

I refer to your draft notice of intention to make an order and in particular the draft explanatory note relating to the order. In paragraph 104 of the order you say

“104. Article 10 requires Crematorium Operators to provide the CMA every six months with details of the total number of cremations they have carried out and the total revenue gained from Crematoria Services during the two 23 preceding three-month periods (quarters) commencing seven months prior to the reporting month. For example if the information is to be provided for April to June and for July to September, Crematorium Operators are required to provide the information for those two quarters by the first working day in November. The format in which this information must be provided is set out in Part C of Schedule 2. This information must be provided separately for each crematorium and in aggregate form.”

This authority would like to see that the information required be returned by the “last working day in November” rather than the first as set out in the explanatory note. Justification for this is to ensure deadlines are reasonable with particular reference to the final quarter of any financial year.

Paragraph 105:

The authority would like further clarification on what is included in “(d) any other services provided by the Crematorium Operator that are not captured by (a), (b) and (c). Revenue must include all revenue generated from crematoria services and must exclude revenue generated from burial services.” So assumption here is that any cremation associated service is included i.e. burial of ashes, scattering ashes, any memorialisation directly linked to cremation, media services web services etc. Please will you confirm this and in particular explain how to account for revenue in respect of services that relate to both burial and cremation services.

In relation to the standard questions that you have asked

1. Is the Standardised Price List (see Part A to Schedule 1 of the draft Order) appropriately presented?

Yes.

2. Does the Standardised Price List appropriately describe the items that are included under the Attended Funeral?

Not applicable

3. Do you agree with the items that are included under the Attended Funeral and Unattended Funeral (see Part B and Part C to Schedule 1 of the draft Order)?

No comment

4. Funeral Directors must maintain a register of any material charitable donations, contributions or payment of gratuities. Material has been defined as any individual or cumulative donation, contribution or payment within any 12-month period of £250 or more (see Article 7 of the draft Order and paragraph 71 of the draft Explanatory Note). Is £250 an appropriate de minimis figure?

No comment

5. Crematorium Operators must provide price information to local funeral directors and customers on a Crematorium Standard Fee Attended Service; a Crematorium Unattended Service if offered by the Crematorium Operator; and a Crematorium Reduced Fee Attended Service if offered by the Crematorium Operator (see Article 8(5) of the draft Order). Do these names appropriately identify the three services?

Yes

6. Articles 9 and 10 of the Order require Funeral Directors with five or more branches and ten or more branches to provide certain information to the CMA. Schedule B and Schedule C to the Explanatory Note list funeral directors with five or more branches and ten or more branches respectively. Please inform us if you consider your own or another Funeral Director business is erroneously included or excluded from the lists in these schedules.

No comment

7. If a party is aware that it is not compliant with any part of the Order, it must report this non-compliance to the CMA within 14 days of becoming aware that it is not compliant (see Article 11(6) of the draft Order). Is 14 days sufficient time for parties to report non-compliance to the CMA? If not, please give reasons.

No comment

8. The substantive requirements of the Order will come into force three months after the Order is made. Does this allow sufficient time for parties to make the necessary changes to their systems and processes so that they are in a position to comply with the requirements of the Order? If not, please give reasons. No comment

Kind regards

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