

CEMETERY ASSET – ANNUAL REPORT

1.0 EXECUTIVE SUMMARY

- 1.1 This report provides an annual update on the current Argyll and Bute “active” cemetery estate - number of lairs available for sale and operational timescales within the Cemetery Development programme.
- 1.2 It should be noted that the rate of sale of lairs, equivalent to the uptake of land, differs from the annual rate of interments (coffin burials) as generally individual lairs are able to accept 2 or 3 interments.
- 1.3 There are currently 9,506 lairs available for sale throughout the cemetery inventory, sufficient to sustain the burial service overall, for the next 30 years. However, the number of lairs available varies from over 1,000 in larger cemeteries to 10 or less depending on the location. These figures are used to prioritise the cemetery development programme of existing extensions or new sites.
- 1.4 The timescales from planning a new or extension to a cemetery to operational availability vary depending on the complexity of each project. Whilst each site varies, they generally include SEPA ground water management requirements, which have become far more stringent over the last decade, local consultations with landowners and the planning approval process, all of which contribute to the length of time taken to deliver a new cemetery. For this reason, the current priority list highlights development needs in 0-5yrs, 5-10yrs or 10-20yrs. Four sites remain on the 0-5yr programme list, for immediate development, which received funding as part of the budget agreed in February 2023.
- 1.5 Cost is also a factor which needs to be considered when planning new or extended cemetery areas, the previous EDI report for March 2023 highlighted that dependent on location the cost for developing and purchase of a cemetery site varies greatly. Appin Cemetery was built in 2021 at a cost of £45k + a £20k contribution donated by a local benefactor towards purchase of the ground, with 90 additional lairs which equates to £720 per lair. This can be compared to the costs of Tobermory expansion which cost £800k for an additional 210 lairs which equates to £3809 per lair due to the requirement to import materials to allow sufficient depth to provide a 3 interment lair capacity. This must be planned very carefully and in particular with ground conditions to ensure that the cost of future developments can be justified.

- 1.6 To date the service have been successful in achieving the following:
- 10-30 extra lairs in Kilmun and Strachur cemeteries
 - 70 lairs in Carrick cemetery
 - assessment of up to 2000 lairs in the current Pennyfuir cemetery active section.
 - new cemetery at Appin 2022 with 90 lairs
 - extension to Tobermory cemetery 2023 also brought a further 210 lairs into the cemetery estate
 - further work has been carried out extending the estate
- 1.7 The report also provides confirmation of the current list of cemeteries subject to restrictions on the pre-sale of lairs – further to March and June EDI reports – to preserve the service at local levels, as far as is practicable. At the time of writing, currently 14 locations, approaching 1/3 of the active cemetery estate, are subject to a restriction on the sale of lairs, due to limited remaining space.
- 1.8 At the March 2023 EDI Committee a Cemetery Rule change was agreed:

‘Remaining lair space in any operational cemetery will be considered critical, when the current rate of unrestricted lair sales indicates less than 10 Years until all lairs are sold. In such cases sale of lairs will be restricted to “at point of requirement” for a first interment. There will be no resumption of “pre-purchase” of lairs, until such time, as additional lair space has been developed and made available.’

It should be noted that Appendix 1 has the current Cemetery years remaining, which have been adjusted due to the Cemeteries which have reached the less than 10 years capacity, and now have No Pre-Sale of Lairs as per the March EDI Committee agreement.

RECOMMENDATION

The Environment, Development and Infrastructure Committee are asked to note and consider this report.

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2.0 INTRODUCTION

- 2.1 This report provides an annual update on the current Argyll and Bute “active” cemetery estate - number of lairs available for sale and operational timescales within the Cemetery Development programme.
- 2.2 The comments against the individual sites have been updated where progress has been made on the development of extensions or new sites and where additional lair space has been developed in any existing facility. Updates are also given where investigations or consultations may have changed the likelihood of any planned development gaining SEPA / Planning Authority approval.
- 2.3 The report also provides confirmation of the current list of cemeteries subject to restrictions on the pre-sale of lairs – further to March and June EDI reports – to preserve the service at local levels, as far as is practicable. At the time of writing, currently 14 locations, approaching 1/3 of the active cemetery estate, are subject to a restriction on the sale of lairs, due to limited remaining space.

3.0 RECOMMENDATION

- 3.1 The Environment, Development and Infrastructure Committee are asked to note and consider this report.

4.0 DETAIL

- 4.1 The inventory of cemeteries details the remaining ground area within each property. This is expressed as an equivalent number of standard lair spaces which are available to the public to purchase the right of burial – through the lair certificate process.
- 4.2 Members are reminded that the uptake of land, through the allocation of burial lairs is independent of the number of interments in each individual cemetery. In most current cemeteries and in the design of any new facility, the expectation is that a full depth lair will provide vertical space for three interments.

