

THE SCOTTISH GOVERNMENT'S LOCAL GOVERNMENT AND REGENERATION COMMITTEE – CALL FOR WRITTEN EVIDENCE BURIAL AND CREMATION (SCOTLAND) BILL.

WEST LoTHIAN COUNCIL RESPONSE

Local Government and Regeneration Committee's call for views

The Local Government and Regeneration Committee invite all interested parties to submit written evidence on the Bill. In particular they have requested answers to the following questions:

1. Whether proposals for the restoration of lairs are appropriate (sections 25-37)?

West Lothian Council (WLC) has a strategic approach to the provision of cemeteries and has significantly extended burial capacity by providing three new local cemeteries / extensions in the last four years, with a fourth new cemetery due to open early in 2016.

As per our response to the Consultation on a proposed Bill relating to burial and cremation and other related matters in Scotland, WLC are not supportive of the re-use /restoration of lairs in West Lothian.

2. Whether provisions on the reuse of headstones would be appropriate?

As per our response to the Consultation on a proposed Bill relating to burial and cremation and other related matters in Scotland, WLC are not supportive of the re-use /restoration of lairs in West Lothian.

3. The appropriateness and extent of the roles which should be undertaken by inspectors of burial, crematorium and funeral directors (primarily Part 4)?

WLC considers the proposed roles as outlined in Part 4 of the Bill to be appropriate and proportionate.

4. The appropriateness and extent of the proposed regulation of funeral directors (primarily Part 5)?

The proposed regulation of funeral directors as outlined in Part 5 of the Bill is appropriate and proportionate and should help address current concerns that there are few formal requirements to operate as a funeral director and that there is no independent scrutiny of funeral directors.

5. The extent to which the Bill will address funeral costs and what, if any, further measures the Bill could contain?

Local Authorities should have a legal obligation to clearly advertise up to date burial and cremation costs. However, where there are private burial grounds and crematoriums within the council

boundaries, the legal responsibilities to publish costs for burials and cremations should remain with the private owner.

6. The appropriateness of the removal of existing provisions restricting the proximity of new crematorium to housing?

The removal of existing provisions restricting the proximity of new crematorium is considered to be appropriate for the following reasons: 1. The minimum distance in the Cremation Act 1902 is likely to have been introduced to protect residents from emissions. However, current SEPA regulations mean that this isn't a concern. 2. Any new crematorium would require planning permission and it would be a matter for the relevant planning authority to determine any planning application in accordance with the local development plan in the context of all relevant material considerations.