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Mr G Henderson MP  
1st Floor Unit 10  
Periwinkle Court Business Centre  
Church Street  
Milton Regis, Sittingbourne  
ME10 2JZ

3 November 2022

Dear Mr Henderson

I write in my capacity as Chair of the Communities Committee at Swale Borough Council to inform you as to the current financial challenges the council face with regard to its Closed Church yard maintenance responsibilities.

As you are no doubt aware under the terms of section 215 of the Local Government Act 1972 'Closed' church yards became the responsibility of the Local Authority with regard to the upkeep and maintenance of the church yard. Section 215 of the 1972 Act applies specifically to churchyards closed by an Order in Council. The procedure for making such Orders is contained in Section 1 of the Burial Act 1853.

Swale Borough Council currently has 17 Churchyards that have been closed by the Diocese and passed to the Borough Council for repairs and maintenance. A recent condition survey has identified a number of works that are required. The estimated total of all the 17 churchyards is well in excess of £1m and this is on top of the on-going annual costs of the grounds maintenance contract for cutting grass and tending to planting. Works have been prioritised into 3 categories and Priority 1 works have been recently completed at a cost of nearly £120,000. These works have been funded via Council reserves, but the remaining costs have not been budgeted for.

Swale Borough Council, like a number of Local Authorities, is under extreme financial pressures as a result of its post Covid recovery position and increasing service costs and therefore is not in a position to fund the remaining works at the current time. The Communities Committee resolved for me to write and ask if it is time for a review of the legislation?

Councillor Richard Palmer



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Chair of Communities Committee