- 4.3 As detailed in the report and attachments, the average annual rate of lair sales is approximately 312 lairs per annum, with only 273 sold in the last 12 months. However, it should be noted that the average annual rate of interments (coffin burials) is approximately 530 interments per annum with very little fluctuation +/- 50 per year. It should therefore also be noted that there has been no “Covid spike” in the number of interments in Argyll and Bute since 2019.

Annual Statistics

- 4.4 In accordance with the decision of the Environment, Development and Infrastructure Committee of December 2022, annual updates in lair sales are now recorded through interrogation of the BACAS database, used for the management of the burial service.
- 4.5 Annual figures are recorded from the 1st October the previous year to 30th September, to allow the most up to date figures to be included in committee reports. The average annual rate of sale is now calculated from available data collected since September 2019.
- 4.6 Members are reminded from previous reports, that of the estate of 131 cemetery locations, 68 cemeteries are considered as “closed”, where all available land for burial lairs has been allocated. Re-opening of lairs for burials and ashes interments are however still possible. The remaining 63 “active” cemeteries, are those where land is still available, for the purchase of the right of burial, and a lair space can be allocated to the applicant.
- 4.7 The estate of “Active” cemeteries is detailed in Appendix 1. This details the number of lairs sold in the last year, end of Sept 22 - Sept 23 in each individual cemetery and based on the review of remaining spaces carried out earlier this year, the number of lair spaces remaining for future sale. Records indicate that 273 new lair spaces were sold throughout the cemetery estate in the last year, with 9,506 spaces remaining, an increase of nearly 1,000 spaces since 2021. This is partly through the development of lairs in current cemeteries, where ground has been brought into operation, including re-purposing previous hard or soft landscaped areas.
- 4.8 Recent examples are 10-30 extra lairs in Kilmun and Strachur cemeteries, 70 lairs in Carrick cemetery and assessment of up to 2000 lairs in the current Pennyfuir cemetery active section. The new cemeteries at Appin 2022 and Tobermory 2023 also brought a further 300 lairs into the estate - as detailed in Appendix 1.
- 4.9 However, as intimated in previous reports, there are local pressures on lair availability, requiring a programme of cemetery extensions or development of new sites. The overall “operational time remaining” until all lairs are sold, is based on the annual average rate of sale, which eliminates any localised increase or decrease in sales in any particular year.
- 4.10 The process of locating suitable sites for extensions or developments is becoming increasingly challenging, due to environmental and planning constraints. The introduction of the 5yr, 10yr and 20yr colour coding system was designed to

highlight the Cemetery Development programme sequence. There are however some statistical variations year on year which may change the “hierarchy” of cemeteries in need of expansion. However, generally the list of priorities remains unchanged from that reported in March 2023. The annual cemetery update report will allow members to keep track of any changes.

- 4.11 Comments on the activities to preserve lair availability, or towards developments or extensions, are updated against the relevant cemeteries within the record. In some cases the colour coding may have changed but it should be noted that this purely statistical calculation will be affected, where the restriction on pre-sale has been introduced. The extension in the operational time remaining, being the object of the exercise.
- 4.12 The report also provides confirmation of the current list of cemeteries subject to restrictions on the pre-sale of lairs – further to March and June EDI reports – to preserve the service at local levels, as far as is practicable. At the time of writing, currently 14 locations, approaching 1/3 of the active cemetery estate, are subject to a restriction on the sale of lairs, due to limited remaining space.

Cemetery Development Programme – recent progress

- 4.13 Cemeteries within the “5 year development programme” are:-

| Cemetery | Estimated Value of development including any land purchase |
|-----------------|---|
| Strachur | £150,000.00 |
| Cowal High Road | £100,000.00 |
| Kilmun | None – no land |
| Calgary | £20,000.00 |

The initial 5 year development programme had been funded as part of the February 2023 budget at £310k. The costs are now estimated at £270k however there have been large price increases to materials as well as land acquisition, this allows a £40k excess to cover any increases for the schemes requiring immediate development, however, as yet only minor costs are expended/committed against these locations. Ground investigation works are being carried out which are require before physical works can commence.

- 4.14 There are many requirements that need to be considered when creating a new cemetery, these include but are not limited to:
- 1m clear, below lair depth, to rock or water table (~2.6m below surface)
 - At least 50m from any open body of water or watercourse.
 - At least 250m from any well, borehole or intake for drinking water.
 - No course sand or gravel at lair depth.

SEPA groundwater requirements checklist is attached in Appendix 3. Given the geography and topography of Argyll, site selection can be challenging to achieve. It should be noted that under these modern requirements, many existing cemeteries would not gain support from SEPA and hence achieve Planning approval. In these circumstances simple adjacent extensions are not always practicable.

