

**CABINET  
8 OCTOBER 2019**

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**DARLINGTON CREMATORIUM REFURBISHMENT**

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**Responsible Cabinet Member – Councillor Paul Howell  
Leisure and Local Environment Portfolio**

**Responsible Director – Ian Williams  
Director of Economic Growth and Neighbourhood Services**

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**SUMMARY REPORT**

**Purpose of Report**

1. To provide Members with information about the current position concerning the Darlington Crematorium and the approaching end of life of the cremators, the work undertaken to date and options for replacement/refurbishment.

**Summary**

2. The existing cremators within Darlington Crematory are at the end of their lifespan and require replacement with modern, energy efficient, emission compliant equipment.
3. Alongside replacement of the cremators and associated emissions equipment, the existing chapel does not meet modern-day requirements and requires refurbishment/extension if at all possible. Therefore, a number of options to provide a cremation service that meets today's requirements are considered in this report for Members' consideration
  - (a) Option 1 – New build/new site
  - (b) Option 2 – To replace the existing cremators alongside limited improvements to the chapel
  - (c) Option 3 – Replace the existing cremators as well as redeveloping the existing chapel into a bereavement service office and new chapel within West Cemetery on part of the land identified for future burials

**Recommendations**

4. It is recommended that:
  - (a) Members approve proceeding with the improvements to the Crematorium in accordance with Option 3 as detailed in this report.

- (b) Members approve and release the capital funding of £4.5m as detailed in the report.
- (c) Members release the capital funding of £0.4m already approved in the Capital Programme for the laying out West Cemetery.
- (d) Members agree to add the project for the new crematorium to the Annual Procurement Plan to be designated as a strategic contract and note that works will be procured in accordance with the Council Contract Procedure Rules and the Public Contracts Regulations 2015.
- (e) The Assistant Director (Law and Governance) be authorised on behalf of the Council to complete the required deeds and contracts to deliver the works in accordance with this report.

### **Reasons**

- 5. The recommendations are supported by the following reasons:
  - (a) To enable the replacement and updating of the current cremators ensuring they meet the requirements of current legislation.
  - (b) To provide a Chapel that provides the facilities that are expected from a modern Crematorium.

**Ian Williams**  
**Director of Economic Growth & Neighbourhood Services**

### **Background papers**

No background papers were used in the preparation of this report.

Ian Thompson : Extension 6628  
IT/CD

S17 Crime and Disorder	There is no impact on crime and disorder as a result of this report.
Health and Well Being	No direct impacts.
Carbon Impact	Provision of new cremators and associated equipment to abate mercury emissions as well as ensuring any installation provides the opportunity to future-proof subsequent legislation as well as minimise carbon impacts. Provision to be able to abate NOx (a collective term for various oxides of Nitrogen which is a pollutant by-product of the combustion process having similar adverse effects to that of mercury).
Diversity	No direct impacts.
Wards Affected	The existing crematorium is located within West Cemetery in Hummersknott Ward, however residents will use the facility from all Wards.
Groups Affected	Different faith groups and non-faith groups require different services and iconography. Any new development will take account of the individual requirements where possible.
Budget and Policy Framework	This decision does not represent a change to the budget and policy framework. Costs with associated building works and lost income will be met from existing resources.
Key Decision	Yes
Urgent Decision	No
One Darlington: Perfectly Placed	No direct impacts.
Efficiency	By upgrading the existing equipment will improve the overall efficiency of the cremators and associated equipment.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

## MAIN REPORT

### History

6. Darlington was one of the pioneers in providing a crematorium. It was the fifth to open in the country in 1901 and cremations were first legislated in 1902. The Cremation Society originally ran the facility and when the original building was destroyed by fire in 1957 and replaced with the building used today, in 1960, the responsibility for the management and operation of the crematorium passed to the Council.
7. The building comprises of one chapel with seating for 65 mourners and an overspill annexe to accommodate a further 40 standing. There is also a waiting room, vestry and crematory, which houses three cremators and ancillary equipment required for the process of cremation. The building has been adapted over the years and now consists of three buildings, all with differing roof heights. The main crematory is

housed in a restricted area to the right-hand side of the main chapel. Preliminary studies on the condition of the building suggest the building is deemed to be in a satisfactory condition, although this is subject to more detailed structural, electrical, mechanical, asbestos and ecological surveys being carried out.

8. To the rear of the crematorium, there is the Book of Remembrance Room, which houses the volumes of remembrance and in the vicinity of the crematorium, there are two remembrance gardens, which are used for the strewing of remains.

