

Multi-Faith Burial Site for Tower Hamlets Criteria for Site Identification

A paper to inform the LDF Core Strategy

August 2009

Introduction

The aim of this paper is to establish a set of criteria to guide the identification of potential sites that are suitable and can be developed for use as a municipal multi faith burial space for borough residents through the Local Development Framework Core Strategy.

Legal framework

Apart from a few public burial and related Acts of general application which date back to the 19th Century, there are three main pieces of legislation which applies to the issue of identifying a multi faith burial site. The first two, being the Local Government Act 1972 and the Local Government Act 2000 apply nationally, and the third, being the London Local Authorities Act 2007, applies to London boroughs.

In accordance with the Local Government Act 1972, London Borough of Tower Hamlets is recognised as a burial authority vested with the power to provide and maintain cemeteries whether they are inside or outside the borough boundaries.

The local authority also has the right to enter into an agreement with a third party to facilitate burial space for its own residents and contribute towards any expenses incurred by any the third party in providing or maintaining a cemetery in which residents of the borough may be buried.

Furthermore, pursuant to The Local Government Act 2000, local authorities have the power to do anything which it considers likely to achieve the promotion or improvement of the economic, social or environmental well-being of its area.

The recent London Local Authorities Act 2007 now provides local authorities the option to re-use burial grounds in accordance with the scheme and provisions set out in the Act, providing an option to local authorities, which hasn't been previously available.

Regional policy with regards to burial space is contained within Policy 3D.19 of the consolidated London Plan 2008. The policy requires local authorities to "...ensure that provision is made for London's burial needs, including the special needs of certain religions or cultural groups for whom burial is the only option". The Policy also states that in deciding the location of provision of burial space this should be in close proximity to the local community to ensure ease of access.

Background information

The background information presented here is a summary of an earlier report to Cabinet produced by Michael Bell, Development Schemes Team Leader.

With all of its cemeteries full, there are presently no burial sites within the boundaries of Tower Hamlets. Residents requiring burial sites therefore have no option but to find suitable sites beyond the borough boundaries. This usually incurs a premium charge for residents regardless of whether the cemetery is operated privately or by a local authority.

To rectify this issue and to carry out its duty as a burial authority in accordance with the London Plan, the Council in 2007 engaged in trying to find a suitable site for use as a multi faith burial site for residents in Tower Hamlets. The work of the Council led to the identification of two potential sites within the borough, Bow Common Gas Works and Tower Hamlets Cemetery and one outside the borough boundaries, a 5ha site in Hainault.

Bow Common Gas Works

Located next to Tower Hamlets Cemetery Park, the gas work, currently under the ownership of National Grid Property and National Grid Gas, is one of the two sites identified within the borough with the possibility of being used as a burial site.

However, given that a substantial part of the site is likely to remain operation for at least the next 10 years and the cost of acquiring the site could be substantial, this does not provide a viable option in the short to medium term, requiring alternative sites to be investigated.

Tower Hamlets Cemetery Park

Deconsecrated in 1966 when it was deemed to be full, the possibility of reopening Tower Hamlets Cemetery Parks as an operational burial site was explored in line with London Plans policies to promote reuse of cemeteries and the 2007 Act which enabled local authorities to reuse graves that are more than 75 years old.

However, the use of the site was rejected as it the site is identified as a 'Site of Importance for Nature Conservation' and 'publicly Accessible Open Space' and one that is used a popular recreation area. There is also the issue of whether the 2007 Act applies to the Tower Hamlets Cemetery Park as the cemetery was privately owned rather than municipal.

Site outside the Borough: Hainault

A 4.98ha site has been identified in Hainault with an existing planning consent for a cemetery which has the potential to serve the boroughs burial space needs for up to 10 years.

However, the site is located 10 miles to the east of Tower Hamlets and is poorly served by public transport. The £5 million requested by the vendor the dispose of the land is also considered to be a significant overvaluation of the site. The site will also require further work at the Council's expense as there

appears to be drainage issues on the site and further infrastructure provision is required before the site is deemed suitable for burials to take place.

Present arrangements: Burial Subsidy Scheme

From 1st August 2008 Tower Hamlets Council has launched a pilot scheme to help with the additional cost of burial outside the borough boundaries. The subsidy of £225 is available to all residents of the borough who are buried either at the City of London Cemetery in Wanstead or the privately run, Muslim only, Gardens of Peace cemetery in Hainault.

The scheme will be monitored over the next six months and if deemed successful will consider extending the scheme in the future to include other cemeteries.

Role of the Local Development Framework in securing a site for a multi-faith burial ground

The Local Development Framework provides the spatial strategy for the borough. Given its local significance, the provision of a multi-faith burial is included as a priority for delivery for Tower Hamlets residents.

In accordance PPS12 guidance, the Core Strategy identifies all strategic priorities and either identifies areas of search or sets criteria for the identification of sites.

Where criteria are set, the Council use this, to enable a thorough assessment of all the sites being identified for development, through the Site Allocations document.

Criteria for identification of multi-faith burial site

To enable the identification of a suitable site, an agreed set of criteria is required to guide the identification of sites for use by Tower Hamlets residents.

Given the lack of guidance on criteria, the below reflects local priorities for multi-faith burial sites.

- Any potential site must be of an appropriate size to ensure sufficient burial space is available for an appropriate number of years. For Tower Hamlets, this is assumed to be 30 years. However this should be tested through site identification process.
- Potential site(s) must be easily accessible by Tower Hamlets residents and therefore must have good access from roads, be accessible by public transport.
- Sites must be suitable for the purpose of burial e.g. topography of land should generally be flat, water table must be low etc.

Whilst the above criteria guide the identification of sites, there are a number of sites which will not be suitable for use as a burial site. They include sites which are

- In areas with Public Transport Access Level (PTAL) 5-6 as these are locations suitable for high density activities, such as residential and employment.
- In town centre locations due to the nature, locations and setting of these centres and the key services they currently provide or will provide in the future.

Site identification stages

1. Draft and agree criteria through consultation
2. Include criteria in the Core Strategy DPD
3. Scope future site(s) opportunities
4. Test site allocations through options process
5. Test feasibility/deliverability of site(s)
6. Include site(s) in Site Allocations DPD