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**New Cemetery Provision**

Relevant Portfolio Holder	Councillor Aled Evans
Portfolio Holder Consulted	Yes
Relevant Head of Service	Guy Revans
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Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS**

**The Executive Committee is asked to RESOLVE that**

**1.1 Redditch Borough Council continue to provide new burial provision;**

**and**

**1.2 Ipsley Church Lane be progressed as the preferred option to provide new burial provision**

**AND RECOMMEND that**

**1.3 A sum of £320,000 be budgeted to progress new burial provision**

**2. BACKGROUND**

2.1 Redditch Borough Council operates and manages three cemeteries, Plymouth Road, Edgioake Lane and Abbey Cemetery, and is also responsible for St Stephen's, St Luke's and Feckenham closed church yards, which have been passed to the authority to manage by their Parish councils.

- 2.2 Plymouth Road is closed, and no new graves are available, although burials in existing graves are still possible. Edgioake Lane Cemetery has approximately five years burial provision available at current usage but if other cemeteries close in the local area this will reduce to a possible one-year provision at current borough wide burial rates. Abbey now has approximately six months new grave provision left. These figures are only indicative based on trends; however, they can change for several reasons, for example, greater take-up of exclusive right reservation; unsuitable ground conditions leading to graves being made unavailable, and high death rates to name a few.
- 2.3 Options for a new cemetery site have been discussed by the council for some years and a report was taken in 2010 in which Brooklands Lane was taken forward. This proved to be unsuitable due to it being located on an aquifer.
- 2.4 Since 2014, a further 25 identified parcels of land that had the potential to be used have been investigated and highlighted some of the challenges that could be encountered if they were to be developed. Within this process, size, location, and potential development requirements such as vehicle access and road location were considered. Following this process sites were discounted for various reasons and further investigations carried out on those deemed suitable. Details of the locations, assessments, and reasons for not progressing can be found in Appendix 1.
- 2.5 The general view with regards to the development of any new burial provision within Redditch Borough is that there is an opportunity to change from the more traditional Victorian style cemetery to a newer, modern version that can enhance its surroundings rather than impact on them. Cemetery design has moved very little in the last one hundred and sixty years and is generally one of two basic designs, both of which can be seen in our Plymouth Road site that was developed in the mid to late 1800's. Since then, our understanding of the grief process and wider climatic impact of our actions have changed but the development of cemeteries has remained the same.
- 2.6 As a general principle, officers believe that attending any new cemetery within Redditch in years to come should provide comfort to the bereaved and allow individuality in mourning loss. Ecology and climate-impact will be the cornerstones of all decisions taken in terms of design, layout and burial options provided.
- 2.7 Sympathetic designs e.g., not to place boundary fencing and to use any existing mature hedgerows, will leave existing wildlife access unchanged. As any development is expected to be phased, additional

planting of hedgerows and other boundary type foliage could be used to further enhance any site. Obvious requirements such as access and carparking can be designed to minimise the impact on the ecology of the site and may not be traditional tarmac roads but recycled matting that allows some paths and roads to be both structurally and aesthetically suitable.

- 2.8 With appropriate designs it is possible to ensure protected species such as Great Crested Newts are not only protected but enhanced. Any designs for a site will be expected to enhance the ecology in the long term not just protect it. Examples of this approach could be to take existing features such as ponds & hedgerows that are in decline and enhance them to encourage species to thrive. Current providers of sites that have ecology at the heart of their development already exist such as Westall Park Natural Burial Ground (Holberrow Green, B96 6JY) and the Greenacres Group.
- 2.9 The development of any new site can be done to ensure that in the long term, local ecology is enhanced. The opportunity exists to develop a plan leading to the area seeing a net benefit to the local ecology. Cemetery sites remain excellent areas for the development of natural habitat and with the correct use of items like wildlife corridors, wildflower sections and other measures the overall position can be enhanced. Also, the appropriate protection of the trees and a comprehensive plan to develop a planting scheme will further help to meet our climate change objectives.
- 2.10 Types of grave space and memorial options are at the centre of how we mourn the loss of a loved one and any new cemetery provision for Redditch would need to recognise this. However, this doesn't need to be the more traditional granite headstone laid out in formal rows. Using innovative design of the site and more environmentally sustainable memorial options such as locally sourced stone or wood etc laid in a fashion that limits the visual as well as ecological impact is intended. Any new cemetery would be more of a Memorial Park than a traditional Victorian style cemetery that we see in existence within the borough.
- 2.11 A management plan could be completed to set the direction, style, and expectations for grounds maintenance on any site. As an example, this plan may include how maintenance is conducted between graves to enhance a more rural, wildflower style boundary to each section. It may also detail how headstones are sited and what type of materials they can be made from.
- 2.12 Newer burial options that are starting to emerge which include options to have remains buried and marked with a living memorial such as a

tree or other suitable planting scheme is intended to be considered so that as different options are developed and the science of burial changes over the coming years the council will be able to react accordingly.

