



Report of the Director of City Development

Executive Board

Date: 3rd December 2008

Subject: Long term supply of burial space in Leeds

Electoral Wards Affected:

Adel and Wharfedale, Alwoodley, Ardsley & Robin Hood, Calverley & Farsley Farnley & Wortley, Harewood, Horsforth, Kippax and Methley, Rothwell and Roundhay

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

Executive Summary

This report identifies the likely demand for burial space in Leeds up to 2058 and considers the existing level of supply to meet this need. Based on an anticipated shortfall of up to 22 acres, officers have identified a range of draft site options to meet the expected level of demand.

Further to this assessment the report makes proposals for further work on the site options presented including a potential cemetery at Elmete Caravan Park. In addition, a site proposal for a 5 acre cemetery at Whinmoor is recommended and a recommendation to cease the work on a planned 14 acre extension at Lawnswood Cemetery in favour of a smaller 3.8 acre extension.

The options for meeting the burial needs of the Muslim Community are also considered and the report concludes that the Council should seek to meet this requirement through its network of smaller, multi-faith cemeteries.

1.0 Purpose of the Report

1.1 To advise Executive Board of the current position with regard to the supply of burial space in Leeds and to:

1.1.1 consider options for meeting the expected demand for burial space for the next 50 years and beyond.

- 1.1.2 agree the site proposal for the provision of a 5 acre cemetery at Whinmoor to enable the scheme to be implemented.
- 1.1.3 determine the way forward for the proposed extension to Lawnswood Cemetery.
- 1.1.4 determine the Council's approach to meeting the burial needs of the Muslim community.

2.0 Background

2.1 On the 13 December 2006, Executive Board received a report which reviewed the Cemeteries and Crematoria 50 year strategy for East and North East Leeds. Accordingly, in summary, Executive Board resolved:

- That negotiations continue for the acquisition of Green View Mount and the extension of Harehills Cemetery.
- That an option appraisal and feasibility study into the suitability of Killingbeck site 'A' be undertaken.
- That the Whinmoor Grange site should accommodate a 5 acre cemetery which allows for burials in North East and East Leeds.
- That a working group be established to examine the feasibility of a Trust for the Muslim part of the Cemetery
- That a report be brought back to this Board on the completion of feasibility studies for Green View Mount killingbeck Site 'A' and Whinmoor Grange to confirm the course of action to be taken.

2.2 Further to the resolutions identified above, officers have completed the feasibility work required. In addition, the city-wide position of burial space in the City has been reviewed and options for meeting demand identified. In particular, consideration has been given to the outcome of the Leisure and Enterprise Scrutiny Board's report of December 2002, which made a series of recommendations in relation to future Cemetery provision, which included a proposal that the Council revises its policy of constructing large burial sites in favour of smaller locally based sites combined with the extension, where possible, of existing sites. This approach has been a theme of more recent reports to Executive Board on cemeteries, including the most recent report in December 2006. The emphasis being the establishment of cemeteries that are more local to where people live, which in turn makes them more accessible and convenient to visit.

3.0 Demand for Burial Space

3.1 In order to assess the likely demand for burial space in the future, officers have considered the number of new graves brought into use over the past nine years, which is detailed in Table 1 below:

Table 1 – New Graves Brought into use other the past 9 years

Year	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07	07/08
New graves	636	574	595	557	569	480	508	509	454

per annum									
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Based on the information detailed above it is evident that the mean average number of graves brought into use is 542 per annum. It is also apparent that there appears to be a gradual decline in the demand for burial space over the period. However, in considering future demand, it also needs to be noted that the Government's projections for population growth could result in an increase of some 25% over the next 50 year period.

In recognition of the above, the demand for future burial space has been calculated on the basis of 542 new graves per annum. In addition, a positive and negative sensitivity to this average has been considered to take account of the potential for the population to grow and also the fact that the demand for burials appears to be declining.

3.2 Accordingly, should the demand for new graves continue at 542 per annum, the Council will need to provide some 27,100 graves up to 2058. In addition, should population growth increase by existing projections over the next 50 years, then, assuming a linear growth rate, the Council will need in the order of 33,000 new graves by 2058. Conversely, based on the existing fall off of burial demand, the required number of graves could be as low as 23,000.

4.0 Supply of Burial Space

4.1 Set against the expected demand for burial space, the Council currently has 8,485 new graves available across the City. Existing family graves are not included in this figure. The detail of this supply is outlined in Table 2 below:

Table 2

Area	Number of Graves
East North East	1,080
West North West	4,289
South South East	3,116
Total	8,485

In considering the current number of graves available, it is evident that the East North East area of the City has the lowest supply of new graves available and that, at the current rate of usage the Council has some 15 to 16 years of supply remaining across the whole of the City.