### **Mercury Abatement**

9. In 2005, the Department of Environment, Food and Rural Affairs (DEFRA) issued a requirement for 50% of all cremations in the UK to be treated to ensure the removal of a range of identified toxic elements typically emitted from the main crematorium flue (including mercury, various dioxins and hydrogen chloride) by 31 December 2012. These toxins come from the cremation of both the cadaver (in the case of mercury particularly but not exclusively, from the incineration of amalgam fillings) and as a result of chemicals present in the materials used to manufacture the coffin.
10. It is anticipated that 100% abatement will be required by the end of 2020 to comply with Annex 2 of the Convention for the Protection of the Marine Environment of the North East Atlantic (OSPAR Convention), which was established in 1992. This is subject to final agreement by DEFRA, while at present there is no requirement to reach this standard, the industry belief is that there will be a requirement to abate 100% by the end of 2020 or soon thereafter.
11. Recent advice from the Institute of Cemetery and Crematorium Management is that there is no confirmation if, or when, 100% will be required, although it could be. However it is anticipated that good warning will be given.
12. In order to achieve this standard, crematoria in the UK will be required to install abatement equipment that meets the standards required by DEFRA, either by attaching to existing cremators (if this is technically possible) or with the installation of new cremators incorporating the abatement function.
13. In 2006, the Cremation Abatement of Mercury Emissions Organisation (CAMEO) was set up by the Federation of Burial and Cremation Authorities with a specific remit to share the best available independent knowledge on all aspects of abatement with the various cremation authorities. This enables the collection of statistical data on the number of cremation authorities who are abating in the UK and provides this information to DEFRA to demonstrate that the minimum 50% level of abatement is being met.
14. In addition, CAMEO was tasked with the administration of the UK-wide burden sharing scheme. In simple terms, this meant that from 1 January 2013, should an authority wish to join, a levy is charged on all unabated cremations, this is then distributed to all those facilities that have invested in compliant abatement equipment on a per cremation basis.
15. In April 2009, Darlington Borough Council started charging a £50 environmental surcharge on top of every adult cremation; this has now increased to £55. The intention being that this surcharge would be used to fund the levy or to contribute to the financing of any capital outlay required to abate the existing facility or provide a

new facility.

16. The Council have paid the following amounts into the CAMEO scheme since 2013.

<b>Year</b>	<b>£</b>
2013	40,668.60
2014	40,416.00
2015	45,084.00
2016	42,224.00
2017	43,407.00
2018	47,465.00
<b>Total</b>	<b>259,264.60</b>

17. **However, the real risk is now the failure of the existing cremators as they are approximately 25 years old and are effectively at the end of their lifespan. The manufacturer, L&P, no longer exists and there is a real risk of failure of one or more of the existing cremators. Ultimately without replacing the cremators within the next 12 to 24 months, would mean closure of the crematorium and therefore lost income to the Council of approximately £100,000 per month.**

#### **Other Crematoria in the Area**

18. There is no statutory responsibility for a local authority to provide a crematorium within its administrative boundaries. However, a number of local authorities within the region do and there are also private facilities. The nearest six are:

(a) **Durham**

Approximately 21 miles from Darlington, this crematorium was built in 1960 and replaced their cremators in 2012 to fully comply with the abatement requirements. This facility undertakes approximately 2400 cremations per annum.

(b) **Wear Valley (in Coundon)**

Approximately 13 miles from Darlington, this crematorium opened in April 2009 and is fully abated running one cremator. It is a privately-operated facility and averages 1000 cremations per annum.

(c) **Middlesbrough**

Approximately 19 miles from Darlington, this crematorium was built in 1961. They replaced their cremators in 2010 and it is fully compliant. The facility has one of the largest turnovers in the UK and undertakes approximately 3100 cremations per annum.

(d) **Hartlepool**

Approximately 25 miles from Darlington, this crematorium was built in 1954 and since September 2013 have fully installed mercury abatement equipment. This facility currently undertakes approximately 930 cremations per annum.

(e) **Kirkleatham**

Approximately 26 miles from Darlington, this crematorium began operation in January 2014 and is a privately-owned facility and is fully compliant. This facility currently undertakes approximately 1350 cremations per annum.

**(f) Stockton**

Construction is currently underway on a new facility in Stockton (approximately 15 miles from Darlington) that will have two chapels, a larger one and a second smaller chapel to cater for more intimate services, direct cremations and simple committal services. It is anticipated that it will undertake approximately 1500 cremations per year therefore a similar size to Darlington crematorium.

**Annual Cremations – Darlington Crematorium**

19. The number of cremations carried out over the past 12 years (April to March) at the Crematorium are as follows:

<b>Year</b>	<b>Number of Cremations</b>	<b>Percentage Increase/Decrease On Previous Year</b>
2008/09	1874	
2009/10	1721	- 8.0%
2010/11	1692	- 1.5%
2011/12	1659	- 2.0%
2012/13	1639	- 1.0%
2013/14	1594	- 2.5%
2014/15	1665	+ 4.0%
2015/16	1717	+ 3.0%
2016/17	1646	- 4.0%
2017/18	1703	+3.5%
2018/19	1658	-2.6%

20. Since 2008/09, the number of cremations has fallen by 216, although this does vary year on year.

21. The reduction in cremations coincides with the opening of the new crematorium in Coundon in April 2009. It is likely that historically people who have travelled to Darlington from the Wear Valley area will now use the facility at Coundon. As this new facility has been operating for nine years, it is reasonable to assume that the decline will now have bottomed out and cremations should continue at approximately 1650 to 1700 per annum. It remains to be seen what effect the opening of Stockton will have on Darlington's performance but inevitably it is likely that there will be some reduction, although it is anticipated that the biggest effect of such an opening will be on that of the crematorium at Middlesbrough. This makes it all the more imperative that the service at Darlington provides what mourners wish for and it is likely that any losses are mitigated to some degree by natural increases in overall population.

