

**Bandon Hill Cemetery Joint Committee**

**21 June 2021**

**6.30 pm**

**Virtual Meeting**



To all members of the Bandon Hill Cemetery Joint Committee:-

Chair: Councillor Muhammad Sadiq  
Vice-Chair Councillor Edward Joyce  
Councillors: Robert Canning, Barry Lewis, Oliver Lewis, Joy Prince

Substitutes: Councillor Manuel Abellan and Councillor Jake Short

**This meeting will be recorded and made available on the Council's website.**

Helen Bailey  
Chief Executive  
Friday, 11 June 2021

*Enquiries to: Benjamin Kiang, Committee Services Officer  
Tel: 020 8770 4990 | Email: [committee.services@sutton.gov.uk](mailto:committee.services@sutton.gov.uk)  
Copies of reports are available in large print on request*

# A G E N D A

1. **Welcome and introductions**

2. **Apologies for absence**

3. **Declarations of interest**

4. **Minutes of the previous meeting**

3 - 4

To approve as a correct record the minutes of the meeting held on 2 November 2020.

5. **Report of the Surveyor**

5 - 10

6. **Any urgent business**

To consider any items which, in the view of the Chair, should be dealt with as a matter of urgency because of special circumstances (*in accordance with S100B(4) of the Local Government Act 1972*).

7. **Exclusion of the public and press**

The following motion should be moved, seconded and approved if the committee wishes to exclude the public and press to deal with reports revealing exempt information:

*“That the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph X Schedule 12A of the Local Government Act 1972.”*

### Reminder – Declarations of Interests

Members should consider the following interests and whether they have any they should declare.

#### Disclosable Pecuniary Interests

Where you have a Disclosable Pecuniary Interest in any business of the Authority at this meeting and you have either declared it beforehand in the Register of Members' Interests or to the Monitoring Officer for entry in the Register you must state at this meeting that you have such an interest and then withdraw from the room or chamber where the meeting is being held whilst that business is considered.

Where you have a Disclosable Pecuniary Interest in any business of the Authority at this meeting and have not previously declared it you must declare the nature of that interest at this meeting and then withdraw from the room or chamber where the meeting is being held whilst that business is considered.

#### Other Pecuniary and Non-Pecuniary Interests

Where you have any other pecuniary or non-pecuniary interest in any business at this meeting you must declare that interest, but may continue to speak and vote on the matter. However, if the interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest then you should declare the interest and withdraw from the room or chamber where the meeting is being held whilst that business is considered.

Further information on these matters can be found in the Council's Code of Conduct and Constitution. If you are in any doubt as to whether you have an interest you should seek advice **before** the committee meeting from Alexa Coates.

If, during the course of the committee meeting, you consider you may have an interest you should always declare it.

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**Bandon Hill Cemetery Joint Committee****2 November 2020****BANDON HILL CEMETERY JOINT COMMITTEE****2 November 2020 at 6.30 pm**

**MEMBERS:** Councillor Stuart Collins (Chair), and Councillors Edward Joyce, Barry Lewis, Muhammad Sadiq and Oliver Lewis

**ABSENT** Councillor(s) Hamida Ali, Alison Butler and Prince

**19. WELCOME AND INTRODUCTIONS**

The Chair, Councillor Stuart Collins, welcomed those present.

**20. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Hamida Ali, Alison Butler, and Joy Prince.

**21. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**22. MINUTES OF THE PREVIOUS MEETING**

**RESOLVED:** that the minutes of the meeting held on 11 November 2019 be agreed as an accurate record, subject to a clarification being made that the councillor for whom apologies were received (minute 12) was Councillor Oliver Lewis.

**23. ANY URGENT BUSINESS**

There was no urgent business.

**24. ELECTION OF THE CHAIR AND VICE-CHAIR**

The Chair advised that, in accordance with convention, the Chair for the 2020/21 municipal year should be a councillor from the London Borough of Sutton.

A motion to appoint Councillor Muhammad Sadiq as Chair for the 2020/21 municipal year was moved by Councillor Barry Lewis and seconded by Councillor Oliver Lewis.

Following this, a motion to appoint Councillor Edward Joyce as Vice Chair for the 2020/21 municipal year was moved by Councillor Muhammad Sadiq and seconded by Councillor Stuart Collins.

**RESOLVED:**

1. That Councillor Muhammad Sadiq be elected as Chair for the 2020/21 municipal year.
2. That Councillor Edward Joyce be elected as Vice Chair for the 2020/21 municipal year.

