



ADUR & WORTHING  
COUNCILS

Joint Strategic Committee  
5 March 2019  
Agenda Item 14

Key Decision Yes

Ward(s) Affected: N/A

## **Development of a Natural Burial Area**

### **Report by the Director for Communities**

#### **Executive Summary**

##### **1. Purpose**

- In order for Bereavement Services to continue to meet the religious and environmental wishes of its community and maintain its high quality offer to families throughout the local geographical area, it needs to diversify. This report proposes delivering this objective through offering a natural burial area adjacent to Worthing Crematorium, in the South Downs National Park.
- The report also seeks authority to enter into an exclusivity agreement with the landowner for the conditional contract sale of 10.32 hectares (25.52 acres) of agricultural land adjacent to Worthing Crematorium, with the ultimate aim to convert this to a natural burial area.
- The report also outlines the comprehensive due diligence that has taken place to date and the next steps that need to be satisfactorily completed before the land can be purchased at the agreed price.

##### **2. Recommendations:**

- 2.1** It is recommended that the Joint Strategic Committee:

- i) Approves the Council entering into an exclusivity agreement with the Seller to enable the Council to: carry out due diligence on the proposed purchase; investigate the particular planning and environmental issues arising from the proposed use; and prepare a conditional contract for sale with the landholder to purchase the land shown in Appendix 1 for the agreed price for development as a natural burial area subject to Worthing Borough Council obtaining:
  - Satisfactory environmental impact assessment results
  - Planning permission being granted from the South Downs National Park for change of use to a natural burial area
- ii) Agrees to release £100k from the Worthing Borough Council capacity issues reserve to carry out the due diligence, investigate planning issues and to fund the environmental studies ;
- iii) Notes that once the environmental studies have been concluded that a further report will be prepared outlining the next steps and seeking approval for a new capital scheme to be added to the capital programme to purchase and lay out the land as a natural burial site.

### **The proposal - Development of a Natural Burial Area**

- 3.1 Worthing Borough Council, supported by a dedicated Bereavement Services team, is keen to ensure that the Council is able to continue to provide a range of options for the families and friends of our local communities, that meet both the religious and environmental needs of our people and our places. As part of our ongoing evaluation of these services, we have identified that at present we do not offer a natural burial option.
- 3.2 There is a growing and sustained trend for members of the community to seek to inter their loved one into a more natural, and environmentally friendly, final resting place. This has led to a growing number of private and local authority natural burial areas being established across the country since the concept

was introduced into the UK as an option in Carlisle in 1993. The natural burial option, offers an alternative and is in addition to, the traditional lawn cemetery that local authorities have historically provided for burials.

3.3 Natural burial areas offered the bereaved the option of interring their loved one in either a woodland or wildflower meadow setting, both options are proposed to be included into the future Worthing Borough Council natural burial site.

#### **4.0 Natural burial - Grave types**

4.1 The proposal is that there will be three different interment options:

- **Woodland Grave** - a grave associated with an individual tree, although the tree will be adjacent as part of a woodland and not directly on the grave. Woodland graves are usually priced at a higher rate than meadow graves, due to the ongoing costs associated with tree maintenance.
- **Meadow Grave** - a grave designed to form part of an overall wildflower meadow. These will form the majority of graves available on the site.
- **Cremated Remains Grave** - Smaller graves designed for the burial of biodegradable caskets which will be provided for the above two categories.

4.2 By providing this mix of grave types, the Council will be able to create an site comprised of a woodland framework enclosing an open meadow. The land will be designated into woodland and meadow on a master plan and phased into use according to demand. This will enable productive farming to continue on the unused land until such time as it is needed for burial, which further reduces maintenance costs.

#### **5.0 The proposed location**

5.1 After establishing the potential for opening a natural burial area in Worthing, Officers explored the suitability of possible sites within Worthing and surrounding areas. This research led to the proposed parcel of land being identified as the most suitable as there is a strong marriage value given the parcel of land is directly adjacent to Worthing Crematorium (Appendix 1).

