

**Report as submitted to the Environment Committee - 14 September 1999****A BURIAL SERVICE FOR MILTON KEYNES**

Accountable Officer: Geoff Beck (Head of Regulatory Services)

Author: Phil Winsor (Chief Environmental Health Officer) MK 252405

**1. Purpose**

- 1.1 To advise the Committee of the current situation in respect of providing a satisfactory burial service to the community of Milton Keynes.

**2. Summary**

- 2.1 The Council faces an acute shortage of burial capacity within its own boundaries during the next 2-3 years. It is important that a policy on cemeteries/burial is decided upon, in order that a detailed strategy can be developed for future demographic changes.

**3. Recommendations**

- 3.1 That the Council ensures that there are sufficient facilities available to provide an adequate number of burial spaces within the Council's boundaries.
- 3.2 That Officers continue to:
- (a) pursue the existing opportunities to extend cemeteries where practicable;
  - (b) identify essential expenditure to be recommended for approval within the Capital Programme to provide additional facilities,.
  - (c) discuss potential burial sites with English Partnerships.
- 3.3 That the Property Sub-Committee be requested to ensure that relevant areas of the Council's Estates Portfolio be set aside for cemetery/burial use.
- 3.4 That the plans to develop a "green burial site" in woodland at Crownhill Cemetery be endorsed.

#### 4. **Background**

- 4.1 Burial of the dead was primarily a matter for the Church until the 19<sup>th</sup> Century when many parish churchyards became full. Historic burial Acts empowered Local Authorities to provide cemeteries. However, once provided, Local Authorities have a duty to adequately maintain them. Churchyard burials still occur as parishioners have a common law right to be buried there providing there is space available. These burials are regulated by various ecclesiastical measures.
- 4.2 Milton Keynes Council is a Burial Authority under the Local Government Act 1972.
- 4.3 Private companies may provide cemeteries, although this is relatively uncommon.
- 4.4 Nationally, there has been a decline in the number of burials as cremation has increased in popularity. This has also arisen as a matter of necessity, as cemeteries become full, particularly in London and other urban areas, where land is unavailable for new cemeteries. Several London Boroughs own, and operate cemeteries outside the confines of their administrative boundaries as a result. Due to the shortage of burial space in urban areas the Home Office is considering the possibility of allowing the re-use of certain graves.
- 4.5 Milton Keynes has a unique population age profile with the demand for burials being approximately 220 per year. However it is anticipated that this will increase as the population ages, despite a year on year rise in the number of cremations. There is a strong demand by certain groups who require burial as opposed to cremation for religious reasons, including Muslims, some Roman Catholics, Jews and Buddhists.
- 4.6 Milton Keynes Council owns nine cemeteries, four of which are full:- Ousebank - Newport Pagnell, Calverton Road - Stony Stratford, Manor Road - Fenny Stratford and Whalley Drive - Bletchley. There are now no cemeteries (church or public) in Bletchley or on the East flank of the City. This fact is not widely known, and causes considerable disappointment to relatives at a time of loss. With the closure of the Whalley Drive Cemetery in 1997, burials from the Bletchley area were moved to the Crownhill Cemetery, however this is now being filled rapidly. Due to the need to reserve land for cremation ashes it is proposed to close this Cemetery for burials in December 1999. The following cemeteries - London Road - Stony Stratford, Newport Road - New Bradwell, Tickford Street - Newport Pagnell and Woburn Avenue - Wolverton have vacant burial space. Together they have a capacity for approximately 2.5 years at the current rate of usage.
- 4.7 Provision for future expansion has been made at New Bradwell and Wolverton, but both may be threatened by potential alternative development proposals/geological problems. This is of serious concern as both areas were to provide the main expansion for future cemetery provision for Milton Keynes.
- 4.8 Visitors to cemeteries are predominately elderly, and prefer the cemeteries to be close to their home and accessible. There is therefore a demand for burial land in the older areas of Milton Keynes, which corresponds to the age profile of those communities.

