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Michael Laing Chief Executive

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30<sup>th</sup> October 2007

Dear Councillor,

I hereby give you Notice that a Meeting of the **COMMUNITY SERVICES COMMITTEE** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, CROOK** on **WEDNESDAY, 7<sup>th</sup> NOVEMBER 2007** at **6.00 P.M.**

### AGENDA

1. Apologies for absence.
2. Declarations Of Interest

Members are invited to declare any personal and/or prejudicial interests in matters appearing on the agenda and the nature of their interest.

Members should use either of the following declarations:

**Personal Interest – to be used where a Member will be remaining and participating in the debate and any vote:**

I have a personal interest in agenda item (...) regarding the report on (...) because I am (...)

**Personal and Prejudicial Interest – to be used where a Member will be withdrawing from the room for that item:**

I have a personal and prejudicial interest in agenda item (...) regarding the report on (...) because I am (...)

Officers are also invited to declare any interest in any matters appearing on the agenda.

**NOTE: Members are requested to complete the enclosed declarations form and, after declaring interests verbally, to hand the form in to the Committee Administrator.**

3. To consider the Minutes of the last Meeting of the Committee held on 19<sup>th</sup> September 2007 as a true record. Copy attached
4. To consider a draft Cemeteries Strategy. 1 - 9

5. To consider a draft Allotments Strategy. 10 - 16
6. To consider such other items of business which, by reason of special circumstances so specified, the Chairman of the meeting is of the opinion should be considered as a matter of urgency.

Yours faithfully



**Chief Executive**

Members of this Committee: Councillors Mrs Bolam, Mrs Carrick, Gale, Mrs Hardaker, Harrison, Hayton, Kay, Kingston, Laurie, Murphy\*, Miss Ord, Perkins, Mrs Pinkney, Seabury\*, J Shuttleworth, Ward and Zair.

\*ex-officio, non-voting capacity.

Chair: Councillor Kingston

Deputy Chair: Councillor Laurie

TO: All other Members of the Council for information  
Management Team





## Community Services Committee

7 November 2007

### Report of the Assistant Director (Neighbourhood Services) **The Cemeteries Strategy**

#### **purpose of the report**

1. To advise Members of the draft Cemeteries Strategy.

#### **background**

2. A number of years ago the Council issued a procedure guide on how it would manage its cemeteries. This guidance is now out of date. It is appropriate that a Strategy is developed to frame the management of Cemeteries and Closed Churchyards.

#### **proposal**

3. A draft Strategy has been developed. This has allowed the Council to:
  - consider current legislation
  - learn from good practice elsewhere
  - take account of the latest guidance from the Ministry of Justice
  - build upon the review carried out on the service by the Institute of Cemetery and Crematoria Management (ICCM) in 2004
  - ensure that the ICCM's "Charter for the Bereaved" is properly considered
  - allow us to properly consult with stakeholders, including local funeral directors and stonemasons
  - give clear information to customers on service parameters and the standards they can expect from us

#### **financial implications**

4. No expenditure is anticipated over existing budgets.

#### **human resource implications**

5. No human resource implications are anticipated.

## **legal implications**

6. The Council have obligations under the Local Government Act 1972, and the Local Government Cemeteries Order 1977. Church of England graveyards are subject to relevant ecclesiastical legislation. In addition, there remain a few public burial and related Acts of general application, which date back to the nineteenth century.

## **outcomes for customers**

7. Customers will benefit from having a strategy that is modern, clear and has been consulted upon. They will also benefit from clear standards of service and consistent regulation.

## **ongoing development**

8. Rules and regulations, the Charter for the Bereaved, and other procedures and guidance will be reviewed as appropriate to reflect changes in legislation and good practice.

- RECOMMENDED**
1. that Committee approves the draft Cemeteries Strategy.

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**Officer responsible for the report**  
Michael Laing  
Strategic Director for the Community  
Ext 281

**Author of the report**  
Alan S Northcote  
Assistant Director (Neighbourhood Services)  
Ext 321

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## **Objective of this Strategy**

The objective for cemeteries in Wear Valley is to offer a pleasant, friendly and sympathetic resting place.

The Council will endeavour to maintain all of its cemeteries as a friendly, safe and pleasant environment, without the fear of crime and anti-social behaviour with an atmosphere of peace and tranquillity.

