

## **The Legislative Framework**

**1 Do you agree that existing legislation relating to burial and cremation should be repealed and replaced by a new legislative framework?**

Not Answered

**Please enter any additional comments here:**

**2 Are there any particular powers that are required by Burial Authorities or Cremation Authorities that are not provided for by current legislation?**

**Are there any particular powers that are required by Burial Authorities or Cremation Authorities that are not provided for by current legislation?:**

**3 Do you agree that the proposed Burial and Cremation (Scotland) Bill should apply to all cemeteries and crematoria in Scotland, regardless of whether they are publically or privately operated? If not, please set out reasons why not.**

Not Answered

If not, please set out reasons why not.:

**4 Do you agree that the Bill should contain provisions which apply to all facilities where any new method of disposal which might be introduced in Scotland are carried out?**

Not Answered

Please enter any additional comments here.:

**5 Do you agree that the Bill should contain provisions to regulate environmentally friendly methods of disposal that are already available in Scotland?**

Not Answered

Please enter any additional comments here.:

**6 Should the Burial and Cremation (Scotland) Bill contain provisions pertaining to home burial?**

Not Answered

Please enter additional comments here:

**7 In making legal provision for home burial, what factors should be considered?**

In making legal provision for home burial, what factors should be considered?:

**8 Are there any reasons why private cremation should not remain illegal?**

Not Answered

Please enter additional comments here:

**9a Do you agree that alternative methods of disposing of the dead should be regulated for in this way?**

Not Answered

**9b Are there any particular alternative methods that should be considered?**

Are there any particular alternative methods that should be considered?:

**9c Are there any particular methods which should be prevented from being used in Scotland?**

Are there any particular methods which should be prevented from being used in Scotland?:

**10 Do you agree with this definition of ashes? If not, how should ashes be defined?**

Not Answered

If not, how should ashes be defined?:

**11 Do you agree that a minimum distance of 200 yards (182.9 metres) should be required between crematoria and housing? If not, please explain why not.**

No

If not, please explain why not.:

When the Cremation Act came into force it was there to protect the public from " nuisance " all Crematoria are now required to be fitted with abatement ( gas filtration) equipment that is governed under strict regulations by Sepa and be authorised by them under a PPC Permit with a H1 assessment required that gives best practice and there will not be a significant impact on air quality in the specific location of the site.

When full planning permission is given by the local authority there task is to make sure again the public are consulted and protected under strict planning rules. With new technology on equipment and a huge financial expense put on the owners of Crematoria to keep up with abatement regulation to safeguard the public then this rule within the Act should be removed.

**12 What are your views on the use of enforcement powers or penalty powers in response to such a minimum distance being breached?**

Please enter your comments here.:

The public have the right to object under planning regulations and recently with the opening of Houndwood Crematorium it showed up that there needs to be radical change to the Cremation Act with Crown Office & Procurator Fiscal Service ( COPFS) confirming that this would be considered a civil matter if a crematoria opened within 200 yards without written consent from residents within this area limit.