

Minutes

RESIDENTS' AND ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE

15 November 2012

Meeting held at Committee Room 4 - Civic Centre,
High Street, Uxbridge UB8 1UW



	<p>Committee Members Present: Councillors Susan O'Brien (Chairman) Mary O'Connor (Vice-Chairman) Lynne Allen Kuldeep Lakhmana Carol Melvin David Payne Michael White David Yarrow</p> <p>Witnesses Present: Raj Alagh, Borough Solicitor & Monitoring Officer Ed Shaylor, ASB & Investigations Service Manager Bob Morrow, HC Grimstead Funeral Directors Nigel Murray, A Cain Funeral Directors, Hayes Simon Murray, A Cain Funeral Directors, West Drayton PC Ashley Webber, Metropolitan Police, Safer Neighbourhood Team - West Drayton</p> <p>LBH Officers Present: John Purcell, Bereavement Services Manager and Registrar Mike Price, Civil Protection Manager Nadia Williams, Democratic Services</p>	
34.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>None.</p>	
35.	<p>DECLARATION OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interests notified.</p>	
36.	<p>TO CONFIRM THAT ALL ITEMS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT ANY ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items on the agenda marked as Part 1 would be considered in public.</p>	
37.	<p>TO AGREE THE MINUTES OF THE MEETING HELD ON 18 OCTOBER 2012 (TO FOLLOW) (<i>Agenda Item 4</i>)</p> <p>The minutes of the meeting held on 18 October 2012 were agreed as</p>	

	an accurate record.	
38.	<p>REVIEW 1: WITNESS SESSION 3 - REVIEW OF REGULATIONS AND BYELAWS RELATING TO CEMETERIES AND BURIAL GROUNDS WITHIN HILLINGDON (<i>Agenda Item 5</i>)</p> <p>The Chairman welcomed Raj Alagh - Borough Solicitor & Monitoring Officer, Ed Shaylor - Service Manager for Anti-Social Behaviour & Investigations, Mr Robert Morrow - HC Grimstead Funeral Directors, Hayes, Mr Simon and Nigel Murray - A Cain Funeral Directors and PC Ashley Webber - Safer Neighbourhood Team, West Drayton, for attending the meeting as witnesses to enable the Committee to gather evidence for their Review of Regulations and Byelaws relating to Cemeteries and Burial Grounds within Hillingdon.</p> <p>The following points were raised in relation to the Cemetery Regulations:</p> <ul style="list-style-type: none"> • The 1994 Cemetery Regulations had been reviewed as they were no longer fit for purpose • The current revised draft was 20 pages long but an easy to read summary would be produced • A few changes had been made around the issue of penalties that may be imposed for breach of regulations, such as people entering cemeteries after closing hours could now be prosecuted and having to pay a maximum of £100 fine - this would show that the Council was taking the issue seriously • There would be a £10 daily fine if such offence continued after the day of order • Exclusive rights was now set at a maximum period of 70 years – now commonly set by other local authorities • The regulation was compliant with the Local Authorities' Cemeteries Order 1977 and Local Authorities' Cemeteries (Amended) Order 1986 and were satisfied that they were within the spirit of the order • The revised version was now much more fit for purpose • There had been no known prosecution (one of the failings of the previous system) – the revised rules and regulations would be more enforceable • There was now a need to raise awareness of the regulation – the full document would be used as a background document • Highlighted that enforcement necessitated the provision of names and addresses and therefore, the Council would need to work in conjunction with the Police, as they held the power to make arrests • Stressed that in order to achieve successful enforcement there was a need for the best evidence to be attained • Only Police Officers had the power to demand names and addresses • The draft revised Rules and Regulations would be circulated to Committee Members for comments. <p>The following comments were made with regard to anti-social</p>	<p>Action by</p> <p>Raj Alagh Mike Price John Purcell</p>

behaviour (ASB):

- The Police were usually present at large traveller funerals to assist with traffic flow
- That SNTs were recruited for each specific area
- That there were traveller liaison officers at West Drayton who had developed a very good rapport with families and were a familiar face to those families
- That Policing was prioritised and SNTs would generally try to be on hand to deal with local on-going issues and would give back up when called upon to do so where ever possible
- That the Police did not usually receive many calls regarding issues relating to cemeteries
- Patrolled West Drayton Cemetery every couple of shifts and had arrested a few people and forcibly removed one or two people on two occasions
- Suggested that the rules and regulations could be publicised in the SNT six monthly news letter, Neighbourhood Watch magazines, through residents' associations as well as in all the libraries
- Did not consider that ASB occurred any more at cemeteries than elsewhere
- That there were three categories of anti-social behaviour at cemeteries;
 - i) Issues relating to owners of grave plots (the ASB Team liaised with the Police this summer and last summer in respect of incidents involving one family); or issues relating to the building/erection of unsuitable structures, such as a recent incident involving the removal of an unsafe bench. In this category, the owners of the graves would need to be established and highlighted that there may be difficulties in establishing ownership if the person who initially purchased the grave had either passed the grave on, or was deceased. Likewise, the removal of structures such as benches would require the serving a notice first to the family (if known) to give them the opportunity to remove the structure themselves.
 - ii) Unknown people who might vandalise or commit an offence – even if a member of staff was present when the vandalism occurred they would have no powers to establish the names and addresses of the perpetrators. It was pointed out that the Leader and the Cabinet was currently investigating the possibility of employing staff to conduct parks patrols, including cemeteries. Patrols would be undertaken in areas where there were likely to be problems.
 - iii) Public order – The ASB Team would usually ask the Police for assistance in this instance through their established partnership arrangement.
- Issues of ASB would usually be jointly discussed and planned with the Police, although it was usually more difficult to plan.

