



OVERVIEW & SCRUTINY COMMITTEE

Wednesday, 10 November 2021 at 7.00 pm
Council Chamber, Civic Centre, Silver Street,
Enfield, EN1 3XA

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Councillors : Susan Erbil (Chair), Margaret Greer (Vice-Chair), Lee David-Sanders,
Birsen Demirel, Mahmut Aksanoglu, Elif Erbil, James Hockney and Derek Levy

Education Statutory Co-optees: 1 vacancy (Church of England diocese representative), vacancy (other faiths/denominations representative), Tony Murphy (Catholic diocese representative), Alicia Meniru & 1 vacancy (Parent Governor Representative).

Enfield Youth Parliament Co-optees (2)
Tanya Elcock (Governance & Scrutiny Officer)

AGENDA – PART 1

1. WELCOME & APOLOGIES

2. DECLARATIONS OF INTEREST

Members of the Council are invited to identify any disclosable pecuniary, other pecuniary or non-pecuniary interests relevant to the items on the agenda.

3. CALL IN: NEW CEMETERY PROPOSAL SLOEMANS FARM BURIAL GROUND (Pages 1 - 24)

To review the Cabinet decision taken on 13 October 2021 as a result of the matter having been Called-in.

The response to Call in reasons is not attached to the agenda and will be circulated “to follow”.

4. DATES OF FUTURE MEETINGS

Business Meeting
Thursday 25 November 2021

Business Meeting
Wednesday 1 December 2021

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London Borough of Enfield**Overview & Scrutiny Committee****Meeting Date** 10 November 2021

Subject:	Call in – New Cemetery Proposal Sloemans Farm Burial Ground
Cabinet Member:	Cllr Caliskan – Leader Cllr Dogan – Cabinet Member for Commercial Services
Key Decision:	KD 5380

Purpose of Report

1. This report details a call-in submitted in relation to the following decision:
Cabinet decision (taken on 13 October 2021). This has been “Called In” by 7 members of the Council: Councillors Joanne Laban, Glynis Vince, Lindsay Rawlings, Andrew Thorp, Maria Alexandrou, Edward Smith and Jim Steven.

Details of this decision were included on Publication of Decision List No. 28/21-22 (Ref. 2/28/21-22 – issued on 15 October 2021).

In accordance with the Council’s Constitution, Overview and Scrutiny Committee is asked to consider the decision that has been called-in for review.

Proposal(s)

2. That Overview and Scrutiny Committee considers the called-in decision and either:
 - (a) Refers the decision back to the decision-making person or body for reconsideration setting out in writing the nature of its concerns. The decision-making person or body then has 14 working days in which to reconsider the decision; or
 - (b) Refer the matter to full Council; or
 - (c) Confirm the original decision.

Once the Committee has considered the called-in decision and makes one of the recommendations listed at (a), (b) or (c) above, the call-in process is completed. A decision cannot be called in more than once.

If a decision is referred back to the decision-making person or body; the implementation of that decision shall be suspended until such time as the decision making person or body reconsiders and either amends or confirms the

decision, but the outcome on the decision should be reached within 14 working days of the reference back. The Committee will subsequently be informed of the outcome of any such decision

Relevance to the Council's Plan

3. The council's values are upheld through open and transparent decision making and holding decision makers to account.

Background

4. The request (19 October 2021) to "call-in" the Cabinet decision of 13 October 2021 was submitted under rule 18 of the Scrutiny Procedure Rules. It was considered by the Monitoring Officer.

The Call-in request fulfilled the required criteria and the decision is referred to the Overview & Scrutiny Committee in order to consider the actions stated under 2 in the report.

Implementation of the Portfolio decision related to this report will be suspended whilst the "Call-in" is considered.

Reasons and alternative course of action proposed for the "Call in"

5. The Call-in request submitted by (7) Members of the Council gives the following reasons for Call-In:
 - The report does not make clear that a cemetery service is a discretionary service not a statutory one.
 - Private sector options to deliver this service are not fully considered in the report.
 - The seven potential sites (PT 24) are not identified in the report and therefore not evaluated to explain why Sloemans Farm was chosen as the best available option.
 - The impact of the loss of agricultural output is not explained in any detail in the report.
 - No value of future tenancy income for the next 8-10 years is given in the report so that valid comparisons can be made.
 - The funding from importing soil is not fully explained as to whether this is guaranteed income.
 - Over time will the income cover the cost of maintaining and running the site? There are no comparisons with similar burial grounds that have been established over some years in the report.
 - Point 21 - climate plan mentions local food. This has been ignored in this point and with the Environmental and Climate Change considerations

- Point 43 table says that 200 burials a year is the target number of burials. This is on a site which can cater for 38,000 eventually and even allowing for cremated remains means possibly 190 years before the site is at maximum capacity so therefore it is not necessary at this time to use a plot of land the size of Sloemans Farm – this is not explained in the report and why an area the size of Sloemans Farm is required.
- Point 47 – there is no mention in the report of where the money is coming from for the traffic, pavement work and all the extra signage that will be necessary.
- Point 68 – it states that previous planning history can be used to mitigate construction. The report fails to explain what exactly this means.
- The report fails to explain what other uses the section of the farm that will not be utilised for the cemetery can be used for now and in future?
- Traffic and Transportation – the site is not conducive to visitors who do not drive. The nearest bus service goes to Crews Hill via Clay Hill which is a long distance away. The bus service is only once every half an hour. Whitewebbs Lane is a single lane country road with not much space for the proposed pavement works. The problems here are simply discounted in the report yet they are fundamental to people gaining access to the cemetery
- The report also fails to mention that a council's cemetery does not have to be in the borough and why sites outside were discounted.
- The report also fails to provide any information that provision for more cemetery space could come from private religious cemeteries; for example, the borough currently has more than one Jewish cemetery. The report fails to provide any information on whether research has been undertaken as to whether there are any plans for the further expansion of private religious cemeteries in the borough which would have an impact on whether the council needs a site as large as Sloemans Farm.

