

Central Durham Crematorium
Joint Committee

12 May 2010

Quarterly Update Report



Report of Alan José, Superintendent and Registrar to the Joint Committee

1. Purpose of the Report

To give Members of the Central Durham Crematorium Joint Committee the usual information contained within the Quarterly Update.

2. Cremations

I have to report for your information, the following statistics relating to the Crematorium for the period 1 January 2010 to 31 March 2010 inclusive:

	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
JAN	256 + 5*	227 + 13*	260 + 1*	257 + 2*	281 + 3*	218 + 3*
	+ 12**					
FEB	218 + 6*	194	206 + 10*	230 + 3*	238 + 3*	190 + 2*
	+ 14**					
MAR	226 + 12*	214 + 6*	240 + 2*	199 + 5*	187 + 2*	216 + 1*
	+ 4**					
TOTAL	700 + 23*	635 + 19*	706 + 13*	686 + 10*	706 + 8*	624 + 6*
	+ 30**					

* = NVF

** = STs

*** = BODY PARTS

Durham 208
 Outside Area 416 (listed at Appendix 2)
Total 624 + 6 Nv

3. Memorial Garden

I would wish to advise the Joint Committee that during the period 1 January 2010 to 31 March 2010 inclusive, the following Memorials have been sold:

Vase Blocks 5
 Large Plaques 24
 Small Plaques 4
Total 33

Financial Information (Net of VAT)

Vase Blocks	2,088.17
Large Plaques	5,727.67
Small Plaques	<u>788.76</u>
Total	£ 8,604.60

4. Independent Testing of Cremators

Inspection

I would wish to advise the Central Durham Crematorium Joint Committee that during the period 13 January 2010 – 15 January 2010, all three L&P Cremators were independently tested by Catalyst Environmental as required under the terms of the Environmental Protection Act 1990.

I am pleased to advise that the test results for each of the three Cremators were within the limits as specified in the Secretary of States' notes for Crematoria.

Category

Under the terms of the Environmental Permitting (England & Wales) Regulations 2007, an inspection was carried out on Monday 29 March 2010 - the result of the inspection confirmed the category as "Medium" as has been the case since the inspection began in 1990.

In his capacity as "Regulator" (Environmental Protection Act 1990) the Senior Public Protection Officer Pollution Control has sent the information as set out at Appendix 3 and 4.

Conclusion

The effect of this information is to confirm the License to operate the Crematorium will be amended to reflect the fact that "it is imperative" that new cremators and Mercury Abatement Equipment is installed commissioned and in operation before 31 December 2012.

5. Annual Conference of Cremation and Burial Authorities – Stratford-upon-Avon, 5 July 2010 to 7 July 2010

On the usual basis, two places have been reserved at the above Conference for the Chair of the Central Durham Crematorium Joint Committee and the Superintendent & Registrar to attend the event.

6. 50 Year Anniversary

Further to previous reports after discussing dates that would be closest to the Anniversary of the opening date, it is suggested that the weekend of Friday 6 August 2010 to Sunday 8 August 2010 be designated for the celebration events. I can advise the Committee that Spennymoor Town Council have agreed to provide their Marquee for two days on 7 August 2010 and 8 August 2010 in the sum of £940.00 +VAT.

It will be necessary to hire chairs and I am awaiting quotations. I have discussed the provision of refreshments with the Senior Catering Supervisor for County Hall, who has advised that there will be no problem for this to be arranged for 7 August 2010 and 8 August 2010.

Local Clergy and Funeral Celebrants are being consulted and an order of Memorial Service drawn up.

It has been suggested that the Heads of Durham County Council may attend one of the days and the Mayors of Durham and Spennymoor the other.

Having discussed the matter with the Chairman and the Vice Chairman of the Central Durham Crematorium Joint Committee and also the Clerk to the Central Durham Crematorium Joint Committee, I have made enquiries about the holding of a Dinner at County Hall on Friday 6 August 2010. This evening would be an opportunity to invite Funeral Directors, Clergy and other associated with the Crematorium to join members of the Central Durham Crematorium Joint Committee and staff in marking the 50 Year Anniversary.

Also invited, could be the National Presidents of the Federation of Burial & Cremation Authorities and the President of the Institute of Cemetery and Crematorium Management. This would be an excellent opportunity for positive publicity and to hopefully enhance further the reputation of the Crematorium.

It is anticipated that these events can be organised using Durham County Council facilities and staff and be achieved within the agreed budget.

7. Funeral Pyres

For information, I set out a copy of a letter received from the Ministry of Justice (Appendix 5) with regard to Funeral Pyres. I will continue to update the Committee on any developments.

