

Meeting	Cabinet
Date	24 September 2013
<b>Subject</b>	<b>Reference from Council – Hendon Cemetery and Crematorium</b>
Report of Summary	Cabinet Member for Housing <p>The Council on 16 July 2013 received a Non-Executive Business Item in the name of Councillor Brian Coleman on Hendon Cemetery and Crematorium. The Business Item noted that the proposed DRS contract includes the management of the Hendon Cemetery and Crematorium being transferred to Capita and called on the Cabinet to undertake a separate marketing exercise for the Crematorium and to retain the Cemetery under Council control. This motion was subsequently followed by an amendment in the name of Councillor Tom Davey. This report outlines the current position and seeks Cabinet's decision on whether any action is required.</p>
Officer Contributors	Pam Wharfe, Director for Place Kirstin Lambert, Team Leader Business Governance
Status (public or exempt)	Public
Wards Affected	All
Key Decision	No
Reason for urgency / exemption from call-in	Not applicable
Function of	Executive
Enclosures	Appendix A – Copy of full text of the original motion Appendix B – Copy of amendment to the motion
Contact for Further Information:	Rick Mason AD ( <a href="mailto:rick.mason@barnet.gov.uk">rick.mason@barnet.gov.uk</a> )

## **1. RECOMMENDATIONS**

- 1.1 That Cabinet notes it has been referred from Council a motion in the name of Councillor Brian Coleman (see Appendix A) and subsequent amendment in the name of Councillor Tom Davey (see Appendix B).**
- 1.2 That Cabinet notes the provisions contained in the contract for Development and Regulatory Services with Capita Symonds Ltd and the monitoring of that contract and therefore concludes that no further action is required.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 Council, 16 July 2013, Decision Item 13, Non-Executive Business Item in the name of Councillor Brian Coleman. In accordance with Council Procedure Rule 23.5 the Non-Executive Business item in the name of Councillor Brian Coleman and the amendment in the name of Councillor Tom Davey were referred directly to Cabinet for consideration and any necessary action.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 The management of the Hendon Cemetery and Crematorium contributes to the following strategic priority, as set out in the Council's Corporate Plan 2013-14:
  - Improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and studyThis will be done by ensuring that the facilities are of a good quality and that that quality is sustained into the future.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 If the Hendon Cemetery and Crematorium building and site is not properly maintained this would lead to dissatisfaction amongst residents and those external to the borough who use the premises. This in turn would lead to reputational damage to the council as well as a likely loss of income to the service and a further deterioration of the site.
- 4.2 The inclusion of the service in the DRS contract with Capita Symonds provides for significant investment and improvement to the cemetery and crematorium thus mitigating that risk. A contract management team will manage the contractual relationship with Capita Symonds ensuring that investment commitments are honoured and performance targets are met further mitigating the risk of deterioration of either the buildings or the service.

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 Pursuant to section 149 of the Equality Act, 2010, the Council has a public sector to have due regard to eliminating unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advancing equality of opportunity between those with a protected characteristic and those without; promoting good relations between those with a protected characteristic and those without. The, relevant, 'protected characteristics' are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also covers marriage and civil partnership with regard to elimination discrimination.
- 5.2 Hendon Cemetery and Crematorium is of great significance to residents across the borough of all demographics who have friends or relatives buried or cremated on site. This includes those with protected characteristics for example a part of the site is leased to the Greek Orthodox Church.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 The Council has been aware for some time that considerable investment has been required in the Hendon Cemetery and Crematorium estate – particularly in the gatehouse and in the cremators.
- 6.2 The Council itself has undertaken the replacement of the two cremators as they were coming to the end of their use and did not meet government mercury abatement standards.
- 6.3 The further improvement and development of the site and buildings has formed part of the contract with Capita Symonds Ltd and will be achieved at nil cost to the Council.
- 6.4 The management of the Hendon Cemetery and Crematorium is part of the scope of the DRS contract which is due to go live on 1<sup>st</sup> October 2013. Should this service be removed from the DRS contract, this would require the contract to be re-negotiated which would in turn require the guaranteed financial benefits to be revised in light of this change.

## **7. LEGAL ISSUES**

- 7.1 There is no statutory duty on a local authority to provide burial facilities, but if it does so, the management is governed by the Local Authorities' Cemeteries Order 1977.

## **8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)**

- 8.1 Council's Constitution, Part 3, Responsibility for Executive Functions – Section 3.2 details the responsibilities of individual Cabinet Members. The Cabinet Member for Housing has responsibility for Hendon Cemetery and Crematorium.
- 8.2 Council's Constitution, Council Procedure Rules – rule 23.5 states that “If the Member's Business Item is not dealt with by the end of the meeting, it will be referred to the Cabinet or an appropriate Council Committee or sub-Committee for consideration and any necessary action.”

## **9. BACKGROUND INFORMATION**

- 9.1 The management of Hendon Cemetery and Crematorium has been in scope of the Development and Regulatory Service (DRS) project since the Business Case was considered and approved by Cabinet Resources Committee on 28<sup>th</sup> March 2011.
- 9.2 The Council signed the contract with Capita Symonds on the 5th August 2013 to provide development and regulatory services for the Council, and this is due to 'go live' on 1 October 2013. There are specific requirements in the contract to ensure the quality of the services provided. These are monitored by the following key performance indicators:
- Number of cremations in relation to regional competitors
  - Maintain Charter for the Bereaved status for Burial & Cremation services and improve charter score for both cremation and burial
  - Weekend and Public Holiday cremation availability
  - Time taken to process memorial permits
  - Meeting religious burial requests
- 9.3 The Council is setting up a contract monitoring unit to manage the contract going forward which will be in place for the start of the contract on 1<sup>st</sup> October 2013.

## **10. LIST OF BACKGROUND PAPERS**

10.1 Any person wishing to inspect relevant background papers should contact Mark Holmes DRS Partnership Manager.

<b>Cleared by Finance (Officer's initials)</b>	<b>JH</b>
<b>Cleared by Legal (Officer's initials)</b>	<b>LC</b>