4.2 In addition to the existing graves available, the Council also has a number of proposals on plan which are at various stages of being brought forward for use. The proposals in question are:

- Garforth Cemetery extension, which is currently being constructed and will have a capacity of 1,463 graves.
- Kippax Cemetery, which is still subject to Planning consent, but will provide an additional 248 graves.
- Whinmoor Cemetery, which based on a 5 acre site, will provide an additional 3,750 graves and

- Lawnswood Cemetery, which based on a 3.5 acre extension taking in the American Football Field will provide 2,625 new graves.

In total the proposals outlined above, will provide a further 8,086 new graves for the City. Therefore, the Council has approximately 16,571 new graves either available, or on plan waiting to be brought forward which is equivalent to some 30 years' supply based on current burial rates. This leaves an estimated shortfall of 10,529 graves to meet the expected demand up to 2058.

5.0 Main Points

- 5.1 Having identified the likely demand for new graves up to 2058, it is apparent that to meet an unmet demand of between 6,500 and 16,500 new graves, the Council will need to bring forward over time between 9 and 22 acres of new burial space across the City to ensure that there is sufficient supply. This will necessitate the identification of new burial sites and, based on this need, officers have undertaken a city-wide site search.

6.0 Future Site Options

- 6.1 In considering potential site options, officers have looked at a number of criteria including:
- As discussed in paragraph 2.2, a preference for smaller locally based sites combined with the extension, where possible, of existing sites.
 - Suitability in terms of Planning Policy.
 - Location and accessibility to local communities.
 - Impact on the local environment and visual amenity.
 - A preference to only consider existing playing pitches in instances where mitigation measures can be implemented which result in an improvement in the quantity and/or quality of the supply of playing pitches in the local area.
 - An initial view on site conditions and land values to ensure that proposals afford value for money to the Council.
- 6.2 In total, officers have identified 8 sites for further consideration and consultation, which could provide 33.3 acres of new burial space. The sites in question are detailed in Appendix 1 including location plans and summarised in Table 3 below. The sites identified offer opportunities for new burial space throughout the City which would meet the recommended approach to progress smaller, locally based Cemetery sites.

Table 3: Potential burial site options

Site	Size (Acres)	Current use
Extension to Horsforth Cemetery	2.3	Agricultural land in private ownership
Extension to Farnley Cemetery	up to 5.0	Agricultural land in private ownership
Extension to Lofthouse	up to 3.1	Agricultural land in Council

Cemetery		ownership
East Moor Tile Lane	up to 5.0	Agricultural land in Council ownership
Priesthorpe Lane	up to 5.0	Agricultural land in Council ownership
Haigh Farm, Rothwell	3.4	Agricultural land in Council ownership
Elmete Caravan Park	up to 5.0	Former caravan site and former school playing field in part.
Alwoodley Gates	3.0	Agricultural land in Council ownership/planning designation for a Park and Ride
Total	up to 31.8	

Based on the total acreage of the sites identified, it is clear that the Council will not need to bring all of the sites forward for use and in fact will only need between 28% and 69% of the total acreage identified. In addition, it is also evident that the Council does not need to develop existing capacity at this stage in all parts of the city. Rather, in some areas the Council may seek to establish the principle of land being used for burial purposes through the Planning process first and seek to acquire and develop new provision over a timescale that affords a continuity of supply. It is suggested that Farnley, Lofthouse, Haigh Farm Rothwell, East Moor and Priesthorpe fall into this category.

- 6.3 With respect to the former Elmete Caravan Park, it is evident that this site could help to lessen the relative shortage of supply in the North East area of the city and for this reason it is proposed that this site is considered in more detail at an early stage. It is also proposed that the site at Alwoodley Gates is considered further. Horsforth Cemetery is currently full and on this basis it is proposed that the Council seeks to acquire the site identified in Appendix 1 either through private treaty or using its Compulsory Purchase powers to enable the supply of burial space in Horsforth to be reestablished. As part of further work undertaken it is proposed that consultation is undertaken with Ward Members and Area Committees affected by the site proposals.
- 6.4 As a consequence of the site search undertaken above and in consideration of the feasibility studies undertaken on Greenview Mount and Killingbeck Site A, it is proposed that these two sites are not considered further for cemetery purposes at this time. With reference to the Green View Mount site, the feasibility work undertaken has identified relatively high abnormalities involved in making the site suitable for burial purposes, which makes it less advantageous than the alternative sites identified and it is proposed that it is not considered further at this time. On a similar basis, site access issues have been identified for Killingbeck site A, in addition to issues over the visual amenity impact of a cemetery on this site, which again has resulted in it being discounted at this time.
- 6.5 Implicit in the burial supply calculations shown in paragraph 6.2 is the provision of new space at both Whinmoor Grange Farm and an extension to Lawnswood Cemetery.