The following points were raised by the Funeral Directors:

- Vandalism usually occurred at the weekends
- Received very few queries in respect of the purchase of lawn graves but there were issues with turning down requests for the purchase of traditional graves (The Council needed to be mindful of the inadvertently discriminating against other groups in the Community)
- That families were usually shown photographs of lawn and traditional graves but questions were then raised by families after visiting Cherry Lane cemeteries to find mainly lawn section
- Concerned about preference being given to certain groups to purchase traditional graves where others were not
- Preparation of the paperwork relating to the burial for certain sections of the community could be processed within 24/48hours, whereas preparation for other graves could take a week
- That the Council should be mindful there were people from other sections of the community who also preferred a full memorial
- Regulations for memorial was needed to be consistent for all sections of the Community
- That any new regulations would require firm and strict control and breaches should swiftly be responded to
- Confirmed that not many people were aware of the rules and regulations
- The Council had provided leaflets with extracts of the rules and regulations in the past to hand to families but the Council stopped providing the leaflets in 2000
- Suggested that lawn graves were ideal as they were easy to maintain and commented that Cherry Lane cemetery was predominantly lawn
- Advised that there was a need for toilet facilities at cemeteries
- Stated that the provision of a chapel at Cherry Lane would be much welcomed
- Concerned about elderly people being charged a higher fee to be buried in the Borough, after they had lived all their lives in the Borough, and for what ever reason being forced to live with relatives living outside the Borough
- That it should be made very clear to residents who they should raise queries with, as too many queries (particularly relating to maintenance) were being raised with funeral directors
- Would also like to the opportunity to comment on the draft revised rules and regulations.

During discussion, the Committee acknowledged that it was imperative to raise awareness of the rules and regulations through various mediums such as the internet and re-establish the provision of leaflets for funeral directors, as well as placing extracts of the rules and regulations on all the gates of the Council's cemeteries and burial grounds.

In response to a query about managing and policing, Members were informed that if names and addresses could not be established, the Council could seek an injunction, using the powers that were available,

	<p>so long as the right evidence was established.</p> <p>John Purcell advised that as far as he was aware, the Council decided in 1990 to move into the provision of mainly lawn section burials in line with most other local authorities. Currently, of the four cemeteries in use, only one (Harmondsworth) was actually officially available for full traditional graves. Members were informed that the only other areas for traditional graves, was within the Muslim section in Cherry Lane cemetery. It was suggested that lawn graves should be sectioned off from traditional graves in order to keep a balance, and recommended that the issue of moving to lawn sections only would need to be revisited.</p> <p>Mike Price added that the variation between lawn and traditional graves was being looked at in relation to equalities and announced that the 24/48 hours rule would now be included in the equalities impact assessment. With regard to the size of memorials, the maximum dimension would be stated in the rules and regulations and families would be notified of any breach and asked to conform. Families would also be informed that refusal to comply with regulations would result in the Council rectifying the breach.</p> <p>With regard to issues raised about funeral charges for residents who have had to move or live outside the Borough, in certain circumstances, there could be some flexibility built in to the rules and regulations in respect of the charges that were applied. It was suggested that each case would have to be taken on its merit.</p> <p>Raj Alagh highlighted that the aim of the revision of the rules and regulation was to modernise those that were already in place. The Committee was informed that these would be circulated to all Members via email in due course.</p> <p>Mike Price advised that with regard to the equalities impact assessment, there were also plans to consult with Hillingdon Inter-Faith Network to ensure that the rules and regulations were as fair and equal as possible.</p> <p>The Chairman thanked all the witnesses on behalf of the Committee for attending the meeting and for making their valued contribution at this witness session.</p>	
39.	<p>CONSIDER TOPIC FOR SECOND REVIEW (<i>Agenda Item 6</i>)</p> <p>Members discussed the possible topics for their second review and put forward the following topics:</p> <ul style="list-style-type: none"> • Pest infestation • Control and Enforcement of Noise/Nuisance and; • Licensing of Shisha Lounges/café <p>It was agreed that the topic relating to the Licensing of Shisha Lounges/café would need to be undertaken over a longer period of time than was currently available and should therefore be looked at in</p>	<p>Action by</p> <p>Nadia Williams</p>

	<p>2013/2014.</p> <p>Members requested officers to make a presentation/provide a short briefing on the topics of Pest Infestation and Control and Enforcement of Noise Nuisance at the meeting on 6 December 2012, to assist them in selecting a second review topic</p> <p>Resolved</p> <p>That officers should to provide a briefing/make a presentation on the topics of Pest Infestation and Control and Enforcement of Noise Nuisance at the meeting on 6 December 2012.</p>	
40.	<p>STATEMENT OF GAMBLING PRINCIPLES REVIEW – CONSULTATION (<i>Agenda Item 7</i>)</p> <p>Resolved – That the Statement of Gambling Principles Review – Consultation be noted with no comments to add.</p>	Action by
41.	<p>ANNUAL SAFETY AT SPORTS GROUNDS REPORT (<i>Agenda Item 8</i>)</p> <p>Members commented that whilst the report was welcomed, it would be useful for officers to provide a brief statement highlighting any problems that may have been received with actions taken relating to individual sports grounds.</p> <p>Resolved – That the Annual Safety at Sports Grounds report be noted.</p>	<p>Action by</p> <p>Nadia Williams</p>
42.	<p>WORK PROGRAMME 2012/13 (<i>Agenda Item 9</i>)</p> <p>The Committee agreed the Work Programme for 2012/13.</p>	Action by
43.	<p>FORWARD PLAN (<i>Agenda Item 10</i>)</p> <p>The Committee agreed the Forward Plan.</p>	Action by
	<p>The meeting, which commenced at 5.30 pm, closed at 7.12 pm.</p>	

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nadia Williams on 01895 277 655. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.