The service shall be managed with compassion, competency and efficiency, to ensure the entire experience show sensitivity and meets the religious, secular, ethnic and cultural needs of the bereaved and their relatives.

## **Introduction**

The Cemeteries Strategy is a strategic document for the Authority to maintain and promote its stewardship of cemeteries and closed churchyards which local residents have a right to enjoy. It advocates that cemeteries should be a place of peace and tranquillity for the public to visit, to pay respects to their interred relatives and/or friends.

This document includes aspects of good management and operation of the Authority's cemeteries, including closed churchyards. These aspects range from maintenance, health and safety and memorial testing, to pre-purchased graves, promoting respect to meeting future land demands for the interment of the dead and the burial of minority groups within our communities.

The strategy is a dynamic document and will be updated periodically as social, community and environmental changes demand.

## **Cemeteries**

There are 18 cemeteries in Wear Valley District and 18 closed churchyards:

- Burtreeford Cemetery, Cowshill
- Coundon Cemetery, Collingwood Street, Coundon
- Crook Cemetery, Windsor Terrace, Crook
- Crosshill Cemetery, Stanhope
- Dans Castle Cemetery, Tow Law
- Escomb Cemetery, Hallimond Road, Escomb
- Frosterley Cemetery, Croft Terrace East, Frosterley
- Howden le Wear Cemetery
- Hunwick Cemetery, Church Lane, Hunwick
- Rookhope Cemetery
- South Church Cemetery, Rosemount Road, South Church
- St. Johns Chapel Cemetery
- Thornley Road Cemetery
- Town Cemetery, Bishop Auckland

West Auckland Cemetery  
Willington Cemetery  
Witton le Wear Cemetery  
Witton Park Cemetery

Closed Churchyards:

Binchester  
St. James, Coundon  
St. Cuthberts R. C, Crook  
Saxon Church, Escomb  
Frosterley  
St. Pauls, Hunwick  
St. Marys, Howden le Wear  
Newfield  
Rookhope  
St. Helen Auckland  
St. Andrews, South Church  
Stanley  
St. Johns, Sunnybrow  
St. Barnabus, Thornley Village  
St. Phillips and St. James, Tow Law  
Willington R. C.  
St. Stephens, Willington  
St. James, Witton le Wear

The Authority maintains all the buildings, (except church buildings), paths, road, site boundaries, drainage, water services and grass cutting, waste disposal and ground maintenance.

An annual stock condition survey is to be undertaken of all buildings which the Authority control and form part of the Council's Asset Management plan and appropriate budgets.

Annual inspection is to be undertaken of all paths, road and immediate remedial measures are taken if hazards are identified such as tripping hazards, pot holes etc.

All cemeteries and churchyards to be maintained to a standard of grass cutting as set out in the grounds maintenance contract document.

Water supplies and waste disposal facilities are available in all cemeteries.

## **Rules & Regulations**

The Cemetery Rules and Regulations are an integral part of this strategy and a basis for the management of Cemeteries.

They enable the public, funeral directors and memorial masons to understand the rules that the Authority require to be applied within the

cemeteries. In addition, officers of the Authority apply these rules and regulation to ensure the cemeteries are managed and operated on a common sense, practical and sympathetic manner. They also enable consistency to be achieved across the district.

The current Cemetery rules and regulations are available via service leaflets, the Council's web site, and are posted at each cemetery.

### **Health and Safety**

Health and Safety is a major concern to the Council and through its procedures and risk assessments it minimises the risk to staff and visitors as far as reasonably practicable.

Ongoing risk assessments are carried out to identify hazards encountered in excavation of graves by both manual and mechanical means and risks that may be encountered by other maintenance operations and by the visiting public.

Council contractors, who undertake works in cemeteries, are trained in safety awareness, with specific staff being trained and certificated in the safe use of mini excavators, grave shoring techniques and other mechanical means which may be used.

The Authority seeks to strike a balance between public safety and the need to remain sensitive and minimise public impact when it applies health and safety requirements when managing and operating the cemeteries.

