

## **Institute of Cemetery & Crematorium Management**

### **Report of the meeting of the board of directors held on 8<sup>th</sup> December 2008 at the National Office**

Present:

Directors: Ken Dry, Martin Birch, Alan Till, Sharon Herbert, Bill Stanley and Alan Copeland

Officers: Tim Morris, Trevor Robson and Charles Ward

#### **1. Apologies for absence**

All directors were present

#### **2. Election of Chairman**

It was unanimously agreed that Ken Dry continues as Chairman in order to ensure continuity. Directors thanked Ken for the considerable amount of time and effort that he had given to the Institute since taking over the position in May.

It was further unanimously agreed that Alan Till should continue as Vice Chair.

#### **3. New Directors**

The Chairman updated new directors on ICCM matters.

#### **4. Minutes of the meeting held on 11<sup>th</sup> November 2008**

The minutes were approved as a true record.

Matters arising:

##### **a) Easy Guide to Law**

The Chief Executive informed directors that one of the co-authors had pulled out due to ill health.

Directors noted that it is the responsibility of the authors to provide the text as per the written agreement between parties and that officer time is limited at present.

##### **b) NAMM Update**

It was noted that BRAMM was an agenda item however in view of the current position directors requested an update at this point.

The Chief Executive appraised directors on the current position. The board expressed its desire to continue to progress BRAMM and support the vice chairman of the BRAMM board through its two representatives. Directors discussed the email sent by John Rotherham to the BRAMM board offering to speak to the President of NAMM in his capacity as FBCA President and BRAMM board representative. It was agreed that John Rotherham's approach would be endorsed with additional support being offered by Martin Birch, ICCM President.

Directors instructed that its representatives continue to encourage NAMM and allay any concerns.

## **5. Minutes of the S&NI Branch Meeting**

Bill Stanley, director and secretary of the S&NI branch provided detail on the minutes of the recent branch meeting. Directors expressed concern that the minutes suggested that branch members were considering breaking away from the Institute and questioning the need for accredited professional qualification. Bill explained that some members had approached other organisations in order to establish what they had to offer and that a review would take place within the branch.

## **6. Letter from the S&NI Branch – CAMEO Membership**

Directors discussed the letter from the branch that requested the current position of the Institute with regard the CAMEO scheme and the invitation to take up a seat on the committee.

The Chief Executive informed the board that a holding reply had been forwarded to the branch secretary including the membership newsletter that had been circulated during the summer that contained the board statement that CAMEO is one of a number of legitimate options open to cremation authorities.

Directors discussed the limited amount of information that is available on the management and operation of the scheme.

***It was agreed that:***

- a) A letter be sent to Brendan Day requesting the attendance of two Institute personnel at the next CAMEO committee meeting in order to view the workings of the group.***

## **7. Letter from the S&NI Branch – Title Deeds and Ombudsman's Report**

A letter and report from the Ombudsman (2007) had been circulated to directors for comment.

It was noted that problems with shallow graves are encountered in Scotland as they are in England & Wales however English and Welsh authorities are accountable for any shallow depth grave encountered and will resolve at no cost to affected grave owners. Such authorities minimise the risk of encountering shallow depth graves via management checking procedures and good shoring technique and practice as recommended in the ICCM Shallow Graves Policy. This policy also explains how to use LACO to 'vault' a shallow grave and thereby lawfully permits a burial in a shallow depth grave. Legislation applicable to Scotland does not specify depths at which burial should take place nor does it include burial in 'underground cell or compartment'.

The Institute advises through its cemetery management training to register depths of excavation at each opening and to specify the number of interments in the register of grants/purchased graves.

In 2005 a paper was submitted to the Scottish Law Review Group concerning the modernisation of burial law in Scotland. In that paper, prepared by representatives from FBCA, ICCM and the S&NI Branch it was indicated that depths of burials should be specified. The paper also suggested that an item on the vaulting of graves should be included in order to overcome the shallow grave problem. The paper also provided a

draft framework for new legislation based broadly on legislation applicable in England & Wales (Local Authorities Cemeteries Order 1977 [LACO]).

The fact that no guarantee is required to be given on number of burials in a grave in Scotland gives rise to complaint by affected grave owners. The widely publicised case of the 'Campbell grave' is indicative of this.

Whilst the historic problem of shallow graves in Scotland can only be resolved on a case by case basis the continuation of the problem can be ceased via adopting the spirit of LACO in respect of burial depths and the use of sound shoring technique and management checking procedures and practice. In those cemeteries that encounter particularly unstable ground it might be advisable for those authorities to only excavate graves to a safe depth and specify this at the outset together with the number of interments that can be accommodated.

It is likely that the Ombusman's judgement in respect of Midlothian Council will be used as evidence in any similar challenges that arise in the future.

***It was agreed that:***

***The Chief Executive should consult with the S&NI branch and agree a policy documents for Scotland on this subject.***

## **8. Report of the Finance & IT Manager**

### **Membership**

Professional member had risen to 618 at 08/12/08, at this time last year the figure stood at 572 members.

Corporate membership had risen to 357, the figure for this time last year was 342 members.

### **Sundry Debtors**

At 31/3/2008, Sundry Debtors were £102,546 for the last financial year. Since 1/4/2008 approx £90,600 of outstanding debtors had been collected.

### **Cheques/Expenditure over £5000**

In line with recommendations by Messrs Greenhalgh's and Co's audit cheques or bills paid over £5,000 reported to the Board.

