



## CABINET

18<sup>th</sup> September 2019

**Subject Heading:**

Approval for Cemetery Extension Phases 2 & 3

**Cabinet Member:**

Councillor Viddy Persaud

**SLT Lead:**

Sue Harper

**Report Author and contact details:**

Louise Roast  
Bereavement & Registration Manager  
01708 433498

**Policy context:**

It is estimated, based on current demand, that burial space at Upminster Cemetery will run out in approximately 4 years. If the Council wishes to continue to offer burial within Havering, provision must be made for additional burial space.

**Financial summary:**

This report seeks approval to make further provision for burials which requires an estimated capital investment of £5.5m

**Is this a Key Decision?**

Yes

(a) Expenditure or saving (including anticipated income) of £500,000 or more

**When should this matter be reviewed?**

**Reviewing OSC:**

**The subject matter of this report deals with the following Council Objectives**

Communities making Havering  
Places making Havering  
Opportunities making Havering  
Connections making Havering

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x  
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**SUMMARY**

1. There are currently approximately 300 full body burials carried out in Havering Cemeteries each year. This includes burials in the purchase of new graves and burials in existing graves. Of these, 120 are new grave plots sold at Upminster Cemetery. At this rate, the London Borough of Havering has sufficient burial ground at Upminster until approximately June 2023, however, allowing for fluctuations it would be prudent to plan and prepare for additional burial space now.
  - 1.1. Preparation and construction of appropriate facilities for the extension or development of additional burial space on average takes five years after the land is selected.
  - 1.2 A project to extend Upminster Cemetery (phase 1) was completed in 2014. As part of these proposals, it was planned that Upminster Cemetery would be further extended in the future, to provide a continuum of burial space. To meet future needs, it is now recommended to commence a detailed design and planning of phases 2 & 3 of the cemetery extension in order that this can be completed within the timescales. Subject to the decision of members, the final design and tender process can be scheduled to be completed in the Autumn of 2020 in readiness for the commencement of construction. Landscaping could be completed during Summer 2021 in readiness for the site to be usable for burial by Autumn/winter 2021.
  - 1.3 This allows for a period of time for settlement and snagging of the site and safeguards the Borough in the event of a rise in the death rate and/or pandemic.
  - 1.4 A cost estimate for construction of Phases 2 & 3 was produced by Jacobs in late 2018 which estimated a construction cost of £6.7m based on the 2013 outline design and Phase 1 specification.
  - 1.5 In early 2019 Jacobs worked with the London Borough of Havering (LBH) to identify potential opportunities to reduce this estimated construction cost whilst still fulfilling the functionality of the overall design. Four value engineering (VE) opportunities were identified as follows:
    1. Reduce the extent of sheet piling by combining Phases 2&3
    2. Reduce the extent of the cemetery access road within the Phase 2 & 3 area.
    3. Reduce the specification of the access road and footpath make-up (subject to highways approval).
    4. Reduce the number of permanent pump stations in the Phase 2 & 3 area.
  - 1.6 The impact of these changes has resulted in an estimated cost saving of £2.020million. The new cost estimate for the whole project, allowing for professional fees is £5.511m

- 1.7 Therefore decisions need to be taken on whether Havering wishes to continue to make provision for burials within the Borough by extending the Cemetery site further at Upminster

### **RECOMMENDATIONS**

2. That Cabinet agrees to proceed with Option 4 as outlined within this report to further develop the site (Phases 2&3) at Upminster to provide sufficient land for burials until approximately 2040.
- 2.1 That Cabinet agrees, subject to recommendation 1, to endorse and recommend the inclusion of an additional budget of £3.1m for the Phase 2 and 3 Cemetery Extension within the proposed capital programme that will be considered in Cabinet in February 2020.