## The Current Situation

22. Darlington Borough Council have been working with Rose Project Management for a number of years now on possible options for the refurbishment/replacement of the existing facility.
23. A significant amount of work and studies have taken place since 2010 on potential options for Darlington Crematorium. The studies carried out include:
  - (a) A report into feasibility of installing new cremators and ancillary mercury dioxin abatement equipment at Darlington Crematorium (July 2010).
  - (b) An updated report on the feasibility of installing new cremators and ancillary mercury dioxin equipment at Darlington (September 2015).
  - (c) A report on possible site locations for a new-build crematorium to replace the existing facility at Carmel Road North (March 2016).
  - (d) A report outlining Funeral Directors' opinions on local crematoria (April 2016).
  - (e) An updated detailed report on the replacement of existing cremation equipment and installation of mercury abatement system (January 2018).
  - (f) A detailed report on the replacement of the existing cremation equipment, refurbishment of the crematory and construction of a new chapel (July 2018).
  - (g) Stakeholders (clergy, funeral directors, celebrants) Workshop and Research, providing the opportunity to discuss key requirements and options for the future (March 2019).
24. The current location and logistic of the Crematorium within West Cemetery is extremely challenging and while the facility has served the public of Darlington well over the years, it is appropriate to look at what options there are to improve and modernise the cremation service within Darlington.
25. The building has been adapted over the years and is actually three buildings, which are all at different levels and different roof heights. There are a number of challenges and limitations with the site such as:
  - (a) Access – currently served by a narrow road, which cannot be realistically widened due to proximity of graves either side of it;
  - (b) Parking – the existing limited car park is approximately 100m from the crematorium building meaning there is no safe segregation between the public and vehicles sharing the same narrow access road. The distance to travel from the car park to the crematorium puts people with mobility issues at a clear disadvantage;
  - (c) Options to extend – the existing building where it could be realistically extended is surrounded by graves. The process to move these is long and will require extensive consultations over a prolonged period of time. Such an option will also require permission of both the families affected and the Church of England (as

this is consecrated ground), which is not guaranteed;

- (d) Effect of refurbishment works – Any significant refurbishment works on the existing site will create a considerable amount of disruption and inconvenience to the crematorium service. This impact should not be underestimated. There will also be disruption to the cemetery and burials.

26. If the above challenges could be overcome satisfactorily, this still does not address the inherent shortcomings of the existing building.

- (a) The current chapel holds 65 mourners seated. A typical number in other similar crematoria elsewhere is usually in excess of 100-120 seated, with further provision for standing mourners.
- (b) The building is on three different levels. Whilst there is a lift, this can only take one person at a time.
- (c) Steps up to the catafalque are a potential trip hazard to the funeral directors bearing the coffin. New guidance, especially related to the increased size of coffins also make delivery of the coffin using a specialist bier especially hazardous.
- (d) There is no specific disabled parking anyway – especially adjacent to the main building.
- (e) The proximity of the existing waiting room and canopy to the chapel causes problems with noise; people can hear chatting during services.
- (f) The height of the entrance door is restrictive, causing an obstruction to flowers resting on the top of a coffin.
- (g) There is no receiving area for the hearse (known as a porte cochere) and the main mourners to drive under and access without getting wet in inclement weather. Such a facility (if present) would also provide additional shelter to mourners in the event of very well attended services where the numbers present will not all fit into the chapel.
- (h) The service yard and storage area are very limited and working machinery is on display to mourners all day.
- (i) There is no safe, secure or appropriate storage area for coffins to be held over.
- (j) Conveyor belt process; mourners arriving seeing those leaving through the same entry and exits from the cemetery. Previous industry research lists this as one of the main dislikes mourners complain about a crematorium layout.
- (k) The current location of the crematorium on the main driveway restricts other cemetery users when the cortege arrives and unloads, including those visiting nearby graves and memorials.
- (l) The Waiting Room is too small.



## Chapel Capacity

27. The Chapel at the Crematorium has a capacity of 65 people with an extended standing area for mourners located in the adjacent annex. This additional area has an obscured view of the Chapel through oblique glassed partitions with a capacity for an additional 30-40 people maximum. As part of the work and studies carried out to date, two separately recorded periods of services held at different times of the year, between 24 July and 4 August 2017 and between 11 September and 29 September 2017, were undertaken to record the number of mourners present.
28. Between 24 July and 4 August 2017, 51 cremation services were held, of which 40% utilised the annex for the service. For the period 11 September to 29 September 2017, a three-week period, 94 cremations were held of which 36% utilised the overflow area for the service. This evidence would suggest that for approximately a third of services held at Darlington Crematorium the annex has to be utilised to accommodate the mourners. Over this period congregation numbers were in excess of 90 to 100 people.

## Options for the Future

29. As a result of the work carried out to date there are three options to consider:
  - (a) Option 1 – New build, new site
  - (b) Option 2 – Replace the existing three cremators in the Crematory with two new “bariatric” cremators plus a mercury abatement system, alongside limited improvements to the Chapel. NB: The NHS lists “bariatric” as meaning any person over 25 stones (159kg) in weight.
  - (c) Option 3 – To build a new Chapel within the West Cemetery located on land identified currently for cemetery extension, replace the three cremators in the Crematory with two new energy efficient bariatric cremators plus a mercury abatement system, and refurbish the Chapel and associated areas to provide new Book of Remembrance Room, office accommodation for staff as well as welfare facilities for cemetery staff. Such a move would also place the existing DBC Bereavement Services staff close to the point of delivery.
30. The following considers each option in more detail.

### Option 1 – New build, new site

31. When considering building the Crematorium on a new site there are many requirements to take into consideration, including accessibility, location, highways, wildlife, utilities and size of the site, however the main limitation being the location as determined by the Cremations Act 1902 as per the extract below.

*“No crematorium shall be constructed nearer to any dwelling house than 200 yards, except with consent in writing of the owner, lessee and occupier of such house, not within 50 yards of any public highway, nor in the consecrated part of a burial ground.”*

32. This criteria rules out building a new crematorium within West Cemetery as at least 25 houses plus a local care home fall within the 200 yards limit, however if refurbishing/replacing existing equipment in the existing crematory then the above

does not apply, as the construction of the crematorium proceeded that of the surrounding houses..

