



Northumberland County Council

CABINET

DATE: 9 APRIL 2019

Haltwhistle & District Joint Burial Committee

Report of Liam Henry, Legal Services Manager

Cabinet Member: Councillor Nick Oliver, Corporate Services and Cabinet Secretary

Purpose of report

To consider whether there should be a change to the arrangements under the provisions of Part VI of the Local Government Act 1972 for the discharge of functions by the respective burial authorities collectively forming the Haltwhistle & District Joint Burial Committee, in accordance with the County Council's powers under Schedule 26, paragraph 4 of the 1972 Act to make such a change.

Recommendations

To formally make the decision as set out in the draft attached.

Link to Corporate Plan

There is no direct link to the Corporate Plan

Key issues

The Haltwhistle & District Joint Burial Committee ("*the JBC*") comprises the following burial authorities:

- Haltwhistle Town Council;
- Coanwood Parish Council;
- Plenmeller Parish Council;
- Greenhead Parish Council;

- Thirlwall Parish Council;
- Featherstone Parish Council; and
- Melkridge Parish Council.

It has been proposed by Haltwhistle Town Council that the arrangements for the discharge of functions by the respective burial authorities are changed so that Haltwhistle Town Council is appointed as the host Council for the JBC.

All members of the JBC are in agreement with this proposal with the exception of one authority who have yet to provide a final response in the matter

As such, the County Council has powers under Schedule 26, paragraph 4 of the 1972 Act to make such a change where not all of the constituent burial authorities of the JBC wish such change to be made.

Background

The reasons for the proposed change to the current arrangements as outlined by Haltwhistle Town Council relate in the main to the ability to streamline the administrative arrangements involved in the operation of the Joint Burial Committee not least in relation to the accounts and the auditing of the same all of which impacts, to a lesser or greater degree, on all participating authorities. It would also resolve issues relating to the Joint Burial Committee's lack of formal legal status in relation to employment matters for example. It is a principle that is advocated

The County Council has written to each of the respective burial authorities asking them to confirm, by way of a formal resolution of those Councils, as to whether or not they agree to the proposed changes.

The Clerk to Melkridge Parish Council has indicated from the outset that her Council were not content with the proposed changes to the arrangements. Although each of the other burial authorities have now written to confirm that the proposed change in the arrangements are acceptable, Melkridge has not (so far) done so although the Clerk has indicated that a response will be forthcoming. It is not, however, understood that any such response will indicate agreement and is likely to indicate that the Parish Council require further information from the County Council before a final decision can be made. Officers, however, consider that all information that can be reasonably provided has been provided. An earlier response from the Parish Council while conceding that the concept of a host council might be a way forward it made the point that a joint burial committee was not a requirement and it could see no advantages to the current proposal which would lead to its agreement in this regard.

Ideally, the question of the change in the arrangements was intended to be determined in readiness for the beginning of the financial year 2019/2020. In the absence of a response from Melkridge and notwithstanding the assurances that this would be forthcoming, members are asked to consider whether, in view of the other responses received, it would be appropriate to now take that decision and formally alter the current arrangements.

Implications

Policy	N/A
Finance and value for money	N/A
Legal	N/A
Procurement	N/A
Human Resources	N/A
Property	N/A
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	N/A
Risk Assessment	N/A
Crime & Disorder	N/A
Customer Consideration	N/A
Carbon reduction	N/A
Wards	As set out the report

Background papers:

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

	initials
Monitoring Officer/Legal	LH
Executive Director of Finance & S151 Officer	AE
Relevant Executive Director	KA
Chief Executive	DL
Portfolio Holder(s)	NO

Author and Contact Details

Liam Henry. Legal Services Manager