7.0 Whinmoor

- 7.1 Members of Executive Board have previously agreed to the principle of a 5 acre cemetery at Whinmoor, but the December 2006 Executive Board requested that feasibility work be undertaken to consider the precise location of a cemetery on the site in the context of a potential relocation of the Council's Nursery and ancillary facilities and playing fields from their existing location at Redhall to release a major development site.
- 7.2 Plan A identifies the land in Council ownership which extends to 104 acres. All of the site is designated as Green Belt, however, the site of the former depot at Whinmoor Grange Farm is hard standing and brownfield in nature. For this reason it is proposed that any Nursery Facility and ancillary buildings are most naturally suited to this part of the site.
- 7.3 In taking this view, officers have considered whether a 5 acre cemetery is best sited within the curtilage of the existing planning permission, with access off Thorner Lane, or to the eastern edge of the site, with a new access of the A64 York Road. In considering these options, officers have considered the cost and feasibility of Highway access for both scenarios. In conclusion, and based on the advice of the Highways Service, the preference is to retain the Cemetery within the curtilage of the existing planning permission, with access off Thorner Lane. This solution is more favourable in terms of both traffic management and cost. Accordingly, it is proposed that the 5 acre site for a cemetery is confirmed as the site option outlined in Plan B. It is also proposed that the Council looks to bring in a secondary access to the site off Thorner Lane at the point marked A on Plan B to facilitate access to the Nursery should it be relocated from Redhall .
- 7.4 It is evident that the relocation of the Redhall Nursery and playing fields to the Whinmoor site will change the existing use of the Whinmoor site and in view of this position, it is proposed that officers undertake more detailed feasibility work on the decant proposal so that the development of the cemetery and potentially a new Nursery and playing fields can be brought forward simultaneously, as part of a single master plan for the site.

8.0 Lawnswood Cemetery

- 8.1 On the 13th October 2004, Executive Board agreed to the proposed extension of Lawnswood Cemetery on 14 acres of land owned by Leeds University and that the Council seeks to acquire the site either on the basis of private treaty or through the use of Compulsory Purchase Powers. Subsequent to that recommendation, the Council has been in detailed negotiations with Leeds University. The basis of the negotiation has been on the principle of like for like compensation of the facilities lost by the University which includes their changing room accommodation and ancillary facilities. The District Valuer has acted on the Council's behalf in the negotiations undertaken. Based on the work undertaken to date, it is evident that the total scheme is likely to cost the Council between £5.5m and £6.5m to acquire the site and contribute to the re-provision of the facilities that will need to be decanted. Added to this cost is the cost of disturbance required as part of the CPO process to compensate the University for their relocation, estimated at £0.7m, and landscape works to layout the cemetery £0.5m. At a total cost of £6.7 to £7.7m it is clear that the proposed extension to Lawnswood Cemetery is an expensive option to pursue, largely due to the cost of relocating the changing accommodation.

8.2 Added to the cost issue, Members of Executive Board will note that the capital monies to finance the Lawnswood Cemetery Scheme currently stands at £3.3m in the Capital Programme. Accordingly, not only is the existing Lawnswood proposal relatively expensive, it is also currently outside of the scope of the existing financial provision made in the Capital Programme.

8.3 In considering this position, especially in the context of alternative sites available, it is proposed that the Council re-evaluates its plans for an extension to Lawnswood Cemetery. Rather than focus on the delivery of a large extension of 14 acres, a more realistic proposal is to look to acquire the American Football field from the University either through private treaty or using Compulsory Purchase Powers to deliver an extension of 3.8 acres. It is proposed that this course of action will enable the existing Capital Programme provision to be better utilised in the delivery of alternative sites as a more effective means of meeting burial demand across the city.

9.0 Muslim Burial Provision

9.1 The Association of Leeds Mosques has outlined their desire to secure a long-term supply of burial space to meet the needs of the Muslim population of Leeds. In summary, the aspirations that have been outlined are:

- A site of no less than about 15 acres with room for further expansion over time.
- A site that is capable of being brought into use in a short period of time.
- The site should have solid and firm ground.
- Graves should be allocated space for at least 100 years and not be recycled during this period.
- Allow 24 hour access to the cemetery whether for burials or visiting, including weekends and holidays.

