

Community Committee Meeting	
Meeting Date	27 June 2023
Report Title	Closed Churchyards and War Memorials
EMT Lead	Emma Wiggins, Director and Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment & Leisure
Lead Officer	Jay Jenkins, Leisure & Technical Services Manager Trevor Wentworth, Special Projects Officer
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To continue to prioritise works based on risk rating utilising remaining agreed budgets. 2. All major works outside of remaining agreed budgets to be presented to the appropriate committee for consideration.

1. Purpose of Report and Executive Summary

- 1.1 This report highlights the progress of works to the closed churchyards and war memorials in the borough and the ongoing risk.

2. Background

- 2.1 Where a Church of England churchyard is closed to further burials in accordance with an Order in Council under the Burial Act 1853, responsibility for maintenance may, at the request of the Church, be transferred to the relevant local authority (Parish Council first and then Borough Council). The transfer is compulsory, not dependent on the condition of the churchyard in question, and not dependent on the local authority's ability to meet the additional maintenance costs.
- 2.2 The legislation requires a short time of statutory notice (3 months) although our policy is always to request an informal 12-month period to allow for suitable budgeting decisions. Quinquennial inspection reports are given to us by the Diocese but often provide limited detail or show that defects have not been dealt with over the years.
- 2.3 Whilst the land remains in the ownership of the Diocese, the maintenance and health and safety of the site transfers to SBC. We have risk assessments in place for each site which are reviewed annually or after any reported issue/accident.
- 2.4 Following a previous increase in reports of defects, comments from residents and feedback from a few Parish Councils, a full survey of Closed Churchyards and war memorials was commissioned by Property Services via Gen2 consultants in August 2019. Gen2 were a property and project management consultancy with a focus on public sector clients in the Southeast of England and have undertaken several projects for property services. The KCC-owned consultancy has now been adopted in-house.

- 2.5 Gen2 undertook a comprehensive survey of the 21 Closed Churchyards and 10 War Memorials, and a detailed report was produced for each. The condition surveys provided a 'snapshot' position of the issues within each of the Churchyards
- 2.6 Each Churchyard was surveyed in line with 8 key areas: - Boundary, Walls, Hard Standings, Metalwork, Electrical, Fixtures and Fittings, Seating and Pathways/Access. The condition of each area was assessed and allocated a Grade (A-D) and a priority rating (1-4).
- 2.7 The initial report identified 12 of the church yards with Priority 1 works which were the initial focus. We have also experienced 3 unscheduled incidents (Minster Abbey, Lynsted Church & Hartlip Church) since the surveys were undertaken.
- 2.8 The condition surveys were reviewed by the SBC's Special Projects Officer and Conservation & Design Manager. As a result, sites were assessed and specifications were drawn up for the priority locations. The specifications were submitted with an application to the Diocese for approval. Works cannot proceed without the appropriate faculty in place. This has proved to be a protracted process.
- 2.9 The Closed Churchyard and war memorial maintenance budget is £32,000 per annum. In addition to the revenue budget, a reserve of £65,900 for Closed Churchyards and war memorials. A further £63,000 is held for tree works (trees were not included in the condition surveys).
- 2.10 In addition to the above an additional £80,000 was funded via the Improvement & Resilience Fund and a further £9,516 via the Western Area Committee.

Note: St Michaels Boundary wall is currently being repaired via the High Street Improvements team and is not included in the above.

3. Update June 2023

- 3.1 Following a review meeting with the Cabinet Member for Planning, a number of Closed Churchyards were identified as a priority and works were undertaken. £58,119 was spent in 2021/22 and a further £42,569 in 2022/23. (Total of £100,688). All priority 1 works are now completed.
- 3.2 The following priority churchyard works have been completed as at the date of this report: -

Location	Works	Actual Value
Newnham	Capping on boundary wall	£545
	Disconnected railings	£435
St Catherine's, Faversham	Decorate iron railings	£2,688
Holy Trinity, Kemsley	Missing bricks below capping	£873

