

KILKERRAN CEMETERY UPDATE REPORT

1.0 EXECUTIVE SUMMARY

- 1.1 This report provides a short update on the works carried out to identify another site to build a new cemetery for Kintyre.
- 1.2 It was previously reported to the MAKI Area Committee in March and December 2023 that there were no cemeteries with less than 5 years capacity in the Mid Argyll, Kintyre and the Islands Area, with Kilkerran Cemetery having less than 8 years of availability according to current calculations based on lairs being sold at first point of requirement (i.e. no pre-sale of Lairs).

2.0 RECOMMENDATIONS

- 2.1 The MAKI Area Committee are asked to:
 - Note the remaining availability at Kilkerran Cemetery which officers' estimate will be less than 8 years.
 - Note the proposed cemetery development adjacent to the current Kilkerran Cemetery and the positive discussions with the local land owner and the rejection by the Kings Harbour Master and the MOD.
 - Consider writing to the MOD to support officers' attempts to purchase the land which will benefit the local residents and Kintyre communities.

3.0 DETAIL

- 3.1 Trial digs were carried out at the alternative site at Moy on the B842 last year which confirmed that they would meet with SEPA approval, however prior to officers being able to take this any further we were told that the owners of the land did not wish to proceed with any further work on the proposed use of the land as a cemetery.
- 3.2 A further potential site was identified to the north of the current cemetery. A meeting was held with the landowner with agreement for trial digs being carried out to confirm soil suitability and depth to water table/rock head which is a

requirement prior to any approval for land purchase and planning applications. This confirmed that the subsoil met with SEPA approval.

- 3.3 It was further identified that the original understanding that there was only one land owner was not the case and the MOD was identified as owning a section of the land too. Further to this, it was also identified that part of the land was unsuitable to various levels of development as there is a sea navigation beacon light located on the land which must not be obscured.
- 3.4 The initial site investigation report was sent to SEPA in January 2024 as a “pre-application enquiry”, with a response confirming the general suitability of sections of the rear area of the field but requesting further investigation in the section nearer to Kilkerran Road. Further trial pit investigations in March 2024 found mixed conditions, including shallow rock in places, with little scope to extend the cemetery footprint significantly from the initial plan. This seems to confirm the historical information, which first rejected this part of the site for potential development prior to 2018.
- 3.5 Contact with the MOD through their Estates section has been intermittent, but the matter was referred up to the King’s Harbour Master section for consideration. We have now received a response via the MOD that the Kings Harbour Master rejects our request for cemetery development as “any development in the vicinity of this site could impact/obscure the rear leading navigation light into Campbeltown Harbour”. On the back of this rejection the MOD have stated that they will not dispose of the land in its ownership and would object to cemetery development of neighbouring land where this would impact on the clear visibility of the beacon.
- 3.6 Whilst the above comments are noted, officers have requested a meeting preferably on site with the MOD and the Kings Harbour Master to discuss our plans which we feel may still be able to allow the development of a cemetery at the location without impacting on any visibility of the beacon. We await a response from the MOD to this request.
- 3.7 Officers will continue to pursue the MOD to arrange a meeting with the possibility of land purchase to facilitate an extension to the current cemetery at Kilkerran which we estimate will allow at least 30 years further availability of lairs for the local community. This is very much dependent though on what requirements and restrictions are placed on any possible obscuring of the sea navigation beacon.
- 3.8 If the MOD land is not available for sale but agreement to a cemetery extension in the field is accepted by the MOD, vehicle access issues will still remain. A revised design will necessitate use of the farm track and potentially breaking through the existing Kilkerran Cemetery boundary walls in places, to provide suitable vehicular routes.

4.0 CONCLUSION

- 4.1 Kilkerran cemetery has sufficient overall capacity for less than 8 years, restrictions are in place to preserve remaining lair space, however we have limited availability

for any other land to provide a new cemetery in the Kintyre area. Officers would highlight that if successful in negotiating the purchase of land at Kilkerran, this would facilitate an extension to the current cemetery at Kilkerran which we estimate will allow at least 30 years lair availability.

- 4.2 A further update will be provided to the Mid Argyll, Kintyre and the Islands Area Committee once discussions have progressed.

5.0 IMPLICATIONS

5.1 Policy – None Known.

5.2 Financial – Cemetery extensions and new developments require additional Capital funding, to provide “ready to use” infrastructure to sustain the burial service at local levels.

5.3 Legal – The Council, as Burial Authority, must provide at least one cemetery.

5.4 HR – None known

5.5 Fairer Scotland Duty: None Known

5.5.1 Equalities - protected characteristics – none known

5.5.2 Socio-economic Duty – Provision of the burial service at local level sustains the business models of both the Council and private providers and reduces the overall cost to customers.

5.5.3 Islands – None Known.

5.6. Climate Change – None known

5.7 Risk – Land suitability, availability and development costs, may affect the viability of retaining a local burial service.

5.8 Customer Service – Cemetery development programme aims to provide and maintain the burial service at local level wherever practicable.

5.9 The Rights of the Child (UNCRC) – none known

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