

RECORD OF DELEGATED OFFICER DECISION

Key Decision ✓

SUBJECT: Memorandum of Understanding for fees charged for the burial and cremation of children.

PURPOSE OF REPORT:

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of the Director of Public Health, Protection & Community Services as detailed below.

To locally ratify and implement the Memorandum of Understanding (MOU) between the Welsh Ministers, the Welsh Local Government Association (the WLGA) and One Voice Wales (OVW) in relation to the fees charged by local government for the burial and cremation of children.

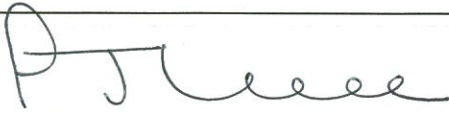
DELEGATED DECISION: (DATE)

It was **AGREED:**

That the Council ratify the MOU between the Welsh Ministers, the Welsh Local Government Association (the WLGA) and One Voice Wales (OVW) in relation to the fees charged by local government for the burial and cremation of children, and

That the Council make the necessary arrangements to implement the shared commitment agreed in the MOU, including putting in place arrangements to distribute an appropriate amount of funding to Community Councils and any other providers of burial grounds and crematoria in Rhondda Cynon Taf which don't charge for the burial or cremation of children in line with the agreement within the MOU, and

That the commitment set out in the MOU in relation to fees charged for the burial and cremation of children will be implemented by this Council on the date that this delegated officer decision comes into force.

 Chief Officer Signature	PAUL JEFF Print Name	9.1.2018 Date
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The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution



CONSULTATION

[Handwritten Signature]

CONSULTEE CABINET MEMBER SIGNATURE

09/01/2018

DATE

CONSULTEE OFFICER SIGNATURE (if required)

DATE

CALL IN PROCEDURE RULES.

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YES NO

Reason for urgency:.....

If deemed urgent - signature of Mayor or Deputy Mayor or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
(Mayor)

.....
(Dated)

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

FOR CABINET OFFICE USE ONLY

PUBLICATION & IMPLEMENTATION DATES

PUBLICATION

Publication on the Councils Website:- 10th January 2018

DATE

IMPLEMENTATION OF THE DECISION

Note: This decision will not come into force and may not be implemented until the expiry of 5 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Subject to Call In the implementation date will be 18th January 2018

DATE



Secretary to the Cabinet Signature

CHRISTIAN S'S HANAGAU

Print Name

10/1/18

Date



Further Information

Directorate:	Public Health, Protection & Community Services
Contact Name:	Paul Mee
Designation:	Director
Tel.No.	01443 425513

DELEGATED DECISION REPORT

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION & COMMUNITY SERVICES

4TH JANUARY 2018

MEMORANDUM OF UNDERSTANDING FOR FEES CHARGED FOR THE BURIAL AND CREMATION OF CHILDREN

AUTHOR: Paul Mee, Director of Public Health, Protection & Community Services

1. PURPOSE OF THE REPORT

- 1.1 To locally ratify and implement the Memorandum of Understanding (MOU) between the Welsh Ministers, the Welsh Local Government Association (the WLGA) and One Voice Wales (OVW) in relation to the fees charged by local government for the burial and cremation of children.

2. RECOMMENDATIONS

It is recommended:

- 2.1 That the Council ratify the MOU between the Welsh Ministers, the Welsh Local Government Association (the WLGA) and One Voice Wales (OVW) in relation to the fees charged by local government for the burial and cremation of children, and
- 2.2 That the Council makes the necessary arrangements to implement the shared commitment agreed in the MOU, including putting in place arrangements to distribute an appropriate amount of funding to Community Councils and any other providers of burial grounds and crematoria in Rhondda Cynon Taf which do not charge for the burial or cremation of children in line with the agreement within the MOU, and
- 2.3 That the commitment set out in the MOU in relation to fees charged for the burial and cremation of children will be implemented by this Council on the date that this delegated officer decision comes into force.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that the commitment in the MOU is implemented in Rhondda Cynon Taf.

4. BACKGROUND

- 4.1 On 23rd November 2017, the Cabinet Secretary for Local Government and Public Services, on behalf of the Welsh Government, signed a Memorandum of Understanding (MOU) with the WLGA, representing principal Councils in Wales and One Voice Wales, representing community and town councils in Wales. This MOU sets out a fair and consistent approach across Wales to the fees and charges by local government for the burial and cremation of children.
- 4.2 The MOU sets out a shared commitment that burial authorities in Wales will not charge any fees in relation to the standard burial and cremation of a child, defined for these purposes as a person under 18.
- 4.3 This commitment applies to standard fees that burial authorities charge relating to:
- 1) The cremation of a person under the age of 18 years (including stillborn and foetal remains);
 - 2) The interment of a person under the age of 18 years (including stillborn and foetal remains);
 - 3) The exclusive right of burial, where required;
 - 4) Any other fees directly relating to the burial or cremation of a person, or the cremated remains of a person, under the age of 18 years (for example, the fee charged for permission to erect a memorial).
- 4.4 This commitment does not relate to wider funeral costs such as the costs of a memorial, funeral director fees, flowers or coffins.
- 4.5 The current policy of this Council is to not apply a fee for the cremation or interment of a child under 16 years of age. The effect of the MOU will be to extend this existing policy to all persons under the age of 18 and to include the waiver of additional fees such as the exclusive right of burial and memorial permit fees.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 The MOU has been prepared in partnership between the Welsh Government, which oversees the strategic policy and funding framework in respect of local government in Wales; and local government burial authorities, who provide and maintain cemeteries and crematoria in Wales.
- 5.2 As this MOU has been developed at a national level and is applicable across Wales there are no equality and diversity implications for this Council.

6. CONSULTATION

6.1 There are no consultation requirements arising from this report.

7. FINANCIAL IMPLICATION(S)

7.1 In recognition of the financial implications of the MOU, the Welsh Government will allocate funding among principal Councils in Wales that have agreed to comply with the commitment of the MOU. The Council will be expected to distribute appropriate sums to other burial authorities in the area which have agreed to adopt the commitment set out in the MOU. In Rhondda Cynon Taf, this will include the following Community Councils.

- Llanharry Community Council
- Tonyrefail Community Council
- Rhigos Community Council

7.2 It is proposed that the Council write to each Community Council that acts as a burial authority to request that they consider the MOU at their next available meeting and confirm that they are to adopt the commitment therein. The Council will then distribute an appropriate sum to each burial authority in respect of applicable fees for services provided for the burial of children.

7.3 This Council has reviewed the number of services it has provided for persons under the age of 18 years in 2016/17 and given the allocation of additional funding proposed by Welsh Government it is not anticipated that the implementation of this MOU will have any significant financial implications for the Council.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

8.1 There are no legal implications arising from this report.

9. CONCLUSION

9.1 In ratifying and implementing the MOU locally, the Council and other burial authorities in Rhondda Cynon Taf will be joining the shared commitment across Wales to put in place a fair and consistent approach to fees charged for the burial and cremation of children

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

**REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR OF PUBLIC HEALTH,
PROTECTION & COMMUNITY SERVICES**

4TH JANUARY 2018

**MEMORANDUM OF UNDERSTANDING FOR FEES CHARGED FOR THE BURIAL
AND CREMATION OF CHILDREN**

Background Papers:

None

Officer to contact: Paul Mee (01443 425513)