

# Decision Pathway



**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 08 February 2022

<b>TITLE</b>	Expansion of Flax Bourton Mortuary Deceased Storage	
<b>Ward(s)</b>	All	
<b>Author:</b> Yvonne Dawes	<b>Job title:</b> Head of Statutory Registration	
<b>Cabinet lead:</b> Cllr Craig Cheney	<b>Executive Director lead:</b> Tim O’Gara, Director of Legal and Democratic Services	
<b>Proposal origin:</b> <i>BCC Staff</i>		
<b>Decision maker:</b> Cabinet Member: Mayor <b>Decision forum:</b> Cabinet		
<b>Purpose of Report:</b>  To authorise the Director of Legal and Democratic Services to accept capital contributions from partner local authorities, allocate full budget to the project and enter into all contracts required to deliver the proposed project.		
<b>Evidence Base:</b>  Local authorities have statutory duties in relation to death management, including a duty to bury or cremate; a duty to provide a mortuary and autopsy room; and a duty to respond to incidents involving mass fatalities. Bristol City Council is the lead local authority - on behalf of Bath and North East Somerset, North Somerset and South Gloucestershire councils - supporting and meeting the costs of the Avon Coroner, including the Flax Bourton Public and Forensic Mortuary.  Flax Bourton Public and Forensic Mortuary has been open since 2009 serving these council areas. One of the main statutory and ethical responsibilities is to ensure that deceased people are kept safely, securely and are treated with dignity and respect. Fulfilling this duty is contingent on appropriate and sufficient refrigerated and freezer body storage.  The body reception and deceased storage area within Flax Bourton Public and Forensic Mortuary is at capacity. It exceeds its capacity every winter and since 2015 there is frequent and regular use of external contingency storage units. The result of over-capacity is regular service suspension which impacts on the NHS Trusts and funeral directors.  We propose to undertake a permanent integral extension to the Flax Bourton Public and Forensic Mortuary building, expanding the body reception and storage area, increasing capacity by around 74% (from 135 to house approx. 235 deceased).  Bristol is authorised by the other authorities to undertake procurement on behalf of HM Coroner; however, agreement is sought from each authority for this capital project. The capital and on-going revenue costs would be split between the four local authorities on the current agreed population basis outlined in the financial section. Whilst finalising the Full Business Case and securing confidence in cost, discussions are under way with the three partner local authorities to proceed to build with the risk of any future cost pressures to be shared by the other local authorities again on the current population basis.		

The planned extension will replace the current use of sub-optimal external contingency storage for business-as-usual purposes. The contingency currently in use is four temporary, prefabricated, refrigerated units, sited outside of the mortuary building in the gated compound directly adjoining the body reception and storage area. These external units need to be replaced every 5 – 10 years.

This extension would allow us to continue to ensure we meet our statutory duties, and to build on the strong working relationships we have developed during the pandemic with our partners to provide peace of mind for families that their loved ones are held safely, securely and are treated with dignity and respect after a bereavement.

**Cabinet Member / Officer Recommendations:**

That Cabinet:

1. Authorise the Director of Legal and Democratic Services to accept capital contributions from partner local authorities and take all steps required to extend the Flax Bourton mortuary body storage area as outlined in this report (including procuring and awarding contracts which may be above the key decision threshold) at a cost of £1.254m.

**Corporate Strategy alignment:**

1. To build city resilience, improving our ability to cope with environmental, economic or social ‘shocks and stresses’
2. Focus on planned long-term outcomes, not short-term fixes, prioritising early intervention and prevention

**City Benefits:**

1. Ensure that Flax Bourton Public and Forensic Mortuary can provide a suitable and dignified resting place for all deceased citizens under its care

**Consultation Details:**

N/A

**Background Documents:**

- [Human Tissue Act 2004](#)
- [Human Tissue Authority Code of Practice and Standards \(Code A: Guiding principles and the fundamental principle of consent / Code B: Post mortem examination\)](#)
- [Public Health Act 1936](#)
- [Public Health \(Control of Disease\) Act 1984](#)
- [Civil Contingencies Act 2004](#)