### **REPORT DETAIL**

#### **Background**

3. The London Borough of Havering currently has four cemeteries: at Rainham, Hornchurch, Romford and Upminster. The cemeteries at Rainham and Hornchurch have no new graves, and therefore burials can only take place in existing family graves (referred to as 're-openers'). The cemetery at Romford has some capacity which is expected to provide graves for approximately a further 5 years. The last extension to Upminster Cemetery (Phase 1) was completed in 2014. The cemetery at Upminster currently has sufficient space for burials until approximately June 2023 at current burial demand.
- 3.1 The cemeteries generated surplus income of approximately of £391,748 in 2018/19.
- 3.2 The local authority has no legal obligation to provide cemeteries. Where a local authority chooses to provide cemeteries, then there are regulations and standards that have to be adhered to, set out in Local Authorities Cemeteries Order 1977 and subsequent amendment orders. The minimum legal obligation of a local authority is to make provision for burials of people who have no means to do so for themselves. This could be done by arranging and paying for burials in other local authority or private cemeteries.
- 3.3 There is clearly pressure on burial land in London, with a number of cemeteries running out of space, and many local authorities without the

potential to expand as they do not have sufficient land available to develop further provision. A previous scheme approved as part of the capital programme was established to extend the cemetery at Upminster. With phase 1 of this extension completed in 2014, the proposal is to continue with phase 2 & 3 of the extension programme. The costs of phase 2 & 3 combined is £5.5m, with an existing available capital budget of £2.4m. This report sets out the option for Members to proceed with the cemetery extension at Upminster, and the associated costs and timescales for progressing this option. It also sets out the other alternatives for Members to consider.

Option Assessment

3.4 Option 1 - Make no further provision for burials in the borough.

The Council has sufficient land to offer burials at Upminster until approximately June 2023 (based on current burial demand). After that time, it would no longer be able to do so. Residents would need to seek burial ground elsewhere. In 2018/19, the service generated an income of £391,748..

2018/19	£
Income from Cemeteries	1,149,300
Maintenance of Cemeteries	757,552
Surplus Income	391,748

If the Council decided not to make any further provision for burials in Upminster,

- there would be no requirement for the capital provision currently made to fund the cemetery extension and hence £2.5m could be released.
- The local authority could also release the land it had acquired in Upminster.
- The current costs incurred in preparing a cost construction estimate for phases 2 & 3 of the Upminster extension of £100,000 would need to be abortive costs.

3.5 Not making further provision for burial space would mean the income stream that the Cemeteries service currently generates, in excess of £1m per year, ( surplus £391,748 in 18/19) would cease.

3.6 Option 2 – Examining alternative ways of providing additional burial space in the Borough

Given that approval already exists in principle to extend the Upminster site, with phase 1 completed in 2014, and an option to extend further with phases 2 & 3, it was not considered cost effective to consider other sites for the following reasons:

- a) There would be a requirement to examine legal issues, such as title and covenants to ensure that any new site is appropriate for cemetery use. This has already been completed for the existing cemetery site at Upminster.
- b) Any new site would incur additional costs in the construction of supporting infrastructure for example, chapel; office; compound/mess room facilities, which already exist at Upminster.
- c) Any new site would require a significant period of time to monitor the water table, which is already a known factor at Upminster.

3.7 Whilst there is capacity for approximately 5 years of burial space at Romford Cemetery (not taking into account the dedicated muslim section), the space is scattered throughout the cemetery and not in one block. It is also not as popular a choice as Upminster given that it is a much older cemetery, its location and not as desirable. It is also not possible to guarantee depth of burial until the actual day due to water table issues. There is further land adjacent to Romford cemetery, which the Council could explore for potential burial use but the service view is that this is unlikely to meet the requirements of legislation due to the proximity and height of the water table which can, at times, prevent burials & exhumations taking place. The purchase of additional land adjacent to Romford Cemetery has therefore not been pursued as an option.

3.8 If alternative sites were explored, the following tasks would be required:

- 3 months desktop assessment/feasibility
- 1-2 years land repossession, applicable to most alternative sites.
- 1yr surveys (in parallel) - ecological, ordnance, flood RA, groundwater, traffic, topological, archaeological
- 1yr attenuation planning/design/Environment Agency liaison, if required
- 3 months design and costing
- 3 months corporate decision making - report prep
- 1 month final design
- 3 months planning
- 4 months tender prep, tender and evaluation
- 3 months pre-contract & mobilisation
- 7 months construction (12mths if buildings etc.)
- 6-12mths land settling and landscaping

3.9 In addition to the costs of any alternative site (even if no ground water remedial action is required), any new site would need a chapel, site storage and public toilets, as well as ground layout, paths, roads and headstone beams. It is unlikely that the costs of a new site would be less than the cost of extending the existing cemetery provision at Upminster. There would also

need to be a further staff and equipment requirement in order to maintain a fifth cemetery in the borough.