**3. Potential New Burial Options**

**Provide no new provision for full burial or cremated remains burials within the Borough** (Location Plan 1)

- 3.1 Its important to note there is no statutory obligation to provide burial provision and as such a local authority can cease offering new full and cremated remains graves. This doesn't affect the use of existing graves in current cemeteries but will stop any new graves being used.
- 3.2 This option is the possibly simplest but risks creating a two-tier bereavement system where those who have pre-purchased a plot have already suffered a loss, can use an existing grave within the Borough but those that are suffering bereavement potentially for the first time are only offered out of the Borough solutions which may not support a healthy grieving process.
- 3.3 By the Authority not developing any new burial provision for residents of the Borough this might lead to a private provider offering to fill the gap. This could lead to a provider needing to acquire land, develop and ultimately generate a return for investors that could lead to high prices paid by bereaved residents.
- 3.4 It is important to recognise that there could be an emotional impact by following this option as people may have to travel outside the Borough to access new burial provision which may add stress in what is already a difficult time.
- 3.5 Based on current burial trends deciding to not provide new provision would impact in the region of 100 families each year. 60% of these families would need a full burial and 40% burial of cremated remains. The emotional impact on residents at an already very vulnerable time leaves the Authority with a moral obligation to ensure that all residents have an equal opportunity to access Bereavement Services regardless of whether this is a first or subsequent loss. Also new grave purchases account for 60% of all burials conducted within the cemeteries currently.
- 3.6 The nearest provision that residents could access are Westall Park Natural Burial Ground (Holberrow Green, B96 6JY Wychavon) or

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Bromsgrove North Cemetery (Catshill, B61 0LU Bromsgrove) both of which have limited sustainable transport solutions. Public transport links, options to cycle or walk are very limited and this means that residents without private transport would be disadvantaged. If residents were to need to use either of these options, it is going to put higher numbers of both funeral and private mourners' traffic onto the local networks which would need to travel outside of our Borough.

3.7 As mentioned above the issues caused by transport connectivity would be in direct conflict with Borough of Redditch Local Plan number 4 Policy 45 with regards to the potential burial facilities within the Borough.

3.8 There is potential for limited savings against expenditure such as less fuel for machinery but the main costs such as salary & basic grounds maintenance will remain as the existing sites remain operational and need to be maintained.

3.8 Costs v Time to Implement

		Notes
Preliminary Costs	Nil	Circa 100 families disadvantaged per year due lack of provision which accounts for 60% of service users annually
Development Costs	Nil	Potential limited savings on operational costs such as fuel but main costs remain constant
Time to Implement	Immediate	

**Reuse Plymouth Road Cemetery** (Location Plan 2 & Background paper 1)

3.9 The potential reuse of any cemetery currently requires an act of Parliament due to the existing burial & cemetery law in force at the time of writing this report. Three things are required to make reuse lawful