Consideration of the “Call in”

6. Having met the “Call-in” request criteria, the matter is referred to the Overview and Scrutiny Committee in order to determine the “Call-in” and decide which action listed under section 2 that they will take.

The following procedure is to be followed for consideration of the “Call-in”:

- The Chair explains the purpose of the meeting and the decisions which the Committee is able to take.
- The Call-in lead presents their case, outlining the reasons for call in.
- The Cabinet Member/ Decision maker and officers respond to the points made.
- General debate during which Committee members may ask questions of both parties with a view to helping them make up their mind.
- The Call in Lead sums up their case.

- The Chair identifies the key issues arising out of the debate and calls for a vote after which the call in is concluded. If there are equal numbers of votes for and against, the Chair will have a second or casting vote.
- It is open to the Committee to either;
 - take no further action and therefore confirm the original decision
 - to refer the matter back to Cabinet -with issues (to be detailed in the minute) for Cabinet to consider before taking its final decision.
 - to refer the matter to full Council for a wider debate (NB: full Council may decide either to take no further action or to refer the matter back to Cabinet with specific recommendations for them to consider prior to decision taking)

Main Considerations for the Council

7. To comply with the requirements of the Council's Constitution, scrutiny is essential to good governance, and enables the voice and concerns of residents and communities to be heard and provides positive challenge and accountability.

Safeguarding Implications

8. There are no safeguarding implications.

Public Health Implications

9. There are no public health implications.

Equalities Impact of the Proposal

10. There are no equality implications.

Environmental and Climate Change Considerations

11. There are no environmental and climate change considerations.

Risks that may arise if the proposed decision and related work is not taken

12. There are no key risks associated with this report.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

13. There are no key risks associated with this report.

Financial Implications

14. There are no financial implications

Legal Implications

15. S 21, S 21A-21C Local Government Act 2000, s.19 Police and Justice Act 2006 and regulations made under s.21E Local Government Act 2000 define the functions of the Overview and Scrutiny committee. The functions of the committee include the ability to consider, under the call-in process, decisions of Cabinet, Cabinet Sub-Committees, individual Cabinet Members or of officers under delegated authority.

Part 4, Section 18 of the Council's Constitution sets out the procedure for call-in. Overview and Scrutiny Committee, having considered the decision may: refer it back to the decision-making person or body for reconsideration; refer to full Council or confirm the original decision.

The Constitution also sets out at section 18.2, decisions that are exceptions to the call-in process.

Workforce Implications

16. There are no workforce implications

Property Implications

17. There are no property implications

Other Implications

18. There are no other implications

Options Considered

19. Under the terms of the call-in procedure within the Council's Constitution, Overview & Scrutiny Committee is required to consider any eligible decision called-in for review. The alternative options available to Overview & Scrutiny Committee under the Council's Constitution, when considering any call-in, have been detailed in section 2 above

Conclusions

20. The Committee following debate at the meeting will resolve to take one of the actions listed under section 2 and the item will then be concluded.

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Date of report 1 November 2021

Appendices

Cabinet Report

Response to Call in reasons (to follow)

Background Papers

The following documents have been relied on in the preparation of this report:

None

London Borough of Enfield

Cabinet

Meeting Date 13th October 2021

Subject: New Burial Ground
Cabinet Member: Cllr Caliskan – Leader
Cllr Dogan – Cabinet Member for Commercial Services
Executive Director: Sarah Cary – Executive Director Place

Key Decision: [YES – KD5380]

Purpose of Report

1. To meet local burial needs, the Council proposes to develop a new burial ground on land owned by the Council at Sloemans Farm, Whitewebbs Lane, Enfield. The new burial ground will address a shortfall in burial capacity within the Borough and introduce a natural/woodland burial option within the Borough for residents.
2. This report seeks approval to proceed with the development.