**25. 2019/20 PROVISIONAL OUTTURN AND 2021/22 BUDGET SETTING REPORT**

The committee noted that the guaranteed income within the contract brought stability to the arrangement.

**RESOLVED:**

1. To note the provisional financial outturn for 2019/20.
2. To approve the budget for 2021/22.
3. To approve the fees and charges for 2021/22

**26. REPORT OF THE SURVEYOR**

The committee discussed the arrangements in place to ensure lifelong borough residents would still receive residents' rates when they had moved out of the area for reasons largely beyond their control.

The committee noted that local contractors were often used for site works.


**RESOLVED:**

1. To approve funding for the decoration of the chapel, at a cost of £15,000.
2. To approve funding for landscaping works to improve land close to the Plough Lane Close boundary at a cost of £9,680.

The meeting ended at 6.57 pm

Chair: .....

Date: .....

<b>Report Title</b>	Report of the Surveyor		
<b>Committee</b>	Bandon Hill Cemetery Joint Committee		
<b>Committee Date</b>	21 June 2021		
<b>Committee Chair</b>	Councillor Muhammad Sadiq		
<b>Report From</b>	Simon Latham, Interim Strategic Director of Environment, Housing and Regeneration		
<b>Report Author(s)</b>	Mark Dalzell, Head of Parks and Open Spaces, 0208 770 4695 Adam Brind, Contract Officer, 0208 770 4316		
<b>Ward(s) Affected</b>	London Borough of Croydon and London Borough of Sutton		
<b>Ambitious for Sutton priorities</b>	Making Informed Choices Keeping People Safe		
<b>Open/Exempt</b>	Open		
<b>Signed</b>		<b>Date</b>	10 June 2021

## 1 Summary

- 1.1 The report provides an update on management and maintenance of the cemetery, including arrangements and on the impact of Coronavirus. It includes an update on work previously approved, including tree planting, landscape maintenance, boundary fence replacement and redecoration of the chapel. Recommendations for further work are detailed for consideration.

## 2 Recommendation(s)

- 2.1 To approve funding of £12,000 to plant and water a further 20 trees within the cemetery over the next 3 years.
- 2.2 To approve funding of up to £5,000 for specialist services related to making new grave spaces available.
- 2.3 To approve funding of £3,000 for shrub planting on the Plough Lane boundary.
- 2.4 To approve funding not to exceed £5,000 to provide hard surface access to the old mortuary building.

### 3 Background and Key Information

- 3.1 The committee previously approved funding for various landscape improvements, fence replacement and redecoration of the chapel. These works have now been completed.

#### Update on the Cemetery Boundary Fences and Landscape works

- 3.2 In preparation for replacement of the Plough Lane boundary fence, during spring 2020 shrubs and trees were pruned back to allow access and avoid damage to the new fence. Leaves, ivy, brambles and fly-tipped rubbish was cleared away from under the shrubbery. The fence installation was delayed due to Covid causing a lack of suitable materials, but this work has now been completed.

#### Tree Planting

- 3.3 As agreed by committee, 10 Cherry trees were planted in winter 2019/20 and 10 more in winter 2020/21. A further 10 will be planted this coming winter. There are many more planting positions where trees have been lost over the years and it is recommended that the committee approves further funding for tree planting over the following 2 years. At a cost of £600 a tree approximately, the Committee would need to allocate £6,000 a year for 10 trees to be planted each year. The cost includes supply, planting and watering for 3 years to aid establishment. The scheme total would be £12,000 over 2 years.

#### Decoration of the Chapel

- 3.4 Redecoration of the chapel interior including sanding and polishing of all woodwork and parquet floor and replacement of the carpet has been completed. The chapel has been reopened for use and is now a much more welcoming space.





### Landscape works and the possibility of new grave spaces

- 3.5 The land close to the boundary with Plough Lane Close has been cleared to the fenceline. Ivy was removed from the fence, brambles were grubbed out and excess soil left over from grave digging has been removed. This has opened up the land and allows for survey work to be carried out to assess the viability of using some of this land for future burials.
- 3.6 If the Committee wishes to pursue plans for additional new grave space in this area, the next steps would be to check for utilities and undertake a tree survey to identify whether trees in this area would need to be removed if the land was to be used for new burials. The Committee is requested to authorise use of up to £5,000 to buy in specialist services related to this work (legal, surveyors services etc) if required, although there is no intention at this stage to commission such works immediately.
- 3.7 Committee is recommended to consider refreshing the planting on the Plough Lane boundary to gap up the existing shrubbery. This area has a number of evergreen shrubs planted under the trees to provide an attractive appearance and screen the cemetery from the busy road. Additional shrubs would help to maintain this screen. It is recommended that £3,000 is made available for this replanting, to be carried out in Autumn 2021.
- 3.8 The Old Mortuary building is currently used as a tool and machinery store for the cemetery contractor. However the access path is not wide enough to allow proper access and as a result there is unsightly damage caused to adjacent grass areas. It is recommended that the path is widened and an all weather surface is provided at this location. Committee is requested to fund works of up to £5,000 for this improvement.