8. Memorial Plaques - Garden of Remembrance

As Members are aware, there is increasing concern about the carbon footprint of any operation and ways are being sought to reduce that of the Crematorium where possible, as in the recycling of metal implants which was introduced this year.

At the present time, the granite used for Memorial Plaques is imported from both India and China.

Natural materials are available that can be sought from within the U.K. and it is proposed that quotations are sought for the supply of Memorial Plaques that are U.K. based with the new contract to begin in July 2010.

9. Recommendation

- a) That the Report be noted
- b) That the Joint Committee agree to the Chair and Superintendent & Registrar attending the Annual Conference of Cremation and Burial Authorities in Stratford-upon-Avon.
- c) That the Superintendent & Registrar be authorised to place the appropriate adverts for the supply of the U.K. sourced Memorial Plaques.

Background Papers:

- OthoMetals – Promotional Documentation and website.
- Institute of Cemetary & Cremation Management – Report of Recycling Metals following Cremation (April 2005).
- Institute of Cemetary & Cremation Management – Frequently Asked Questions (25 June 2008)
- Report from Catalyst Environmental in respect of Cremators 1, 2, & 3 at Durham Crematorium (15 February 2010)
- Letter from The Phoenix Partnership to Superintendent & Registrar dated (19 February 2010)

Appendix 1: Implications

Finance

As outlined in the Report

Staffing

As outlined in the Report

Equality and diversity

None

Accommodation

None

Crime and disorder

None

Environment

None

Human rights

None

Localities and rurality

None

Young people

None

Consultation

None

Appendix 2: Breakdown of figures

	Oct	Nov	Dec		Oct	Nov	Dec
Alston		1		Leicester			
America	1			London		1	
Barnard Castle				Middlesbrough		1	
Beamish				Middleton/ Teesdale			
Birtley				Morpeth			
Bishop Auckland	11	8	8	Murton	4	1	3
Bishop Middleham	1	1	1	Nettlesworth	2		
Blackhall			2	Newcastle			
Berwick				Newton Aycliffe	8	7	6
Burnhope				Northallerton			1
Cambridge	1			Ouston			
Chester Le Street	13	12	14	Peterlee	13	5	10
Cheshire			1	Rothbury	1		
Chilton	3	2	2	Sacriston	5		3
Consett	1	1	4	Seaham	9	2	4
Cornsay				Seaton			
Coundon	1			Sedgefield		5	3
Cowhill				Shildon	2	3	1
Crook	5	7	11	Shiney Row			
Darlington				Shotton	5	2	1
Easington	6	4	4	Southampton	1		
East Rainton		1		South Hetton	3	1	
Edmondsley		1		Staindrop			
Esh				Stanhope		1	1
Esh Winning	1	1	1	Stanley	1	1	1
Fencehouses	3	1	1	Station Town			
Ferryhill	8	14	6	Stockton			1
Fishburn		3	1	Sunderland		1	1
Frosterley				Sunnybrow	1	1	
Gateshead				Thirsk			
Great Lumley	2		1	Thornley			4
Hamsterley			1	Toft Hill			
Hartlepool	1			Tow Law	1	3	5
Haswell	1	1	1	Trimdon	1	7	6
Hetton Le Hole	6		5	Warrington			
High Etherley				Washington			1
High Rickleton				West Auckland	3	1	
Horden	3	4	2	West Cornforth		1	6
Houghton	1	2	3	Wheatley Hill	2	2	4
Howden				Willington	6	7	5
Hunwick	1	2		Wingate	2	1	1
Lanchester		3	1	Winlaton			
Langley Park	2			Wolsingham	3	6	2
Leeds				Yorkshire	1		
				Daily Total	146	129	140

Appendix 3: Information from the Senior Public Protection Officer

Environmental Protection Act 1990

Nobel House
17 Smith Square
London SW1A 3JR
Telephone 08459 335577
Email helpline@defra.gsi.gov.uk
Website
www.defra.gov.uk

To Chief Executive
Officers

I write to you with regards to your Council's responsibility for regulating crematoria under air pollution legislation, or operating one or more crematoria, or in many cases both. Please disregard this letter if none of these applies. In 2005 we set a timetable for 50% of national cremations to be the subject of mercury abatement by the end of 2012. The original deadline for 2010 was extended by two years following representations from various stakeholders.