5.2 The land comprises 10.32 hectares of gently sloping arable farmland and is presently owned privately within a family trust. The southern perimeter of the land shares a boundary with Council owned land, on the approach to the Crematorium itself.

- 5.3 This offers a key advantage, in that the land could be utilised as a natural burial area with minimal set up costs, given that the Crematorium infrastructure consisting of the entrance drive, car parking, chapels, offices and toilets is already in place and could service any natural burials that take place.
- 5.4 Outside of planning considerations and /or environmental constraints, the land itself will require only signage, naturally surfaced pathways and for a grave layout to be established, prior to being made available for natural burials.
- 5.5 If the proposed natural burial area is developed, it is also assessed that it will prolong the operational life expectancy of Durrington Cemetery. This is due to the anticipation that a percentage of interments of Worthing residents that would have been interred at Durrington Cemetery, will instead be buried in the natural burial area, once this option is available.
- 5.6 Presently the nearest natural burial site is privately operated by the Southern Co-operative at Clayton, on the outskirts of Brighton, 11.5 miles away from the proposed location.
- 5.7 The location of Worthing Crematorium in the South Downs National Park (SDNP), is clearly a significant benefit and is likely to be seen as a positive consideration for those making choices about options. The provision of a natural burial area will add to the range of services that we are able to offer as a bereavement service, from this location.
- 5.8 A further advantage of the Findon site is its rural location, outside of Worthing. This means the service can operate in a wider, sphere, as other independent providers do and not a service exclusive to the residents and communities of Worthing. This has not been tested as a marketing advantage but it certainly mirrors practice in the rest of the industry, where providers will seek to appeal to a broad geography and demography.

## 6.0 **The Business Case**

- 6.1 Preliminary and more detailed discussions have been taking place with the landowner representative over a two year period, and concluded that there was real potential for the sale of the land being sold to the Council for a natural burial area, subject to a satisfactory price being agreed.
- 6.2 A Natural Burial Feasibility Study on this land was commissioned from the Institute of Cemetery and Crematorium Management (ICCM). Their feasibility

study reported that:

*“We consider this site ideal for use as a natural burial site. Its principal attributes include its attractive location, its level and easy access for the disabled, who form a high percentage of those attending funerals, and the fact that it is ideally placed to utilise the existing Crematorium infrastructure”.*

6.3 The ICCM feasibility study also concluded that the proposal offered the potential for a financial return on its investment for the Council, providing a regular income stream.

6.4 An internal business case completed by the Chief Financial Officer and Bereavement Services Manager also demonstrated that the proposal is a viable business proposition.

6.5 In agreement with the landowners representative, an independent land Valuation has been obtained to ensure that the proposed price per acre represents value to the Council. (Appendix 2), which provides the final piece of the business case, and ability to agree, in principle a price per acre , subject to member agreement, and satisfactory environmental impact assessments and planning consent being gained.

## 7.0 **Financial Analysis**

7.1 The financial analysis of the proposal are detailed in Appendix 2.

## 8.0 **Issues for consideration**

### 8.1 **Do nothing:**

8.2 Further to previous assessments, officers were unable to identify other sites suitable for development as a natural burial area within Worthing and the surrounding area and limited number of burial spaces within the primary market area. There would be a lost opportunity for the local community who use other similar facilities but with the inconvenience of extended travel times.

8.3 It may also create a risk of a competitor entering the natural burial market in the Adur and Worthing area.

### 8.4 **Look for an alternative location**

- 8.5 The proposed site has links to the main crematorium, which create significant administration and operational efficiencies. There are shared facilities at the crematorium (e.g chapel, car parks, toilets, offices).
- 8.6 An alternative site might be cheaper to purchase outright, but the overall scheme costs would be higher when taking into account the provision of driveway, car park, chapel etc.
- 8.7 More staff would potentially be required by the service, either on site depending on demand, or with the added requirement of travel to and from site for grounds operatives.

