the impact closed churchyards has on our current and future cemetery provision capacity and identifies the need to evaluate historical closures and liabilities.

### 3. BACKGROUND

- 3.1 Historical provision in the district has been largely unplanned and driven by churchyard handover to the local authority and the council's response to closed churchyard provision. Burial provision has essentially been inherited and not necessarily planned according to a specific need.
- 3.2 We do provide several interment options for residents. Not all are available in every cemetery, except for standard lawned and cremated remains sections which exist in all our cemeteries. These include:

- i. standard lawned burial sections
  - ii. standard cremated remains sections
  - iii. traditional, kerbed sections
  - iv. woodland burial and cremated remains sections
  - v. oversized sections
  - vi. memorial garden.
- 3.3 We manage our cemeteries to ensure the interment options are relevant to current demand and resident expectation, optimizing the space available. Columbaria have recently been identified as being an option for our cemeteries, fully optimizing this space.
- 3.4 There are no restrictions on who can be interred within our cemeteries (approx. 5% interments are non-resident and incur the full interment fee). Residents incur the 50% discount fee.
- 3.5 We currently manage eight cemeteries within the district with the following spent capacity predicted:
  - i. Sway (2024)
  - ii. Lymington (2024)
  - iii. Eling (2037)
  - iv. Calshot (beyond 2040)
  - v. Milford Road in New Milton (beyond 2040)
  - vi. Beaulieu (beyond 2040)
  - vii. Blackfield (not available for new purchases)
  - viii. Gore Road in New Milton (not available for new purchases).
- 3.6 A number of these sites are nearing capacity; there will not be any space for interments in new standard lawn burial graves.
- 3.7 Cemetery provision projections are primarily defined by standard burial plot (standard lawn burial grave).
- 3.8 Current interment figures identify both Sway and Lymington space will be spent by the end of 2024. This reduced cemetery provision (six remaining cemeteries) will increase pressure on our remaining sites. However, interments in family plots may continue in Sway and Lymington, subject to space. Accommodating provision within the west of the district subsequently requires review.
- 3.9 Increasing population along the Waterside and east of the district is putting pressure on current capacities. The Council needs to have plans in place to address current and future provision in this area.
- 3.10 Alternative interment options for district residents include town, parish and parochial council burial provision. This provision is limited and reducing capacities in these sites will inexorably impact our future responsibilities and subsequently increase our provision expectations and demands.
- 3.11 NFDC is currently responsible for eight closed churchyards, and two nearing transfer. A closed churchyard is transferred to the district council when space for new graves is spent. Either the parish or town council is contacted by the parochial church council in the first instance; they can decline responsibility, subsequently transferring the mandatory liabilities and responsibilities over to the district council. The council is then responsible for the maintenance, agreed liabilities and maintenance costs once transferred. This transfer is in perpetuity where we attain occupier status. The transfer process is a legal procedure and must be adhered to ensure transfer is lawful.

- 3.12 The historical arrangements pertaining to the current closed churchyards require clarifying and formalising to ensure we comply with legislation and manage all agreed liabilities associated with the transfer. Liabilities include the safety of memorial headstones and trees. As the burial authority we incur all management of liability costs.
- 3.13 A recent trend in an increased preference for the interment of ashes over burial has been observed in the past year. This trend will be considered in all future provision options and may only be a short-term trend resulting from the recent factors. The space required to inter ashes is approximately 1/3 of the space required for a burial.
- 3.14 An alternative option for the provision on cremated remains is the columbarium (place in a contained, secured niche above ground). Space in our cemeteries has been identified to benefit from these columbaria. Initial plans for columbaria will focus on our proposed extended cemeteries; Milford Road and Calshot as these cemeteries will be receiving ongoing investment. Columbaria require initial investment.

#### **4. DETAILS OF SITE INVESTIGATION WORKS**

- 4.1 A search for alternative cemetery sites in the district has been ongoing since at least 2013 without success. Various investigations at specific sites resulted in a negative outcome and all were abandoned. The sites failed the initial land suitability investigations, principally the bore hole survey.
- 4.2 The limiting factors to consider on all potential site locations are whether they fall within statutory land designation areas, whether the soil type meets cemetery standards, and the position of the water table or proximity to water courses and services are acceptable. Land availability within the district is limited as a large portion is laid out to national park. All these factors greatly impinge land suitability and availability.
- 4.3 In 2018, Cemeteries Development Services (CDS) undertook broader land suitability investigations within the Sway and Lymington area and in the north Waterside area; investigations concluded limited suitability in the areas. The limited suitability engenders a reliance on land becoming available.
- 4.4 Extension of existing cemeteries, where conditions are more favourable, will subsequently provide our cemetery continuity provision until 2040 and beyond.
- 4.5 Two Cemeteries have been identified as suitable candidates for extension: these include:
- i. Milford Road in New Milton – west of the district
  - ii. Calshot – east of the district
- 4.6 Milford Road cemetery - Estates and Valuation have established open communications with the landowner (Ashley Manor Farm, New Milton) and have agreed, in principle, NFDC will be offered the opportunity to purchase c 4 acres adjacent and adjoining the existing cemetery at Milford Road once sharp sand and gravel extraction is complete. Purchase and development costs will be incurred. It is anticipated Agricultural rating values will be applied to the land post mineral extraction.
- 4.7 NFDC-owned land adjacent and adjoining Calshot cemetery is currently leased out to grazing. The fields will provide cemetery provision subject to planning permission and subsequently will not incur land purchase costs; cemetery development fees will only be incurred.
- 4.8 The 2015 survey and initial cemetery investigations (CDS) undertaken prior to the new cemetery development at Calshot indicates site suitability and good ground conditions.