### **Testing of Memorials, Headstones and Kerb Sets**

Memorial stability has aroused widespread concern. A small number of tragic accidents and deaths, in particular to children, raised public awareness and in a number of cases required the intervention of HSE and its statutory enforcement powers. To ensure Wear Valley District Council as a burial authority fulfilled its responsibilities for the safety of cemetery users, testing programmes were introduced which resulted in a number of memorials being laid down. Lawn memorials of relatively recent installation will have a higher rate of failure but with a lower risk of personal injury. In many cases this can upset families of the deceased and other cemetery users and attract adverse publicity.

Wear Valley District Council believes there is a balance to be struck between public safety and customer and resident satisfaction. We recognise that certain memorials pose an immediate danger with a high risk of injury, and as such would need to be laid down. Others may display a degree of instability without the same degree of risk, perhaps because of their size and/or location. Through advice, promotion and a balanced view it will be recognised that action other than lying down will almost always be the appropriate remedy. i.e. staking or burying a proportion of memorial.



Before each testing exercise, the procedure will be to fix signs to cemetery gates announcing the start of the testing, to place advertisements in the Notices section of the local newspaper in the four weeks running up to the start, and invite all interested councillors, the local newspapers and members of the public to attend an open day at the start of the testing where methods used are demonstrated.

Testing in closed churchyards will follow consultation with the Diocese and an inspection programme developed. According to current ICCM (Institute of Cemetery & Crematorium Management) guidelines all memorials should be re-tested on a 5 year cycle.

## **Burials and Graves**

It is recognised that the appearance of cemeteries is enhanced by well kept and presentable graves which are in keeping with the philosophy of a peaceful and pleasant environment of the cemetery. Graves play an important part in the ambiance of the cemetery and the Authority wishes to promote a good standard of ground maintenance and well kept graves.

The Authority understands that communities within Wear Valley may not require the traditional burial and where possible will try and facilitate and accommodate non-Christian burials i.e .Muslim burials. Where the Authority can not accommodate such burials it will advise relatives and families of neighbouring Authorities who provide alternative burials to meet the wishes of the bereaved families and friends.

The Authority recognises that environmentally friendly burials are a matter of degree and personal belief. Regretfully, due to space constraints in our cemeteries, a full 'green' interment cannot be achieved. However, the authority will allow the use of wicker or cardboard coffins.

Where possible we fully support the use of environmentally friendly materials and practices within our cemeteries.

A designated area within Bishop Auckland cemetery is provided and kept for children's graves.

Where practicable each cemetery shall have a designated area for the interment of cremated remains, in order to address the increasing incidence of the burial of cremated remains. The purchase of Exclusive Right of Burial would be at a lower level than that of a full size grave space.

The authority treats welfare burials with the greatest of dignity, sympathy and respect as it does for all other categories of burial. Where the deceased person has no relatives, or relatives cannot be traced, the authority will make the funeral arrangements. No exclusive right of burial will be granted nor exclusive right to erect a memorial. However, the grave rights may be purchased at a later date.

The exhumation of the deceased is a high risk health and safety issue with hazards during the excavation work and the potential risk of infectious diseases. All exhumations will be carried out in accordance with the ICCM “Code of Safe Working Practice for Cemeteries”, and the Health and Safety Executive (HSE) guidance “Controlling Risks of Infection of Work from Human Resources.”

Where an exhumation is required then the exhumation of the deceased will be undertaken with sensitivity and respect for the dignity of the deceased.

### **Closed Churchyards**

The authority will endeavour to maintain closed churchyards to the same standard as cemeteries and ensure the environment is presentable to visitors.

There are presently 18 closed churchyards which the authority maintains. Approaches shall be made to the Diocese to investigate priorities.

### **Cemetery Fees and Charges**

Fees and charges will be set annually by the Council.

All fees and charges will be determined by balancing what is a reasonable cost, comparison with other authorities and the expenditure for managing and operating the cemeteries and closed churchyards.

The cemetery fees should include a charge for recovering the cost of making safe a memorial.

### **Customer Care**

The Authority will continue to work towards compliance with the Council’s Charter for the Bereaved.