3.10 Option 3 Re-use of existing graves

The Greater London Council (General Powers) Act 1976 and the London Local Authorities Act 2007 allows the re-use of graves where the last burial was more than 75 years ago, subject to certain conditions. These include the requirement to advertise the intention to re-use the graves, and making efforts to contact the grave owner. If objections to re-use are received, then the grave cannot be re-used.

3.11 The cemeteries in the London Borough of Havering are generally not very old. The oldest, Romford, was established in 1871, but it does at times experience problems with the water table, as has been evidenced in both recent burials, and exhumations. It is also consecrated ground, and there would therefore be a requirement to obtain consent from the Diocese before any action could be taken to re-use the graves. The remaining cemeteries, Rainham and Upminster were established in 1902 and the most recent, Hornchurch was established in 1932, meaning that the first 42 years of burials at Rainham and Upminster could potentially be available for re-use and the first 12 years at Hornchurch cemetery. It would be difficult to estimate what the potential for re-use is, as the graves may already have more than one interment in them, and therefore a grave by grave assessment would need to be undertaken to see whether there is capacity within existing graves, and secondly, whether any relevant graves are currently visited. Some of these graves will not have any available space above the last burial, and there will also be some grave owners of older graves not willing to agree to allow their graves to be re-used. The process is staff intensive, but there are precedents. Other London local authorities have attempted to adopt this course of action, but have encountered considerable opposition. Implementing re-use of graves would also require investment.

3.12 Option 4 Upminster Cemetery Option

The Council had previously decided to expand the cemetery at Upminster (see Cabinet report dated July 2011). A piece of land of 5.5 hectares was identified adjacent to the existing cemetery, sufficient to provide burial space for approximately 30 years at that time. To date only phase 1 of this project has been completed. The full range of environmental surveys, as required by the Environmental Agency and Planning were undertaken as part of the phase 1 proposals with the plan to further extend the cemetery in the future.

3.13 The surveys conducted by the Council's technical services partner, Jacobs, identified that the site had a high level of ground water and did not meet the Environment Agency requirement for the water table to be at least 1m below the bottom of a burial or for remedial action to be taken.

The Council asked its partner to look at the options for that remedial work and to cost them. Jacobs examined three options:

- Draining the land by pumping out water
- Raising the level of the cemetery land
- Sealing the site and removing the ground water to permanently lower the water table

3.14 Of these options, the first was discarded because of the danger of contamination, and the running costs, and the second because of issues relating to the landfill (danger of contamination and settling time) and the prohibitive costs of building reinforced roadways made the project unaffordable.

3.15 The third option – sealing the site permanently, removing the ground water was the only viable option and this was implemented as part of the phase 1 proposals.

3.16 This report recommends that phases 2 and 3 are now implemented together. This is because a major cost of the proposed works relates to sheet piling around the perimeter of the new burial space and constructing pumping stations within the piled areas to reduce ground water levels. By combining both phases of works, there is a reduction in the amount of sheet piling by just over 50% and a reduction in the number of pumping stations required from six to four. This results in an overall saving of £2,020,000 in construction costs.

3.17 Given the design work that has been carried out to date, it is recommended that Jacobs be procured via the Bloom framework to complete the detailed design of Phases 2 and 3. It is also recommended that Technical Services procure appropriate project management support to enable the delivery of this project, through to completion.

If this project were implemented, the following timescales would be applicable:

Approval to proceed - September 2019

Detailed design and tender process - September 2019 to August 2020

Commencement of construction works - September 2020

Completion of construction works - September 2021

3.18 It should also be noted that over and above the anticipated number of graves phases 2 & 3 will provide, the service plan to introduce some new burial products (which could include products such as bricked graves, private family gardens and mausoleums) currently not offered by Havering, within the extension site. A transformation saving has already been agreed

for this. In addition it will allow the service to extend provision of other alternative burial products, mini headstones, which the service have already introduced in phase 1, and which have proved very popular. The mini-headstone product allows the burial of cremated remains in smaller spaces that are not big enough for full body burial and would not otherwise be utilitised.