- 4.9 There is a demand from ethnic and religious groups for available space in cemeteries in Wolverton (Muslim) and Bletchley (Muslim, Jewish and Italian Catholic).
- 4.10 There is capacity in local village church yards for burials, but strict rules apply, and there is less choice of memorialisation than in Council cemeteries.
- 4.11 Olney Town Council provides a cemetery and a private company has recently submitted a planning application for a “green burial” site on the outskirts of Olney - Yardley Road. None of new churches in the designated area of Milton Keynes have a cemetery, and no provision for future cemetery provision was made by Milton Keynes Development Corporation with the exception of Crownhill.
- 4.12 The Forward Planning Team are currently addressing the issue of burial and memorial grounds as part of the Community Facilities Chapter of the Milton Keynes Local Plan. Their current views will be presented to the Local Plan Sub-Committee on the 9 September 1999. At present, they consider that future sites must be physically close to a settlement, take account of Transport Policy Objectives, and must not jeopardise the value/setting of highly valued landscapes. Current planning guidelines do not have any criteria in respect of the provision of burial/memorial grounds and the Forward Planning Team would seek advice from the Environmental Health Division on the size of land plots necessary for future provision. It is considered that suitable sites can be identified in the relevant areas of Milton Keynes.

## 5. **Issues and Choices**

- 5.1 Whilst there is a continuing demand for traditional cemeteries there is also a developing demand for less formal more natural burial sites including woodland burial, green burials and memorial parkland which in the context of Milton Keynes could be considered an attractive way forward.
- 5.2 With the expansion of Milton Keynes consideration needs to be given to provision for cemeteries in each quadrant of the City.
- 5.3 The following choices are available to the Council:

- (a) Make no further provision for burials within Milton Keynes. Although the Council would still have to provide for certain burials in very limited circumstances, these could be made by using cemeteries outside the Council’s area. Once all the existing cemeteries are full then the Council will have a continuing responsibility for maintenance but have no income from new burials or memorials to off-set against this.

This course of action may also see a rise in “back garden” burials. Up to 2 burials do not require planning permission, but these may give rise to other problems.

Considering the considerable correspondence generated by the closure of Whalley Drive cemetery, there is also likely to be some resistance to this course of action.

- (b) Re-use of existing old graves. The Home Office is considering this option for graves over 100 years old with no living relatives. The impact of this proposal if implemented on Milton Keynes would be very small as we have a limited number of graves pre-1899 and poor records from the period.
- (c) Continue to pursue the expansion of New Bradwell and Wolverton cemeteries. Where other developments impinge on the land set aside for cemetery use, this should only be permitted if land exchanges can be agreed with the developers to ensure cemetery provision is maintained in a suitable location.
- (d) Continue to pursue the provision of a new cemetery in Sherwood Drive, Bletchley, as a matter of urgency.
- (e) Continue dialogue with English Partnerships to source suitable areas of vacant land on the East/West flanks. Unless land exchanges can be agreed, there will be substantial capital costs involved as current “greenfield” sites are primarily already designated for alternative uses.
- (f) The Council Estates Portfolio contains areas of land which could be allocated for cemetery or burial use.
- (g) Plans are currently being drawn up to convert a small area of the ground at the Crematorium into a nature reserve/green burial site as an example of the new approach to burial provision.

## 6. **Implications**

### 6.1 Environmental

New or extended existing cemeteries will need to be designed, managed, and maintained in a manner sensitive to its locality.

### 6.2 Equalities

It is important that all ethnic and cultural groups who request burial spaces be accommodated as far as is reasonably practicable. Alternatively these groups may make their own alternative arrangements which will affect future income.

### 6.3 Financial

A bid has been made to include the proposed new cemetery at Sherwood Drive, Bletchley in the 2000/1 capital programme (£48,500) but approval has not yet been forthcoming. The extension of Wolverton cemetery will not involve the Council in land costs although there will be substantial infrastructure expenditure which to date is uncoded.

The proposed extension to New Bradwell cemetery at Stonepit Linear Park, may have substantial geological problems, which may reduce its potential for deep burial use.

#### 6.4 Legal

Milton Keynes Council is in law a Burial Authority, and under the Local Government Act 1972 - Section 214 (2) may provide and maintain cemeteries whether in or outside their own area.

The Public Health (Control of Diseases) Act 1984 Sections 43-48 requires public authorities such as Milton Keynes Council to deal with the deceased in the interest of public health.

A Burial Authority may contribute towards the cost of providing and maintaining a cemetery in which residents of the Borough of Milton Keynes are buried ie. making a financial contribution to a privately operated facility.

#### 6.5 Staff and Accommodation

None.

### 7. **Conclusions**

- 7.1 The Council is faced with a number of choices in deciding whether or not to continue providing burial spaces, and if so, the level of burial space provision in Milton Keynes both in the long and short term. Unfortunately, this issue has not been adequately dealt with during the development of Milton Keynes and there is an urgency to ensure that the Council's legal responsibilities are met.

Background Papers: None