

MARGAM JOINT CREMATORIUM COMMITTEE

19 JANUARY 2018

REPORT OF THE CLERK

MATTER FOR DECISION

WARDS AFFECTED:

All

The Cremation (England and Wales) (Amendment) Regulations 2017

Purpose of Report

1. To provide the joint committee with information in relation to the making of new regulations in relation to cremation and the requirement to revise forms used by Margam Crematorium.

Background

2. Some while ago the Government consulted on amending the Cremation (England and Wales) Regulations 2008 in light of official reports on aspects of cremation practice. Cremation is not a devolved function and legislation is therefore on an England and Wales basis. To a certain extent the further amendments follow on from earlier amending legislation of 2016 which, for the first time, provided a statutory definition of “ashes” which include all that is left in a cremator after a cremation minus metal but including all organic matter such as the coffin itself and clothing as well as the body or rather the remains of that organic matter after the process of cremation.
3. The amending regulations are quite brief. They provide that a cremation authority must dispose of ashes in accordance with the applicant’s instructions. Where the applicant does not give instructions for disposal, or where the ashes are not collected in accordance with earlier instructions, the cremation authority may then dispose of ashes. The amending regulations make it clear that

in exceptional circumstances the cremation authority may, at their discretion, release the ashes to someone other than the applicant or the applicant's nominee.

4. I would have thought that this discretion would only be exercised in exceptional circumstances and after full consultation with the family or any other interested parties.
5. New forms have been provided as attachments to the amending regulations. The regulations make valid any alternative Welsh language or bilingual forms and the indication is that the Ministry of Justice will produce such Welsh language or bilingual versions.

Financial Impact

6. There is, in practical terms no financial impact arising out of this change.

Equality Impact Assessment

7. No Equality Impact Assessment is required.

Workforce Impact

8. There are no workforce impacts

Legal Impacts

9. It is a statutory requirement to comply with the amending regulations.

Risk Management

10. There are no risk management consequences.

Consultation

11. There is no requirement to consult in order to make these amendments to Crematorium forms.

Recommendation

12. That the amending regulations be noted and that the Superintendent Registrar be required to produce amended forms for use at the Crematorium.

Appendices

13. None

List of Background Papers

14. The Cremation (England and Wales) (Amendment) Regulations 2017 and the impact assessment of 18th December 2017.

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