The power to extinguish rights of burial

The power to disturb human remains

The power to move memorials

- 3.10 A recent example of a burial authority that has successfully followed this process is New Southgate Cemetery which has been allowed to reuse grave spaces due to religious needs.
- 3.11 If approved by Parliament the site at Plymouth Road could provide 10 years provision as it is likely that only graves over 75 years old could be considered. It is also the fact that the large part of Plymouth Road Cemetery is consecrated and therefore would require a Bishops Faculty to exhume remains within these graves which we believe may be difficult to acquire.
- 3.12 At least six months' notice of the proposal to extinguish burial rights must be given by the burial authority concerned. If the registered owner objects to the proposal within that period, the right of burial may not be extinguished. If any other person objects, the right may only be extinguished by consent of the Secretary of State. This can add a further layer of difficulty as objections by residents or historians could lead to further delays.
- 3.13 Compensation may have to be considered where the rights of burial were owned in perpetuity, and this would have to be agreed prior to the commencement of any works. Also, the moving of memorials would need to be considered and would form part of the legal instrument put before parliament.
- 3.14 Timescales (as indicated in appendix 2) to gain Parliamentary approval can be a minimum of two years. Following this a period of at least 12 months would be required to conduct the formal extinguishing of burial rights followed by a further 18 months of ground works to begin to prepare the graves for reuse. This means that the soonest this option might provide new burial options for the Borough is 5 years.
- 3.15 The reuse of Plymouth Road would fit with the Borough of Redditch Local Plan number 4 Policy 45 with regards to sustainable transport due to its location in relation to public transport cycle & walking routes and general tranquillity but not size of provision.
- 3.16 Whilst protection would be provided for Commonwealth War Graves and those of other historical significance there could still be a general view of the public that it is not morally acceptable to reuse the site as this would require the graves to be emptied, the contents removed and stored then reburied below the base of the existing grave before reuse is possible.
- 3.17 Costs v Time to Implement

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		Notes
Preliminary Costs	£70,000	For private bill only
Development Costs	£389,400 To create 5 years provision	600 graves to be worked at a per grave cost of £649.00
Time to Implement	Minimum 5 years	Circa 100 families disadvantaged per year due lack of provision which accounts for 60% of service users annually

**Land off Ipsley Church Lane** (Location Plan 3)

- 3.18 The site, which measures 4.60 hectares in size is located to the south of Ipsley Church Lane and to the west of the B4497, Icknield Street Drive. The Ipsley Church Lane junction with the B4497 lies to the north-east corner of the site. The site itself comprises of largely open grassland with mature trees and hedgerows to its perimeter. Ground levels fall away across the site in a north to south direction.
- 3.19 Following desktop assessments that proved Brooklands Lane was not suitable to continue as a potential new cemetery the land off Ipsley Church Lane was considered and further testing was carried out to monitor ground water.
- 3.20 With successful completion of the appropriate testing in line with Environment Agency guidelines, a planning application was made to test the principle of a cemetery on the land in question. Planning for the entrance and wider change of use was approved on 13<sup>th</sup> October 2021. A further application for the 'reserved matters' detailing the engineering, landscaping and lay out will be required in due course.
- 3.21 Significant planning conditions were placed on the approval and will need to be satisfied before any works can commence to construct the entrance to the site. A budget of £70,000 would be required to ensure that these conditions are met and to allow the formulation of a full planning application referred to above
- 3.22 It is important to note that due to the size of the site, a phased development approach is favoured which would manage the expenditure whilst also allowing burial provision to be available sooner. Because of this phased approach, it is envisaged that at any given point in time there will be more of the site unused than in use. This is likely to be the case for several years into the future. Initial works in phase one could also include ecologic enhancements to the as-yet

unused parts of the site and may include items like the dilapidated ponds, unmanaged hedgerows, and potential planting schemes.

3.23 The land off Ipsley Church Lane is fully compliant with the Borough of Redditch Local Plan number 4 Policy 45 and has better sustainable transport connectivity than the existing provision at Abbey Cemetery.

3.24 Costs v Time to Implement

		Notes
Preliminary Costs	£70,000	To create satisfy planning conditions and commence entrance works. Also, to support designs of site layout to make full planning application
Development Costs	£250,000	Phase 1 to be used to develop a small parcel of land for immediate use and infrastructure to access the site, park, and environmental enhancements.
Time to Implement	2 years	Circa 100 families disadvantaged per year due lack of provision which accounts for 60% of service users annually

**Bordesley Abbey / Abbey Cemetery Extension** (Location Plan 4)

3.25 A plan, submitted by a retired town planner and local resident, proposed utilising several parcels of land surrounding the existing Abbey Cemetery, Bordesley Lane. The main part is the adjoining field to the east, with two further sites to the west and northwest that, have has been suggested have the potential to provide provision for an estimated total of 25 years.

3.26 To date there has been no additional testing carried out on any of the proposed sites within this option. The cost of conducting tier one and tier two Environmental Ground water testing was considered prohibitive and as each individual parcel of land was only able to provide a short-term solution.



