

ADDITIONAL GUIDANCE FROM THE DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS, AND FROM THE WELSH ASSEMBLY GOVERNMENT

CREMATORIA

1. This is supplementary guidance on burden sharing, following on from AQ1(05) and AQ13(05). It advises on a deferral of the reporting deadline and contains further background on burden sharing options.

Deadline

2. These two notes advised that all cremator operators should have informed their regulators by 31 December 2005 whether they will be opting for installing mercury abatement equipment or sharing the cost of abatement fitted by other crematoria. Following representations from the All Party Parliamentary Group on Funerals and Bereavement, the Minister has agreed that this deadline should be put back to 1 June 2006 to allow operators more time to develop and finalise their plans.

Burden sharing options

3. The Department is aware that different operators have chosen different burden sharing options to achieve the specified 50% national mercury reduction. The following points are intended to clarify for regulators and operators the considerations likely to be material in deciding whether to fit abatement equipment or contribute to the cost.

- a) it is believed that a small number of local authorities have decided to fit mercury abatement in order to safeguard the local environment and not participate in burden sharing. For the reasons set out in the two consultation paper issued by Defra and WAG www.defra.gov.uk/corporate/consult/crematoria-two/index.htm and www.defra.gov.uk/corporate/consult/crematoria/index.htm, it remains Defra and WAG's view that the environmental impact from mercury emitted from crematoria is through long-range transportation before its deposition, take-up by fish, and consumption as food. Therefore, the focus should not be on local environmental protection. It is for this reason that Defra and WAG have set a national reduction figure, not limits for each individual crematoria.
- b) the 50% reduction figure was determined after extensive consultation to reflect an appropriate balance between costs to crematoria operators (and any consequential increase in cremation fees passed on to the public) and environmental benefits. Neither Defra nor WAG are promoting a reduction in excess of this amount through burden sharing, or because some authorities have decided to fit abatement irrespective of burden sharing.
- c) Defra/WAG made allowance for a burden sharing approach to be adopted for implementing the 50% reduction in order to enable costs to be spread throughout the sector, which the sector organisations believed could if properly managed

minimise increases in cremation fees. However, by way of reminder, if, in the light of evidence obtained in June 2006, burden sharing is shown not to be viable, Defra and WAG have already stated that they will revert to the more conventional approach of securing the 50% by requiring all crematoria above a certain size to fit mercury abatement (with limited exceptions where installation of abatement is demonstrably impossible because of space constraints or heritage considerations). The NAFD and FBCA have calculated that this will result in 35% of crematoria meeting the total cost of abatement, with consequent impacts on their cremation costs.

d) Defra and WAG are aware that the following burden sharing methods have been adopted:

- i) a good many operators have concluded that the best way is to join the CAMEO scheme, which is arranging burden sharing at the national level and provides an umbrella organisation for both running the system and reporting to Defra and WAG. CAMEO will issue guidance on the criteria for deciding whether cremation authorities are to fit abatement or contribute towards the cost and will approve and register all burden sharing arrangements, with CAMEO members all being free to choose their burden sharing partners. CAMEO intend levying and administering an environmental surcharge from members from January 2007, which is considered by the scheme to be the most economical and effective way to collect and redistribute to authorities fitting abatement equipment in line with the phasing programme. For details of the CAMEO approach, contact The Secretary, The Federation of British Cremation Authorities, 41 Salisbury Road, Carshalton, Surrey SM5 3HA. Email address fbcasec@tiscali.co.uk
- ii) some operators have chosen to fit abatement to a proportion of the cremators at their crematorium/crematoria
- iii) some operators have made local agreements with nearby operators to share costs and abatement

Both ii) and iii) could be undertaken within the CAMEO scheme, with CAMEO verifying the arrangements and monitoring the data.

4. Attached to this AQ note, for information, is a note sent to cremation organisations in September this year on the subject of phasing. Regulators should ensure, under the burden sharing approach, that all crematoria which are fitting abatement should do so by the end of 2012, with permit conditions to that effect. Regulators will need to consider enforcement action against any operator failing to comply. The indicative phasing timetable was issued to cremation organisations because cremator and abatement equipment manufacturers are unlikely to be able to meet demand if it is concentrated in the last two or three years before the 2012 deadline.

5. The FBCA and the Institute of Cemetery and Cremation Management will be alerting their members to this AQ note.

Queries

If you have any queries about this note, please contact Defra or WAG:

- Imalka Oyewole imalka.oyewole@defra.gsi.gov.uk 020 7082 8389
- Phil Pope phillip.m.pope@defra.gsi.gov.uk 020 7082 8391
- Mike Etkind mike.etkind@defra.gsi.gov.uk 07979 530863

or the Welsh Assembly Government:

- Ross Hunter ross.hunter@wales.gsi.gov.uk 029 2082 3473

Defra/AEQ

November 2005