- 4.15 The construction of Tobermory (Beadoun) cemetery phase 2 was concluded in August 2023. This provided a further 210 lair spaces for the town and immediate area. This was originally calculated as 190 in the initial design, which was then reconfigured to generate more lairs. This site cannot be expanded further due to land tenure and other constraints. Suitable land in the vicinity of the town is not readily available and consideration is being given to further cemetery provision in Tobermory.
- 4.16 Works are underway in Cowal High Road cemetery, Sandbank to improve drainage and extend footpaths. This will develop more lair space within the existing boundary, to retain the burial service at this site. Adjacent site at Torlochan to be progressed towards confirmation of suitability and development as the next phase of lair provision for South Cowal.
- 4.17 Initial discussions have taken place in the Strachur area, with landowners of the site of a proposed new cemetery south of the village, adjacent to A815. Site investigation trial pits were carried out Wed 1st November, to provide clarity on the suitability of the ground. Unfortunately, this confirmed shallow depths, with rock encountered between 1.5m and 0.5m below ground surface. The land is therefore unsuitable for development in its present form. Assessment will be made on the practicalities and economics of importing materials to provide the necessary depth of burial lairs, during Nov/Dec 2023.
- 4.18 A pre-application enquiry to SEPA for a potential phase 3 extension to Lismore Cemetery, concluded that this would not be supported due to groundwater requirements and private water supplies in the vicinity. Plans are now being developed to maximise the use of the existing burial ground, by excavating shallow rock and re-filling with imported suitable material. Officers are working with Lismore Community Council on offers of locally won material from various landowners on the island. In parallel, discussions are in progress with the Church of Scotland Estates regarding wayleave access to the rear of the cemetery. Discussions with Planning colleagues are also ongoing regarding whether the works can be considered permitted development within the existing cemetery.
- 4.19 Similar pre-application enquiries relate to the extension of Kilkerran Cemetery Campbeltown. This concluded that, in the land immediately adjacent to the current cemetery, the sub-soil at lair depth was non-compliant within the terms of the groundwater requirements and a planning application would not be supported by SEPA. The preferred first option, of four alternative new cemetery locations, at Moy on B836 has also been surveyed, with the subsoil in trial pits meeting SEPA approval. However historical water supplies within the 250 m distance to the site have still to be investigated, to determine if these are now inactive, before all parts of the groundwater requirements can be met, allowing support of an application.

- 4.20 A further 180 lair spaces are being developed within the current Kilkerran site by re-purposing parts of existing roads, footways and shrubbery, converting into grassed areas for lair development where practicable, with potential for more spaces giving a further 8 years capacity, at the current restricted rate of sale.

5.0 CONCLUSION

- 5.1 The cemetery estate has sufficient overall capacity for the next 30 years operation but locally, restrictions are in place to preserve remaining lair space.
- 5.2 The Cemetery Development programme is currently focused on providing additional cemetery space, based on the most urgent need, subject to the measure above. However the site selection and development programme is now a much longer process than may have been the case historically.

6.0 IMPLICATIONS

- 6.1 Policy – The Management Rules for Burials revised policy 2023, provides a process where lair sales can be restricted when cemeteries have less than 10 years remaining capacity.
- 6.2 Financial – Cemetery extensions and new developments will require additional Capital funding, to provide “ready to use” infrastructure to sustain the burial service at local levels. The 5 year development programme is funded at this stage.
- 6.3 Legal – The Council, as Burial Authority, is legally bound to provide at least one cemetery.
- 6.4 HR – None known.
- 6.5 Fairer Scotland Duty: None known.
- 6.5.1 Equalities - protected characteristics – None known.
- 6.5.2 Socio-economic Duty – Provision of the burial service at local level sustains the business models of both the Council and private providers and reduces the overall cost to customers.
- 6.5.3 Islands – The programme of cemetery development locations, highlights the desire for the retention of a local burial service, including at least one “active” cemetery on main inhabited islands, wherever practicable.
- 6.6 Climate Change – Due regard will be given to climate change with a view to minimising any climate change impact and these will be considered as and when they arise. Future consideration should be given to a Council policy position on encouraging cremations over burials, given the land requirements

and increasingly challenging prospects of being able to further develop cemeteries.

- 6.7 Risk – Land suitability, availability and development costs, may affect the viability of retaining a local burial service.
- 6.8 Customer Service – Cemetery development programme aims to provide and maintain the burial service at local level where ever practicable.

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November 2023

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Appendices:

Appendix 1 - Active Cemeteries - Lair Sales and Development programme

Appendix 2 – No Pre-Sale of Lairs

Appendix 3 – SEPA Groundwater requirements check list