- 3.27 There is a further complication in the fact that the site to the east of the existing Abbey Cemetery forms part of a scheduled ancient monument. Whilst this doesn't automatically rule out the possibility to use the area, it does add a level of complexity by the need for approval.
- 3.28 It is envisaged that progressing this option would require three different sets of ground water testing, three different ecology assessments as well as three applications for planning permission / approval, at appropriate times to create a 25-year provision for the Borough and we would anticipate that the costs involved would render this financially unviable.
- 3.29 The Bordesley Abbey / Abbey Cemetery option would not fit with the Borough of Redditch Local Plan number 4 Policy 45 with regards to sustainable transport due to the existing facilities not having public transport connectivity.
- 3.30 Costs v Time to Implement

		Comments
Preliminary Costs	£90,000	For groundwater testing, ecology, and planning requirements on three sites
Development Costs	£350,000	Includes an additional £100,000 for archaeological provision but this is likely to be higher
Time to Implement	5 years	Circa 100 families disadvantaged per year due lack of provision which accounts for 60% of service users annually

**4. Summary of Options**

- 4.1 Comparison table located on next page provides a summary of information contained earlier in this report

**REDDITCH BOROUGH COUNCIL**

**Executive Committee  
2021**

15<sup>th</sup> December

	Preliminary Cost	Development Cost	Time to Implement	Compliance with Local Plan Policy 45	Outstanding items	Risks
No New Provision of Burials	£0	£0	Immediate	No	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>Two tier bereavement system</li> <li>Disproportionally affect the most vulnerable</li> <li>Lack of support for a healthy bereavement journey</li> <li>Making people use private facilities which cost more</li> <li>Travel greater distances by private transport not supporting the sustainable transport model</li> </ul>
Reuse Plymouth Road	£70,000	£389,400	5 years	Yes	<ul style="list-style-type: none"> <li>Private Bill Application</li> <li>Faculty from Diocese of Worcester</li> <li>Planning application if designs changes are required</li> </ul>	<ul style="list-style-type: none"> <li>Time to implementation</li> <li>Unsuccessful Private Bill</li> <li>Unsuccessful Faculty application</li> <li>Public / family objections which can delay or even stop the process in law</li> <li>Requirement to consider compensation to grave owners</li> </ul>
Land off Ipsley Church Lane	£70,000	£250,000	2 years	Yes	<ul style="list-style-type: none"> <li>Comply with planning conditions</li> <li>Develop full site designs and make full planning application</li> <li>Subject to approval construct phase one development</li> </ul>	<ul style="list-style-type: none"> <li>Not gaining planning consent to develop phase one proposal</li> <li>Public objections to the type and style of development in favour of a more traditional approach</li> </ul>
Bordesley Abbey / Abbey Cemetery Extension	£90,000	£350,000	5 years	No	<ul style="list-style-type: none"> <li>Application for Scheduled Monument Consent</li> </ul>	<ul style="list-style-type: none"> <li>Public objections to the disturbance of the historical site</li> </ul>

					<ul style="list-style-type: none"> <li>• Groundwater &amp; ecology assessments to carried out</li> <li>• Outline planning applications for each site</li> <li>• Full development plans for each site</li> <li>• Assessment of viability with reference to the archaeological deposits</li> </ul>	<ul style="list-style-type: none"> <li>• Not gaining Scheduled monument consent</li> <li>• Costs of archaeological mitigation are expected to be prohibitive</li> <li>• Not gaining planning consent due to being out of line with local plan policy 45</li> </ul>
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4.2 With reference to the above data, the Land off Ipsley Church Lane is the most viable for future development based on initial and ongoing developmental costs as well as time to implementation if the authority wishes to continue to offer new burial provision within the Borough.

4.3 Next steps to progress Ipsley Church Lane would be to engage a consultant to ensure that we satisfy the existing planning conditions applied on the change of use application and following this to begin construction of the entrance as previously agreed. At the same time, we will finalise the interior design plans such as carparking, pathways and other infrastructure items and submit these to planning for approval.

**5. FINANCIAL IMPLICATIONS**

5.1 To **Provide no new provision for full burial or cremated remains burials within the Borough** there are no significant savings as staffing levels and resources remain in place to provide maintenance and existing services.

5.2 To **Reuse Plymouth Road Cemetery** costs to gain Parliamentary approval and prepare the initial set of graves estimated at £459,400. Further cost may be incurred during the process by way of compensation and other factors in the parliamentary process.