## **REASONS AND OPTIONS**

### **4. Reasons for the decision:**

This decision is presented to Members in view of the fact that the London Borough of Havering will have insufficient burial grounds for those wishing to be buried in Upminster beyond June 2023, at current burial rates. Members have to decide whether to invest in this service, in order to continue with the provision of burial ground for local residents.

#### **4.1 Other options considered:**

This report sets out four options for Members to consider.

## **IMPLICATIONS AND RISKS**

### **5. Financial implications and risks:**

- 5.1 This report considers a number of options in respect of the requirement for additional burial land. One option is to extend Upminster Cemetery in order that Havering continues to be able to provide burial space until 2040 at current demand, and finance this by capital investment.
- 5.2 This report recommends that phases 2 and 3 are now implemented together. The costs of phase 2 & 3 combined is £5.5m
- 5.3 The current approved Capital Programme already has a provision of £2.4m. A business case for £3.1m has been submitted as part of the Medium Term Financial Strategy, which subject to this report will be submitted for agreement by full Council in February 2020.



5.4 The revised Capital implications of this scheme are set out in the table below

<b>CAPITAL FUNDING REQUIRED</b>	<b>19/20</b>	<b>20/21</b>	<b>21/22</b>	<b>22/23</b>	<b>23/24</b>	<b>24/25</b>	<b>Total</b>
	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>
Existing Approved Capital Budget	0.930	1.500					<b>2.430</b>
New proposed Capital Bid		0.400	2.700				<b>3.100</b>
<b>Total Capital</b>	<b>0.930</b>	<b>1.900</b>	<b>2.700</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>5.530</b>
<b>Required Revenue to finance Capital</b>	<b>19/20</b>	<b>20/21</b>	<b>21/22</b>	<b>22/23</b>	<b>23/24</b>	<b>24/25</b>	<b>Ongoing</b>
	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>
Interest	0.028	0.085	0.166	0.166	0.166	0.166	<b>0.166</b>
MRP						0.346	<b>0.346</b>
<b>Total Capital Financing Costs</b>	<b>0.028</b>	<b>0.085</b>	<b>0.166</b>	<b>0.166</b>	<b>0.166</b>	<b>0.512</b>	<b>0.512</b>
<b>Total revenue funding currently in base</b>	<b>0.028</b>	<b>0.110</b>	<b>0.170</b>	<b>0.170</b>	<b>0.170</b>	<b>0.170</b>	<b>0.170</b>
<b>Total additional revenue financing required</b>	<b>0.000</b>	<b>-0.025</b>	<b>-0.004</b>	<b>-0.004</b>	<b>-0.004</b>	<b>0.341</b>	<b>0.341</b>

5.5 Option 4 will allow the continuation of the current income from burials at the extended facility. There would be additional running and maintenance costs and also the revenue cost of capital set out above. This however is financially beneficial compared to the do nothing option as set out in the table below.

<b>COMPARISON OF OPTION 1 AND OPTION 4</b>							
<b>OPTION 1 (Do Nothing)</b>	<b>19/20</b>	<b>20/21</b>	<b>21/22</b>	<b>22/23</b>	<b>23/24</b>	<b>24/25</b>	<b>Ongoing</b>
	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>
Income	-1.149	-1.149	-1.149	-1.149	0.000	0.000	0.000
Maintenance and running costs	0.757	0.757	0.757	0.757	0.000	0.000	0.000
Residual maintenance and running costs					0.100	0.100	0.100
<b>Net income / expenditure</b>	<b>-0.392</b>	<b>-0.392</b>	<b>-0.392</b>	<b>-0.392</b>	<b>0.100</b>	<b>0.100</b>	<b>0.100</b>
<b>OPTION 4 (Extend)</b>	<b>19/20</b>	<b>20/21</b>	<b>21/22</b>	<b>22/23</b>	<b>23/24</b>	<b>24/25</b>	<b>Ongoing</b>
	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>	<b>(m)</b>
Income	-1.149	-1.149	-1.149	-1.149	-1.149	-1.149	-1.149
Revenue cost of capital investment	0.000	0.000	0.000	0.000	0.000	0.341	0.341
Maintenance and running costs	0.757	0.757	0.757	0.757	0.800	0.800	0.800
<b>Net income/expenditure</b>	<b>-0.392</b>	<b>-0.392</b>	<b>-0.392</b>	<b>-0.392</b>	<b>-0.349</b>	<b>-0.008</b>	<b>-0.008</b>
<b>NET SAVING</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>-0.449</b>	<b>-0.108</b>	<b>-0.108</b>

