

Birmingham City Council

Report to Cabinet

1 March 2022



Subject: Capital Programme – Extension of King’s Norton Cemetery

Report of: Rob James, Managing Director - City Operations

Relevant Cabinet Member: Councillor John Cotton, Cabinet Member, Social Inclusion, Community Safety and Equalities

Relevant O &S Chair(s): Cllr Carl Rice - Co-ordinating Committee
Cllr Kate Booth – Housing and Neighbourhoods Overview and Scrutiny Committee

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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, name(s) of ward(s): King’s Norton South		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009841/2022		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This report sets out a proposal to extend the cemetery at King’s Norton.
- 1.2 This report is seeking approval to implement this proposal, due to the impending closure of the Islamic and Child Burial Sections. The City Council when accepting the original proposal for the creation of the cemetery allowed for the cemetery to

be opened in phases. Phase 1 and 2 have been implemented and this report seeks approval to implement phases 3 and 4 at an estimated minimum capital cost of £2.25 million (final quotations are awaited). The capital provision will be funded from the existing budget although this will be a pressure for the service. The current budget operates at a surplus of over £4 million per annum.

2 Recommendations

- 2.1 That the proposal to extend the King's Norton Cemetery by implementing phases 3 and 4 be approved.
- 2.2 That the cost of the works (estimated at £2.25 million) be funded through the Capital Programme, with the prudential borrowing costs of £143,000 being met from the Bereavement Services bottom line budget.
- 2.3 That the Director Council Management, in consultation with the Management Director of City Operations, be delegated authority to agree final costs and funding.
- 2.4 That there is likely to be a further requirement to implement Phase 5 of the King's Norton Cemetery within the medium term (3-5 years) be noted.

3 Background

- 3.1 The City Council opened the King's Norton Cemetery in 2005. Phases 1 & 2 were completed in 2005. This was meant to give at least a decade of use. The pandemic has impacted on the available space. Prior to April 2020 the usage of graves amounted to approximately 219 per year on average. Since April 2020 there has been an increase in usage in excess of 525 a year.
- 3.2 This increase in use leaves a shortage of baby graves and Islamic graves with only a few months reserves remaining. Across the cemetery it is estimated there is less than two years stock of graves available. This will mean that there will be minimal facilities for burials in the south of the City unless further phases of the cemeteries are opened as soon as possible.
- 3.3 Phases 3 and 4 of the King's Norton development are two fields adjacent to the existing cemetery. The fields are undulating and require a land drainage scheme to make the land usable as a burial ground. The estimated cost of the surveys, implementing a land drainage scheme and laying out the grounds is estimated to be of the order of £2.25 million, although final estimates are still awaited.
- 3.4 The cost of not implementing these phases is estimated to be of the order of £700,000 per annum (revenue), so the payback for the investment is of the order of three years, assuming the existing estimates are accurate. This is the only cemetery in the south of the City with space for Islamic burials, so there is an imperative from an equalities perspective too.

4 Options considered and Recommended Proposal

- 4.1 The two options available are to either invest in the cemetery extension or not to invest.
- 4.2 Birmingham City Council faces a significant loss of revenue every year if there is not the investment in the King's Norton Cemetery, and would leave the south of the City without access to an Islamic burial ground provided by the Council.
- 4.3 The investment in the cemetery will ensure ongoing burial grounds provision and greater choice for the City Council's residents.
- 4.4 Your officers recommend that the works on implementing the Phases 3 and 4 at the King's Norton Cemetery is undertaken as soon as possible to ensure continuity of service and maintain the Council's revenue position.

5 Consultation

- 5.1 There has been no public consultation undertaken, partly because the original provision of the Cemetery was subject to planning application and comment by the public and the scheme was approved as being implemented in five phases. Demand for burial space at King's Norton is high and justifies the investment.
- 5.2 The increased number of deaths during the pandemic has led to greater demands for burial space and the impending capacity issues mean a period of consultation will cause a break in the continuity of service.
- 5.3 Consultation has taken place with the ward member, the Overview and Scrutiny Committees Chairs and other impacted portfolio holders. No objections to the proposals in this report have been received.
- 5.4 Finance and Legal Services business partners have been consulted. Their comments have been received and incorporated into the report.

6 Risk Management

- 6.1 The principle risks associated with this report relate to financial, reputational and equalities of service provision.
- 6.2 The financial risks are that proposed extension to the cemetery may not produce additional income to offset the prudential costs of borrowing. However not undertaking the extension will lead to a projected reduction in revenue of at least £700,000 per annum within two years against the ongoing budgeted income for this site.
- 6.3 The reputational risks will relate to the concerns being expressed that the City Council is making insufficient provision for Islamic burials in its bereavement services and more widely in the south of the City. The risk to equality of service provision is such that there is insufficient provision for Islamic burials, a key sector of Birmingham's communities.

6.4 The improvement of land drainage arrangements will ensure there is an improvement to environmental well-being.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The time around death and bereavement is a very sensitive time and treating people and families with dignity throughout is essential. Providing burial space close to residents' homes to allow easy access to visiting loved ones when mourning is consistent with the priority of Birmingham is a fulfilling city to age well in.

7.1.2 The adopted delivery plan has a target to provide future investment in cemeteries and crematoria. This proposal will assist in delivering this ambition.

7.2 Legal Implications

7.2.1 The provision of burial grounds is an adoptive power under legislation. Birmingham City Council is a burial authority by virtue of historic decisions and cannot opt out of this power at this stage.

7.2.2 The City Council has a duty to provide services in an equal way. Providing an additional Islamic burial ground as part of this extension to King's Norton Cemetery will help to meet this duty.

7.3 Financial Implications

7.3.1 The service is seeking to meet the prudential borrowing costs from within its existing budget.

7.3.2 The table below examines the costs of servicing the prudential borrowing for £2.25 million.

Year	2022/2023	2023/2024	2024/2025	2025/2026
Capital Cost £million	2.25	0.00	0.00	0.00
Revenue Cost £000s	0.000	0.143	0.143	0.143

7.3.3 Based on this projection, there will be an ongoing revenue cost of £0.126m per annum based on a Prudential Borrowing timescale of 20 years. While the net cost of bereavement services has an operating surplus of over £4.0 million, it is unlikely the extension to the Cemetery will create additional income above the annual budgeted income, but failure to undertake the extension will lead to a pressure of at least £700,000 per annum against the ongoing budget due to loss in income from this site as result of no further burials.

7.4 Procurement Implications

7.4.1 In the procurement of works contracts to implement these works, the contracts will conform to the City Council's Social Value Policy, thereby complying with the Public Services (Social Value) Act 2012. In particular, any contracts will include provisions as a Tier 2 contract under the social value policy to require the payment of the real living wage to workers engaged in this work.

7.4.2 Works will be undertaken through the agreement with Acivico.

7.5 Human Resources Implications (if required)

7.5.1 Failure to undertake the extension will lead to a reduction in staffing when the cemetery has used up all burial space- within two years.

7.6 Public Sector Equality Duty

7.6.1 The provision of suitable burial space to meet community needs as a burial authority is a clear requirement to satisfy the public sector equality duty. As such the south of the city has limited burial space available. The original initiative to provide a cemetery at King's Norton sought to provide a more equal provision. The Muslim Burial Section at King's Norton has approximately three months space (at best) so an extension to the cemetery will allow additional provision to be made.

8 Background Documents

8.1 None

List of appendices accompanying this report:

- Appendix 1 Fact file for King's Norton Cemetery
- Appendix 2 Outline business case
- Appendix 3 Environment and Sustainability Assessment