



Executive
6 April 2009

**Report from the Director of
Environment and Culture**

Wards Affected:
None

Cemetery Fees and Charges 2009-10

Forward Plan Ref: E&C-08/09-43

1.0 Summary

- 1.1 This report seeks approval for the levels of fees and charges within Brent Cemeteries for the period from 1 May 2009.
- 1.2 Brent has taken on the management of the new London Borough of Harrow Cemetery at Carpenders Park, adjacent to the Brent Cemetery and with shared facilities. Bringing Brent and Harrow charges for the two cemeteries into alignment has been the main driver for the changes proposed which do not follow a straightforward pattern.

2.0 Recommendation

- 2.1 That Members agree the fees and charges set out in Appendix 1 to apply from 1 May 2009.

3.0 Detail

- 3.1 Cemeteries fees and charges were last amended on 1 April 2008 following the decision of the Executive on 11 February 2008 in relation to fees and charges across the Council.
- 3.2 The annual review of these charges has been complicated this year by the new arrangements for Brent to manage Harrow's new Carpenders Park cemetery adjacent to the Brent Cemetery. This arrangement was agreed in

principle by the Executive on 14 January 2008, and a detailed agreement has subsequently been entered into.

- 3.3 Officers from both boroughs consider that it is important to align charges between the two cemeteries so far as possible so that there are no financial incentives for residents of either borough to choose to be buried in the other borough's cemetery. Without this level playing field it will be difficult to protect the financial interests of both of the boroughs.
- 3.4 Prolonged negotiation between the two boroughs has reached an agreed set of proposals which are embodied in the proposed price schedules at Appendix 1. The main impact of the alignment is that Harrow's rates have risen considerably whilst the main charges for adult graves in Brent have risen a little less than would otherwise have been proposed.
- 3.5 Overall, the aim has been for charges to rise by approximately 5% in line with the general level of increase for fees and charges in the 2009-10 budget setting process. The need to align prices with Harrow has constrained our ability to achieve this. Many Harrow prices were considerably below the equivalent prices in Brent and have risen substantially. The overall increase achieved is around 1.5% with some changes above this and some below.
- 3.6 Appendix 2 shows the existing charges alongside the proposed charges where a comparison can be made together with an indication of the numbers of occasions on which each charge was levied in the calendar year 2008. From this it can be seen that the number of Brent residents affected by increases greater than 5% is very small.

4.0 Financial Implications

- 4.1 The Cemeteries and Mortuary service budgets for almost £900,000 of income to help meet its running costs of approximately £1,200,000. Sustaining levels of income is, therefore, critical to being able to provide a professional and sensitive service.
- 4.2 Charges are set on a cost recovery basis and it is believed that the overall effect of the changes will be an increase of around 1.5% in income if numbers of sales and interments remain at the same level as for the previous financial year. This assumption has been built into the service's 2009-10 revenue budget.

5.0 Legal Implications

- 5.1 Paragraph 3.1 (o) of Part 4 of the Constitution removes from the delegated authority of any officer a decision which relates to the setting, levying or increase of any fees or charges to any member of the public in respect of a Council service (other than room lettings and copying charges). It is therefore necessary for members to agree these changes. Members are also able to agree those which could be otherwise determined at officer level.

- 5.2 Fees and charges can only be imposed where there is a legal power to do so but such powers are contained in various Acts and regulations. Council is entitled to charge fees under The Local Authorities' Cemeteries Order 1977 (which was made under the Local Government Act 1972):
- (a) for or in connection with burials in a cemetery
 - (b) for any grant of a right to place and maintain a tombstone or other memorial in a cemetery (other than in a chapel provided by Council for the performance of funeral services at the request of a religious body and not paid for by Council)
 - (c) for any grant of a right to put an additional inscription on a tombstone or other memorial.

6.0 Diversity Implications

- 6.1 The proposals have been screened for adverse impacts and officers do not believe that that there will be any such impacts.

Background Papers

None

Contact Officers

Michael Read, Assistant Director (Policy & Regulation) 020 8937 5302

Bob Langford, Head of Cemeteries & Mortuary 020 8795 3138

Richard Saunders, Director of Environment & Culture 020 8937 5002

RICHARD SAUNDERS
Director of Environment and Culture