

Report Item 9

Report to Town Council 24th October 2017

Future of the Joint Burial Committee

1. Purpose of the report

- 1.1 To seek the views of the Town Council about the future of the Joint Burial Committee.

2. Background

- 2.1 The Tetbury Hill cemetery has been jointly run by the Town Council and the St Paul Malmesbury Without Parish Council, originally as a Joint Board and following the Local Government Act 1972 as a Joint Burial Committee.
- 2.2 The committee is comprised of nine councillors, six from the town and three from the parish, reflecting the difference in the population size.
- 2.3 The Joint Burial Committee has acted successfully for many years with the cost of running the cemetery being divided between the two local councils in accordance with the agreed formula based on electorate.
- 2.4 The cost of maintaining the cemetery has increased over the years and this has been reflected in the cost of the service level agreement entered into between the Joint Burial Committee and the Town Council as agents.
- 2.5 In former years the Town Council did not recover the costs incurred with undertaking the SLA but when it was renewed a few years ago the costs was gradually increased to more accurately reflect the actual cost to the Town Council.
- 2.6 The parish council has often made reference to the large disparity between the precepts of each council and the fact that as a percentage of their total precept the cost of running the cemetery has been substantially increased over the years to a level they now feel is inappropriate.

3. Proposals

- 3.1 The Joint Burial Committee recently met and it was agreed that both partners would take a view from their respective councils about entering into discussions to terminate the joint arrangements with the Town Council taking over the cemetery and the costs associated with the facility.
- 3.2 In the event that the Town Council are of the opinion that options should be further explored a negotiating group would need to be formed with the results of discussions with the Parish Council being evaluated at Policy and Resources Committee.

4. Financial implications and risks

- 4.1 The law is such that the Joint Burial Committee may be terminated by agreement of the two parties by resolution in their respective councils.
- 4.2 In the event that agreement cannot be reached it may prove necessary to involve Wiltshire Council.

4.3 A number of improvements to the system of recording and accessing information about burials could be made with a modest amount of funding but expenditure is unlikely to be agreed in the present partnership arrangements.

4.4 Any separation will need to include provision for any liabilities falling upon the Town Council.

5 Recommendations

5.1 The Town Council is requested to consider the future of the Joint Burial Committee and agree a way forward.

Jeff Penfold
Town Clerk
23rd October 2017