### Impact of Coronavirus on cemetery operations

- 3.9 The cemetery has been busier during 2020 than in 2019, with various peaks in demand, but the number of funerals overall was not exceptionally high. Operating hours have returned to normal and graveside services no longer have restrictions on the number of mourners. The chapel is available for use again albeit with a reduced number of mourners (currently 18 max) to ensure social distancing. The table below shows the number of burials by year from 2015 to 2020.

Number of Burials by year at Bandon Hill Cemetery	
2015	178
2016	175
2017	166
2018	162
2019	149
2020	172

**4 Benefits to Sutton and its Residents**

- 4.1 Carrying out essential maintenance and improvements benefits visitors and families who attend services in the chapel and have family plots within the cemetery. Keeping the cemetery in good repair means that neighbours and passersby see a well cared for and safe environment.
- 4.2 Planting of trees and shrubs provides environmental benefits. Increasing tree cover helps to mitigate against increasing summer temperatures in urban areas and provides much needed habitat for wildlife.
- 4.3 The cemetery is a key element of traditional community infrastructure and good maintenance will ensure it remains an asset for many years to come.

**5 Implications**

- 5.1 Continuing to improve and restore the cemetery reduces complaints and the likelihood of accidents due to unsafe and uneven surfaces. Ensuring the cemetery is well maintained also encourages use of the chapel, and cemetery facilities, bringing income to pay for future repair and maintenance.

**6 Finance and Legal Commentary**

Finance Comment

- 6.1 The reserves held by the Bandon Hill Committee totalled £459,792 as at 31 March 2020 which are considered to be adequate. The purpose of generating a small surplus and generating a reserve was that can be invested and used to maintain the Cemetery.

- 6.2 The proposals from this report contain commitments totalling £25,000 (£12,000 for tree planting will be spent over three years) and will not materially affect the financial position of the Cemetery.
- 6.3 At the next committee meeting, the Treasurer will provide an update on the 2020/21 outturn (final or provisional depending on when final sign off from the Council's appointed external auditors is granted) and will recommend the budgets and the level of fees and charges for the financial year 2022/23.

#### Financial Risks

- 6.4 The financial risks of entering into these new financial commitments are outweighed by the risks to the service of not carrying out the works. In the event that the cemetery would end the 20/21 financial year with a deficit, as stated in 6.1, there is an adequate level of reserves to cover it.

#### Legal Comment

- 6.5 The owners of the cemetery are both the London Borough of Sutton and London Borough of Croydon ("Councils") in their capacity as Joint Burial Authorities. The Bandon Hill Cemetery Joint Committee was set up by both Councils to jointly manage the cemetery, which has been maintained jointly since circa 1965.
- 6.6 Burial Authorities have wide powers for the management, regulation and control of a cemetery under the Local Authorities Cemetery Order 1977. Regulation 4 provides that local authority cemeteries must be kept in good order and repair; including buildings, walls and fences. S.214 of the Local Government Act 1972 provides Burial Authorities with a discretionary power to contribute towards the provision or maintenance of burial grounds.
- 6.7 The Councils also have responsibilities as an "occupier" to members of the public on the premises under section 4 of the Health and Safety at Work Act 1974 and the works to the chapel and indeed the surroundings could well be considered necessary to ensure the health and safety of the public and those attending services.
- 6.8 The proposed procurement is for approximately £25,000 and therefore the full procurement regime of the Public Contract Regulations 2015 does not apply. Nor would the reporting provisions of Chapter 8 of the PCR 2015 as the procurement is less than £25,000.

#### Legal Risks

- 6.9 None at present.

## 7 Appendices and Background Documents

### 7.1 Appendices

Appendix Letter	Appendix Title
N/A	N/A

### 7.2 Background Documents

Date of Expiry	Background Document
N/A	N/A

## 8 Consultations

Consultees	Yes/No	Officer	Date of Comments
Finance	Yes	Miguel Fernandez Head of Financial Reporting and Business Partnering	08/06/2021
Legal	Yes	Property and Commercial Team South London Legal Partnership	10/06/2021
Others	No	N/A	N/A
EQIA	No	N/A	N/A