Proposal(s)

3. To approve the project for the development of a burial ground at Sloemans Farm, Whitewebbs Lane, Enfield, using landscaping - soil importation processes on site to improve and landscape the whole farm area.
4. To re-allocate £1,800,000 from the cemetery/ crematorium budget within the 10-year capital programme to cover the design, project management, staff and construction costs. To note that the business case models the project costs to be funded through royalty income from soil recycling processes
5. Delegate authority to approve the final scheme proposal to the Director of Environment and Operations, in consultation with the Cabinet members for Commercial Services and Environment.
6. Delegate authority to approve the procurement strategy for the delivery of the scheme to the Director of Environment and Operations in consultation with the Executive Director for Resources and the Director of Law and Governance
7. Delegate authority to award and enter into the main build contract, professional service contracts, and any other ancillary documents and consents required in relation to the development of scheme up to the maximum total value of £1,800,000 Director of Environment and Operations. Form of contract to be agreed by Director of Law and Governance

Reason for Proposal(s)

8. A burial needs assessment carried out for the Council in 2020 identifies an anticipated shortfall in Enfield by 2041 of 14,000 ashes interments and 15,000 graves, of which a significant number, 11,000 are expected to be Muslim graves.
9. The Council’s Bereavement Services team provide on average 350 burials per annum within 5 “traditional” cemeteries. The Enfield Burial Needs Assessment 2020 confirms that each year 1020 Enfield residents either require or prefer burial rather than cremation resulting in 670 burials conducted outside of the borough or within private cemeteries.

Burial type	Enfield Council Cemetery Burials 2020	Other Cemetery burials 2020
Total	350	670

Table 1: Number of burials 2020 (Bereavement Services Data)

10. London cemetery capacity was reviewed by the GLA in 2011. Enfield was classed as “problematical”, Waltham Forest as “critical”, Inner London boroughs were classed as “full”. In response, the Council increased grave capacity within its cemeteries from 4350 to 6872. However, this did not increase capacity in line with expected growing demand.



GLA audit 2011 demonstrates London burial capacity status

11. ONS data illustrates that the population of over 65’s will increase nationally by 17% by 2041. In Enfield, the increase is predicted to be significantly above the national average at 30%. This reflects a similar trend in other London Boroughs and will increase future demand for burials.

Area	2014	2041	Change
England	54,316,600	63,281,500	17%
Enfield	324,600	421,700	30%

Predicted over 65’s population increase, ONS 2018

12. The Enfield Burial Needs Assessment 2020 showed that this is expected to translate into increased overall demand for burials in Enfield. Although burials for some faiths, such as Christians, are predicted to decrease within Enfield over time, burial demand for other faiths, including Muslims, are expected to increase significantly.

	2020 burials per annum	2041 burials per annum
Total	1020	1340
Made up of:		
Christian	300	120
Muslim	490	790
Other	230	430

Current and predicted burial demand in Enfield (from Enfield Burial Needs Assessment 2020)

It is important therefore that any future provision considered reflects the needs of the diverse population within and around Enfield, and has the flexibility to respond to changes in the demographic and religious composition of the Borough.

13. Pandemic demand must also be considered. Department of Health: UK Influenza Pandemic Preparedness Strategy 2011, states that local authorities require capacity for excess burials. The report predicted the current Covid-19 pandemic in detail and predicts potential for further pandemics approximately once in every 10 years.
14. There is therefore significant, demonstrable current and increasing demand for burial services within the borough which far exceeds existing and currently expected burial capacity.
15. As detailed in sections 107 – 118 below the Council has already undertaken to extend its existing burial capacity to the maximum possible within current cemeteries but this is not sufficient to meet the expected future demand. The construction of a new burial ground within the Borough is therefore the only way the Council can ensure it is able to continue to provide burial services within the Borough for its residents.
16. Provision of a high-quality facility in a natural setting, with burials available in landscaped woodland glades, better reflects the changing demand for burials away from formal, regimented layouts with stone memorials to a less impactful and more naturalistic approach suitable for all faiths.

Relevance to the Council Plan

17. The provision of a high-quality burial ground is an essential service which the Council can ensure is available to all residents at an affordable cost. The construction of the site will drive investment into the Borough from the operating companies and provide employment opportunities while the site is being constructed.

18. Once complete the design and layout of the burial ground will make it accessible for walking and similar leisure and amenity activities. Operating the site will provide permanent employment within the Borough with opportunities for staff development and self-improvement through the Councils training programmes
19. The project therefore directly contributes to all three of the Council objectives:
 - Good homes in well-connected neighbourhoods
 - Build our Economy to create a thriving place
 - Sustain Strong and healthy Communities

Background

20. In view of the identified shortfall of burial space within the borough a long list of potential sites has been identified, focused on land in the north of the Borough owned by the Council as part of its rural property portfolio. This is because a sustainable burial site requires significant land area which is only available within the northern rural portfolio.
21. Seven potential sites were identified, all of which were within Enfield borough. All have been assessed by the Commercial Team and Strategic Property Services, against several key criteria and a potential site at Sloemans Farm was identified as the best fit for burial use. The site is currently used as an active farm, leased to a tenant farmer. The lease ends in the autumn of 2021.
22. The National Planning Policy Framework (NPPF) considers cemeteries as “acceptable development” on green belt, however due to green belt planning requirements the new burial ground would not support traditional type brick chapels and operational buildings and hard paved roads and paths. Sustainable design and materials shall ensure that the benefits of the site and essential infrastructure outweigh the assumed harm associated with development on green belt land.
23. The proposed site is currently leased for agricultural use but suffers from water logging due to clay rich soil and poor drainage. This restricts its potential agricultural uses and therefore land value. Environment Agency (EA) standards require burials to be a minimum of 1m above the water table, typically a grave is 2m in depth. To meet these standards; landscaping, land drainage and planting is required which will ensure that burials can take place all year round without impacting ground water.
24. It is proposed that the structural and hydrological land improvements required to meet the EA standards for burials be delivered through soil importation to improve and landscape the whole farm area, raising ground levels and providing the suitable standard of soil type, drainage and landscaping for a new cemetery.