	Clear grave, hazard	£1,363
	Rebuild pier	£1,520
Holy Trinity, Queenborough	Glass at top of boundary wall & masonry repairs	£3,200
Lynsted	Collapsed boundary retaining wall; works to date	£15,225
St Mary of Faversham	Boundary retaining wall	£25,370
Borden	Path repairs and steps	£1,783
Ospringe	Path and gate repairs	£11,604
Hartlip	Rebuild wall	£6,025
Unscheduled works at Minster Abbey	Trip Hazard and barriers to sink hole	£3,532
Total		£74,163

3.3 Works have also been completed to the following War Memorials: -

Location	Works	Value
Ospringe War Memorial	Clean metal monument lettering and stonework	£2,703
Eastchurch Aviation Memorial	Cleaning memorial, repair benching, remove paint from rear wall and repair brickwork	£23,822
Total		£26,525

3.4 The war memorials below are also due to have works undertaken, starting in May 2023. Which takes the overall spend on the project to a total cost of £115,183.

Location	Works	Value
Central Avenue, Sittingbourne	Repointing, replacing grates, clean plaques, replace damaged seats	£14,495
Queenborough	Concrete repairs to podium	
	Copings, repointing, damaged slabs, marble repairs	
Stone Street, Faversham	Cleaning and repairs	
Love Lane, Faversham	Cleaning, pointing and repairs	

4. Proposals

4.1 To continue to prioritise works based on risk rating utilising remaining agreed budgets.

4.2 All major works outside of remaining agreed budgets to be presented to the appropriate committee for consideration.

5. Alternative Options Considered and Rejected

5.1 In November 2022, the Chair of the Community Committee wrote to Gordon Henderson, and Helen Whately MP explaining the issue with ongoing liabilities falling to local authorities. Gordon Henderson wrote to Lee Rowley, MP Parliamentary Under-Secretary of State for Local Government and Building Safety and received a response in April 2023 confirming that there are no proposed changes to the policy that requires local authorities to take on responsibility for closed churchyards. A copy of the letter sent and the response from Gordon is at appendix I and II.

6. Consultation Undertaken or Proposed

6.1 Consultation has taken place with several lead members over the last 4 years and Closed Churchyards has been discussed in detail at the Community Committee.

6.2 Members have previously seen a briefing note on closed churchyards at each area committee. Appendix III is an example of the briefing note.

6.3 Ongoing discussions are underway with the Diocese regarding additional sites that are due to transfer to SBC.

7. Implications

Issue	Implications
Corporate Plan	The works sit within Priority 2 of our Corporate Plan - Investing in our environment and responding positively to global challenges
Financial, Resource and Property	<p>Works to date total £100,688 with a further £14,495 committed. Total of £115,183. The annual revenue budget for 2023/24 is £32,000. Reserves and allocated funds from the I&R fund have a remaining balance of £30,717</p> <p>Additional priority 2 works have yet to be fully costed but are estimated at £217,330</p> <p>Additional priority 3 works are estimated at a further £126,655</p> <p>The role of Special Projects Officer is no longer available from 1 July 2023 which will impact the resources available to undertake the Closed Church Yard and War Memorial works programme</p>
Legal, Statutory and Procurement	Responsibility to undertake these works clearly sits with SBC. A recent challenge of this has been unsuccessful

Crime and Disorder	Allowing areas of the Churchyards to remain in a state of disrepair could lead to enhanced ASB in the surrounding area
Environment and Climate/Ecological Emergency	Works are undertaken in line with recommended best practice which reduces the impact on the environment
Health and Wellbeing	None identified at this stage
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage
Risk Management and Health and Safety	If works are not undertaken, several areas could present a health & safety risk to the public. The risks are mitigated by regular inspections and Risk Assessments. Any emergency items will be reviewed by a structural engineer.
Equality and Diversity	None identified at this stage
Privacy and Data Protection	None identified at this stage

8. Appendices

Appendix I Letter to Gordon Henderson and Helen Whately MP, 3 November 2022

Appendix II Letter from Gordon Henderson MP & Lee Rowley MP, 12 April 2023

Appendix III Members Briefing Note

9. Background Papers

9.1 None