



ASSOCIATION OF PRIVATE CREMATORIA & CEMETERIES

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Response to the Competition & Markets Authority's Order and Explanatory Note Consultation

1. The Funerals Market Investigation Order 2021

Introduction and Objectives

Care has been taken to try and ensure that the Association's, hereinafter referred to as APCC, comments have been restricted to those issues where it is thought that further clarification and/or modification might facilitate their implementation. Our observations are set out in chronological order throughout the document, showing 'Part', Clause and Sub-Clause references.

Part 1 – Preliminary.

Clause 1 – Title, Commencement and Extent:

Sub- Clause 3: It is suggested that the commencement date for Parts 3 and 4 to come into force should be 1st January 2022. APCC in co-operation with their fellow members of the Deceased Management Advisory Group (DMAG) are hoping to collect and analyse 'market trend' data, certainly in terms of % movements, and it would be far easier to do this based on the Calendar year, especially as the Cremation Society of Great Britain (CSGB) who produce an excellent statistics publication each year collect all their information on the same basis. However, it should be noted that it takes a considerable amount of chasing to get all cremation authorities to submit their data by the end of March and latecomers, as is apparently the case this year, can cause publication to be delayed.

Clause 2 – Interpretations:

Crematorium Reduced Fee Attended Service:

While entirely accepting that in terms of reduced fee services, many crematoria offer these before 10 a.m. and after 4 p.m., the most popular timespan for services prior to

the pandemic was between 11 a.m. and 3 p.m. as evidenced in many planning applications and subsequent appeals.

Part 4 – Crematorium Operators Price Information and Transparency.

Clause 8 – Price Information:

Sub-Clause 1: The most common practice amongst our members is to notify all funeral directors, irrespective of their location, who have booked and attended the crematorium, certainly within the last 12 months, of the detail and operational date of commencement for all proposed changes to current published prices. A minimum of at least four weeks' notice is usually given so funeral directors can advise clients who want to book well ahead of what the costs will be when their service takes place.

Sub-Clause 3: Presumably, this relates back to the case of J. J. Burgess & Sons in 2005 where the average speed of a funeral cortege was judged to be 20 miles per hour. However, this has been 'flexed' somewhat in planning decisions for new crematoria since and given the changes in traffic conditions over the last 15 years, it is thought that more consideration needs to be given to providing more specific advice for particular classes of road and areas of known congestion such as inner cities.

Sub-Clause 6:

The comments below refer:

- b) The majority of members' crematoria offer longer than average service times of most typically 1 hour with 45 minutes allocated to the service itself and 15 minutes allowed for access to and egress from the chapel.
- e) Fees for standard services tend to be 'all inclusive' with very clear definitions detailed on their websites and in their published price lists. Overall, members apply the same amount of detail in relation to displaying the costs of additional items and their auxiliary services. The same cannot be said for all sites operated by local authorities and examples have been found where prices within these categories are only available on application.

It is felt to be extremely important going forward, that the monitoring of service specifications and their pricing are monitored and reviewed by the CMA in line with the 'private' and 'public' proportionate profiles of the market for cremation throughout the UK. As previously recorded and discussed, APCC does not believe this to have always been the case in terms of the original investigation and the compilation of the report.

Part 5 – Information Required by the CMA

Clause 10 – Information Required by the CMA from Crematoria Operators

Sub-Clause 4: It is thought this requires clearer definition and that the opportunity should be taken to ensure that there is an agreed standard format for individual memorial products and allied services in particular.

Part 6 – Enforcement

Clause 11 – Compliance Statements:

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Sub-Clause 3: Although none of our members have expressed specific concern in relation to meeting this requirement, please refer to the comments made under Part 1 - Clause 1 – Sub-Clause 3 where the experience of others show that this might be very difficult to achieve for all cremation authorities. Will the CMA provide a template for this ?

Sub-Clause 6: While APCC will certainly be encouraging members to keep a full historical audit trail of all Compliance Statements, it might well be helpful, especially to ‘single site’ members to have examples, even if they come from other sectors, of how non-compliance has occurred.

Clause 14- Supply of Information to the CMA:

Sub-Clause 4: It is thought that this is very widely worded and it is felt that greater clarity is required, perhaps by defining any exceptions to the requirement.

Schedule 2 - Information Required by the CMA

Part C - All Crematoria: for each crematorium: Our multiple site operators do not appear to have any specific anxieties in respect of providing this information primarily due to the fact, that it or similar is already collected.

2. Consultation Questions

APCC believe it appropriate to respond to Questions 5, 7 and 8 in respect of their members’ interests.

Question 5: These names appear appropriate but has the CMA asked and hopefully got responses from other interested parties within the sector?

Question 7: Circumstances can be envisaged, particularly for ‘single site’ operators such as staff sickness where this timeframe would not be adequate and therefore it is proposed that it is extended to 28 days.

Question 8: Again, please see our comments under Part1 - Clause 1 – Sub-Clause 3 but in short the timescale is neither sufficient or appropriate as currently tabled.