## **9. Engagement and Communication**

- The Institute of Cemeteries and Crematorium Management (ICCM) were engaged to provide an external feasibility study and advice on the concept and suitability of developing this particular location as a natural burial area.
- It is intended to consult with key stakeholders and the local community at appropriate stages of the project.

## **10. Financial Implications**

- 10.1 The initial environmental studies will cost £100k. If the studies reveal that the land is suitable for burial use, the the business case at Appendix 2 demonstrates that the proposed project is financially viable. However no budget currently exists for this project so funding will need to be released to enable the studies to progress.
- 10.2 There is a risk that the environmental studies will show that the site is unsuitable for burials and the costs will be abortive.

## **11. Legal Implications**

- 11.1 s1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation.
- 11.2 s1 Local Government (Contracts) Act 1997 confers power on the local authority to enter into a contract for the provision of making available assets or

services for the purposes of, or in connection with, the discharge of the function by the local authority.

- 11.3 Under the Public Contract Regulations 2015 where a Public Authority is to enter into a contract for the supply of goods & services, and the value of those goods and services exceeds a financial limit of £181,302 (or for works contracts £4,551,413 any procurement exercise to contract for those goods and services must be conducted in accordance with the Regulations and a failure to do so may be declared upon receipt of a procurement challenge, anti-competitive and in breach of the Regulations.
- 11.4 In addition to the Public Contract Regulations 2015 the Council must have regard to the procedures set out in its Contract Standing Orders found at Part 4 of the Constitution.
- 11.5 s3 of the Local Authorities' Cemeteries Order 1977 (as amended), enables the Council to do all such things as its consider necessary or desirable for the proper management, regulation and control of a cemetery.
- 11.6 s214 of the Local Government Act 1972 enables burial authorities to provide and maintain cemeteries (whether inside or outside its area).

### **Background Papers**

- [Appendix 1 - Map detailing proposed Natural Burial Area](#)
- Appendix 2 - Financial & Market Analysis (**Exempt**)

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## **Sustainability & Risk Assessment**

### **1. Economic**

- The proposal will contribute to the economic development of our places.

### **2. Social**

#### **2.1 Social Value**

- The proposed development of a natural burial area will provide a valuable resource for the local community, by providing choice to the bereaved in how the remains of their loved ones are laid to rest.
- The proposed area is located in a beautiful location at the edge of the South Downs National Park
- It provides burial provision to local people, which means if they want their loved ones laid to rest near to them, they are able to do this.

#### **2.2 Equality Issues**

- The gradual slope of the site will be taken into account when the area is laid out to address any accessibility issues identified.
- Demand for specific bereavement services related to burials from different equalities groups will be taken into account.

#### **2.3 Community Safety Issues (Section 17)**

- The councils have in place rules and regulations for all Adur & Worthing Cemeteries and Churchyards. This proposed new area will adopt these rules and regulations.
- It is an offence under the Local Authorities Cemeteries Order 1977 for the following actions:
  - Wilfully create any disturbance in a cemetery
  - Commit any nuisance in a cemetery
  - Wilfully interfere with any burial taking place in a cemetery
  - Wilfully interfere with any grave or vault, or any tombstone or other memorial, or any flowers or plants on any such matter; or
  - Play at any game or sport in a cemetery
- No person not being an officer or servant of the burial authority or another person so authorised by or on behalf of the burial authority shall enter or remain in a cemetery at any hour when it is closed to the public
- Any person contravening any of the above offences shall be liable on summary conviction or a fine not exceeding £100 and in the case of a continuing offence to a fine not exceeding £10 for each day during which the offence continues after conviction thereof.

#### **2.4 Human Rights Issues**

- Matter considered and no issues identified.



### **3. Environmental**

- Environmental impact assessments will be carried out to inform whether the area of land proposed is suitable for conversion into a natural burial area.

### **4. Governance**

- Contributes to our two of the five Platforms for our Places 2 and 3.
- Our social Economies - Working with and enabling our communities to take innovative action, while still providing a safety net for individuals when required.
- Stewarding our Natural Resources - Managing our natural resources and developing a shared sense of custodianship of our unique environment

# Appendix 1