Further geophysical survey of a small field section will be needed to complete the suitability picture.

- 4.9 The site lies within the National Park planning area and is identified in the Solent Wader and Brent Goose Strategy 2020 as a Secondary supporting area. It will be necessary to explore levels of impact. At this stage, in advance of more detailed exploration, it must be recognised as a risk to planning permission being forthcoming. Mitigation maybe a solution that could add cost and complexity to the project.

## **5. DETAILS OF CURRENT AND PROPOSED MITIGATION MEASURES**

- 5.1 All Exclusive Right of Burial pre-purchases are suspended for both Sway and Lymington, extending the cemeteries' lifespan.
- 5.2 We will also explore the option of columbarium within each cemetery. This has been a popular option in other parts of the country and removes restrictions relating to interment and the exhumation of remains. It also is a more effective use of space, with several layers of contained remains being accommodated in the above ground structure. The lease of the niche is for a limited period (10 years on average); when the lease period elapses, the space may be made available to contain subsequent families' cremated remains.
- 5.3 We will continue to promote family plots, fully utilising the interment plot space. Traditionally, these interment plots may have only been utilised once or twice; we actively encourage family plots utilising space for further interment of both burial and cremated remains. This extends the lifespan of the cemetery.
- 5.4 We will respond to interment trends and demands, adjusting our cemetery planning and layouts, optimising the use of interment space.

## **6. CONCLUSIONS**

- 6.1 Our objective is to ensure we continue to meet our obligations with the interment of burial and cremated remains (above and below ground) within our cemeteries and to ensure this interment provision continues beyond our existing burial space capacities.
- 6.2 To meet this requirement, the council support further work to progress the expansion of the current cemetery sites at Calshot and Milford Road, which research has identified as suitable cemetery sites.
- 6.3 It is therefore proposed to take forward further investigations with an intention to extend the lifespan of Calshot and Milford Road. These developments will require investment.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 Calshot:
- i. no land purchase required
  - ii. professional fees, c.£55K (this includes CDS fees, and evidence to support a planning application).
  - iii. currently unknown mitigation costs
- 7.2 Milford Road:
- i. an option to acquire 4 acres of land is being considered by the landowner.
  - ii. Heads of Terms for future purchase once the mineral extractions are complete have been issued and are presently with the landowner. The proposed Heads of Terms are for a 21-year option, but a view to obtaining planning permission within ten years, to purchase the land following mineral extraction and restoration. Reinstatement of ground following mineral extraction will be subject to an agreed specification required by NFDC.

## **8. CRIME & DISORDER IMPLICATIONS**

8.1 None.

## **9. ENVIRONMENTAL IMPLICATIONS**

9.1 The proposed extension of the cemeteries will include a full assessment of the environmental impacts of the proposed cemetery extensions to ensure that the full impact of the proposals on the environment are fully understood and considered.

9.2 The Calshot site is identified in the Brent Goose and Wader Strategy 2020 as Secondary supporting areas. Full consideration will be given to the impact that the proposed extension of the cemetery will have on the role of this land in supporting over wintering Brent Geese and Waders. Once established cemeteries provide ideal environments for habitat creation contributing to the Council's Climate and Nature Emergency.

9.3 The Council will be responding to the Minerals and Waste Partial Update Regulation 18 consultation. This proposes land at Ashley Manor Farm (currently open agricultural land) for excavation of sharp sand and gravel. The Council has highlighted in its response the need to ensure measures are in place to minimise the impact of this excavation on the Milford Road Cemetery.

## **10. EQUALITY & DIVERSITY IMPLICATIONS**

10.1 An Equality Impact Assessment has been undertaken; no adverse impact identified.

## **11. DATA PROTECTION IMPLICATIONS**

11.1 Cemetery records are retained and stored in full accordance with legal requirements including GDPR.

## **12. COMMUNITY PARTNERSHIPS AND WELLBEING OVERVIEW AND SCRUTINY PANEL COMMENTS**

12.1 The Panel wished to ensure that representations were made to HCC to ensure that any potential noise from gravel extraction works adjacent to Milford Road Cemetery, New Milton, did not disturb the peace and tranquillity of the cemetery. The Panel was assured by officers that by applying due diligence and process to ensure concerns were taken into account in any response to planning applications and negotiations with the current site owners.

## **13. PORTFOLIO HOLDER COMMENTS**

13.1 I am pleased that the Council is able to meet future interment needs by moving forward to expand the Calshot and Milford cemeteries. I fully support the recommendations of this report.

### **For further information contact:**

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### **Background Papers:**

None