Revenue Cost	£	Source of Revenue Funding	<i>Insert specific service budget</i>
Capital Cost	Full Capital cost estimated £1.254m including all fees and 5% contingency	Source of Capital Funding	60% contribution from Avon Partnership £0.752m 16.45% B&NES Council = £206,283 18.94% North Somerset Council = £237,508 24.57% South Gloucestershire Council = £308,108  40.04% contribution from BCC = £0.502m of which £0.4m is secured from Reserves £0.1m is secured from Capital
One off cost <input checked="" type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

**1. Finance Advice:**

This report requests approval to procure a traditionally built permanent extension to the Flax Bourton mortuary body storage area. Construction is proposed to commence July 2022 for completion by March 2023. This investment is intended to bring risk reduction and to support the service in continuing to meet statutory/regulatory compliance. It is not intended to deliver financial benefit.

The total cost for this investment (including Arcadis project management and interim temporary container solution) is estimated now be £1.254m including 5% contingency (having increased from the earlier estimate of £0.750m). On this basis Bristol City Council would be expected to fund £0.502m (representing its Avon Partnership 40% share) and the associate Local Authorities would fund £0.752m (representing their Avon Partnership 60% share).

Confirmation of funding source(s):

The 4 Local Authority partners have confirmed their 60% contribution to this investment. A pre-construction services agreement is being drawn up accordingly.

BCC has confirmed funding availability of its 40% contribution.

**Finance Business Partner:** Jemma Prince, Finance Business Partner, 25 January 2022

**2. Legal Advice:**

Bristol City Council must continue to carry out any statutory duties it had prior to the Covid-19 pandemic in relation to death management including those associated with being the burial and cremation authority for the City as well as those functions connected to the transport, storage and disposal of dead bodies and other human remains. The procurement process must be conducted in line with the 2015 Procurement Regulations and the Councils own procurement rules. Legal services will advise and assist officers with regard to the conduct of the procurement process and the resulting contractual arrangements.

**Legal Team Leader:** Husinara Jones, Commercial and Governance Team Leader – 15 November 2021

**3. Implications on IT:**

No anticipated impact on IT/Digital Services

**IT Team Leader:** Iain Godding, Head of Enterprise Architecture. 17 November 2021

**4. HR Advice:**

No HR implications evident.

**HR Partner:** James Brereton (People & Culture Manager) 13 November 2021

<b>EDM Sign-off</b>	Mike Jackson at Capital Investment Board (CIB) and Resources EDM	CIB - 23 November 2021 EDM – 11 August 2021
<b>Cabinet Member sign-off</b>	Cllr Craig Cheney	14 December 2021
<b>For Key Decisions - Mayor's Office sign-off</b>	Mayor's Office	25 January 2022

<b>Appendix A – Further essential background / detail on the proposal</b>	<b>YES</b>
<ul style="list-style-type: none"> <li>Flax Bourton Mortuary Feasibility Programme (December 2021)</li> </ul>	
<b>Appendix B – Details of consultation carried out - internal and external:</b>	<b>YES</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>NO</b>
<b>Appendix D – Risk assessment</b>	<b>NO</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>YES</b>
<b>Appendix F – Eco-impact screening/ impact assessment of proposal</b>	<b>YES</b>
<b>Appendix G – Financial Advice</b>	<b>NO</b>

<b>Appendix H – Legal Advice</b>	<b>NO</b>
<b>Appendix I – Exempt Information –</b> <ul style="list-style-type: none"> <li>• Flax Bourton Mortuary Extension Options Feasibility Report (December 2021) – Feasibility study with indicative design (subject to planning process)</li> <li>• Flax Bourton Mortuary Extension Feasibility Cost Plan</li> </ul>	<b>YES</b>
<b>Appendix J – HR advice – No HR advice</b>	<b>NO</b>
<b>Appendix K – ICT</b>	<b>NO</b>
<b>Appendix L – Procurement</b>	<b>NO</b>