

**LPA REF: 14/00906/FUL**  
**PINS REF: APP/C3430/W/15/3039129**

**APPEAL BY WESTERLEIGH GROUP LIMITED**

**Construction of Crematorium**  
**Land off Broad Lane, Essington, Staffordshire, WV11 2RJ**

**REBUTTAL EVIDENCE**

**Prepared by:**

**IAN MCARDLE ON BEHALF OF THE APPLICANT**

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## 1 Introduction

- 1.1 I am Ian David McArdle, a Director of Westerleigh Group Limited and all its subsidiary companies and are responsible for the Groups thirty two crematoria sites across the UK, together with the development of new sites, including two sites currently under development.
- 1.2 I am a member of the Royal Institution of Chartered Surveyors, and have held senior positions (Director level), in a wide range of property related trading and non-trading businesses over the last 20 years.
- 1.3 Westerleigh Group Ltd is one of the leading independent operators and developers of crematoria and performed over forty thousand funerals in 2018. The Company was established in 1991 and currently operates thirty two crematoria across the UK, the majority of which Westerleigh have designed and built, including three new trading sites completed in 2018.
- 1.4 Westerleigh is in the process of completing two further sites and these will commence trading shortly, increasing the portfolio to thirty four sites and the number of funerals to around forty five thousand each year. In addition, the Company has an active development pipeline of new sites throughout the UK.
- 1.5 Over the past few years Westerleigh have developed, built and opened more new crematoria than any other operator in the UK and have unrivalled experience of meeting need and the impact of trading new crematoria on existing crematoria sites.
- 1.6 The purpose and scope of this rebuttal evidence is to comment in further detail upon certain key qualitative concepts and issues. . I have already supplied detailed evidence in the form of an updated Need Report, dated December 2018, which is attached to Mr Bateman's proof as Appendix 1. These comments should be read together with the comments in that evidence and in conjunction with Mr Bateman's evidence. ,
- 1.7 I confirm that the evidence contained within this evidence, which relates to this appeal, is true and that the opinions expressed are my true and professional opinions.

## **2 Capacity & Service Times**

- 2.1 Comments have been made in other evidence regarding timings and capacity. I set out Westerleigh's views as an operator on these points. The capacity of a crematorium is the number of cremations it is able to perform in a year.
- 2.2 The theoretical capacity of a crematorium is seen as the number of cremations it could perform if open Monday to Friday throughout the year, excluding bank holidays (giving 252 "Cremation Days") and held cremations from 9:00 am to 5:00 pm. Each cremation service would occupy a period of time known as a "slot". The number of cremations that could, theoretically, be held each day is therefore dependant on the length of the slot.
- 2.3 However, in reality, funerals are concentrated in the middle of the day, starting between 10:30 am and 3:00 pm, rather than between 9:00 am and 5:00 pm. These are the 'Core Hours' that need to be considered when assessing crematoria capacity and is fundamental in understanding the requirements for new capacity. This in line with Westerleigh's own experience of operating crematoria and there are good reasons for this pattern as set out in para 2.24 of the updated needs assessment report.
- 2.4 The core capacity of a crematorium, can therefore be calculated by multiplying the number of cremation days (252) by the number of core hour slots between the core hours of 10.30 and 3.00 pm.
- 2.5 This is the most accurate approach and ensures that core capacity is consistently calculated. The alternative approach, which was also advanced at the last Inquiry, of Factored Capacity, based on 75% of theoretical capacity, does not in my view produce a consistent basis for comparison and over estimates capacity for those crematoria that operate with a large number of daily slots.
- 2.6 However, crematoria cannot work at 100% of their annual core capacity as it is impractical to fill every slot in the core hours, every day of the week and every week of the year. Therefore, a crematorium is likely be operating above capacity, or over its Quantitative Standard, if running at more than 80% of its core capacity. Therefore 80% is generally referred to as a crematorium's 'Practical Capacity', and above this figure the crematorium may be regarded as over trading.
- 2.7 This Quantitative Standard should apply both throughout the year and also in "peak months".

- 2.8 At busy crematoria the shoulder slots immediately either side of the core hours will be used but still to a much lesser extent and often simply through lack of choice particularly during peak periods
- 2.9 In Westerleigh's experience, new crematoria can often trade at a much higher practical capacity than older existing crematoria, as they have been carefully designed with higher demand in mind, to preserve the individuality of each funeral by avoiding bottlenecks and queuing and offer a general level of quality that outweighs any negative issues arising from accepting a less than ideal time slot.
- 2.10 In terms of service times, The Institute of Cemetery and Crematorium Management produced a "Charter for the Bereaved", which sets out not only the rights of the bereaved, but also targets for its members, one of which states:
- "The burial or cremation ceremony should be considered a highly individual and important occasion. Each funeral should arrive and depart without seeing other funerals; neither should they be delayed by the late arrival of other funerals. To help achieve this standard a minimum service time of 40 to 45 minutes should be an objective."* (CD C62)
- 2.11 Indeed, many crematoria have over the years increased service slots from 30 minutes to the minimum 40/45 minutes. However, some are unable to meet this minimum standard due to the very high level of demand in certain areas and lack of alternative capacity.
- 2.12 In recent years many new crematoria including some developed and operated by Westerleigh have adopted longer service slots of 1 hour. However, it is noted that there is no recognised industry standard objective to meet 1 hour and we have seen no evidence to suggest that this additional time (15/20 minutes over the industry minimum standard) makes a significant qualitative difference.

### **3 Existing Crematoria**

- 3.1 I set out here some further clarification in respect of our approach to catchment areas and individual crematoria.
- 3.2 For calculating catchments and population served, Westerleigh now uses and relies upon software from CACI, a widely used specialist GIS based demographic software system, to

produce the most detailed and accurate catchment and population data. The system which is updated annually, utilises data from TomTom drive time information and accurately identifies those areas (and resulting populations) within either a defined drive time period or shorter drive time from any given location or between locations.

3.3 The CACI system adjusts drive times by a factor of 0.6, to reflect the fact that corteges travel at around 60% of the speed of normal traffic, and this benchmark has been accepted in a number of appeal decisions. This assumption has also been sense checked by Westerleigh and proved to be reasonable assumption.

3.4 The CACI system allows Westerleigh to determine catchments and population areas both within defined drive times and to allocate populations to their nearest and most accessible crematorium. In terms of the Essington, the following crematoria currently serve parts of the catchment area and will be directly impacted by any new crematorium at Essington:

- Wolverhampton (Bushbury);
- Walsall (Streetly);
- Stafford;
- Sutton Coldfield.

3.5 These are all directly impacted by Essington and would see some cremations diverted. Lichfield due to its isolated location, has no direct or indirect impact on the catchment.

3.6 The existing crematoria to the West and South West at Telford and Gornal Wood are also not directly affected by Essington. However, due to some catchment overlap with Bushbury they would be indirectly affected through natural re-balancing within the wider catchment. Reduction of pressure at Bushbury is likely to give rise to diversions from both Telford and Gornal Wood.

3.7 I provide full details of the existing crematoria in section 4 of the updated need assessment report, supported by evidence of local funeral directors. This is summarised below together with brief commentary on the existing crematoria to the West and South West.

3.8 As common ground between all parties to the Inquiry, **Bushbury** is one of the busiest crematoria in the UK (18<sup>th</sup> busiest in 2017) and operates significantly over capacity. This

problem is magnified due to the fact that the site operates two directly adjacent chapels with shared access and limited parking provision.

- 3.9 **Streetly** is the 2<sup>nd</sup> busiest in the catchment holding 2,092 cremations in 2017, making it the 61<sup>st</sup> busiest crematorium in the UK in 2017 (top 25%) and like Bushbury operates two chapels. Whilst the chapel arrangement is better designed, the site also has inadequate shared parking and access which like Bushbury makes the site very congested when both chapels are holding services. This was confirmed in the evidence of Mr Poole at the last Inquiry (see paras 4.29 and 4.55 – 4.59 of the updated needs assessment report).
- 3.10 As outlined in the Dunn & Co report (CD I5), the municipal design and setting, located to the rear of the cemetery also makes the site not particularly welcoming and the site is not well liked by the many bereaved who have suffered a poor experience of this crematorium.
- 3.11 **Stafford** held 1,906 cremations in 2017, placing it within the top 30% of busiest crematoria in the UK in 2017, despite only having one chapel. To try and accommodate demand, the site operates only 30 minute slots for each funeral, significantly below the recommended minimum. Even on this basis it operates significantly over capacity at peak times. Significant new capacity would be required for it to move to the industry recommended minimum 40/45 minute slot.
- 3.12 **Sutton Coldfield** was busier than Stafford, holding 1,947 cremations in 2017, also placing it within the top 30% of busiest crematoria in the UK in 2017, despite only having one chapel. Again, to try and accommodate this level of demand, the site operates only 30 minute slots for each funeral, significantly below the recommended minimum. Even on this basis it operates significantly over capacity at peak times. Significant new capacity would be required for it to move to the industry recommended minimum 40/45 minute slot.
- 3.13 **Telford** held 1,563 cremations in 2017 and can be regarded as reasonably busy. This is a modern, good quality crematoria operating 1 hour slots and further capacity could be released if required by reducing service slots back to 45 minutes.
- 3.14 **Gornal Wood** held 1,756 cremations in 2017 and whilst busy is not as busy as either Sutton Coldfield or Stafford. Unlike Sutton Coldfield and Stafford, it also already offers the minimum industry standard slot time of 40 minutes and its need can be considered less pressing. It is also well maintained and as recognised in the Dunn & Co report (CDI5), the crematorium buildings are of a more modern design than traditional crematoria built around the same time.

## **4 Cremation Numbers & Qualitative Gains**

- 4.1 As set out in the updated needs assessment report, Westerleigh use CACI as a tool to estimate the number of cremations and likely diversions from existing crematoria. This method gives a forecast of the number of cremations that might take place and the level of diversions from existing crematoria, based upon the important criteria of closest crematorium to that catchment population.
- 4.2 The larger the catchment population and the closeness of that population, the higher the demand and the bigger impact of that facility on existing capacity.
- 4.3 However, it acknowledged that this is not the only factor that determines how many people will use the crematorium. Actual numbers will also depend on many factors, such as the deceased's wishes, existing family connections with a particular crematorium, availability of the crematorium for the day and time slot required, the length of the service slot available and all the other qualitative factors that determine the experience of the bereaved at a particular facility
- 4.4 These factors cannot be accurately predicted and therefore the number of cremations and from which existing facilities the diversion numbers come are forecasts, albeit based on Westerleigh's experience over the last few years, that are reasonable.
- 4.5 To try and add a further level of complexity to that forecasting by making arbitrary assumptions on qualitative gain, in order to boost those forecasts, produce in our view meaningless and often misleading data.

## **5 Re-balancing**

- 5.1 Where a choice of facilities exist within any area, then some re-balancing will naturally occur. This is particularly true in a more urban context when a choice of crematoria exist and different catchments are inter linked.



- 5.2 This is the case for the existing crematoria within the immediate and wider West Midlands catchment. Where there is a significant quantitative need, due to the constraints of existing crematoria capacity, then any additional capacity will naturally result in re-balancing. This is not an 'Essington' effect but equally will impact on any new capacity that is introduced.
- 5.3 Any relief at Bushbury arising from any other new crematoria proposal will also result in further re-balancing within the wider catchment.
- 5.4 The impact of this re-balancing is of course difficult if not impossible to predict with any degree of accuracy. In any event it is of no real importance. In areas with severe capacity need (such as the area served by Essington), all crematoria will naturally re-balance and fill to operate at their Practical Capacity and where capacity remains restrained, significantly above those levels.
- 5.5 What is important is how much additional capacity (or in other words supply) is added and the need for that capacity within that particular catchment. The better located the site, the more need can be addressed and the more relief provided.