

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 28TH OCTOBER, 2008

PRESENT: Councillor R Pryke in the Chair

Councillors A Barker, C Beverley,
R Harington, J Jarosz, J Matthews,
A Ogilvie, R Procter, N Taggart and
G Wilkinson

52 Chair's Opening Remarks

The Chair welcomed everyone to the Call-In meeting.

53 Late Item

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair consented to the submission of a late item of business relating to the following documents (Minute 57 refers):-

- Report of the Chief Recreation Officer – Recreation Delegated Decision Panel – 21st September 2007 – Cemeteries and Crematoria Fees and Charges
- Analysis of Cemeteries and Crematoria Outturn Performance as at 28th October 2008

The documents were raised as a part of the Call-in presentation by Councillor M Rafique and assisted the Board in their deliberations of this matter.

54 Apologies for Absence

Apologies for absence were received on behalf of Councillor B Gettings and Councillor M Lobley.

55 Declaration of Interests

There were no declarations made at the meeting.

56 Call In of a Decision - Briefing Paper

The Head of Scrutiny and Member Development submitted a report regarding the procedural aspects of the Call-In process.

Members were advised that the options available to the Board in respect of this particular called-in decision were:-

Option 1 – **Release the decision for implementation.** Having reviewed the decision, the Scrutiny Board (City Development) could decide to release it for

implementation. If this option was chosen, the decision would be released for immediate implementation and the decision could not be called-in again.

Option 2 – Recommend that the decision be reconsidered. Having reviewed the decision, the Scrutiny Board (City Development) recommend to the Director of City Development that the decision be reconsidered. If the Scrutiny Board (City Development) chose this option, a report would be submitted to the Director of City Development within three working days of this meeting. The Officers would reconsider their decision and would publish the outcome of their deliberations on the delegated decision system. The decision could not be called-in again whether or not it was varied.

RESOLVED – That the report outlining the Call-In procedures be noted.

57 Review of Decision - Cemeteries and Crematoria Fees and Charges (DD34431)

The Head of Scrutiny and Member Development submitted a report, together with relevant background papers, relating to an Officer Delegated Decision DD34431 of the Acting Chief Recreation Officer as follows:-

Cemeteries and Crematoria Fees and Charges

'The Acting Chief Recreation Officer submitted a report on the proposed fees and charges for the Cemeteries and Crematoria Section which would apply from 10th October 2008.

The Acting Chief Recreation Officer:-

- (i) noted the contents of the report, and
- (ii) approved the proposed fees and charges for the Cemeteries and Crematoria Section outlined in the report to take effect from 10th October 2008.

The decision had been called-in for review by Councillors M Rafique, T Hanley, M Iqbal, B Selby and S Armitage on the following grounds:-

'Charges for burials at cemeteries across Leeds have risen by 9%. The Labour Group questions whether the proportionality of this decision is appropriate given this increase is 4% more than the current level of inflation. Therefore the Labour Group believes a more detailed explanation of the aims and desired outcomes of this decision need to be made public, and what reasons were given in reaching this verdict'.

The Board considered the following written evidence:-

- Report of the Chief Recreation Officer considered by the Recreation Delegated Decision Panel meeting held on 21st September 2007 – Late Item
- Analysis of Cemeteries and Crematoria Outturn Performance as at 28th October 2008 – Late Item

- Report of the Acting Chief Recreation Officer considered by the Recreation Delegated Decision Panel held on 4th September 2008 and under the Officer Delegated Decision scheme approved on 10th October 2008

Councillor M Rafique, Councillor T Hanley and Councillor M Iqbal attended the meeting to present evidence to the Board and respond to Members questions.

Councillor J Procter, Executive Member (Learning and Leisure), Sean Flesher, Acting Head of Parks and Countryside and Phil Stephenson, Chief Superintendent, Lawnswood and attended the meeting to present evidence to the Board and respond to Members questions.

Board Members then questioned Councillor M Rafique, Councillor T Hanley and Councillor M Iqbal, Councillor J Procter and officers at length on the evidence submitted.

In summary, specific reference was made to the following issues:-

- clarification behind the decision to increase the charges for burials at cemeteries across Leeds which were well above the level of inflation and whether there had been any consultation
- clarification that burials are currently subsidised by the Council by £694 per burial under the current charges
- details of the number of complaints being received about the cities cemeteries across the city and the fact that 20 years ago, as an example, 40 maintenance staff looked after Lawnswood cemetery which today had 5 staff
- clarification of the staffing levels to maintain the cemeteries which was currently 17.3 staff, 13 site based and the rest working in teams as required and the fact that 2 more staff could be employed if the increase was approved
- clarification of the Green Flag Standard for cemeteries
- clarification of the surcharges in relation to burials and cremation and whether the new pricing mechanism was an incentive for people to choose cremation as opposed to burial
- clarification of the date of the officer delegated decision
- clarification on whether comparable data had been obtained in relation to burial charges from other core cities and neighbouring authorities
- clarification of the monitoring process in relation to complaints received about the poor state of cemeteries

- clarification on whether the department had considered increasing the numbers employed through the Probation Service to maintain the cities cemeteries and the restrictions that prevented this
- clarification on whether the additional revenue raised from an increase in burial charges would be ring fenced
(The Executive Member and the Acting Head of Parks and Countryside confirmed that the additional revenue would be ring fenced)
- clarification as to the breakdown of the charges made for burials
- the concerns expressed that the delegated decision had been implemented on the 10th October 2008 before the Call-In period had expired and the sensitivity of this issue on bereaved families. Whilst it was accepted that this error had occurred, the Chief Superintendent at Lawnswood assured Members of the Board that as funeral directors were invoiced in arrears the new charges had not been passed on and that all funeral directors had been contacted and advised of this situation

RESOLVED – That the contents of the report, together with the relevant background papers be noted.

(Councillor N Taggart joined the meeting at 3.15pm during discussions of the above item)

58 Outcome of Call-In

Following consideration of evidence presented to them and the options available to them as outlined in Minute No 56, the Board resolved that Option 1 – Release the decision for implementation, was the most appropriate action.

RESOLVED –

- (a) That the Officer Delegated Decision D34431 be immediately released for implementation.
- (b) That as the cemeteries and crematoria fees and charges had been implemented on the 10th October 2008 under the officer delegation scheme before the Call-In period had expired at 5pm on the 17th October 2008, the Head of Scrutiny and Member Development be requested to write to the Council's Monitoring Officer conveying the Board's extreme disappointment that such a decision was implemented prior to the Call-In period and to request that effective measures should be put in place to ensure that this does not happen again.

(The meeting concluded at 4.35pm)