

REPORT TO INFRASTRUCTURE SERVICES COMMITTEE – 29 NOVEMBER 2018

WAIVING OF BURIAL FEES FOR DECEASED CHILDREN

1 Recommendations

The Committee is recommended to:

- 1.1 Note the decision by the Director of Infrastructure Services to remove local authority burial services fees for children under 18 years of age in accordance with national proposals and prior to the COSLA deadline of 12 October 2018; and**
- 1.2 Ratify the removal of local authority fees for burial and cremation for children under the age of 18.**

2 Background / Discussion

- 2.1 On 30 May 2018 COSLA and the Scottish Government made a joint commitment to remove local authority fees for burial and cremation for children under 18 years old, applicable to residents and non-residents. On 3 September 2018 COSLA asked all Local Authorities to formally ratify this commitment by 12 October 2018.
- 2.2 Fees covered by the agreement are:
 - Interment fee;
 - Lair purchase (exclusive right of burial);
 - Headstone permit (foundation fee); and
 - Cremation fee.
- 2.3 Although Aberdeenshire Council does not own or operate a crematorium, a cremation fee may have applied where an ashes interment was required.
- 2.4 Within the scope of the commitment, funding to support the policy change rather than reimburse for actual costs incurred by local authorities and private providers, will be provided by the Scottish Government. Distribution of the funding available to Local Authorities will be determined by the population of 0-18 years olds in each local authority area, pro rata funding to implement the agreement within the current financial year will be included as an adjustment to the 2018-19 Local Government Finance Order in early 2019.
- 2.5 The funding will also be distributed by local authorities to private providers of burial and cremation services who also implement the agreement. Each local authority will take responsibility for distributing part of their funding to private providers in their area, who have removed their charges, through local agreement between the authority and the private provider. COSLA have been contacted for further guidance on how this funding will be dispersed, we are awaiting a response.

- 2.6 Aberdeenshire Council waived the interment fee for under 16s, including still born infants, in April 2014. However, this did not apply to the lair purchase fee and headstone foundation fee, if required, and these charges continued to apply regardless of the age of the deceased. To enact the scheme proposed by Scottish Government and COSLA is therefore a change from current practice, albeit some provisions are already in place in Aberdeenshire.
- 2.7 Unfortunately, Committee timescales were such that it was not possible to report this issue to Infrastructure Services Committee before the 12 October 2018 implementation date. Following consultation with the Chair and Vice Chair of this Committee the Director exercised his delegated powers under Section A.18 and A.25 of the List of Officers Powers under Part 2A of the Scheme of Governance to remove the fees for children under the age of 18. The Committee is now asked to ratify the change in policy.
- 2.8 To assess how the agreement is working a review will take place at the end of the three year funding period. To support that review annual statistics will be submitted detailing:
- the number of child burials and cremations carried out;
 - the amount of funding distributed to private providers; and
 - details of these private crematoria and burial grounds.
- 2.9 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments have been included in the report, and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

3 Scheme of Governance

- 3.1 The Committee is able to take a decision on this item in terms of Section F1.1 of the List of Committee Powers in Part 2A of the Scheme of Governance as the matter relates to Burial Fees which falls within the remit of Roads, Landscape and Waste Services.

4 Implications and Risk

- 4.1 An equality impact assessment is not required because the recommended action is in line with a requirement by Scottish Government to abolish burial fees for children under 18.
- 4.2 There are no staffing implications arising directly from this report. There may be some financial implications from the removal of these fees, however at this time we have insufficient detail to provide any figures as the funding available is an estimate rather than an actual.
- 4.3 The following Risks have been identified as relevant to this matter on a Directorate level – BSSR001 – Balancing the books.

- 4.4 A Town Centre Impact Assessment is not required because there will be no significant impact as a result of this report on town centres.

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