We are now little more than 2½ years away from the deadline. Progress has been made, and I welcome the efforts of those authorities who have been active in installing abatement equipment or making arrangements to 'burden share' instead of upgrading. However, it is evident from the quarterly data my Department obtains from cremator manufacturers that much is still to be done. And, bearing in mind that it can take two or so years from preparing tender documents to commissioning new abatement plant, it is essential that any authorities who have not made decisions on whether to upgrade or burden share, and or begin the processes to achieve upgrading (where appropriate), begin to do so straightaway.

A considerable amount of publicity and guidance on this subject has been made available by my Department and by organisations such as the Federation of Burial and Cremation Authorities. Many authorities have been levying an environmental surcharge to cover the cost of these measures for several years. We will also shortly be issuing a direction to local authority regulators to add further permit conditions in order to reinforce the reporting of action being taken.

If, notwithstanding the available guidance, your officers have any queries about the above, they can contact my Department at control.pollution@defra.gsi.gov.uk .

JIM FITZPATRICK MP

Appendix 4: E-mail from the Senior Public Protection Officer

From: John Hayes
Sent: 22 March 2010 16:12
To: Durham Crematorium
Cc: Denyse Holman
Subject: Mercury Abatement

Hi Alan

Just to confirm that I carried out a check inspection of the crematorium on Monday 29 March 2010.

Regarding your report to the Joint Committee I can confirm that the government set a target, in 2005, to reduce mercury emissions by way of ensuring that 50% of national cremations by 2013 will be undertaken using abatement equipment and that a requirement was imposed on all crematoria to declare whether or not they intended to install abatement equipment or follow a route of burden sharing.

Durham City Crematorium has declared that it will be fitting mercury abatement equipment.

Whilst I appreciate the fact that all of us now connected with the County Council have gone through LGR the 31 December 2012 deadline cannot be altered and it is imperative that the works are completed by the deadline at the latest as no cremations will be allowed to take place at your Crematorium without the abatement equipment being installed, commissioned and operating after the deadline.

I hope that this information is helpful to you for your report and as I've previously said I'd be happy to attend any meeting with the Joint Committee in order to assist.

John Hayes

Appendix 5: Letter from the Ministry of Justice



Ministry of
JUSTICE

Coroners and Burials Division
4th Floor (4.38)
102 Petty France
London
SW1H 9AJ

T 020 3334 6407
F 020 3334 2233
E judith.bernstein@justice.gsi.gov.uk

To all on the attached list

www.justice.gov.uk

Via email

29 March 2010

Dear all

FUNERAL PYRES – COURT OF APPEAL JUDGMENT IN THE CASE OF *GHAI*

You will no doubt be aware that the Court of Appeal ruled in Mr Ghai's favour on the issue of funeral pyres. The media coverage of the Court's judgment was, however, misleading. Mr Ghai has not won the right to have an outdoor open air funeral pyre.

At the hearing, Mr Ghai fundamentally changed his position from that which he had argued in the Administrative Court. He conceded that his religious requirements could be potentially met by conducting a cremation within the scope of current cremation law. Mr Ghai argued that cremation could take place on a pyre in some sort of building that would be permitted under the 2008 Regulations.

The Court of Appeal acknowledged that Mr Ghai had changed his position and accepted his position on the meaning of a 'building'; on this basis it allowed his appeal. The Court also stated that the difficulties which may arise from planning and public health legislation, should an application to hold a pyre be submitted, had not been considered as part of the judgment.

Consequently, the way is not now open automatically for funeral pyres to be held. Burning bodies anywhere other than in a crematorium notified to the Secretary of State for Justice remains a criminal offence. There are still regulatory issues to be considered, such as planning permission, air pollution and obtaining any relevant licences.

The Ministry of Justice is already in discussions with Defra and CLG about the implications of the judgment. Consideration is being given to issuing formal guidance.

In the meantime, in the event of an application being made to hold a funeral pyre, enquiries about environmental issues should be addressed to Mike Etkind (the Head of Local Authority Pollution Control) at Defra. Contact Mike.Etkind@defra.gsi.gov.uk; telephone 07979 530863.

Enquiries about planning issues should be addressed to Robert Segall (Planning System Improvement Division) at CLG. Contact robert.segall@communities.gsi.gov.uk; telephone 030344 41717.

Copies of the Court of Appeal's judgment and Order are attached for information, if you have not already seen them.

Judith Bernstein

Head of Current Coroner Policy

List of those receiving this letter

Rick Powell: Secretary, FBCA, Tim Morris: Secretary, ICCM, Roger Arber: Secretary, Cremation Society, Richard Barradell, APCC, Liz Hobson, LGA, Nigel Lymn Rose, NAFD, Alun Tucker, SAIF, Dr Roy Palmer, Coroners' Society, André Rebello, Coroners' Society, Simon Bennett, Dept of Health.