

## Report of the Director of Place to the meeting of the Executive to be held on 8 January 2019

---

**Subject: Petition against Consideration of Northcliffe Park as a Site for a New Crematorium**

**AM**

### **Summary statement:**

The petition entitled 'Petition against Consideration of Northcliffe Park as a Site for a New Crematorium' was received by Full Council on 16 October 2018 and referred for consideration by Executive.

The petition relates to the inclusion of Northcliffe Park on a list of 3 sites under consideration for the building of a new crematorium to replace the facility at Nab Wood cemetery. The report considers the concerns raised in the petition regarding the possible use of part of the Park, which is held in trust, for the building of a crematorium.

---

Steve Hartley – Director of Place

**Portfolio:**

Better Health, Better Lives

Report Contact: Phil Barker  
Phone: (01274) 432616  
E-mail: [phil.barker@bradford.gov.uk](mailto:phil.barker@bradford.gov.uk)

**Overview & Scrutiny Area:**

Regeneration and Environment

## 1. SUMMARY

The petition entitled 'Petition against Consideration of Northcliffe Park as a Site for a New Crematorium' was received by Full Council on 16 October 2018 and referred for consideration by Executive.

The petition relates to the inclusion of Northcliffe Park on a list of 3 sites under consideration for the building of a new crematorium to replace the facility at Nab Wood cemetery. The report considers the concerns raised in the petition regarding the possible use of part of the Park, which is held in trust, for the building of a crematorium.

## 2. BACKGROUND

- 2.1** The Executive adopted a strategy for the Bereavement Service in November 2016 covering future development of the Council's cemeteries and crematoria including key recommendations to provide sustainable, modern, fit for purpose crematoria to enhance the service provision for the District's residents. The preferred delivery method is to build two new crematoria to replace the Scholemoor and Nab Wood facilities, whilst Oakworth will be refurbished.
- 2.2** Table top assessment has identified three possible sites for the replacement of Nab Wood crematorium, two of these sites are privately owned and the other is Northcliffe Park. Options have been limited due to the Cremation Act 1902 not allowing building of a crematorium within 200 yards of a dwelling house except with the consent of the landlord, tenant and occupier of the house or within 50 yards of any public highway.
- 2.3** The Council's stated preference is to pursue the purchase of private land for new crematoria and this will be progressed in the first instance for viable sites.
- 2.4** The area of restricted land required for a crematorium at Northcliffe Park is estimated at 5% of the total area of the Charitable Trust. Procurement of the necessary land would require both corporate Trustee & Charity Commission approval.
- 2.5** The Regulatory and Appeals Committee of the Council sitting as Corporate trustees were approached in July 2018 for a view on using part of the site for a crematorium. The Trustees asked that the potential benefit for the Trust be quantified and public consultation carried out before making any decision to progress the matter to the Charity Commission.
- 2.6** A petition entitled 'Petition against Consideration of Northcliffe Park as a Site for a New Crematorium' was received by Full Council on 16 October 2018 and referred for consideration by Executive.
- 2.7** The petition, containing 2286 signatures,(in paper and online forms), summarises the issues/background, as follows:

*'We the undersigned call upon CBDMC to withdraw Northcliffe Park from the list of sites under consideration for the construction of a new crematorium. The land is*

*held in trust as open space for the benefit and recreation of the public, and we do not believe it should be considered for development under any circumstances'*

- 2.8** The written copy of the address to Council summarises in three main messages;
- The scale of reaction including the petition numbers, 500 people linking arms around the proposed site and an active social media campaign.
  - The possible social impacts on the 'Humans of Northcliffe' and their physical and mental health and well-being.
  - .A plea for the Council to uphold the ward resident's trust and make the decision to remove Northcliffe from the list of potential sites.

### **3. OTHER CONSIDERATIONS**

- 3.1** Executive on 10 July 2018 approved the procurement of external specialist resources to complete a full feasibility study for all identified sites as part of the contract brief. An initial desktop feasibility study was also specified and due for completion by the end of December to establish whether there are any factors, either absolute or in combination, that render any sites unsuitable for consideration for new crematoria.