### **Standard for Memorial Masons working in Wear Valley owned cemeteries**

To ensure a uniform, comprehensive and consistent standard for memorials erection in its cemeteries, the Authority will apply the British Register of Accredited Memorial Masons (BRAMM) Standards. The reasons for applying this scheme are as follows:-

- Assurance of adequate level of public liability insurance
- Guarantee of the stability of their memorials
- Proof of accreditation to safety fix memorials
- All registered memorial installers issued with BRAMM fixers licence
- All masons trained to fix to the same standard.
- Need to register with only one organisation.

The Scheme is policed by members to ensure a recognised standard of fixing is maintained. The Authority will no longer have to maintain its own scheme. We and our customers can then be assured that a BRAMM fixer has the necessary skill and knowledge of the correct trade practices and procedures in order to erect a safe and stable memorial. The scheme ensures that businesses are registered and have had practical assessments of their skills.

### **Standard for Funeral Directors working in Wear Valley owned cemeteries.**

The Authority expects Funeral Directors to adhere to the Code of Practice for the National Association of Funeral Directors.

In general terms, this means that funeral directors shall:

- Act in a courteous, sensitive, dignified and professional manner and must not pressurise or exploit clients in the difficult circumstance following bereavement.
- At all times offer the best advice and provide the best possible service commensurate with the charges made.
- Respect the confidential nature of the information given to them and only use that information for its proper purposes.

### **Respect for Cemeteries and Closed Churchyards**

The Authority wishes to promote respect for our cemeteries and closed churchyards within its communities, and will work to deal with anti-social behaviour within these areas.

Examples of anti-social behaviour:

Theft of personal mementos/flowers from graves  
Vandalism to headstones  
Dog fouling on graves  
Vandalism to buildings/walls  
Playing games in cemeteries  
Nuisance caused by congregating youths

All have the potential to cause distress to families, relatives and visitors to the cemeteries.

### **Future Demands and Development**

The Authority recognises that the capacity of the existing cemeteries is finite. Currently there is already land available to extend the cemeteries at West Auckland, Crook and Thornley Road. The Authority is to resume the application for the acquisition of land for the extension of Bishop Auckland.

The design and construction of kerbed sets for graves result in high maintenance costs and inherent health and safety risks due to their potential instability. The Authority by adoption of this strategy will cease to allow new or replacement kerb sets on graves in all its cemeteries. Any unauthorised or home made structures placed on graves after the adoption of this strategy within cemeteries will be removed.

Any established unauthorised or home made kerb sets will be required to be removed by the owner following 4 weeks written notice from the Authority. If the owner does not remove the kerb sets, the Authority will remove and store them for a 12 month period after which time they may be destroyed.

Developments which will enhance the amenity and use of cemeteries will be incorporated where land availability and funding allows.

### **Consultation and liaison**

The Authority fully appreciates the need for consultation and as the Strategy develops in the future will consult with interested stakeholders, including:

- District councillors
- County councillors
- The public
- The Diocese
- Local Churches
- Local Funeral Directors
- Local Memorial Masons
- Police
- Youth Service
- Any other agencies as identified

### **Further review of the Strategy**

The Strategy is a document which needs to reflect current practice, legislation and customer care. It will be reviewed and updated as appropriated.

## **Draft Allotments Strategy**

### **Introduction**

To help manage and maintain the Council's allotments, it is proposed to adopt a Strategy for the Service with the aim of creating an efficient, flexible and effective Service that reflects best practice. This will then guide the work of Officers over the coming years.

### **Background**

Allotments have been an important and valuable part of the urban community for over 150 years. They were created to empower those on low incomes to improve their quality of life, health and diet, by growing their own food. The common land these people worked was the remains of land that had once been communal agricultural land.

The General Enclosure Act of 1845 made the provision of allotments for the 'labouring poor' mandatory and introduced the concept of landlord and tenant for allotment land. The 1908 Allotments Act made allotments the responsibility of local authorities and the 1922 Allotments Act made allotments available to all, not simply those on low incomes.

The use of allotments peaked during World War II as people responded to Britain's 'Dig for Victory' demand for self-sufficiency, with one and a half million plots being cultivated. During this period 1,300,000 tonnes of food per annum was grown on 1,400,000 plots, which was nearly 1 tonne of food per plot. Post war Britain saw a fall in allotment use due to changes in society with 'cheap' food and the negative stereotyping of allotment gardening as the leisure pursuit of those on low incomes, or the white, retired male.