33. Several sites were considered in consultation with colleagues across the Council with a short list of eight sites deemed to be worthy of further investigation. All of the sites have their challenges and potential for other uses, which would rule out building a crematorium on those sites. In addition, for some there would be land acquisition costs or lost opportunity costs of land in DBC ownership, alongside this an estimated cost for a new crematorium is approximately £6.5million. For these reasons, whilst a new crematorium on a new site would provide the best solution, it is neither feasible nor financially viable. A new site should also be ideally set in 10-15 acres (4-6 hectares) of surrounding land to ensure a peaceful and dignified environment, which is still easily accessible.
34. The sites considered were:
- (a) Banks Road (site to the rear of both the housing estate and busy industrial estate)
  - (b) Cummins (site located to the rear of Cummins Manufacturing facility)
  - (c) Low Brankin Moor (site located between A66 and main train line running from Darlington to Middlesbrough)
  - (d) Morton Grange Farmland (site lies between A66 and A67)
  - (e) Morton Palms Business Park (site located to the east of Morton Palms Business Park adjacent to the A66)
  - (f) Muscar House Farmland (site located in Brampton on the north-western outskirts of Darlington)
  - (g) Salters Lane South (location to the rear of the site)
  - (h) West of Aeolian House (site that lies between the A66 and A67).

**Option 2 - Replace the existing three cremators in the Crematory with two new bariatric cremators plus a mercury abatement system, alongside limited improvements to the Chapel**

35. Due to the location of the Crematorium in the centre of West Cemetery and the fact the building is surrounded on nearly every side by graves close against the walls, there is very little room for any extension to the building with the exception of the grassed area to the front and paved at the rear. The focus of any redevelopment is therefore mainly limited to the redesign of the inner spaces to provide an improved operational environment for staff and to potentially increase the capacity of the Chapel.
36. With any refurbishment or redevelopment project of an existing building, compromise on what is achievable or possible will always form part of the design process. With a site as restricted as this, compromise is likely to form an even larger part of the design with the end result often not providing the full package expected by the local community nor providing a solution fully compatible with future requirements.

37. The following are proposals but would require further work to ensure that they are deliverable prior to proceeding. The potential options would be:

### **Crematory Development**

- (a) Demolish the external toilets at the back of the crematorium and incorporate this space into the main building;
- (b) A new larger service yard could be incorporated allowing for the storage of materials associated with the new cremation equipment;
- (c) A new staff welfare facility incorporating a small kitchen area/locker area/WC could be created by combining the existing vestry toilet and store cupboard;
- (d) A new vestry room could be created in the existing waiting room next to the Chapel entrance;

### **Crematory Development Cremation Equipment**

This would involve:

- (a) Replacing three cremators with two bariatric new cremator units;
- (b) Installation of appropriate abatement system as well as future proofing the installation as far as possible with regard to emissions;
- (c) Installation of an external air-blast cooler – an integral part of the abatement equipment;
- (d) Installation of all other appropriate equipment associated with the new cremators.

### **Chapel Development**

The development/refurbishment of the Chapel is limited by the size and orientation of the existing building. There are a number of potential options for the extension of the Chapel, which to varying degrees require demolition and potential exhumation and reburial of up to 85 graves around the perimeter of the Chapel. Whilst this may well be possible, there would be significant risks, potential opposition, and there are no guarantees that 100% of the families concerned would give their consent to graves being repositioned. Some of the potential options would include:

- (a) To make no alterations to the Chapel, simply refurbish and redecorate, not increasing the capacity.
- (b) Demolish two small rooms at the rear of the Chapel, which would potentially increase capacity by ten.
- (c) Relocation of the existing Book of Remembrance Room to the new cemetery extension and expansion of the Chapel into this space. This would require further structural and construction work due to different floor levels, ceiling heights and potential viewing restrictions, however could potentially increase from the existing 65 to 85 persons seated;

- (d) Expansion of the Chapel into the annex area at the side of the Chapel is possible, however there would be restricted viewing as currently exists.

Therefore, no matter which of the above options or variants of the above was pursued, the maximum capacity would only be increased between 20 and 25, therefore still falling short of what would be expected from a modern-day chapel.

In addition to the above, it would also be possible to

- (a) Create a new larger waiting room incorporating toilets with a capacity of around 50 people on the grassed area to the front of Crematorium providing a more suitable area for people to wait in inclement weather; or
- (b) The incorporation of a fully covered canopy area from the Chapel entrance to the roadside could also be provided, giving an area of shelter and cover for the transfer of the coffin from the hearse to the Chapel, although the scope for this would be restricted to ensure that others using the cemetery could still gain access simultaneously;
- (c) Removing and raising the canopy and subsequent door header into the main Chapel may also help alleviate some of the current issues by bearers trying to negotiate the existing entrance with a coffin and flowers on their shoulders. Although this too is likely to be highly disruptive and relatively costly for only a marginal gain.

### **Car Parking Traffic Flow**

It would also be possible to improve the car parking and traffic flow within Option 2 by building a new car park on the cemetery extension land and providing a one-way system through the cemetery and exiting via Pondfield Close. However, it would not be possible to make any improvements to the existing disabled parking arrangements, so those visitors with mobility issues would still need to walk over 100m to get to the crematorium – including in adverse weather.

### **Risks**

Every project carries risks, however the refurbishment of an operating crematorium within a working cemetery presents a set of unique risks that need to be carefully managed and understood including:

- (a) Compromise over design features which can be supported by the existing building resulting in the building not necessarily meeting future needs or provide the facilities expected in a modern crematorium;
- (b) Chapel capacity would not substantially increase resulting in services being accommodated in overspill areas every week;
- (c) Car parking would remain unaltered with no alleviation of the current vehicle congestion;
- (d) The General Public are unlikely to see value for money as congregation sizes will continue to regularly overwhelm the Chapel and public areas are compromised

in terms of space, design and safety.