9.2 It is understood that the burial space can be part of a larger multi-faith cemetery, but importantly there is a desire to secure a long-term supply in a single location. In considering the requirements detailed above, the Council has broadly three options which it can choose to progress:

- Make provision of sufficient grave spaces for Muslim use within a larger multi faith Cemetery site.
- Dedicate a site of some 15 acres for the exclusive purpose of Muslim burials, either under the Council's management, or passed to the Muslim community to manage.
- Continue with the current arrangements which provides for Muslim burials within a multi faith environment within the Council's network of Cemeteries.

9.3 In assessing the options presented above, consideration has been given to:

- the recommendation in favour of smaller locally based sites combined with the extension, where possible, of existing sites.

- The Council's Strategic Plan and the Strategic Outcome to achieve improved community cohesion and integration through meaningful involvement and valuing equality and diversity.

In considering the above, it is evident that the development of 15 acres of burial space by the Council appears to be at odds with the recommendation for smaller, multi faith, cemeteries. In addition, the Council will also need to consider the equality and diversity matters associated with any dedicated Muslim provision.

- 9.4 Currently there are some 50 Muslim burials per annum in Leeds. It is likely that this figure will grow in the future due to population increases and a reduction in the practice of the repatriation of the deceased to their country of birth or ancestral origin for burial. However, even when allowing for this point and assuming a growth to 75 muslim burials a year, 15 acres of burial space will provide sufficient space for some 100 years, which is in excess of the 50 year supply that this report secures for all other faiths in the City. On this basis, should the Council decide that it is appropriate to provide dedicated burial provision for the Muslim community, it is suggested that 7.5 acres is a more equitable level of supply.
- 9.5 However, in considering this point, the Council will need to examine this request in the context of other faiths and the extent to which it may be setting a precedent that other faith groups may expect to be replicated in the future. In addition, the key question that the Council must first answer is:

'Can the burial needs of the Muslim community be accommodated within a network of smaller multi-faith cemeteries?'

It is suggested that, from a position of equity and in terms of community cohesion, only if the answer to this question is no, should the Council consider providing dedicated space.

To help answer this question, officers have undertaken an Equality Impact Assessment. As part of the Impact Assessment officers have liaised with other local authorities to identify their approach to faith issues in the burial service. Authorities that have been contacted are Bradford, Bristol, Liverpool, Newcastle, Nottingham, Sheffield, Wakefield, Kirklees and Calderdale. With the exception of Bradford, none of the Councils identified above provide a stand alone cemetery for the Muslim community, although a number do provide areas for specific faith burials and out of hours services to meet faith requirements for burials within 24 hours of death. In some cases, councils provide larger cemeteries such as a 35 acre cemetery at Bristol and a new 100 acre cemetery in Nottingham. In Bradford the Council have 24 cemeteries across the City. Three of these have sections within them for Muslim burials operated on a lease arrangement by the Muslim Community. However, it also needs to be recognised that the Muslim population in Bradford accounts for 16% (according to the 2001 Census) of the City's total population and to that extent, other Cities, with Muslim populations similar in size to Leeds may offer better comparables.

- 9.6 Like many other councils, Leeds City Council has traditionally provided dedicated space for Muslim burials, which in Leeds has been in Harehills and Cottingley Cemeteries. These cemeteries promote a multi-faith cemetery environment. In Harehills there are some 250 new grave spaces remaining which should last some 5-6 years. Once this space becomes full all Leeds City Council cemeteries will be capable of accommodating multi-faith burials and the Council can concentrate faith

burials in specific parts of the cemeteries and allow space to be used based on demand. This approach will result in faith areas developing at a natural rate of growth relevant to demand.

- 9.7 In addition, the Council currently provides an out of hours burial service and has no plans to stop making this provision. A key principle of the Council's existing burial service is that any citizen of Leeds can choose to be buried in any Leeds City Council Cemetery. On this basis, it is proposed that the Council is in a position to reasonably meet the burial needs of the Muslim community in a multi-faith setting. However, it is noted that the size of current and future cemeteries are not on a scale that meets the Muslim community's aspiration for long-term supply on a single site. Moreover, should Executive Board decide that it wishes to facilitate 15 acres of burial space for the Muslim community, it will need to be convinced that such an approach will not be to the detriment of the Council's aim to achieve integration and community cohesion.
- 9.8 Accordingly, in considering all of the issues identified above, it is proposed that the Council liaises further with representatives of the Muslim Community to identify how their burial needs can be met within the Council's existing and proposed network of smaller, multi-faith cemeteries distributed throughout the city.