25. Soil quality imported onto site undergoes strict visual and chemical tests to ensure that it is of an equal or superior standard to the existing soil. This process is governed by a strict soil specification and recycling Quality Protocol that is derived from DEFRA and Environment Agency (EA) specifications and monitored by The EA. In addition, test results will be regularly monitored by the permit holder and by the project team against the soil specification and Quality Protocol to ensure compliance.
26. Experience gained from the current successful soil recycling and landscaping project at Holly Hill provides a significant opportunity to generate income to fund the whole project at minimal cost to the Council. The resulting high-quality landscaped design will provide unique market appeal in comparison to local competitors.

Main Considerations for the Council

27. The proposed burial ground at Sloemans Farm is a 23Ha site that is suitable for 38,000 single graves. It has the potential to reduce the current identified shortfall of graves in Enfield, reduce demand on existing cemeteries, widen the scope of services offered to better reflect the needs of Enfield residents and help address burial demand beyond 2041.
28. The rural green belt location lends itself to a natural cemetery setting. Landscaping, planting and associated buildings can be designed to enhance the green belt. Rewilding of boundaries and other areas can improve the rural aesthetic for the site.
29. It will be designed to meet the burial needs of all faiths and/or people of no faith, as specific requirements can be catered for within specific areas of the cemetery without impacting upon other areas. The site is of sufficient size to provide areas that cater for many different burial needs.
30. Consultation with the funeral industry and faith representatives will ensure the burial ground is designed to be inclusive for, and representative of, the burial needs of all Enfield residents.
31. Following landscaping on site the required infrastructure such as buildings, parking, storage, trackways etc will be constructed in a style that reflects the rural landscape of the site and the burial options offered. The intention is for the burial ground to enter service in 2026.
32. Sloemans Farm currently generates £350/Ha lease income for 47Ha of agricultural land which equals £16,450 per annum. Using recycled soil to improve and landscape the whole 47Ha farm will improve potential agricultural uses while providing suitable soil and drainage for burials. This is expected to increase agricultural lease value.
33. Once landscaping has been completed, the 47Ha site will be divided into a 23Ha burial ground and potentially a 24Ha agricultural small holding. Strategic Property Services team have advised that small holdings of this size are highly marketable although other possible uses are also being

explored which are dependent on market demand and facilities available on site.

34. If used for agriculture the remaining 24Ha agricultural small holding would potentially generate increased lease income but would also have access to an additional 15Ha of vacant burial grounds which may be sublet for agricultural meanwhile use.
35. The existing agricultural lease for the site will be extended on flexible terms to enable the existing agricultural use to continue while the landscaping works are undertaken and to enable the 24Ha of the site not required for burials to be used for agriculture once the cemetery is operational.
36. At 23Ha the site is reasonably large which will enable the inclusion, if required, of specific public memorials commemorating service personnel or other specific events or sectors of the community

Financial Considerations

37. The commercial model for the project comprises two stages. The first is use of imported soil materials on site to landscape and improve the site as well as providing income that can be offset against the costs of building the required cemetery buildings and infrastructure. The second follows the completion of the burial ground construction where operating costs and burial income have been calculated to demonstrate a viable business model exists for the long term sustainable management of the cemetery/burial ground.
38. The groundworks and construction phase involves the site operator obtaining payment of a gate fee from construction companies for accepting their excavated soils onto site. This gate fee meets all the operational costs of the soil processing, landscaping/groundworks and construction of required buildings and infrastructure, along with a payment to the Council and a profit element for the operator.
39. High level estimated costs and income up to the completion of the construction phase are as follows:

Item	£
External Consultancy Preconstruction	155,540
Local Planning Authority	39,000
Internal Staff	196,951
External Consultancy Construction	55,125
Total Staff, Consultancy, Planning	446,616
Construction	1,340,153
Soil importation (Income)	-2,820,000
Total	-1,033,231

The construction phase of the project is therefore expected to deliver a net income to the Authority of £1m over the next five years.

40. For operations, to ensure the proposed new burial ground can be competitive the unit price for a single grave has been modelled at £3,000. This compares favourably with prices at nearby Cemeteries in the North East of London. Actual fees and charges will be set through the usual processes prior to operations commencing.
41. Other costs and incomes, including staff costs and grave excavations, have been estimated using current bereavement services operational costs and published fees and charges.
42. As shown in section 12 above burials required are expected to increase to 1340 per annum by 2041 translating to an additional 110 burials per annum carried out by the Councils bereavement services team if the current market share is maintained. Although current capacity for burials in some Council cemeteries is expected to be reached around 2025.
43. Analysis of operational costs and income show that the proposed burial grounds should break even at 62 burials per annum and at the target operating level of 200 burials per annum could generate approximately £250,000 net income per annum. This figure also includes additional services and products as shown below.