- (e) No space for future development of the building to accommodate any other features;
- (f) Prolonged disruption to the public for the provision of the works and continuation of service;
- (g) Impact on revenue whilst crematorium is operating on partial capacity and/or during shutdown. Historically any losses may take time to, or never, return to the crematorium in question, particularly with the forthcoming opening of Stockton crematorium relatively close by;
- (h) Continuing risk to the operation of the aging cremators whilst the project progresses.

### **Timescale**

There are potentially two approaches to deliver Option 2, either a phased approach which maintains some continuity of service throughout the period or full closure potentially allowing work to be carried out in a shorter period of time.

### **Phased Approach**

If the work was carried out in a phased way it would be possible to operate a cremation service throughout the period albeit at a reduced level at points during the work programme. By phasing the work, carrying out noisy elements at weekends and evenings away from service times and operating with reduced capacity, it is estimated that the project would take up to 18 months. Throughout this period there is an estimated loss of income of approximately £750,000. There is however a further cost of extending the timescale in relation to VAT and the Councils partial exemption position. If the works are not completed within one financial year there would be an additional £0.500m cost to the project. The VAT implications are discussed further in the VAT section below.

The advantages of carrying out the work in this way:

- (a) Continuation of service provision to the public;
- (b) Continuation of revenue during works albeit reduced at times;
- (c) Protection of business against competitors and future losses.

The disadvantages of the phased approach would be:

- (a) Disruption to the public in terms of reduced service;
- (b) Noise/visual impact of a building site;
- (c) The Crematorium will be operational on one cremator for a period of approximately three to four months;

- (d) Disruption to the public of moving service to temporary second Chapel within the cemetery;
- (e) Logistically more difficult to manage and phase;
- (f) Longer delivery period for the works;
- (g) Potential for reputational damage to the authority for distress caused during a sensitive time;
- (h) Possible permanent business/revenue lost due to disruption.

### **Full Closure**

Whilst all the existing challenges remain to refurbish the existing building, a full closure would significantly reduce the timescale for the work to be carried out down to approximately nine months. The income lost would be greater at an estimated £846,000, however the additional VAT as noted above of £0.500m would unlikely to be required as the works could be completed within one financial year

The advantages of this approach are:

- (a) Contractor control for quicker works and faster delivery;
- (b) Less restrictions on noisy works;
- (c) Multiple areas of the building can be worked on at the same time;
- (d) Organisationally easier to manage;
- (e) No potential for disruption during a service.

The disadvantages of this approach are:

- (a) Revenue loss for the eight to nine months required to complete the works;
- (b) There is a potential for future business to be lost to competitors;
- (c) Disruption to the public in having no local cremation service provided by DBC, during the construction phase;
- (d) Disruption to visitors to the cemetery.

### **Estimated Cost**

The indicative cost for Option 2 provided by Rose Project Management based on the assumption that there are no particular difficulties identified to deliver the project from the survey work, then the estimated cost is approximately £2million. On top of this there would be the lost income during the closure to take into account of between £750,000 and £846,000. Therefore, the total estimated cost of Option 2 is between £2.7million and £2.9million.

Whilst the build and loss of income costs of the phased approach are lower, given the

VAT implications of works spanning two financial years least risky, quickest and cheapest option would be the preferred one, which would be full closure during the works.

If the new car park and through road were included as part of this option, then there would be an additional cost of approximately £500,000.

**Option 3 – To build a new Chapel within West Cemetery located on land identified for cemetery extension. Replace the three cremators in the Crematory with two new bariatric cremators plus a mercury abatement system as well as future proofing the installation as far as possible with regard to emissions, and refurbish the Chapel and associated areas to provide new Book of Remembrance Room, office accommodation for cemetery staff as well as welfare facilities**

32. This would be a split site with the Chapel and Crematory in separate buildings with the Chapel located on the land identified for the cemetery extension and crematory refurbished in the existing building. The new Chapel would be built for 120 to 150 mourners with associated parking, Book of Remembrance Room and memorial garden with appropriate landscaping.
33. The intention would also be to create a through-road through the cemetery extension to Pondfield Close then exiting onto Salutation Road. This would enable a one-way system to be introduced minimising the issues currently caused by parking and traffic flow through the cemetery.
34. The existing crematorium building including replacement of the cremation equipment within current crematory as described in Option 2 alongside conversion of the Chapel area into the main bereavement services office as well as improved welfare and staff facilities. Within this area is planned to be a small family room, which provides a meeting area for families to discuss any issues with staff and which could also be used as a witnessing area for the faiths in which this is a requirement or indeed for any families that wish to do this.
35. Effectively the building will be divided into two halves, one side for public facing and other operational uses, the other half for the crematory with appropriate service yard to the rear of the building to receive coffins arriving from the Chapel located within the cemetery extension.
36. The provision of a split site crematorium where the chapel and crematory are separate is currently fairly unusual in the UK with only one other site just outside Poole in Dorset, which currently operates a similar split site arrangement. What this means is the service would take place in the Chapel, which would be located on the land within West Cemetery identified for extending the burial ground and the actual cremation taking place in the existing building, which is 165 metres away. The coffin would have to be transported from the Chapel to the crematory following the service.
37. Coffins would be transferred from the Chapel to the crematory throughout the day in an appropriate electric vehicle, suitable for this purpose. There would be a separately designated route from the rear of the Chapel through the cemetery away from the main through road to the rear of the crematory.
38. In discussions with the Federation of Burial and Cremation Authority (FBCA), they have confirmed that a split site complies with the FBCAs Code of Practice and there is

no impediment to building a split site.