Allotment law was last updated under The Allotments Act 1950. There remains the need for alteration in the law to reflect changes in allotment gardening. In modern allotment gardening people of all ages and backgrounds are creating vibrant communities that produce fresh, healthy food and offer a healthy lifestyle too. In 1998 the Department of Environment Transport and the Regions published a White Paper on the Future of Allotments. 'Growing in the community - A Good Practice Guide' from the Local Government Association followed this. Both documents highlight the contribution that allotments make to an improved quality of life.

There has been a recent surge in demand for allotments, with an estimated 13,000 people on waiting lists in the UK. Another reason for this demand for allotments is increasing concerns over the safety and quality of our food. Food scares and the poor vitamin and mineral quality of food grown in depleted, intensively farmed soils have led to an increasing awareness of the value of home grown produce, free of chemicals. This desire for 'home grown food' and concern over environmental damage from 'air miles', is leading many people to turn to allotment gardening as a means of producing healthy, fresh, locally produced food that is often organically grown.

Concern over diet is acknowledged at government level with increasing concern over obesity in the population. Public health campaigns are consistently highlighting the necessity of a diet high in fruit and vegetables, along with adequate exercise.

*“Nearly two thirds of men and over half of women in England are now overweight or obese. And the problem here is increasing faster than in most other European countries. If prevalence continues to rise at the current rate, more than one in four adults will be obese by 2010. This would significantly increase the incidence of associated diseases, such as coronary heart disease, and would cost the economy over £3.5 billion a year by that date.” Sir John Bourne Head of the National Audit Office. ‘Tackling Obesity in England’ 15<sup>th</sup> February 2004*

So although the demand for allotments has varied during the twentieth century, the twenty first century is seeing the beginnings of a strong allotment revival as people turn to allotments as a means of enhancing their health, physically, mentally and emotionally. The most recent development in the history of the allotment movement has been the formation of the Allotment Regeneration Initiative, which recognises the value of allotments, and is supporting the demand for healthy, sustainable allotments throughout the country.

### **Allotments in Wear Valley**

There are 31 allotment sites within the District; 13 of these are due to transfer to Town or Parish Councils. Whilst the proposed Strategy is about how the Council’s allotment service will develop, the Department will continue to work with other providers and users to make the most of all of the District’s allotments.

### **Purpose of Strategy**

The purpose of this strategy is to help us create an efficient, flexible, effective Allotments service that reflects best practice in allotment management. This will enable Council allotment sites to be used to their full potential, whilst improving the service offered to allotment tenants. The Allotment Strategy will also provide a plan to guide the work of the allotment management team.

In order to achieve this, the Strategy provides recommendations to allotment gardeners and officers as to the policies, procedures and guidelines for allotment management.

The Allotment Strategy will seek to:

- Support the uptake of allotments
- Develop the administration relating to allotments
- Increase the sustainability of allotments
- Reflect recognised good practice in allotment management

It will help the Council to support:

- The opportunity to grow fresh food and flowers
- The opportunity to grow organic produce
- The opportunity for fresh air and exercise
- The chance to be part of a community
- The ability to take part in an enjoyable leisure activity
- Providing a valuable area for people without a garden
- Providing places for children to experience the outdoors and to learn
- Offering the opportunity for adults to develop new skills and participate in lifelong learning
- Offering the opportunity to develop skills that could assist with employment
- Providing places to grow food locally so reducing an areas environmental footprint
- Supporting biodiversity and conservation
- Contributing to sustainability and Agenda 21
- Providing green corridors in urban and suburban settings

### **Aims and Objectives**

To deliver the Strategy 7 aims have been identified. These have been drawn up in accordance with 'Growing in the Community - A Good Practice Guide for the Management of Allotments' and the Green Flag Park Award scheme. The intention is to use current best practices for green spaces and open areas and incorporate them in the management of allotment sites. The Aims are in turn supported by a range of Objectives. How each Objective will be delivered will then be set out in an action plan through a series of actions and initiatives to be undertake over the next three to five years.