5.6 It is difficult to estimate the profile of the additional income as this is dependant on many factors such as the death rate rising or falling, customer choice, and type of grave selected. A conservative estimate

assumes the extension will continue to bring in current rates of £1.1m per year beginning during 2023/24.

**6. Legal implications and risks:**

6.1 The Council as a Burial Authority under section 214 of the Local Government Act 1972 may provide cemeteries whether inside or outside its area. The recommendation to proceed with option 4 is in keeping with this power. Any procurement activity must follow the Council's Contract Standing Orders and will be subject to separate decision making.

**7. Human Resources implications and risks:**

7.1 There are no immediate Human Resources implications. The decision as to whether to continue to provide burial land after 2023 has no immediate impact on staffing levels in this service area but will need to be monitored as the service utilise the new site depending on burial rates. If and when it is deemed that more staff resource is needed, a business case will be made at that time.

**8. Equalities implications and risks:**

8.1 The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not and;
- (iii) Foster good relations between those who have protected characteristics and those who do not

Note: protected characteristics are age; sex; race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

8.2 The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is committed to improving the quality of life and wellbeing for all Havering residents in respect of the socio-economics and health determinants

8.3 The Council is a main, but not the only, provider of cemetery land in the Borough. There is separate provision within the Borough for other religions.

In view of the fact that the demographic population of Havering shows a profile that there is a higher than average older population, then the provision of good quality bereavement provision is essential to the Borough's services

9. Public Health Implications:

9.1 From a health and wellbeing perspective, phase 1 of the land extension to the cemetery is already being used for burial purposes and so a greater amount of burial land is not likely to cause any additional impact. The option to extend land available is preferable to the option to reuse graves, which may cause greater emotional distress and so this is supported from a public health perspective. There are no neighbouring residences to the land so less potential for negative impact. There is likely to be a positive impact on health and wellbeing for option 4, as the land extension will provide greater choice for family members as to the burial of their loved one.

