

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead - Regulatory

**Infrastructure, Regeneration and Economic Development Committee:
15 May 2019**

Subject: Proposal to consult on revisals to the Rules and Regulations for the Management of West Dunbartonshire Cemeteries

1. Purpose

- 1.1** To obtain the Committee's approval to consult upon the proposed revised Rules and Regulations for the management of West Dunbartonshire Cemeteries..

2. Recommendations

- 2.1** It is recommended that:

- (a) Members consider and approve the terms of the proposed Rules and Regulations that should be consulted upon;
- (b) authority is delegated to officers to consult upon the terms of the proposed revised Rules and Regulations and publically advertise as required in terms of the Civic Government (Scotland) Act 1982;
- (c) officers specifically consult with Community Councils, Funeral Directors, Police Scotland and any appropriate relevant bodies; and
- (d) thereafter, a report is brought back to a future Committee to consider the consultation responses.

3. Background

- 3.1** Under the Civic Government (Scotland) Act 1982, a Local Authority can make Rules and Regulations for the management of its Cemeteries. The current Rules and Regulations require to be reviewed and officers have extensively looked at the current terms of the Rules. In this review, officers have considered how these rules can be updated in a modern context to be clearer and more user-friendly. Accordingly, the proposed draft Rules have been updated to reflect recent legislative changes.

4. Main Issues

- 4.1** There is one key proposed change to the Rules and Regulations that requires further explanation.

4.2 Since the last review of the Rules and Regulations there has been a legislative change with the introduction of the Burial and Cremation (Scotland) Act 2016. The 2016 Act has consolidated various Acts dating from the mid-nineteenth century onwards, to provide for one authoritative piece of legislation covering burial, cremation and associated arrangements.

5. People Implications

5.1 There are no personnel issues. The administration of the revised Rules and Regulations will continue to be absorbed within existing staff resources.

6. Financial and Procurement Implications

6.1 There are no financial and/or procurement implications. The administration of the revised Rules and Regulations will continue to be absorbed within existing staff resources.

7. Risk Analysis

7.1 Rules and Regulations are in place for the proper administration of West Dunbartonshire Cemeteries and are required to be consulted upon and approved by Members. A detailed risk assessment on the proposals is not required at this stage however, that may be reviewed depending on the results of the consultation.

8. Equalities Impact Assessment (EIA)

8.1 The proposal is relevant to equalities and it is noted that officers have also taken account of the need to ensure that policies and rules are as clear and accessible as possible. The Equalities Impact Screening is appended hereto as a background paper.

9. Consultation

9.1 A full public consultation on the proposed Rules and Regulations will be required. Members will require to consider the responses to the Public Consultation and, to allow this, a report will be brought back to Members following any consultation.

10 Strategic Assessment

10.1 The Council's strategic priorities have been considered and to ensure that the community is engaged, there will be a full community engagement to consult upon the terms of the Rules and Regulations.

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Strategic Lead - Regulatory

Date: May 2019

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Appendices: Appendix 1-Draft Proposed Rules and Regulations for the
management of West Dunbartonshire Cemeteries.

Background Papers: Rules and Regulations for the management of West
Dunbartonshire Cemeteries.

Equalities Impact Screening-Assessment Number .

Wards Affected: All