### **Risks**

- (a) The public are unhappy with a split site which therefore results in some adverse reaction;
- (b) Would be limited space for future development of both buildings as eventually the Chapel would also be surrounded by burial space, albeit in a more controlled way than was the case historically;
- (c) Some disruption to the public during the works within the cemetery;
- (d) The impact on revenue whilst the crematorium is operating on partial capacity;
- (e) Continuing operation of aging cremators whilst the project progresses.

### **Timescales**

Again there are two approaches for delivering Option 3. The first one would be to construct the new Chapel while continuing services and cremations within the existing building. Once the new Chapel is complete, services could transfer to the new Chapel and then work would start at the existing facility to replace the cremators, install abatement equipment, refurbish the crematory and reconfigure the Chapel as described earlier. This approach would take up to 20 months and allow continued cremations albeit at times on a reduced capacity to continue throughout the period. The estimated lost income throughout the 20 months would be approximately £328,000. However as in Option 2 there are VAT implications of the works spanning two financial years with an estimated additional cost of £0.500m.

Alternatively, work could commence to build the new Chapel at the same time as replacing the cremators, refurbishing the crematory and reconfiguring the Chapel. To enable this approach to be taken, all services would either have to be conducted in other churches/chapels/buildings across the Borough or utilise the old restricted Chapel within the cemetery for a limited time. The main difference between the two approaches would be the significant potential reduction in the construction time from 20 months to between ten to 12 months. The lost income of this approach would be the same at an estimated £328,000.

### **Note:**

In both options there will be a period of time where cremations will not take place within Darlington. This will be kept to a minimum by phasing the replacement of the cremators. During the time when it is not possible to carry out cremations within Darlington, as mentioned earlier in this report, there are other crematoria in the area that Funeral Directors will discuss the options with residents.

### **Estimated Cost**

Further work has been carried out on looking at the design and potential costs of a new Chapel up to RIBA Stage 2 level (i.e. Concept Design), however the same issues apply to the replacement/refurbishment of the existing building based on the assumption that there are no particular difficulties identified to deliver the project. Should this be the case, the overall estimated cost for Option 3 is approximately



£4.5million and again on top of this there would be the lost income during the period of £328,000 resulting in a total cost of £4.8million

Should Option 3 be chosen as the preferred option then the alternative approach to the delivery, of building a new chapel and refurbishing the existing crematory at the same time, would be the preferred delivery option.

## Refurbishment Analysis

39. Below is a table comparing the various options against what would be expected from a modern crematorium.

Facilities	Existing Building/ Service	Option 1 New Build	Option 2 Refurbishment only	Option 3 New Chapel and refurbishment
Car Park with 45-60 spaces	X	✓	X	✓
Porte Cochere	X	✓	X	✓
Service Yard	X	✓	✓ (limited)	✓
Leave Entrance	✓	✓	✓	✓
Waiting Room to hold 30-40 people	X	✓	✓ (limited)	✓
External WC	✓	✓	✓	✓
Internal WC	✓	✓	✓	✓
Funeral Directors Room	X	✓	X	✓
Vestry	✓	✓	✓	✓
Janitors Store	✓	✓	✓	✓
Chapel that holds 90-120 people	X	✓	X	✓
Flower tribute area	✓	✓	✓	✓
Music room that incorporates electronic music system	✓	✓	✓	✓
Transfer Room	✓	✓	✓	✓
Coffin Cold Store	X	✓	X	✓
Crematory	✓	✓	✓	✓
Technical/Control Office	X	✓	✓	✓
Plant Room	X	✓	X	✓
Ash Processing Room	X	✓	✓	✓
Ash Store	✓	✓	✓	✓
Gas inlet	✓	✓	✓	✓
Electrical Cupboard	X	✓	X	✓
Viewing Room	X	✓	X	✓
Staff Room	✓	✓	✓	✓
Staff Locker Room	X	✓	✓	✓
Staff WC	✓	✓	✓	✓

40. From the above analysis it is clear that Option 2 fails to deliver most of the aspects of what would be expected from a modern crematorium. Option 3, providing a new Chapel and refurbishing the existing building as discussed earlier, will provide the facilities that are expected from a modern crematorium. In addition, one of the key challenges of the existing cemetery of traffic congestion can be resolved by providing a one-way through road exiting onto Salutation Road as well as adequate parking adjacent to the new Chapel.
41. However, there will be additional costs associated with providing two buildings and having to transport coffins from the Chapel to the crematory, albeit within the existing cemetery. A further disadvantage of Option 3 is that the Chapel will be built on land identified to extend the West Cemetery burial space. Assuming the whole site can be used for burials, which potentially practically won't be the case then there are 4500 plots available. Constructing the Chapel on part of this area will reduce this by 1800 plots leaving a total of 2700 plots, based on current purchase rates of 70 per annum. Once moving into the extension for burials, which will be approximately four to five years' time, means at the current rate West Cemetery will be full by 2061.

### **Government Review of Crematorium Provision and Facilities**

42. In the July 2015 budget, the then Chancellor introduced a review of the size and provision of crematoria facilities to make sure that they were fit for purpose and sensitive to the needs of all users and faiths. The Government sought advice from key faith groups, the Local Government Association and the industry during the autumn of 2015 and then held a number of round table discussions/events.
43. Views were sought on the following themes:
  - (a) Crematoria provision in England, including proximity to the nearest crematoria and demand for new facilities
  - (b) Size and capacity of crematoria, including ability to accommodate large groups or mourners and the availability of service times
  - (c) Crematoria facilities including:
    - (i) Accommodation and amenities to meet particular cultural or religious traditions
    - (ii) Iconography to meet the needs of faith of other community groups
    - (iii) Car parking to accommodate larger groups of mourners
  - (d) Staff training which pays sufficient regard to the cultural sensitivities of different faiths and other community groups.
44. Overall the best opportunity for Darlington to meet the outcome of the review with regard to the size and capacity of the crematoria, crematoria facilities including accommodation and amenities, iconography and car parking are via Options 1 and 3. Option 2 would only give limited ability to modernise the existing building, meeting the outcome of the review.

