

**Title of meeting:** Resources - Decision Meeting

**Date of meeting:** 8<sup>th</sup> March 2018

**Subject:** Cemetery Fees - Fees and Charges for 2018-2019

**Report by:** Stephen Baily - Director of Culture

**Wards affected:** All

**Key decision:** No

**Full Council decision:** No

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**1. Purpose of report**

To seek Member approval to the proposed revision of Cemetery Fees for 2018/19 as permitted by Local Authority Cemeteries Order 1977.

**2. Recommendations**

- 2.1 That charges for burials and associated services be increased as per Appendix 1 with effect from 1 April 2018.

**3. Background**

- 3.1 The City Council currently owns and operates three Cemeteries within the city of Portsmouth. These are Milton Cemetery, Kingston Cemetery and Highland Road Cemetery.

Charges are made to those who wish to use the services of these facilities. The service carries out approximately 450 burials per year.

At the Full Council meeting on 11<sup>th</sup> December 2012 it was decided that the budget for the Cemeteries Service was to become cost neutral over a two year period which at that time had a net cost to the city council of approximately £85,000. At the Environment and Community Safety Decision Meeting on 27<sup>th</sup> February 2013 it was subsequently agreed to increase fees and charges over the two year period and for 2014/15 to increase the period of Rights of Ownership on a newly purchased grave. The additional income generated enabled the department to work to a cost neutral budget.

There were no increases in the fees and charges for Cemeteries for the following two years 2015/16 and 2016/17. An increase in cemetery fees of 5% for 2018/19 was approved by Full Council on 12 Dec 2017. This will generate additional income of £22,000 which will fund the approved saving and also offset the loss of income previously received for the rental of Milton Cemetery Lodge.

#### **4. Reasons for recommendations**

- 4.1 In line with Audit Commission recommendations charges have been compared to other Local Authorities and based on comparisons the proposed increase will remain competitive and in most cases is below the overall average. The current and proposed charges are identified in Appendix 1 and it is expected that this will generate an additional £22k income.

#### **5. Equality impact assessment**

- 5.1 An equality impact assessment is not required as the recommendation does not have a negative impact on any of the protected characteristics as described in the Equality Act 2010.

#### **6. Legal implications**

- 6.1 The Council as a Local Authority, by virtue of section 214 of the Local Government Act 1972 is a 'burial authority'. Further, the functions with respect to cremation were added to the functions of burial authorities under the Local Authorities Cemeteries Order 1977.
- 6.2 Paragraph 15 of the said Order provides the authorities with the power to charge such fees as they think are proper;- "(a) for or in connection with burials in a cemetery; (b) for any grant of a right to place and maintain a tombstone or other memorial in a cemetery ... (c) for any grant of a right to put an additional inscription on such tombstone or other memorials".
- 6.3 In addition, under section 11A a burial authority may charge such fees as they think proper for the making by them of searches, and the provision of certified copies of entries in the register of burials or the record of disinterment.
- 6.4 Under section 9 of the Cremation Act 1902, the Council as a burial authority may demand payment of charges and fees for cremating human remains in any crematorium provided by it.
- 6.5 The Local Authorities Cemeteries Order 1977 requires the Council to keep a table of fees available for inspection by the public at all reasonable times.

#### **7. Director of Finance's comments**

- 7.1 The proposed fee increase for 2018/19 will fully fund the service saving approved by Full Council in February 2018.

- 7.2 Income previously received through the rental of Milton Cemetery Lodge will not continue in the future due to the condition of the building. The additional income received from fees will enable the service to maintain the current level of day to day expenditure on cemetery sites.

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Signed by:

### **Appendices:**

Appendix 1 - Current and proposed fees and charges.

### **Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
Signed by: