



CHEL TENHAM

BOROUGH COUNCIL

Notice of a meeting of Overview & Scrutiny Committee

Thursday, 3 April 2014
6.00 pm
Pittville Room - Municipal Offices

Membership	
Councillors:	Barbara Driver (Chair), Klara Sudbury (Vice-Chair), Andrew Chard, Nigel Britter, Colin Hay, Helena McCloskey, Diane Hibbert, Chris Ryder, Charles Stewart and Sandra Holliday

The Council has a substitution process and any substitutions will be announced at the meeting

Agenda

	b) Cemetery and Crematorium Review the final report of the scrutiny task group – cemetery and crematorium and endorse the recommendations before forwarding them to Cabinet (30 mins)	(Pages 1 - 20)

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**Cheltenham Borough Council
Overview & Scrutiny Committee
3 April 2014**

**Scrutiny Task Group Review - Cemetery and Crematorium
Covering Report**

Accountable member	Councillor Chris Ryder, Chair of Scrutiny Task Group
Accountable officer	Rosalind Reeves Democratic Services Manager
Executive summary	At its meeting on 25 November 2013 Overview & Scrutiny Committee commenced a review of the Cheltenham Cemetery and Crematorium. A Scrutiny Task Group was set up and the findings and recommendations of that Group are set out in detail in the attached Scrutiny Task Group Report.
Recommendations	<p>That Committee agrees the recommendations set out in the Scrutiny Task Group Report and recommends to Cabinet that:</p> <ol style="list-style-type: none"> 1. the Scrutiny Task Group Report findings and recommendations are noted and considered, 2. the recommendations in relation to procurement (i-v) be accommodated within the Authority's Procurement Strategy, 3. the recommendations in respect of staff management (ix and x) be implemented by the appropriate Director, 4. the recommendation regarding abatement (xv) is taken forward by the responsible Cabinet Member, 5. the recommendation in respect of legal options (xii) is taken forward by the Borough Solicitor, 6. the recommendations in respect of project management (vi and vii and viii) are included within the Authority's project management processes and procedures, 7. the recommendation in respect of risk management and the Corporate Risk Register (viii) is endorsed by the Authority's senior leadership team, and 8. the remaining recommendations (xi, xiii and xvi) are actioned by Cabinet/appropriate Cabinet Member

Financial implications	<p><i>Officers will be requested to assess the financial implications before the report goes to Cabinet.</i></p> <p>Contact officer: , @cheltenham.gov.uk, 01242</p>
Legal implications	<p>The recommendations in respect of procurement processes will require legal input when updating the procurement strategy to ensure that any changes made are legally robust.</p> <p>Whilst there can be no certainty for recovery of the losses incurred by the Authority in this matter, One Legal is continuing to explore possible routes for legal redress.</p> <p>Contact officer: peter.lewis@tewkesbury.gov.uk, 01684 272012</p>
HR implications (including learning and organisational development)	<p><i>Officers will be requested to assess the HR implications of the recommendations regarding staff management before the report goes to Cabinet.</i></p> <p>Contact officer: , @cheltenham.gov.uk, 01242</p>
Key risks	<p>These are outlined in the report</p>
Corporate and Community Plan implications	<p><i>To be added before the report goes to Cabinet</i></p>
Environmental and climate change implications	<p><i>To be added before the report goes to Cabinet</i></p>
Property/Asset Implications	<p><i>These are set out in the report</i></p>

Report author	<p>Contact officer: Rosalind Reeves@cheltenham.gov.uk, 01242 774937</p>
Appendices	<p>1. Task Group report (including its appendices)</p>
Background information	



SCRUTINY TASK GROUP REPORT
CEMETERY AND CREMATORIUM
APRIL 2014

1. INTRODUCTION

- 1.1 A review of the Cheltenham Cemetery and Crematorium was initiated by the Overview and Scrutiny Committee at their meeting on 25 November 2013 following a request from Councillor Chris Ryder that performance measures at the crematorium needed to be reviewed urgently. In her professional capacity as a florist, she had frequent contact with funeral directors in Cheltenham and she had been made aware of their serious concerns regarding the operation of the new cremators installed at Cheltenham crematorium. The O&S committee agreed to set up a task group and requested that it report back to the committee on a regular basis due to the urgency of the topic.
- 1.2 This report sets out the findings and recommendations arising from the scrutiny review by the scrutiny task group.

2. MEMBERSHIP AND TERMS OF REFERENCE

- 2.1 Membership of the task group:-
- Councillor Chris Ryder(Chair)
 - Councillor Helena McCloskey
 - Councillor Rob Reid
 - Councillor Barbara Driver
- 2.2 Councillor Ryder would like to put on record her thanks to her colleagues on the task group. This was a complex issue to take on in a short space of time and ensure it was dealt with correctly and she felt they worked really well as a cross party team.
- 2.3 A scrutiny registration form was submitted by Councillor Ryder to the O&S Committee on 25 November 2013 and this is attached as Appendix 1. This listed the areas for investigation and the desired outcomes were as follows:
- To ensure Cheltenham Borough Council gain the confidence and trust of their clients, the funeral directors who are invoiced via the council on behalf of the general public.

- To ensure that Cheltenham Borough Council cremators are working to full capacity and not putting unnecessary pressure on the work force at the cemetery.
- To ensure the abatement cleansing issue is dealt with.
- To recommend a solution to the car parking issue.
- To ensure there is clarity on the budget for this Victorian building and its grounds for any such maintenance issues raised above and not just rely on money in the general property maintenance division.
- To be able to provide a good quality, dignified service to the many families across the Borough and surrounding areas who use these facilities at difficult times in their lives.

3. HOW DID THE TASK GROUP GO ABOUT THIS REVIEW?

3.1 The task group met on five occasions between November and March and spoke to a range of officers involved in the project to install the new cremators, officers working at the crematorium and their clients, the funeral directors. They all contributed to the discussions and were able to respond to members questions or bring back additional information to subsequent meetings. The officers involved were:

- Rob Hainsworth (RH) – the operational manager for bereavement services across four sites in Cheltenham, Tewkesbury and Charlton Kings.
- Mark Woodward (MW) – service development officer at Ubico and Cheltenham Borough Council's project manager of the project to replace the cremators at the Cheltenham crematorium.
- Tom Mimmagh (TM) – property manager responsible for looking after the maintenance of the council's assets.
- Gareth Jones (GJ) - Senior Environmental Health Officer – responsible for monitoring environmental health issues at the crematorium
- Grahame Lewis (GL) – director responsible for the line management of this function at the time of the task group review
- Bryan Parsons (BP) – corporate governance and risk management officer who had been involved since July in assessing and identifying the risks of the project.
- Rosalind Reeves (RR) – Democratic services manager and the facilitator for this scrutiny review.

Members would like to thank all of the officers who attended meetings and contributed to the review.

The Cabinet Member Sustainability, Councillor Roger Whyborn was also involved in our review and we thank him for his input.

4. THE INFORMATION WE GATHERED

4.1 The following paragraphs describe the areas covered in each of our meetings.

4.2 The Task Group met on 17th December 2013 with Lead Officers

In attendance were Grahame Lewis, Rob Hainsworth, Tom Mimmagh, Mark Woodward and Bryan Parsons along with Rosalind Reeves to bring the Task Group up to date with the ongoing issue with the cremators and to be informed on how in 2009 it was decided that CBC would invest in new cremators at the crematorium.

Much discussion took place to enable the task group to understand the process of how the new cremators were put into the Listed Victorian Chapel. We requested a time line of events to allow us a better understanding of actions through these past four years. Mark Woodward as CBC's project manager said he would make this available to us.

We wished to be ensured that at this present time there was not a risk to Chapel users and staff while the one cremator was running and that the staff were comfortable and being monitored when working over and above their normal hours to keep the crematorium open.

4.3 Wednesday 15th January a meeting was held at Cheltenham Crematorium, within the Chapel Waiting Room at 9am.

The Scrutiny task group had been invited to a meeting of the Funeral Directors to give them an opportunity to air their concerns regarding the cremators and any other issues they may wish to raise with the task group.

In attendance was Executive Director - Grahame Lewis, Manager of Crematorium & Cemetery - Rob Hainsworth. Property Manager - Tom Mimmagh. Mark Woodward - UBICO. Senior Environmental Health Officer - Gareth Jones, Several Crematorium Officers, Cabinet Member Sustainability - Cllr. Roger Whyborn and Rosalind Reeves, Democratic Services.

There were representatives from bereavement services from: Mason & Stokes. Trenhailes. Co-Operative services. Selim Smiths. Ian George and Norman Trotman and Hughes from Northleach. There were two or three representatives from each company and generally a very packed room of attendees.

A timeline of events which had been requested at the last meeting was on hand for the tasks group's information, this had been produced by Mark Woodward, the CBC's project manager, which proved useful for formulating questions to officers.

Tom Mimmagh gave a technical update on the Cremators and Abatement system, We were informed that since July 2013 there had been two consultant's reports produced. The first report in October had identified deficiencies in the cremators

and a number of health and safety issues which had now been addressed. £50,000 had been spent on remedial work. A second consultant's report had been commissioned to validate the work of the first, which reported near the end of December 2013. Tom Mimmagh was hopeful that both cremators would be up and running satisfactory, albeit without the abatement process in place. In addition every brick had been replaced in both cremators. The new system installed had a 15 year life expectancy, subject to routine maintenance requirements.

Gareth Jones advised us that it was not illegal to operate the cremators without the abatement process, and currently the abatement equipment had been temporarily decommissioned as it was interfering with the effective operation of the cremators. It appears that many crematoriums are operating without abatement in place. In the absence of abatement the council was obliged to pay £50.00 per cremation into a fund 'CAMEO' burden sharing scheme for each cremation which is unabated. Although later questioning revealed a slightly different figure, nevertheless it is a substantial figure for this Council to maintain while the abatement system is not operational. The income that could be achieved from mercury abatement had been costed as an income benefit to the Council in the business case for the project. It was acknowledged that everybody involved wished for a speedy resolution to the problems and the Cabinet Member was aware that the matter was of high priority and was working with officers to achieve a positive outcome.

The views of the Funeral Directors: The Directors were concerned that the council had not consulted with them about the introduction of the abatement process or during the procurement of the new cremators. They felt that they could have contributed to the process by consulting with their industry contacts across the country. They still had no trust in these cremators. They were concerned that new bricks were being replaced in new cremators! Even if both cremators were operating correctly, a cremator may have to be shut down periodically for maintenance purposes, by overloading the one cremator this could possibly risk this one failing too. In an ideal world, three cremators would be in place. They reminded the meeting that it was two years since they had had in their words 'a fully functioning crematorium'. It was mentioned that there were well known Funeral Homes from across Britain that may be interested in seeking to take on the management of crematoria, indeed some already have their own and this may prove a risk to the council. Mark Woodward confirmed that the council had a business continuity plan for the crematorium and invited Funeral Directors to participate, several names came forward.

4.4 30th January a meeting took place between the Task Group, Rob Hainsworth, Grahame Lewis, Mark Woodward, Tom Mimmagh and Cllr. Roger Whyborn.

Many questions were answered that came about from the Timeline of events. We were able to view the 'Pink Paper' consultants' reports. Lots of questions flowed from the task group on reading the paperwork, most were answered satisfactorily. It was good to be informed that from 20 January 2014 both cremators had been fully operational. There were still some technical issues to be dealt with, but these did not stop the cremators from working. Between 10 and

11 cremations had been taking place per day. Normal working patterns had resumed and the overtime costs had reduced. Some of the outdoor grounds maintenance team had been trained to work in the Crematorium, partly to cover long-term sickness issues and partly to cover some of the shifts required as a result of the problems that they had been experiencing. Additional agency staff had been employed to ensure that the Cemetery's appearance did not deteriorate as a result of the redeployment of CBC staff. Rob Hainsworth and his team were to be congratulated on their efforts in maintaining a good standard at the crematorium with these issues around them.

4.5 20th February the task group met with Tom Mimmagh and Mark Woodward to review Project Documentation.

The task group wished to view the tender submissions, evaluation criteria and evaluation results which resulted in the selection of the consultant. They also wished to view the evaluation criteria for evaluating the bids for suppliers of the cremators together with a summary of the results showing why Crawfords were selected.

They looked at minutes that had been taken when the tenders had been evaluated and any decisions that resulted from that meeting.

They also viewed much paperwork of project team meetings, showing how the project was managed and examples of the risk register during key stages of the project as well as copies of emails relating to the audit and procurement process. They also asked for copies of reports if any, to Cabinet Member/Board during the project and details of any Cabinet, Cabinet Member or Officer Decisions during the course of the project.

27th February the task group met on site at the Cemetery with Manager Rob Hainsworth at 8.30am.

The task group reviewed options for future parking for visitors at the Cemetery, especially when attending funeral services, which was causing great problems to the manager and his staff. They did a tour of the cemetery and viewed suggested places for parking. They viewed the overgrown bushes and trees that were damaging headstones. Before recommendations are made on this subject, the task group were keen to make contact with the relevant officers, especially the conservation officer, to put our views forward and to hear comments. The Chair of the task group has spoken to the Conservation Officer with regard to the suggestion of taking down the flat roofed building, which comprises the waiting room and toilets at the back of the chapel and rebuild with a more sympathetic building to house new cremators and chimney flues which would be in keeping with the Victorian Chapel. This is a complex issue to address, particularly in the context of Bouncers Lane being a listed park containing listed buildings.

4.6 We have not yet had the time to hold a meeting with the relevant officers to discuss this through before producing this final report, but would be happy to revisit this as a task group. It is an area to be explored if new cremators could be installed at the Crematorium in the future.

4.7 Our final meeting in March was to finalise our recommendations.

5. OUR CONCLUSIONS

5.1 Selection of the consultant

At the start of the project, the project team acknowledged their lack of specialist knowledge in this area and therefore the need to appoint a consultant was identified and a tender process put in place. The tender process was correctly followed in that evaluation criteria were set and any subsequent bids were evaluated against these criteria. This evaluation was done on an 80% cost: 20% quality basis so any scoring was heavily weighted towards the cheapest bid. We were advised that a thorough evaluation of quality was completed and the successful consultant had the highest quality score according to the evidence presented to us. It was the view of the task group that this weighting was inappropriate given that a fundamental need was to bring in specialist knowledge and experience which was lacking. Given the total cost of the project, the cost of the consultant was relatively small in comparison but vital to the success of the project.

5.2 The task group reviewed the subsequent bids from the three consultants in confidential session. They noted from the documentation supplied that the consultant chosen had significant experience of carrying out feasibility studies at crematoria. They were also advised by officers that he was recognised in the industry as an expert and his knowledge was well respected. The task group noted that this consultant appeared to be lacking hands-on experience of project managing operational projects. Part of the scope outlined in the brief for the consultancy work was that the consultants should 'act as Project Managers for the supplying and installation of replacement cremators and associated equipment by the selected suppliers'. We therefore do not understand from the information provided to us why the consultant scored so highly on experience compared with the other tender submissions.

5.3 The task group specifically asked officers for notes of any face-to-face interviews with the consultant before he was appointed. Officers were not able to confirm an interview had taken place or produce any relevant documentation. They did provide us with an agenda from the pre contract consultant meeting but acknowledged this was after he had been appointed. Considering it was such an important role the task group was surprised that an interview was not carried out.

5.4 We were advised by Rob Bell on 14 March 2014 that officers would put together a full process report in chronological order with supporting documentation as soon as possible. A collection of documents was finally provided to Democratic Services on Monday 24/03/14. We felt the information could have been provided in a more timely and summary format to support our review.

5.5 Officers advised the task group that the consultant once appointed went on to do a good job in assisting the council with the tendering process, particularly in producing the tender document. Once the project moved into the design and build phase, the consultant seemed to take much more of a back step with mainly email contact and indeed his contract only required him to make five site visits

- and he was requested to make an additional site visit. We were advised that the consultant's visits were used to sign off relevant stages of the contract where payments were required and to address any technical issues. As the final stage of the contract was not completed the final payment to Crawfords was not made. Officers advised us that Crawfords were responsible for project managing the design and build of the new cremators and therefore the services of the consultant were not required permanently on site. The task group questioned why the council, having acknowledged that they lacked the specialist knowledge on this type of project, would then rely totally on the company installing them to provide it. Who was monitoring the quality of what was being delivered if the only specialist knowledge on site was Crawfords? We do not believe the poor quality of the work was something that was picked up by the consultant on his visits and only came to light when consultants were brought in specifically for this purpose after Crawfords had gone into liquidation.
- 5.6 One aspect of the project that did concern us was that it was as late as June 2013 before the fine detail of the maintenance contract was being negotiated with Crawfords. We were advised that the costs of the ongoing maintenance was included in the original tender. From their experience in other industries the task group members felt that this maintenance contract should have been negotiated alongside the purchase contract when the council would have been in the strongest negotiating position.
- 5.7 **The task group recommend that on future projects where the council is bringing in a consultant to offer specialist knowledge and experience the evaluation criteria should be set so that this factor is given more weighting than cost and a face-to-face interview carried out.**
- 5.8 **Consideration should be given to putting in place a maintenance contract at the same time as agreeing the purchase contract**
- 5.9 **The tender process for the design and build of the cremators**
The task group met with officers who took them through the tendering process. Members concluded that appropriate processes were followed culminating in a meeting to evaluate the scores on all the tenders which was attended by the senior manager, Assistant Director, Rob Bell who was responsible for the crematorium at that time. The tenders were evaluated and scored with an 80% cost: 20% quality split. The task group noted that there was no Cabinet Member involvement and we will return to this point later in this report.
- 5.10 A member of the task group with experience of procurement in the computer industry, was surprised to find that the preferred supplier was selected before any site visits were carried out. Once Crawfords had been short listed as a preferred supplier, only one site visit was done. Although the site visited had similarities with Cheltenham, the actual equipment had been installed several years before and therefore was not necessarily a good test of the new equipment that Crawfords would be installing at Cheltenham.
- 5.11 The task group felt the council should have been more proactive in carrying out research themselves on Crawfords' equipment and looking beyond the literature supplied which officers advised was very impressive. When the task group met

- with funeral directors, the directors said they could have supplied some valuable information by contacting members of their industry across the country. When the task group raised this with officers, they advised that the consultant had consulted with the industry as part of his initial feasibility report. The task group was satisfied that all the appropriate legal and due diligence checks were carried out but there is no substitute for first-hand experience.
- 5.12 **The task group would recommend that on future projects of this size, at least two site visits are carried out to a preferred supplier and preferably another visit to the supplier with the second highest score.**
- 5.13 **Role of the Project Manager and Senior Management Involvement**
The task group were shown a project initiation document drawn up in May 2010 using a standard template. This identified Mark Woodward as the CBC project manager and Rob Bell as the project sponsor. Mark Woodward was keen to point out that once Crawfords had been appointed and the project entered the design and build phase, that Crawfords had a project manager on site and at that point the property services and the crematorium manager were also on site to deal with day-to-day issues. Mark advised us that he only rejoined the project later on.
- 5.14 It appeared from the project documentation that project meetings continued to take place on a regular basis. From the minutes we viewed, these meetings were concerned with resolving day to day issues and problems with the installation. There appeared to be no senior management involvement in either of these meetings. At some point senior management responsibility for the Crematorium moved from Rob Bell to Sonia Phillips, the Assistant Director Well Being and Culture and later to executive director, Grahame Lewis. We understand management has now been passed to Rob Bell as Managing Director of Ubico. The manager at the crematorium also changed during the course of the project as did legal and property representation on the project team and clearly changes in management at all levels present added complications to any project.
- 5.15 The task group were concerned that no one was standing back from the project at a management level and reviewing high-level risks and issues away from the day-to-day issues. It was only when Crawfords went into liquidation that senior management started to take a very active role in the project team meetings.
- 5.16 The task group contrasted the situation with the crematorium project with that of the other projects operating in the council at the same time. For example the Town Hall and Museum or the Leisure and Culture Trust. On these projects, the project team met regularly and had both senior management and member involvement. Given the significant cost of the crematorium project and the potential impact on the Cheltenham residents if it went wrong, the task group felt that it was lacking this level of project management and management/member steer beyond the day-to-day management on site. It was only when Crawfords went into liquidation that this started to happen.
- 5.17 At the time of the liquidation, the emphasis was on making the cremators fit for purpose through any remedial work. We noted that ex-workers from Crawfords were put in to carry out a lot of the work and the task group did question whether this presented a further risk given that the original quality of the installation was in

question.

- 5.18 **The task group would recommend that all projects over a certain cost and time scale need to be fully managed according to the project management procedures adopted by the Council**
- 5.19 **Management of risk and decision-making**
When the task group examined the project documentation they were shown copies of risk logs which were reviewed at the project team meetings. Officers were keen to reassure us during several of the task group meetings that until March 2013 there was nothing to suggest that there were any real problems at the crematorium with Crawfords equipment. Indeed officers felt the project was near completion and on the point of moving from construction into a maintenance contract. It was only when Crawfords went into liquidation and consultants appointed to scrutinise the work that all the problems with the quality of the installation came to light.
- 5.20 The task group also studied the project timeline that had been supplied by officers and maintained during the course of the project which seemed to contradict this view. They noted a number of updates prior to March 2013 that could have started to ring alarm bells and certainly trigger re-evaluation of the risks.
- 5.21 We were advised that the project was added to the corporate risk register in January 2013 which brought it to the attention of the Senior Leadership Team who have a role in monitoring corporate risks and ensuring appropriate actions are taken. At that point it had a score of 16 which increased to 20 in August 2013. The task group suggested that when the crematorium was taken out of operation for two days for the installation of the new equipment, that it, in itself could have warranted an entry on the Corporate Risk Register We appreciate that it is normal for the facility to be closed on certain days for routine maintenance and staff training to take place but this was a complete replacement and therefore posed a far greater risk.
- 5.22 We understand there was a meeting held on the same day as our final meeting on 5 March 2014 with the project team, senior management and the Cabinet Member to review the risk register for the project. We requested a copy of the revised risk assessment resulting from that meeting and we are still waiting to receive this.
- 5.23 **Risks are managed at a high level by the senior manager on a project as well as the day to day project risks and added to the corporate risk register as soon as any high-scoring risks become apparent**
- 5.24 The task group also asked for records of decisions taken during the course of the project and particularly once it was known that problems were being raised. We felt some significant decisions had been taken and it was not easy to see exactly when these decisions were taken and by whom. For example the task group would have expected a report to be produced for Cabinet or the Cabinet Member when the project was first initiated and certainly when Crawfords went into liquidation. In this report officers would have set out the options, and the

implications and risks and any decisions will be formally documented. There is also a process within the Council for formally documenting officer decisions. The task group can only speculate the reason for this but possibly the project was underestimated as a routine project and just part of the overall capital maintenance programme.

- 5.25 **The task group recommend that on all significant projects, decisions are logged and brought to the Cabinet or Cabinet Member at the appropriate time so that an audit trail can be maintained.**
- 5.26 **Support for the staff at the crematorium**
The task group were made aware of the tremendous efforts made by staff at the crematorium to try and keep business as usual going during all the problems they were experiencing. They were concerned about the health and safety and well-being of the staff during this difficult period. They were advised by officers that there were regular health and safety inspections to ensure that staff safety was not being compromised. Nevertheless the crematorium manager advised us that it was a very stressful period for the staff and even though the equipment has undergone extensive remedial work, they will still need a significant period of operation before they can be totally confident in the new equipment.
- 5.27 **The task group would recommend that the well-being and health and safety of staff on any operational or maintenance project are treated as a priority and regularly reviewed at every project meeting and staff given the opportunity to express their views.**
- 5.28 **We also think the crematorium staff should be formally thanked by the Council for their significant contribution to overcome the problems with the cremators.**
- 5.29 **Cabinet Member involvement**
During the task group review it became very evident that there was little member involvement in the project and the task group were surprised at this given the cost of the project and the potential impact if unsuccessful. There was some discussion about whether the Cabinet Member should be involved in the opening of tenders. The task group were advised that in the early 2000s, Democratic Services would have called in an elected member to supervise the opening of tenders. However with the introduction of a more rigorous procurement process, a Procurement Officer took on the responsibility for this supervision. At one point a list of tender openings was displayed in the Members room inviting them to attend but as there was no take-up of this, the process was stopped.
- 5.30 Members acknowledged that the tender opening process could be seen as a purely administrative process and therefore member attendance would not add any significant value. However the task group felt it was essential for the Cabinet Member responsible to be involved in the tendering and evaluation process for a project of this size and to be fully informed before the preferred supplier was selected.

- 5.31 The task group invited the Cabinet Member Sustainability to attend our meetings. He advised us that he started to get more involved in the project when it became clear that the abatement process was having problems. This was a significant issue to him as it would affect the environmental targets that the project was setting out to achieve.
- 5.32 The task group did feel that the setting up of the scrutiny task group was perhaps a trigger for the Cabinet Member to get more involved as Members and the media started to ask more questions.
- 5.33 The Cabinet Member has advised us that he intends to bring a report back to Cabinet in May 2014 when a decision will be taken on the future of the cremators and the way forward. The task group feel that it would be important to consider the logistics of installing an additional cremator in the report, should an analysis of the business continuity plan and future demand indicate a need. The confidential consultant's report produced in December 2013 also asked the important question whether the system is fit for purpose. Even after all the remedial work this must still be a critical question for the report to address.
- 5.34 **The task group request that they are given an early sight of this report in order that they can ask their questions of the Cabinet member before it is made public.**
- 5.35 **The task group recommend that the Cabinet Member should be involved throughout in any significant projects in the area of their portfolio but particularly at the tendering stage.**
- 5.36 **Legal aspects**
The task group raised a number of questions to officers prior to their meeting on the 30 January. This included a request for an update on the current legal situation regarding recompense. They were advised in the co-ordinated written response from officers that "this is an ongoing and confidential issue and members will be briefed once the position is clearer". The task group requested this again at their meeting on 20 February and this request was passed on to One Legal who produced a confidential advice note on the options for taking any action against the consultant or supplier. We cannot say too much in a public report but the task group were disappointed to learn that as the company went into liquidation there does not appear to be much in terms of redress via any public liability insurance. We understand this is still being pursued.
- 5.37 Officers made us aware that there were other authorities in the same position and the task group felt that every opportunity should be sought to work together with them.
- 5.38 **The task group recommend that legal options could continue to be explored particularly any joint claims with other authorities in the same position.**
- 5.39 **Communications**
The one issue that really concerned the task group was that without Councillor Ryder's personal involvement in the funeral industry, the problems at the

crematorium may not have been brought to the attention of both elected Members and the public. They felt that the Cabinet Member/officers should not hold back in making all Members aware of problems particularly if they could have widespread impact on the residents of Cheltenham. They also felt it was important to make the public aware at an appropriate stage and to issue apologies for any problems with the services.

5.40 All Elected members should be made aware of problems with potential impact across the town and the public kept informed

5.41 Further improvements at the crematorium

The scrutiny task group were also keen to consider future improvements at the crematorium, taking into account the listed status of the grounds and buildings, and had a site visit to walk around the grounds in February this year. We were pleased to hear that the crematorium manager has already plans in place to improve the signage, the toilets and the waiting area and we have some suggestions for other improvements. Ideally we would like more time to consider and pursue these ideas but in the meantime they are set out below:

5.42 The Lodge

If the council does decide to sell the lodge building, then any financial monies should be ring fenced for improvements at the Cemetery & Crematorium.

5.43 Online booking site

As the use of new technology increases, the crematorium should consider having an online booking website. Initially this could be used to view bookings and would assist funeral directors and the public in seeing what slots were available before contacting the crematorium. The task group acknowledge the added value that crematorium staff add during the process but still feel it worth investigating the options for a more automated booking system.

5.44 New Music system

The introduction of a new music system would offer improved facilities and more choice to relatives on the type of music to be played at the services. There would be a cost and a decision would be required on whether to absorb this cost or to increase charges to the customer.

5.45 Install new loop system in the chapel – (This was a suggestion from a member of the task group and officers have requested more information on the reasons behind this recommendation which we will need to follow up before this report goes to Cabinet)

5.46 Improve the parking facilities and consider the option of a new car park and improved drop-off points for people with disabilities

5.47 Overhanging trees and shrubs

Introduce a new policy which will advise families of an approved list of trees and shrubs suitable for the crematorium and a policy that gives discretion to the manager of the crematorium to limit their growth.

5.48 Provision of information to the task group by officers

Officers have attended meetings of the task group and provided information requested to the best of their abilities in tight timescales. The task group is disappointed not to have received answers to certain questions from officers in a suitable time frame and in an appropriate format. We also found it difficult to get clarity on some aspects particularly in the selection of the consultant and whether he was interviewed and we are still not clear who had overall 'project management' responsibilities for the project.

6. CONSULTATION

6.1 During the course of this review we have consulted with officers involved in this issue. The Cabinet Member Sustainability attended several of our meetings and had the opportunity to review our draft report.

7. RECOMMENDATIONS

7.1 Taking all our findings into consideration, the task group agreed a number of recommendations, namely that:

- i. **On future projects where the council is bringing in a consultant to offer specialist knowledge and experience the evaluation criteria should be set so that this factor is given more weighting than cost and a face-to-face interview carried out.**
- ii. **At an early stage, more opportunities should be provided for the industry (in this case the funeral directors) to input any technical expertise or recommendations, whilst being cautious as to their own agendas.**
- iii. **During the procurement process there should be an agreed adequate period of testing, to confirm that equipment is functioning properly before final payment is made. That the percentage of money retained for this purpose is more significant than the 5 % held back on this project.**
- iv. **Consideration should be given to putting in place a maintenance contract at the same time as agreeing the purchase contract.**
- v. **On future projects of this size, at least two site visits are carried out to a preferred supplier and preferably another visit to the supplier with the second highest score.**
- vi. **All projects over a certain cost and time scale need to be fully managed according to the project management principles and procedures adopted by the Council**
- vii. **On all significant projects, decisions are logged and brought to the Cabinet or Cabinet Member at the appropriate time so that an audit trail can be maintained.**
- viii. **Risks are managed at a high level by the senior manager on a project as well as the day to day project risks and added to the corporate risk**

register as soon as any high-scoring risks become apparent

- ix. The well-being and health and safety of crematorium staff on any operational or maintenance project are treated as a priority and regularly reviewed at every project meeting and staff given the opportunity to express their views.
- x. When dealing with such a significant contract in the future managers should receive full support from their Directors.
- xi. The Cabinet Member should be involved throughout in any significant projects in the area of their portfolio but particularly at the tendering stage.
- xii. Legal options could continue to be explored particularly any joint claims with other authorities in the same position
- xiii. All Elected members should be made aware of problems on projects of this nature with potential impact across the town and the public kept informed
- xiv. The following recommendations for improving the crematorium should be explored:
 - ring fencing any finance secured from the sale of the Lodge for these improvements
 - online booking system, initially for viewing bookings
 - new music system
 - new loop in the chapel
 - improved parking facilities
 - improved drop-off facilities for the disabled
 - introduce a policy on overhanging trees and shrubs
- xv. The abatement cleansing issue is dealt with swiftly as this Council cannot sustain the significant amount of payment into the CAMEO fund for not being compliant, which we are not at this present time.
- xvi. That the crematorium staff are formally thanked by the Council for their significant contribution to overcome the problems with the cremators

8. PROGRESSING THE SCRUTINY RECOMMENDATIONS

- 8.1 In terms of the reference set for us by the O&S committee, we feel confident that these have been met. As a task group we feel it is important that we continue to monitor the ongoing situation at the crematorium and we would be happy to reconvene if the O&S committee feels it is appropriate.
- 8.2 The task group request that they are given an early sight of the report to Cabinet on this issue in order that they can ask their questions of the Cabinet Member

before it is made public.

- 8.3 We would also request that the information requested by the task group and still outstanding is made available as soon as possible.

Report author	Councillor Chris Ryder, Chair of the scrutiny task group Contact officer: Rosalind Reeves, Democratic Services Manager, Rosalind.reeves@cheltenham.gov.uk, 01242 77 4937
Appendices	1. The One page strategy for this review
Background information	None



SCRUTINY TOPIC REGISTRATION

Date: 25th November 2013	
Name of person proposing topic:	Cllr.Chris Ryder
Contact:	01242 526464 07808292143
Suggested title of topic:	Performance measures at Cheltenham Crematorium and Cemetery – Now & in the Future.
What is the issue that scrutiny needs to address?	
<p>To request 'Who project managed' the refurbished cremators, who signed off the works when completed, were they ever completed to the standard that was expected within the contract? Are the cremators running efficiently? Is Cheltenham Borough Council compliant with pollution laws? To look at our risk assessment and policies, regarding cremators. If there were to be an emergency with any of the cremators within the Chapel, how this would be addressed for the safety of the workforce and public. If the cremators had to be shut down, what measures are in place to cover for this eventuality? Would we satisfy the Funeral Homes which may affect users up to a radius of 25 miles or more?</p> <p>Better consultation with clients: Funeral Directors on behalf of the general public.</p> <p>To ensure Ground maintenance is kept in good order with the resources at hand. Can scrutiny look to see if a policy can be adopted to deter the planting of large bushes/trees which cause unnecessary damage to headstones and look unsightly when not maintained by families.</p> <p>To increase car parking areas for mourners.</p> <p>To ensure that we continue to follow CBC policy of 'Duty of Care' to our staff who perhaps go above their call of duty when working within this environment.</p>	
What do you feel could be achieved by a scrutiny review (outcomes)	
<p>To ensure Cheltenham Borough Council gain the Confidence and Trust of their Clients, the funeral directors who are invoiced via CBC on behalf of the general public.</p> <p>Ensure that Cheltenham Borough Council Cremators are working to full capacity. Not putting unnecessary pressure on work force at the Cemetery. Ensure the Abatement cleansing issue is dealt with. To recommend a solution to car parking issue. Cheltenham is fortunate to have this Victorian Building and Grounds. A clear budget needs to be addressed for such maintenance issues raised above, not just rely on money in the general property maintenance division.</p>	

<p>To be able to provide a good quality dignified service to the many families across the Borough and surrounding areas that use these facilities at difficult times in their lives.</p>	
<p>If there a strict time constraint?</p>	<p>This is an urgent topic to be addressed</p>
<p>Is the topic important to the people of Cheltenham?</p>	<p>Very important</p>
<p>Does the topic involve a poorly performing service or high public dissatisfaction with a service?</p>	<p>I understand that the workforce within this division at CBC has performed their duties admirably so that a decent standard of service has followed. Some Funeral Directors may have a different view on the matter, but praise the staff, especially the Manager. There is always room for improvement.</p>
<p>Is it related to the Council's corporate objectives?</p>	<p>Yes</p>
<p>Any other comments:</p> <p>I am happy to lead/be a member to discuss this important topic, to find solutions to questions being asked about the maintenance programme within this sensitive area.</p>	

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