Costs	62 burials	200 burials
lost Lease value 23Ha farm land	£ 9,660	£ 9,660
Grounds maintenance costs	£ 6,000	£ 24,000
Staff costs 2xSO2 1XSC6	£ 83,993	£ 149,788
Grave excavation costs	£ 31,000	£ 100,000
Vehicle maintenance	£ 12,000	£ 24,000
Electricity	£ 10,000	£ 15,000
Cleaning	£ 10,000	£ 25,000
Waste disposal	£ 10,000	£ 20,000
Supplies and services	£ 10,000	£ 25,000
Insurance	£ 20,000	£ 20,000
Totals	£ 202,653	£ 412,448
Income	62 burials	200 burials
Burial plot (benchmarked)		
Burials per annum (62)	-£ 186,000	
Burials per annum (200)		-£ 600,000
Burials per annum (450)		
Scattering of cremated remains (10% of burials)	-£ 1,350	-£ 6,000
Internment of cremated remains (10% of burials)	-£ 1,350	-£ 6,000
Plot for cremated remains (10% of burials)	-£ 4,500	-£ 20,000
Hall Hire (40% take up)	-£ 6,300	-£ 28,000
Tree (10% take up)	-£ 1,350	-£ 6,000
Totals	-£ 200,850	-£ 666,000
Net Income (After Costs)	£ 1,803	-£ 253,552

44. Financial analysis of the construction and operational costs and income has been undertaken and demonstrates that the project is expected to deliver a positive net value to the Council of £1.4m. and a breakeven point of 8 years. It is therefore financially worthwhile to undertake the project.
45. Market testing will be undertaken as part of the pre- planning work to confirm that there is sufficient expected demand to meet the target operating level and the Council will need to increase market share of burials for residents within the borough and attract customers from outside of the Borough to the cemetery.
46. Expected net incomes detailed above will be added to, and monitored through, the Medium Term Financial Planning (MTFP) process to ensure robust governance of the financial project outcomes at an appropriate level.

Traffic and Transport Considerations

47. The site is accessed directly from Whitewebbs Road, which is a rural single carriageway road subject to a 40mph speed limit. The current access to the site is formed by a simple farm access, but there is scope to upgrade this to ensure that it complies with the relevant safety and other design standards. Although it is accepted that access by car will be the predominate mode of travel for the proposed use, it is nevertheless important to ensure that access by non-car modes is as good as possible. This can best be achieved by improving the existing footway in Whitewebbs Road, creating a better link between the site and the nearest bus service, route 456 on Rosewood Drive. Any planning application will need to be accompanied by a comprehensive transport assessment, demonstrating the expected level of trip generation and identifying the measures needed to mitigate any adverse impact, including during construction. In summary, there are no in principle highway or transportation objections to the proposed use and it is anticipated that any concerns can be addressed during the planning process.

Safeguarding Implications

48. The proposal does not have any implications for safeguarding children, young people or vulnerable adults as it is a construction/landscaping project.

Public Health Implications

49. The proposal will provide residents access to 23 Ha of greenbelt land for amenity purposes that was not previously accessible. The site will be fully landscaped and planted. Some parts will not be required for burials for some time and these may be made accessible for leisure activities such as dog walking etc.
50. The provision of additional green space accessible to residents may improve physical activity rates in the surrounding area, while evidence suggests that visiting green spaces has a positive impact on mental wellbeing. Therefore, the increased access to green space provided by the development of Sloemans Burial Ground is likely to have positive Public Health implications.

Equalities Impact of the Proposal

51. The proposal is expected to have a positive impact on all religions and beliefs, including those with no religion. The Enfield Burial Needs Assessment 2020 shows that burial demand for Muslims is expected to increase and this proposal will have a particularly positive impact on this group. The proposed new cemetery at Sloemans Farm is suitable for graves for people of all faiths and/or no-religion who wish to be buried. The site is of sufficient size to enable different sections to be configured appropriately for requirements of different faiths.
52. Consultation with the funeral industry and faith representatives will help to ensure that the burial ground is designed to be inclusive for, and representative of the burial needs of Enfield residents of all protected characteristics. Further public engagement will enable further understanding of funeral preferences of particular protected characteristics, for example race.
53. A full Equality Impact Assessment has been completed which concludes that the proposal will help us advance equality of opportunity between people who share a protected characteristic and those who do not.

Environmental and Climate Change Considerations

54. Energy consumption - from the service will decrease as provision of a burial facility within the borough will reduce the distance residents have to travel to access the service.
55. The site is within greenbelt and design of the associated buildings and infrastructure will be commensurate with the location and look to use renewable energy for charging service vehicles etc
56. Carbon Emissions – the proposed use of soil recycling to landscape the site prior to construction will reduce carbon emissions associated with the transport of the soils from construction sites within London as the delivery distance will be reduced. Without the site at Sloemans Farm soil deliveries would potentially need to travel outside the M25 to access suitable facilities.
57. Environmental Management - Full tree, wildlife and habitat surveys will be completed pre-planning as part of the feasibility and design stage. The land was previously de-forested for agriculture and it is anticipated that the development will have a positive effect on the environment long term.
58. Climate Change - The Council's Sustainable Urban Drainage (SUDS) team are supportive in principle and will be consulted during the design stage to ensure SUDS benefits are achieved.