- 3.2** Full Council on 16<sup>th</sup> October resolved on a separate item 51, also relating to the possible use of Northcliffe Park for a crematorium, to note that:-

*The Council values the parks and green spaces of Bradford and would always by preference avoid using them for this special purpose. It will always respect the decision of trustees regarding the parks.*

*The Executive therefore awaits the findings of the feasibility study which it will then consider along with all the facts and expressed public sentiment before a decision can be reached.*

- 3.3** The external specialists have submitted, as requested, a preliminary 'site appraisal overview' as part of the initial four week desk top study based on high level analysis and the combined specialist team experience. Indicative strengths and weaknesses of all sites have been reported together with any identified 'severe constraints' likely to render sites unsuitable.

The results of this preliminary overview suggest that two of the three sites currently identified to replace Nab Wood crematoria have either low level or no severe constraints identified whilst Northcliffe Park has the highest number including two which are unique to this proposed site.

The external specialists report that one of the two unique severe constraints relating to Northcliffe Park involves 'potentially insurmountable issues in forming safe access from a busy, steeply sloping road'. Given the nature and severity of the constraints, it is therefore proposed to recommend removal of this park from the list of potential sites for a new crematorium.

#### **4. FINANCIAL & RESOURCE APPRAISAL**

The decision as to which sites to take forward for the building of two new crematoria will include consideration of the costs involved. The on-going specialist research and design activity will provide more robust and reliable project costs as part of the full feasibility study report due from the external specialist team in Spring 2019 to allow informed decisions to be made prior to build. Further work is being undertaken by the Estates Service to establish likely land acquisition costs for inclusion in the overall project costings.

#### **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

- 5.1 Any significant and lengthy failure in the provision of a cremation service would cause both reputational and also financial damage to the Council.

#### **6. LEGAL APPRAISAL**

- 6.1 The Council would have to consider any proposal to use any part of Northcliffe Park in its role as corporate trustee, which is discharged through the Regulatory and Appeals Committee. In this role the committee would have to act in the best interests of the trust, which may conflict with the interests as the Council.
- 6.2 For example if the Executive went against recommendations of this report and concluded that the Park is the best option for a crematorium site, that would not be something that should carry any particular weight with the Regulatory and Appeals committee in deciding whether it was in the best interest of the trust to proceed with the proposal.
- 6.3 Any scheme would also need approval from the Charity commission for the both the land disposal in principle under section 121 Charities Act 2011 and the fact it is being disposed of to the Council as a 'connected person' under section 118 Charities Act 2011 .

#### **7. OTHER IMPLICATIONS**

##### **7.1 EQUALITY & DIVERSITY**

The Bereavement Services Strategy aims to deliver the objectives of the Council's Organisational Equalities Culture by ensuring services are well run, fit for purpose, and fair and inclusive in their approach. The Strategy recognises and supports equality of opportunity between different groups, particularly religious in nature, through provision of relevant, accessible and in some cases bespoke services.

##### **7.2 SUSTAINABILITY IMPLICATIONS**

The strategy seeks to deliver the most sustainable service achievable over a 15-20 year period and beyond through a programme of capital investment. The proposed new crematoria will be designed to include energy reduction and recovery systems together with more efficient cremators to reduce both fuel use and carbon footprint.

### **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

The Council's 6 cremators currently fail to comply with DEFRA's air quality emission requirements as they are not fitted with mercury abatement equipment. The strategy, when implemented in full, will include filtration equipment to all cremators in line with these regulations which aim to abate emissions of Mercury by 50% (of 2003 levels).

### **7.4 COMMUNITY SAFETY IMPLICATIONS**

There are no known Community Safety Implications arising from this report.

### **7.5 HUMAN RIGHTS ACT**

There are no known Human Rights Implications arising from this report.

### **7.6 TRADE UNION**

There are no significant staffing implications arising from this report

### **7.7 IMPLICATIONS FOR CORPORATE PARENTING**

There are no known corporate parenting implications arising from this report.

### **7.8 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

Implementation of the Bereavement Service strategy will not affect the current and compliant processes in place to ensure privacy of personal data in accordance with the legislation in place.

## **8. NOT FOR PUBLICATION DOCUMENTS**

None

## **9. OPTIONS**

The Executive will have already considered and confirmed its intended action over the inclusion of Northcliffe Park on the list of possible sites for new crematoria.

## **10. RECOMMENDATIONS**

It is recommended that the Executive:-

- 10.1 Refer the lead petitioner to the recommendations passed within the Bereavement Services Strategy Delivery Plan Update report.

## **11. APPENDICES**

None

## **12. BACKGROUND DOCUMENTS**

➤ None