5.3 To use the **Land off Ipsley Church Lane** costs to create designs, gain full planning consent for the interior of the site and to construct the entrance are estimated at £320,000.

5.4 To create the **Bordesley Abbey / Abbey Cemetery Extension** costs to assess the viability of land use to include ground water testing, ecology etc estimated at £440,000. Additional costs for archaeological

mitigation expected to be significant and not included in the above figure.

- 5.5 Any period during which new burial provision is not available creates a loss of income and it is recognised that this may impact on the service's ability to reinvest into its future provision. Consequently, the funds for reinvestment may have to be found from elsewhere within the authority's budgets.

## **6. LEGAL IMPLICATIONS**

- 6.1 The main governing instruments for local authority cemeteries are currently Section 214 and Schedule 26 of the Local Government Act 1972 and the Local Authorities Cemeteries Order Act 1977 (as amended)
- 6.2 As stated above at 3.1 there is no statutory obligation on the local authority to make provision for burials so a local authority can cease offering new full and cremated remains graves although this would not affect the use of existing graves in current cemeteries in the Borough.

## **7. STRATEGIC PURPOSES – IMPLICATIONS**

### **Relevant Strategic Purpose**

- 7.1 **Living independent, active & healthy lives.** The grieving process and having an authority that provides effective and efficient bereavement services helps support the wider physical and mental wellbeing of the local population.
- 7.2 **Communities which are safe, well maintained & green.** As above the standards to which the authority provides maintenance to any cemetery provision has a direct effect on the grieving cycle of the local population. Quality green spaces providing burial and scattering options along with memorialisation promote a healthy grieving process.

### **Climate Change Implications**

- 7.3 The Council's commitment to the reduction of climate change can form an integral part of the design of any new burial facilities. The overall climatic impact of funerals from number of journeys made in relation to funerals and cemetery visits, sustainable transport solutions and choices about types and style of burial and memorialisation are at times constrained by our existing infrastructure and limited capacity to

do things differently. The development of any new provision can have the issue of climate change at the heart of any decision made.

- 7.4 As a basic principle of any development of new burial facilities within Redditch Borough is to ensure carbon neutrality. The aspiration of any development is to create a climatic net gain from the site. This may require different thoughts on burial techniques and types of infrastructure as previously mentioned. As an authority Redditch has already completed an industry leading heat recovery system over 10 years ago at the crematorium and any new facility could push the environmental boundaries once again.
- 7.5 Overall ecological and biodiversity gains as well as different burial options should see a cemetery enhancing its surroundings and ultimately being good for the environment in the long term.

**8. OTHER IMPLICATIONS**

**Equalities and Diversity Implications**

- 8.1 A lack of cemetery provision within the Borough could lead to additional hardship for local families such as increased travel costs attending a site outside the Borough. This could further be difficult for the more vulnerable members of the Borough for whom traveling must be by specialist arrangement.
- 8.2 A potential lack of cemetery provision could also lead to longer term health and social issues as families may struggle to grieve in the traditional way at a grave side.

**8. RISK MANAGEMENT**

- 8.1 The authority may be at reputational risk if a new cemetery site is not provided as this could lead to the private sector opening a facility (subject to the standard planning approval process). This might lead to higher fees and charges being charged than would otherwise been the case if the authority had provided the service.
- 8.2 The authority may at financial risk should a competing facility be opened within the Borough by the private sector. If this was to happen then the income levels projected above may not be met in the timescales listed.

**9. APPENDICES and BACKGROUND PAPERS**

- 9.1 Appendix 1 – Site Assessments Summary
- 9.2 Location Plan 1 – Westall Park Natural Burial Ground,  
Holberrow Green, B96 6JY & Bromsgrove North Cemetery,  
Catshill, B61 0LU Bromsgrove
- 9.3 Location Plan 2 – Plymouth Road, B9X XXX
- 9.4 Location Plan 3 – Land off Ipsley Church Lane, BXX XXX
- 9.5 Location Plan 4 – Abbey Cemetery Extension, B97 6RR
- 9.6 Background Paper 1 on Plymouth Road Private Bill

**Executive Committee**  
**2021**

15<sup>th</sup> December

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**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder		
Lead Director / Head of Service		
Financial Services		
Legal Services		
Policy Team (if equalities implications apply)		
Climate Change Officer (if climate change implications apply)		