Risks that may arise if the proposed decision and related work is not taken

59. As highlighted in section 6 above, a burial needs assessment carried out for the Council in 2020 identifies an expected shortfall in Enfield by 2041 of

14,000 ashes interments and 15,000 graves. If the Council does not provide the required capacity then the private sector will need to do so

60. Leaving the private sector to meet demand may not deliver new capacity and may result in further significant increases in funeral costs. The proposed cemetery would provide considerable additional burial capacity and enable the Council to positively control market prices.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

61. A full risk assessment, risk register and risk management plan will be developed and will be actively managed and reported as part of the delivery of this project

Planning Risks

62. Early engagement with the Local Planning Authority is essential as it shall mitigate risk of failure at planning stage and reduce risk of financial loss resulting from over committing from the outset project
63. Stakeholders including the Environment Agency and The Highways Agency shall be consulted during the planning process and throughout construction phases as required to manage risk of enforcement and/or objections project
64. Challenge from third parties during the planning process is possible. This may arise both from residents as well as from other private sector burial site operators. LBE must be able to robustly demonstrate the need for a new cemetery. To mitigate this risk LBE Legal and Procurement will be consulted throughout this project.
65. There may be concerns regarding improving the farm entrance permanently which may be mitigated by; approval by Traffic and Transport, road safety improvements; tree protection benefits. This shall be explored under the Pre-planning agreement before being submitted under a full planning application project
66. The existing landscape shall be visually transformed from open fields to landscaped fields separated by areas of planting, wetlands and habitat. This is considered beneficial, but it may also prompt objections which shall be mitigated by presenting environmental benefits, visual or otherwise project
67. Cemeteries are considered “appropriate development” on green belt. However, for the application to be successful there will be a requirement to demonstrate strategic fit and immediate need. Both have already been established within the Burial Needs Assessment 2020 and this will be covered within the Planning Statement submitted with the full planning application.
68. The proposed project will require buildings and infrastructure. The existing site has a planning history which includes agricultural and residential buildings that fell into disrepair and have subsequently been demolished.

Access roads, hard standings and parking areas remain. Previous planning history can be used to mitigate the construction of new cemetery buildings and infrastructure.

69. Planning document PL 20.145 Reg 18 Enfield Local Plan recognises the need for new burial capacity within the Borough at Strategic Policy SS1 and Strategic Policy SP PL8. The local plan specifically refers to natural burial space which will support the application for planning consent which will be required to develop the site.

Capital Risk

70. The initial £250,000 investment required for planning Authority fees and consultancy support is needed in stages as the project progresses. Drawdown of this funding will be controlled via gateway decisions from the project board under delegated authority from Cabinet Decision. This provides some protection for the initial investment as not all will be spent at once and if the project is stopped before completion the unspent remainder of the funding will be recoverable.
71. The proposed delivery approach significantly reduces the capital funding requirement for the project as income from soil importation is used to fully offset landscaping and other construction costs while potentially returning a modest soil importation royalty fee.
72. There is always a risk of overspend in construction projects and although the initial capital investment is relatively low for a project this size the overall project value is significant and there could therefore be significant negative variation to expected costs. The outline processes to manage this include:
- Robust site and technical site appraisal to identify any technical barriers to achieving the aim of the project before major investment takes place. The aim is to identify significant technical obstacles early in order to navigate planning constraints on Green Belt,
 - Effective procurement of contractors and consultants with clear specifications that enable Enfield to select and manage third parties during any future build and mobilisation,
 - Appropriately skilled internal technical project and contract management staff with appropriate external technical support to ensure the specifications and timescales are met.

Long Term Maintenance

73. To ensure the site is fully sustainable it needs to cover its long term operating and maintenance costs with income from burials. It is desirable therefore that the cemetery does not reach full capacity before it can either be extended or graves can be re-used. Under current legislation, graves within London Boroughs may be re-used after 75 years. The proposed cemetery area gives a capacity of 38,000 single graves and is calculated to enable at least 75 years of operations before grave re-use on site may be required.

Financial Implications

74. This report is seeking approval to reallocate £1.8m to the capital programme for the development of a burial ground at Sloemans Farm, Whitewebbs Lane, Enfield. The proposed site for the burial ground is suitable for 38,000 graves and is set in a location that is suitable for a natural cemetery setting.
75. In the current Capital Programme, there is an allocation of £10.1m for the development of a new crematorium in Enfield, which is yet to be approved. This proposal seeks to use these funds for the new Burial Ground once full approval of the budget has been given.
76. The table below details the cost of developing the burial site and the income generated from soil processing which will fund the construction:

Capital Summary	£
Capital Expenditure	£1.8m
Capital Income	(£2.8m)
Net Capital Surplus	(£1.0m)
Revenue Summary:	
Average Annual Operating Expenditure over 40 years	£517k
Average Annual Operating Income over 40 years	(£832k)
(Surplus)/Deficit	(£315k)

77. The total development cost of the burial site will be covered from income generated from the use of imported soil materials on site to landscape and improve the site.
78. A site operator will charge a gate fee from construction companies for accepting their excavated soils onto the site. The Councils share of these fees will be enough to cover the full cost of the development. The income estimates are based on soil volumes and royalty rates from similar ongoing projects in the borough. Income would need to fall by more than 50% before the Council would have to explore additional sources of funding to cover the shortfall on development costs.
79. Once the site is operational it is expected the demand for burial services will generate more income than the cost of providing those services. This will result in a net positive contribution to the Council revenue budget, this is set out in the table below:

Revenue Summary:	£
Average Annual Operating Expenditure over 40 years	£517k

Average Annual Operating Income over 40 years	(£832k)
(Surplus)/Deficit	(£315k)

80. A financial appraisal has been performed of the proposal. The financial metrics from the proposal are detailed below:

Financial Metrics:	
Overall Profit	£11.9m
NPV	£1.4m
IRR	15.5%

81. The proposal will be funded from the income generated on the site from the soil activity. It will require a approx. £240k of borrowing in the first 2 years before the soil activity becomes operational, which will all be repaid in the 3rd year once the income generating activities begin.

