



# GORDON HENDERSON MP

Member of Parliament for Sittingbourne and Sheppey

HOUSE OF COMMONS  
LONDON SW1A 0AA

Cllr Richard Palmer  
Swale House  
East Street  
Sittingbourne  
Kent  
ME10 3HT

12 APR 2023

Our Ref: GH9992/AM


Dear Richard

**Maintenance of closed church yards**

Please find enclosed for your information a copy of a letter I have received from Lee Rowley MP, Parliamentary Under-Secretary of State for Local Government and Building Safety, in response to my enquiries on your behalf. I apologise for the length of time it has taken to respond, however, I have only just received the Department's response, despite repeated chasing.

Whilst I appreciate you will find Mr Rowley's letter disappointing, I hope it at least clarifies the Government's position.

Meanwhile, please do not hesitate to contact me again if I can be of further assistance in this or any other matter.

Yours Sincerely  


GORDON HENDERSON MP

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**Department for Levelling Up,  
Housing & Communities**

Gordon Henderson MP  
House of Commons  
London  
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**Lee Rowley MP**  
*Parliamentary Under-Secretary of State for Local  
Government and Building Safety*

**Department for Levelling Up, Housing and  
Communities**

Fry Building  
2 Marsham Street  
London  
SW1P 4DF

Our Reference:22537458

12 April 2023

Dear Gordon,

Thank you for your letter of 7 November to the Rt Hon Michael Gove MP on behalf of Councillor Richard Palmer at Swale Borough Council, regarding the maintenance of closed churchyards. I am replying as this matter falls within my ministerial responsibilities. Please accept my apologies for the delay in responding to you.

I am grateful for you getting in touch and please thank Councillor Palmer for sharing his concerns and for highlighting his feedback based on the experience of Swale in this area of policy. As Cllr Palmer will know and as he indicates, when 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. 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.

This is in recognition that the Church of England and parochial church councils, are not generally in a position to meet the costs of maintenance indefinitely and seeks to return the maintenance cost to the community as a whole. However, unwelcome such a cost may be for local authorities, they offer the only realistic source of funding that we think is feasible, if the churchyard is not to become overgrown and fall into decay. As a result, I am afraid that we are not proposing changes to that approach at the current time and it is for local councils to take decisions around prioritisation of funding and to ensure they maintain a balanced budget position. We hope that the additional funds that have been made available as part of the 2023 / 2024 budgeting process will be welcome in allowing Councils to prioritise their funding for the upcoming 12 months.

Whilst I realise that this does not provide the response that Swale may be looking for, I hope it is helpful, nonetheless, in explaining the current position. Thank you for writing in on this important matter.

Yours ever,

**LEE ROWLEY MP**