**Aim 1: To have sites which are welcoming and accessible to all**

- making sites look positive and inviting
- having good and safe access to sites
- having sites which are inclusive
- having sites that are attractive throughout

**Aim 2: To have healthy, safe and secure allotments**

- To offer sites that are secure places for all members of the community
- To have allotments that are free from dog fouling and dogs are under proper control
- To have health and safety policies in place, in practice and regularly reviewed
- To protect volunteers working on allotment sites
- To have allotment sites free from hazards to health
- To improve site security

**Aim 3: To have well-maintained and clean allotments**

- To improve litter and waste management
- To improve grounds maintenance
- To have properly maintained structures and boundaries

Aim 4:           **To create allotments that encourage sustainable practices**

- To reduce the use of chemicals
- To improve waste management
- To improve recycling opportunities and increase the amount of material recycled
- To reduce the amount of pollution generated on allotments

Aim 5:           **To promote community involvement and social inclusion**

- To identify the community who use each allotment site
- To increase community involvement in allotment sites
- To improve education and learning opportunities

Aim 6:           **To work in partnerships with groups and agencies to support and develop the use of allotments**

- To identify all groups who are, or may be, able to work in partnership
- To develop joint projects with partner organisations
- To support and develop projects and practices that increase the sustainability of allotment gardening

Aim 7:           **To improve the management of allotment sites**

- To provide efficient allotment administration
- To develop and review an Action Plan

## **Outcomes of an Allotment Strategy**

The development of an Allotment Strategy will ensure:

- Good access and security, well-maintained pathways, adequate water provision and a system for dealing with neglected plots
- Promotion and encouragement to individuals and communities interested in becoming involved in the cultivation of allotment gardens
- Sustainable allotments
- Efficient, effective and accessible allotment administration
- Active involvement of gardeners in allotment management through allotment associations and Site Secretaries
- Equal Opportunities
- Educational opportunities
- Improving social inclusion
- Developing partnerships
- Promotion of organic gardening



- Increased opportunities for recycling and composting
- Full allotment sites
- Development of good environmental practices

## **Monitoring and review**

It is proposed that the Action Plan will be reviewed and updated annually so that it reflects any changes in Government, Corporate, Departmental, Site and Customer priorities. Part of this review process will be undertaken through meetings with Associations. In addition developments in allotment management from national organisations, such as the Allotments Regeneration Initiative and the National Society of Allotment and Leisure Gardeners, will be included within this annual review process.

## **Conclusion**

The history of allotments has always reflected the changing needs of society. At the beginning of the twenty first century people are increasingly searching for ways of improving the quality of their lives. Concerns over health and diet are encouraging people to garden on an allotment. The loss of open spaces strengthens the value of allotment sites as 'being in the country whilst living in a town.' The variety of habitats within an allotment site allows them to develop as vital wildlife habitats, enhancing the biodiversity of an area and adding to 'green corridors'.

Allotments allow people to enjoy a sense of being in a strong community, where people get to know each other well, to talk, share ideas and make friends.

In recognition of the vital role allotments have to play, the Allotment Strategy aims to build on current good practice and from this develop a vibrant, sustainable allotment community.



## Community Services Committee

7 November 2007

### Report of the Assistant Director (Neighbourhood Services) **The Allotment Strategy**

#### **purpose of the report**

1. To advise Members of the draft Allotment Strategy

#### **background**

2. During the past ten years gardening has become a very popular leisure activity in the UK because it offers a relaxing alternative to the stressful pace of modern day life. Increasingly allotments are being valued for their therapeutic benefits in providing a quiet refuge, where people can have the sense of gardening in the country, within an urban environment.
3. Allotments are an important asset of the Council's which can be used for the general well-being of the Community. At present only 1% of plots in the District are vacant.

#### **the Strategy**

4. A draft Strategy has been developed. This has allowed the Council to:
  - consider current legislation
  - learn from good practice elsewhere
  - included recommended guidance from the Government

#### **financial implications**

5. No expenditure is anticipated over existing budgets.

#### **human resource implications**

6. No human resource implications are anticipated.

### **outcomes for customers**

7. Customers will benefit from having a strategy that is modern, clear and has been consulted upon. They will also benefit from clear standards of service and consistent regulation.

### **ongoing development**

8. Changes in good practice and guidance will be reviewed as appropriate. Further reports to Members will follow as necessary.

### **RECOMMENDED**

1. Committee approves the draft Allotment Strategy.

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**Officer responsible for the report**  
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Ext 281

**Author of the report**  
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