82. Once operational the income from burials will cover the cost of the burial and the ongoing operational costs on the site. This combination of the development cost being funded from income and the income exceeding costs once operational mean the financial metrics are positive.

83. An NPV of more than nil is usually required, in this case the NPV of £1.4m far exceeds this, especially when considering the initial investment of £1.8m. The positive nature of the proposal is also highlighted through a high IRR of 15.5% which is driven by not having to borrow any funds.

84. Detailed annual impact on the capital budgets is detailed below:

	2022	2023	2024	2025	2026	2027	Total
Annual Capital Expenditure	72,775	165,216	328,542	69,542	1,150,694	40,000	1,826,769
Annual Capital Income	0	0	(940,000)	(940,000)	(940,000)	0	(2,820,000)
(Surplus)/Borrowing requirement	72,775	165,216	(611,458)	(870,458)	210,694	40,000	(993231)

85. Detailed impact on the Councils revenue budget is detailed in the table below:

	2027	2028	2029	2030	2031
Operating Expenditure	412,448	420,697	429,111	437,693	446,447
Operating Income	(666,000)	(679,320)	(692,906)	(706,765)	(720,900)
(Surplus)/Deficit	(253,552)	(258,623)	(263,796)	(269,071)	(274,453)

86. Stress testing performed on the proposal shows the site needs to perform more than 62 burials a year to cover its costs. Given the likely demand detailed in this report it is expected that only under extremely extenuating circumstances would this scenario materialise.

Legal Implications

87. The Council is a burial authority under section 214 of the Local Government Act 1972 and has the power to provide and maintain cemeteries inside and outside its area. Management of cemeteries is governed by the Local Authorities' Cemeteries Order 1977. In addition, section 111 of the Local Government Act 1972 permits a local authority to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of its duties.
88. The Council also has a general power of competence under section 1(1) of the Localism Act 2011 to do anything that an individual may do, provided it is not prohibited by legislation and subject to public law principles.
89. When awarding the contracts required to implement the project, officers must comply with the Council's Contract Procedure Rules (part of the Constitution) and also the Public Contracts Regulations 2015 (where applicable). Advice should be sought from both Legal and Procurement officers when deciding the nature of the arrangement with the works contractor /site operator – in particular whether it is deemed a concession contract – and the procurement should be structured accordingly.
90. The resulting contracts must be in a form approved by Legal Services on behalf of the Director of Law and Governance. In particular, the contractors and consultants must be required to maintain adequate insurance, and sufficient security (e.g. performance bond or PCG) should be considered for any contract of £500k and above in value. Where the contract value is £1m or above, sufficient security must be required unless the Executive Director of Resources approves the financial risk prior to any award.
91. The Report mentions the generation of royalty income from soil recycling processes. Officers must be mindful of the statutory regime around charging and trading and the limits on income generation unless through a company. Legal advice should be taken to ensure that the implementation of the proposals is consistent with such regime.
92. Any proposed development will require planning consent from the Local Planning Authority and an application for such would need to be made pursuant to section 57 of the Town and Country Planning Act 1990.
93. The Council must also be continually mindful of its obligations to achieve Best Value under the Local Government Act 1999.

Workforce Implications

94. The report reflects internal staff costs of circa £196,951 up to and including the construction phase.

95. Consideration should be given to using fixed term contracts if this work requires the recruitment of additional resource for a specific period of time.
96. Should the duration of the fixed term contract be in excess of two years then the employee may be entitled to receive a redundancy payment upon termination of the contract.
97. In addition, the report also reflects ongoing operational staff costs of £128,788 for 3 members of staff.

Property Implications

98. The current cemetery proposal requires 23Ha of the 47Ha Sloemans farm site meaning there will be 24Ha remaining available for other uses once the soil importation and landscaping has been completed. The Council's Rural Property Agent, Knight Frank, are engaged in the project and actively considering potential uses for the remainder of the site.
99. Any future use of the remaining site area will need to be sympathetic to the cemetery use and vice versa. The whole site therefore requires a holistic approach to ensure overall compatibility between uses and that maximum benefit is obtained overall from the site going forward. Knight Frank are fully aware of these requirements.
100. The footprint of the area used for burials within the boundaries of Sloemans Farm will need careful consideration and take into account the long term evolution of land use in the local area. The Crews Hill settlement is being put forward for significant enlargement under current Reg.18 proposals for the next Local Plan. Whilst the proposals at this stage envisage an enlargement by c.3,500 homes, subsequent Local Plans may well see further enlargement, which LBE would want to see enabled on its own land where possible (which could include the parts of Sloemans Farm not used for natural burials), rather than being denied the possibility through lack of forethought in the footprint of the area used for burials.
101. The remaining 24Ha not required for burials provides potential for several long term uses including but not limited to the following.
 - Agricultural small holding
 - Glass houses
 - Agricultural lease (as part of other farm leases)
 - Residential development
 - Extended Cemetery
 - Rewilding/tree planting
 - Film Locations
 - Leisure rural activities
102. The location also provides potential for agricultural meanwhile use of unused cemetery land. It is anticipated that it will take 10 years for 4Ha to reach full capacity therefore initially 15Ha may be available for agriculture reducing in size by 4Ha every 10 years.