## Consultation with Local Religious Leaders and Funeral Directors

45. Consultation has also taken place with local religious leaders and funeral directors with regard to the options for replacement/refurbishment of the Crematorium. A workshop was held on 1 March 2019 for which 49 invites were sent out and 9 individuals attended from a number of funeral directors and religious leaders/celebrants. The workshop was held to discuss Options 2 and 3, appropriate concerns and potential solutions.
46. Overall the construction of a separate second Chapel did not seem to generate significant adverse reaction from the workshop attendees, although it was noted that the transportation of coffins from the new Chapel to the existing Crematorium would need to be explained to the families (and their permission sought to do so) and that whatever method was employed would need to be discreet, appropriate, respectful and dignified. The only stated misgiving regarding the method was from one of the ministers, although this was accepted as being slight.
47. The option of increasing services from 30 to 45 minutes was universally supported as this would ease traffic congestion on car parking, traffic to and from the site in general, and improve the experience for mourners making them feel less like they were on a conveyor belt. Doing so would also reflect a general move in the industry to lengthen time between funeral services.
48. Similarly having a one-way traffic system through the cemetery was liked for similar reasons, although it was generally felt that it would be inappropriate to have the hearse and funeral cortege pass by the care home situated in Pondfield Close.
49. Existing traffic via Pondfield Close would also need to be carefully managed to ensure that residents and emergency services would not be unduly affected. Traffic at particular times, notably at the end of the school day, may result in service times being limited during those periods.
50. Having a traffic controlled and separate route of exit for funeral directors was also considered to be good and appropriate if a one-way system was adopted possibly back via the existing main entrance.
51. As there was limited attendance to the workshop, albeit with a reasonable cross section, across most of the stakeholder groups regularly using the crematorium, a follow-up letter and questionnaire were sent to 26 funeral directors who use the crematorium and 32 celebrants and faith leaders covering Protestants, Catholics, Hindus, Buddhists and Humanists.
52. Nine responses were received (16% return). The great majority were in favour of Option 3, the least favourite option was Option 2. The key issues highlighted from those responding were:
  - (a) No particular comment was made about transporting coffin in Option 3 from the chapel to the crematory.
  - (b) All were in favour of a bigger chapel with several expressing a desire for having a second smaller chapel if possible.

- (c) All were in favour of a larger car park.
- (d) All were in favour of better level access for pedestrians and those with mobility issues.
- (e) Several commented on having longer service times, which they said would also help to alleviate congestion.
- (f) All commented on the difficulties of traffic on site and the frequency of bottle necks. Some suggested installing a one-way system around the existing cemetery grounds to alleviate congestion. Some suggested using Pondfield Close as an exit or entrance although others were concerned about this option due to location to the nearby care home.

53. From both the workshop and further follow up, no major objections have been raised to Option 3, which would be the preferred option if building a new crematorium on a new site was not possible or affordable.

### **Place Scrutiny**

54. Place Scrutiny considered the report on the Crematorium, presenting the three options on Thursday 12 September 2019. Members of the committee resolved that:

- (a) The report be received.
- (b) Cabinet be advised that Place Scrutiny Committee identified Option 3 to be the preferred option.
- (c) The views of Place Scrutiny Committee be taken into consideration by Cabinet when considering the Darlington Crematorium refurbishment at its meeting on 8 October 2019.

### **Financial Implications**

55. Funding to support the cost of refurbishment will come from the environmental surcharge as well as additional fees that were introduced from 2016/17. At the end of 2018/19 the total fund is £0.940m and is expected to increase to £1.185m by the end of 2019/20.

56. Furthermore the Council received a VAT rebate £1.4m this financial year in relation our cultural exemption. £0.550m of this has already been committed with the remainder to be returned to balances. This can therefore be utilised to partially offset the VAT implications of this scheme whichever option is chosen.

57. The ongoing borrowing cost of the capital works will be offset by the continued application of both the environmental surcharge and the additional fees.

58. If Option 2 is chosen there is estimated to be an annual surplus of £178,000 which would assist the MTFP.

59. If Option 3 is chosen, then there will potentially be a small annual surplus on the fund after borrowing. This can be utilised to support the increased running costs associated with 2 buildings and expansion of the planned maintenance fund for the cremators.

## VAT

60. As a local authority the Council is able to reclaim all of its input VAT arising from exempt activities as long as the total exempt input VAT is less than 5% of the council's total input VAT.
61. If the Council exceeds this 5% limit in any given year it must repay HMRC all of its input VAT arising from exempt activities for the year of breach.
62. As the crematorium is predominately an exempt activity if we carry out work on any options offered then the council will exceed this 5% limit.
63. If the work is completed within one financial year (April to March) then the cost to the council will be approximately £1M (option 2) or £1.5M (option 3), however if the work is split across two financial years the cost would increase by a minimum of £0.5M for either option.
64. If the Council carries out any other capital works associated with other exempt activities, e.g. Dolphin Centre, in the same year as the Crematorium works then the exempt VAT linked to the work will also need to be repaid to HMRC.
65. The cost to the Council is on top of the values already given as part of the estimated costs for each option and has been factored into the table below. It is therefore imperative that any works are contained within one financial year to minimise the cost and VAT risk.