### **Revised Fee's and charges for 2009/10**

Revised Fee's and charges for the 2009/10 were presented to the Board – the F&ITM reported that given the current economic climate the fees and charges for 2009/10 are very difficult to judge.

***It was agreed that:***

***The new fees and charges were approved***

### **Commitment accounting for 2008/9**

Activity for the year was summarised using all known information of expected and actual data and was presented to Director's to calculate the financial position of the Institute to date and review it against the budget for the year.

The current figures suggest an estimated loss for the year, which was skewed by the timing of centre activity.

Directors were informed that, The Institute was being severely affected by ongoing issues, which were preventing the Institute from potentially making a profit and severely affecting all Officers activities.

## **9. Report of the Chief Executive – Information**

### **a) Training Accreditation**

The Chief Executive updated directors on accreditation of training initiatives.

### **b) Website and Portal**

Directors were advised that the ICCM website and Portal are due to be integrated during week commencing 22<sup>nd</sup> December and that the site may be off line for up to 48 hours. The cost of this integration is included in the purchase fee for the Portal.

Once integration is complete discussion and costing of work required to the ICCM site can be commenced. This would include improving the overall appearance and navigation facilities and developing the member's only area.

## **10. Memorial Safety – MoJ/HSE Guidance – Response to MoJ**

The Chief Executive had circulated draft minutes of the last BCAG meeting where the above subject had been discussed. It was noted that the ICCM comments made at the meeting had not been included in the draft minutes however the MoJ had invited comments.

### ***It was agreed that the following response be submitted:***

Paul,

I would be grateful if you could note the following in the minutes of the October meeting:

Under 6.2 - I stated that - a visual inspection followed by a hand test will identify the majority of unstable memorials however a confirmatory mechanical test to a pressure of 35kg on those memorials that pass a simple hand test would ensure that no memorials are over-pressured. (I believe that the NAMM representative confirmed that Prof Knapton had been contacted and stood by his recommendation of 35kg force.

Under 6.3 - I stated that - many local authorities use temporary supports on unstable lawn type memorials as opposed to laying flat as this was considered a more sensitive approach. This is evidenced by public backlash against authorities systematically laying memorials flat. The guidance suggests laying flat prior to repair however in the absence of memorial owners are local authorities expected or empowered to spend large amounts of public money on private property? This has yet to be challenged by a local tax payer or tested in the Courts. As the guidance suggests that the use of temporary supports should not be utilised local authorities are faced with a dilemma.

I also stated that - An unstable lawn memorial is capable of inflicting serious injuries therefore the guidance must be in tune with health and safety legislation. A risk assessment of an unstable lawn memorial would indicate that immediate action is required however the dilemma remains.

I also recall that Ian Hussein proposed that the guidance is issued immediately with the position being reviewed in 6 months.

Regards,  
Tim

## **11. Cemetery of the Year Awards**

Directors expressed concern at the message received from Mike Dewar of One-is-More as it contained inaccurate information regarding ICCM sponsorship and hosting of the awards ceremony.

***It was agreed that Martin Birch and the Chief Executive will attend the next CYA meeting in order to provide accurate information.***

## **12. Burial During a Pandemic**

The Chief Executive had previously circulated a draft guidance note that he had prepared at the request of the MoJ and asked directors for their comments for inclusion within the next two weeks.

Bill Stanley informed directors that trench burial was not being considered in Scotland.

## **13. Other Business**

### **a) The Journal**

The Journal Editor reported that he had renegotiated printing costs and significant future savings will be made.

Directors requested that the Chief Executive pass on their thanks to the Journal Editor.

The Journal Editor also circulated a list of articles nominated for the annual 'article of the year' award requesting that directors consider the same and relay their votes by 15<sup>th</sup> January 2009.

(It was noted that both Martin Birch and Ken Dry would not cast a vote as they both had input into nominated articles).

### **b) BS8415 and Stonesafe**

Directors were advised that Stonesafe had contacted the Institute asking for support in relation to proposed amendments to BS8415.

***It was agreed that:***

***The matter should be left for British Standards Institute to decide.***

### **c) National Office Lease**

The Company Solicitor advised the board that the lease is continuing under statute despite the facts that it expired on 31<sup>st</sup> December 2007 and that the City had not forwarded any lease payment invoices since that time.

Officers were advised that the Institute would need to respond in Court to any notice received from the City.

***It was agreed that the Chief Executive would write to the City requesting an invoice for lease payment.***

**d) Dioxin Testing**

The Chief Executive advised that an email had been received from DEFRA regarding the testing for dioxins levels from unabated cremators. The message suggested that £100 per authority be levied to cover the cost.

It was suggested that DEFRA should make a direct approach to cremation authorities.

**e) Orthometals**

Bill Stanley reported that Orthometals had delivered recycling bins to his employer's crematorium prior to the contractual arrangements being finalised. The Chief Executive commented that it was a cost effective approach as Orthometals were in the country at present. Should for any reason the contract not be completed Orthometals would remove the containers.

**f). Tom McDowell**

Bill Stanley updated directors on the progress being made by Tom McDowell. Directors were pleased that Tom should be out of hospital by 19<sup>th</sup> December and asked Bill to convey their regards to Tom.

**g). Nominations to Committees**

The Chief Executive informed directors that no nominations had been received for the vacancy that exists on the Corporate committee and that Four nominations had been received for the Professional Committee namely:

John Robson, Brian Lowe, Bob Coates and Steve Brown.

It was agreed that a meeting of the Professional committee would be convened early in the new year in order to fill the two vacancies that exist on the board.