103. The site is currently leased to a tenant and used for arable farming. The lease ends in the autumn of 2021. Subsequently a new lease will be created which contains provision for the area required for cemetery use to be removed from the lease when necessary and the remainder of land to be farmed as a small holding.

Procurement Implications

104. Any procurement must be undertaken in accordance with the Councils Contract Procedure Rules (CPR's) and the Public Contracts Regulations (2015).

105. The award of the contract, including evidence of authority to award, promoting to the Councils Contract Register, and the uploading of executed contracts must be undertaken on the London Tenders Portal including future management of the contract.

106. All awarded projects must be promoted to Contracts Finder to comply with the Government's transparency requirements.

107. Where a contract has not been procured via the LTP, then the signed contract, call off agreement and supporting DAR etc, must be sent to procurement.support@enfield.gov.uk who will create a record in the LTP and promote to contract finder to ensure the Council meets its transparency obligations.

108. The CPR's state that contracts over £100,000 must have a nominated contract owner in the LTP, and for contracts over £500,000 there must be evidence of contract management, including, operations, commercial, financial checks (supplier resilience) and regular risk assessment uploaded into the LTP.

109. Any procurement over the EU threshold and £1m for works must come to the Departmental Procurement Board for approval.

Options Considered

110. There are three broad alternative options available to meet the identified increasing demand for burials within the borough:

- Extending existing Council owned cemeteries
- Increasing grave re-use
- Private sector / Third sector supply

These are considered in more detail below

Extending Existing Cemeteries

111. The Council owns and operates five existing cemeteries within the borough and, has already increased capacity within them. Further increases have been considered but there are limiting factors.

112. Edmonton Cemetery is a long established initially Victorian cemetery. It is very popular and significant work has been undertaken to increase capacity including areas for grave reuse, construction of vaulted graves and mausolea and most recently extension into a new area adjacent to the A10 previously used as tennis courts. This extension is not appropriate for Muslim or 'natural' burials due to the urban location and size of the site constraining alignment options for graves. The remainder of the site is bounded by parkland which is a designated flood zone and therefore cannot be used for burials.
113. Lavender Hill, another long-established site, is at capacity and bounded by housing and mature woodland, which cannot be felled.
114. Strayfield Road Cemetery is currently fully operational. Drainage works have recently been undertaken at Strayfield road to significantly improve ground conditions on site and open up areas for burial which were previously unusable. Beyond this though the site is again bounded by mature woodland, which cannot be felled.
115. Southgate Cemetery is bounded by a main road and residential properties and cannot be extended. Significant works have been undertaken within the existing boundary to increase capacity through construction of vaulted graves and mausolea.
116. Hertford Road Cemetery has poor access, no chapel and is bounded by parkland and allotments.

Re-use of Graves

117. Current legislation allows for graves to be re-used in London after 75 years. Re-use of graves has been considered and is undertaken where appropriate within the Councils cemeteries – particularly at Edmonton, but there are significant limiting factors:
- Land and site alignments may not be appropriate for Muslim burials,
 - Not ideal for other/no-religion burials,
 - Appropriate for some Christian/traditional burials,
 - More challenging to market than new graves.
118. Demand for traditional cemeteries and Christian burials is predicted to reduce significantly by 2041 and re-use of graves is therefore a sustainable method of managing and operating "traditional" cemeteries in the long term. Each re-use will generate revenue which can be re-invested in cemetery maintenance and operating costs. However, it is not a feasible option for most Enfield residents and is not appropriate for Muslim burials.

Private Sector / Third sector supply

119. The Competition and Markets Authority 2018 (CMA) described how increasing demand on cemeteries has created significantly above inflation increases in funeral costs for example that the average cost of a 'basic' funeral has increased by an annual rate of 6% in the 14 years up to 2018,

from £1,920 to £4,271. This can lead to “funeral poverty” whereby people on low incomes can pay up to 40% of their annual income to bury a loved one.

120. Leaving the private sector to meet demand may not deliver new capacity and may result in further significant increases in funeral costs. The proposed cemetery would provide considerable additional burial capacity and enable the Council to positively control market prices to some degree.

121. Third sector provision of burials can be extremely effective – the Gardens of Peace Muslim Cemeteries in the North East of London provide high quality sites and services at a low cost. However, there is no guarantee that the third sector could or would bring in the required additional capacity or meet the specific burial needs identified.

Conclusions

122. The development of a new burial ground on land owned by the Council at Sloemans Farm, Whitewebbs Lane, Enfield will help to meet the identified shortfall in Burial capacity in the Borough and can be developed at minimal capital cost to the Council and can be operated competitively by the Council to meet the burial needs of Enfield residents.

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Date of report 13.10.2021

Appendices

None

Background Papers

The following documents have been relied on in the preparation of this report:

None