9.2 An EqHIA has been undertaken

**BACKGROUND PAPERS**

**Site Plans**

*Figure 1 Site location*

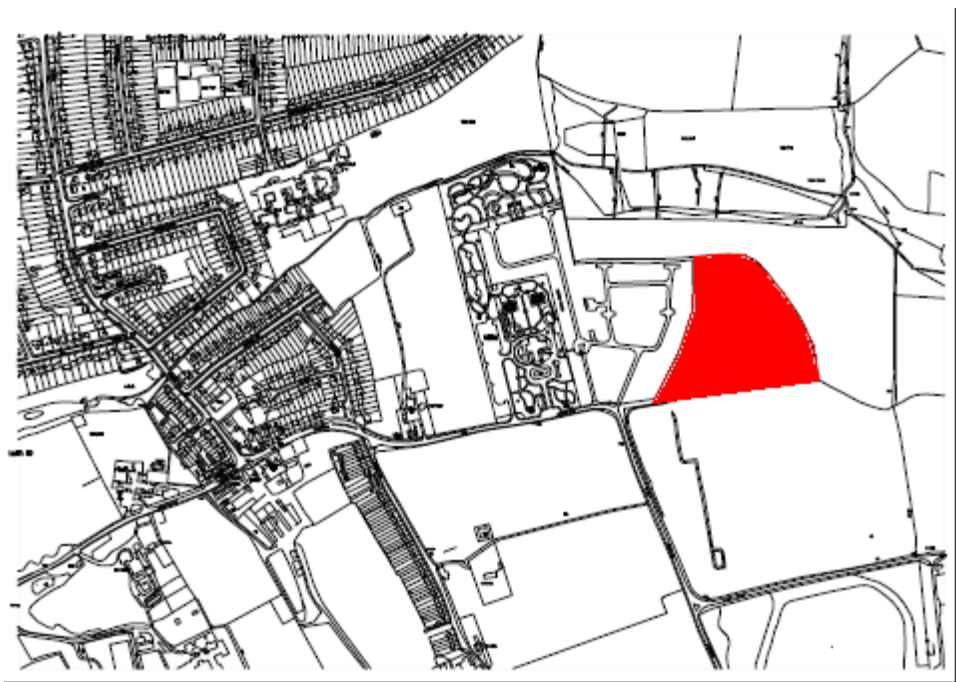


Figure 2 Proposed Extension

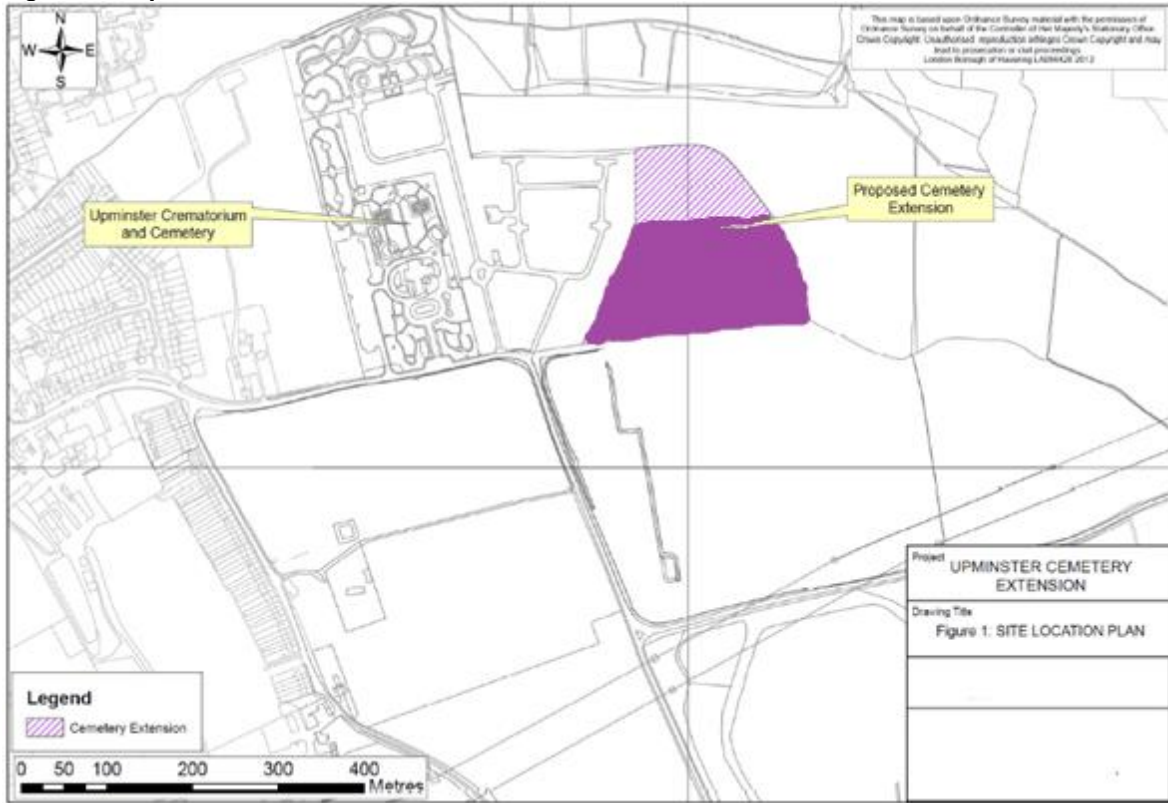


Figure 3 Revised Phasing