## Operational Financial Implications

66. The table below shows the difference between Option 2 and Option 3 based on a comparison against the existing budget, including capital spend and VAT implications.

Category	Budget 19/20	Option 2 Refurbishment Only	Option 3 New Chapel & Refurbishment
Timescale		9 months	12 months
<b>Capital cost of scheme</b>			
Capital cost		2,000,000	4,500,000
New car park & through road (option 2)		500,000	included above
<b>Total capital cost of scheme</b>		<b>2,500,000</b>	<b>4,500,000</b>
<b>Funding of the impact to MTFP in year of works</b>			
Loss of Income for duration of works		846,000	328,000
VAT Repayment to HMRC**		1,000,000	1,500,000
Contribution from Crematorium Reserve		-1,185,000	-1,185,000
Contribution from VAT rebate		-661,000	-643,000
<b>Net Cost to MTFP in year of works</b>		<b>0</b>	<b>0</b>

\*\*As a consequence of carrying out the refurbishment the Council will exceed it's 5% de minimis level for partial exemption and will be required to repay HMRC all input VAT associated with exempt activities.

These figures assume work will be completed within a single tax year (April to March).  
If project is falls across 2 tax year this would increase the repayment for option 1 to £1.5M & for option 2 to £2M.

Category	Budget 19/20	Option 2 Refurbishment Only	Option 3 New Chapel & Refurbishment
<b>Impact on general fund (following completion)</b>			
Staffing	116,000	116,000	116,000
R&M	14,000	14,000	24,000
Utilities	61,800	38,000	68,900
Cleaning	6,600	6,600	13,200
Other Premises Costs	39,800	39,800	39,800
Planned Maintenance	27,900	77,900	77,900
Transport	700	700	9,000
Supplies & Services	118,900	118,900	118,900
Borrowing	0	88,000	197,000
<b>Total Cost</b>	<b>385,700</b>	<b>499,900</b>	<b>664,700</b>
<b>Income</b>	<b>-1,180,000</b>	<b>-1,473,000</b>	<b>-1,473,000</b>
<b>Net Cost/(Surplus)</b>	<b>-794,300</b>	<b>-973,100</b>	<b>-808,300</b>
<b>Additional Cost/(Saving)</b>		<b>-178,800</b>	<b>-14,000</b>

67. When comparing Option 2 against Option 3 with regard to overall facilities against cost, clearly Option 3 provides the opportunity to enhance the existing service and facilities, improving the overall experience for mourners and those attending the cemetery. It provides a far greater opportunity to futureproof the service within the required timescale and financial envelope. However, Option 2 is still functional, albeit not meeting the expectations of a modern cremation service but would contribute an additional £178,000 per annum to the MTFP. In addition to the funding for the Crematorium, there is also a £400,000 allocation in the capital programme for laying out West Cemetery extension.

### Equalities Advice

68. Detailed consultation has been carried out as further detailed above and a high-level Equalities Impact Assessment has not identified additional equalities issues.

### Legal and Property

69. The Council has wide powers under the Localism Act 2011 which include the delivery of a non-statutory service for local wellbeing purposes and the levying of charges to the public to recover costs.

70. The carrying out of the works will be subject to satisfactory planning and listed building approvals (in the case of Option 2 or 3 as the West Cemetery is a Grade II listed site) and to conditions attaching to those permissions.

71. Due diligence carried out on the title and property matters has not revealed any matters which would affect either Option 2 or 3 as proposed in this report.

## **Procurement**

72. It is proposed that a traditional procurement route will be followed. The design will be delivered by an Architect to be procured from an OJEU compliant framework and the building works associated with the new Chapel and reconfiguration of the existing Crematorium will be carried out in-house through Building Services. The procurement of the specialist equipment will be via OJEU compliant process based on the Architects design (and specialist advice). In all cases the design contracts must be on suitable terms relating to the standard of care and liability for design. Warranties will be sought as appropriate.
73. Contractual commitments will be entered into subject to planning with initial design work to support planning being carried out in the first stage.
74. The procurement has been assessed by the Corporate Procurement team to be a Strategic Contract based on value, complexity and risk and Cabinet is asked to approve the designation of the contract as strategic and note that the award decision be delegated to Procurement Board and that the outcome be reported back to Cabinet in the Annual Procurement Plan.

## **Conclusion**

75. A significant amount of work has been undertaken in the last few years with regard to the most suitable option for the upgrade replacement of the existing crematory and Chapel within West Cemetery. The three key options that have been explored are: New Build – New Site, Refurbishment of the Crematory and Replacement of the Cremators with the addition of suitable abatement equipment and limited refurbishment of the Chapel, with a third option being New Chapel provided within West Cemetery extension land, refurbishment of the Crematory, replacement of the cremators and abatement equipment as well as converting existing chapel into the cemetery offices, staff and welfare facilities.
76. The most desirable option would be to build a modern, new crematorium on a suitable site, however to date an appropriate location has not been found and the cost of a new build of approximately £6.5million with associated land costs on top of this, is not financially deliverable. Therefore, when considering the other two options, Option 3 delivers the requirements of a modern crematorium, however there are compromises; a split site and loss of burial space within West Cemetery.
77. Taking into account the information presented in this report the proposed option is Option 3. In order to complete the work in the shortest timescale to minimise impact on the service and the West Cemetery, and to avoid additional VAT charges it is proposed to carry out the work to the existing building and new chapel at the same time. Work would commence on site in April 2020 and be completed by March 2021.