10.0 Legal and Resource Implications

- 10.1 The acquisition of sites for extensions may need the Council to exercise its Compulsory Purchase Powers under section 121 of the Local Government Act 1972. To be able to utilise these powers the Council will need to be satisfied that:
- The scheme is in the public interest
 - The Council is capable of delivering the scheme in terms of planning and financial provision for both the scheme cost and compensation.
 - There is a realistic intention to undertake the scheme.
 - That any CPO action would need to be a last resort option and evidence would need to be shown that attempts to negotiate for the purchase of the land by agreement had proved to be unsuccessful or become protracted with land owners.
- 10.2 From a financial perspective, it is estimated that the Council can deliver a revised, smaller scheme at Lawnswood for £1.75m including site acquisition costs, landscape works and fees incurred to date. This leaves £1.55m in the current Lawnswood capital scheme and it is proposed that this money is allocated to the provision of further cemetery works to secure the medium and long-term supply of burial space in the City. The scheme proposals are outlined in Table 4 below.

Table 4: Estimated Cemetery Scheme costs.

Scheme	Scheme Outline	Cost estimate £
Lawnswood Cemetery Extension	Provision of 3.8 acre extension	1,750,000
Kippax Cemetery Extension	Provision of a 0.3 acre extension	51,000
Horsforth Cemetery Extension	Provision of an 2.5 acre extension	350,000
Elmete Caravan Site	Provision of a new 5 acre cemetery	743,000
Harehills Cemetery	Works to layout new burial space and path & landscape	125,000

	improvements	
Total		3,019,000

Based on the proposals outlined above, it is apparent that £281,000 is surplus and it is proposed that this money is recycled back into the general Capital Programme. It is also apparent that the proposals outlined above will provide some 11 acres of burial space at an average cost of £273,000 per acre. In contrast the larger scheme at Lawnswood was forecast to cost some £480,000 to £550,000 per acre.

In addition, it is proposed that the Capital Programme provision for the Lawnswood scheme is re-profiled in line with the information outlined in Table 4 above, pending further work by officers to the Design and Cost Report stage for each scheme.

11.0 Recommendations

- 11.1 Members of Executive Board are asked to note the likely future demand for burial space up to 2058 and to:
- 11.1.1 Agree to adopt the recommended policy to establish a preference for smaller locally based cemetery sites combined with the extension, where possible, of existing sites.
 - 11.1.2 Request that officers explore further the potential to extend Farnley and Lofthouse cemeteries including consultation with planning officers about the inclusion of proposals in the Local Development Framework.
 - 11.1.3 Request that officers look in more detail at the potential to develop small locally based cemeteries at , Elmete, Priesthorpe Lane, Alwoodley Gates, Tile Lane East Moor and Haigh Farm Rothwell and report back to Executive Board on the outcome of this work.
 - 11.1.4 Agree to the development of a 5 acre Cemetery at Whinmoor on the site identified on Plan B and that the implementation of this development is delivered as part of a larger masterplan for the site involving the decant of the Council's nursery from Redhall.
 - 11.1.5 Agree to not progress proposals to deliver a 14 acre cemetery extension at Lawnswood.
 - 11.1.6 Request that officers liaise with Leeds University to acquire the site of the American Football Field either through private treaty or Compulsory Purchase to deliver a 3.8 acre extension to Lawnswood Cemetery, request that officers explore further the potential to deliver a 5 acre cemetery on the site of the former Elmete Caravan Park and request that officers seek to acquire the 2.5 acre site at Horsforth Cemetery either through private treaty or Compulsory Purchase Order.
 - 11.1.7 Agree to amend the Capital Programme to reflect schemes at Lawnswood £1.75m, Elmete Cemetery £743,000, Horsforth Cemetery Extension £350,000, Kippax Cemetery Extension £51,000 and Harehills Cemetery £125,000, releasing £281,000 back to the general Capital Programme.
 - 11.1.8 Request that officers liaise further with representatives of the Muslim community on the accommodation of Muslim burial needs in the Council's network of smaller cemeteries.

11.1.9 Request that officers carry out consultations with the relevant Ward Members and Area Committees regarding these proposals.

Background Papers

Executive Board Report, December 2006

Executive Board Report, October 2004

Leeds Strategic Plan, 2008 – 2011

Leisure & Enterprise Scrutiny Board Report, December 2002

Equality Impact Assessment of Burial Supply in Leeds