

Closure Order for St Peter's Churchyard, Frimley

Summary

The purpose of this report is to consider a request from the Parochial Church Council of the Parish of Frimley for a Closure Order for St Peter's Churchyard on the grounds that there is no proper space for new graves.

Portfolio: Environment & Health

Wards Affected: Frimley

Recommendation

The Executive is advised to RESOLVE that

- (i) the Executive Head – Community be asked to report back to the Parochial Church Council of the Parish of Frimley that the Council has no objection to the closure of the burial ground in the graveyard of St Peter's Church, Frimley on the grounds that there is no proper space for new graves; and
- (ii) the current discretionary grant scheme for the upkeep of the churchyard within the Council's approved budget be continued.

1. Key Issues

- 1.1 The Parochial Church Council (PCC) of the Parish of Frimley has written to the Council to ask if the Council has any objection to the closure of the burial ground at the St Peter's Churchyard on the grounds that there is no proper space for new graves.
- 1.2 The closure of a churchyard for further burials can only be ordered by Her Majesty in Council. Application should be made in the first instance to D Division of the Home Office.
- 1.3 The PCC has notified the Council that it intends to submit an application to the Home Office to close the Churchyard in Frimley on the grounds that there is no proper space for new graves. If the Council objects to this it must give its reason in writing to the PCC.
- 1.4 If the Order is granted the PCC has indicated that it intends to retain responsibility for the maintenance of the Churchyard and has no current plans to transfer this to the Council. Should this change at some point in the future the PCC has acknowledged that it must give the Council 12 months' notice of its intention to transfer maintenance responsibility to the Council.

- 1.5 The closure of the Churchyard in Frimley would result in just one open graveyard in the Borough for burials which is in St Michael's, Camberley.

2. Resource Implications

- 2.1 The Council currently makes a financial contribution for the upkeep of the churchyards in the Borough by way of a discretionary grant. The amount of grant ranges from £2,000 to £4,000 per year and is generally the difference between maintenance costs and income received from burial fees.
- 2.2 The current maintenance cost to the PCC is £9,000 per annum and represents six grass cuttings at £1500 per cut. This is supplemented by work carried out by a group of volunteers. This would therefore be the cost to the Council should the responsibility for maintenance be transferred to the Council.

3. Options

- 3.1 The Council has the option of agreeing or objecting to the closure. There does not appear to be any reasons for objecting to the closure. Officers have investigated the use of adjacent allotment land for additional graves. However, this has been discounted because the allotments are well used by the community.
- 3.2 The Council has assisted with graveyard maintenance cost at St Peter's Church through a discretionary grant as set out in paragraph 2.1. The Council has the option of dis-continuing this grant.. However, Members should note that grants are paid for the upkeep of St Michael's graveyard in Camberley and the closed graveyard at St Lawrence Church in Chobham.

4. Proposals

- 4.1 It is proposed to:
 - a. Report back to the Frimley PCC that the Council has no objection to the closure of the burial ground in the graveyard at St Peter's Church, Frimley.
 - b. Continue with current discretionary grant scheme within the approved Council budget.

5. Supporting Information

- 5.1 A letter from the PCC requesting the closure is attached to this report.

6. Corporate Objectives And Key Priorities

6.1 This maintenance and upkeep of graveyards contributes to the Council's 5 – year strategy by protecting and managing public open spaces.

7. Legal Issues

7.1 The legislation is set out in the Diocese of Guildford Churchyard Regulations 2005. These apply generally to all churchyards in the Diocese of Guildford. Where a churchyard becomes full of burials and there is no further useable space, the Incumbent and PCC may seek to have it closed (Reg 4.6). Closure of a churchyard for further burials can only be ordered by Her Majesty in Council. Application should be made in the first instance to D Division of the Home Office.

7.2 Where a churchyard has been closed by Order in Council, the PCC may request the local authority to take on the responsibility for its maintenance (Local Government Act 1972 section 215).

8. Environmental Impact

8.1 The Churchyard contains a number of trees, bushes and plants all of which have a positive impact upon the environment.

Annexes	Annex A - Letter from St Peter's Church, Frimley dated 10 th May 2021
Background Papers	
Author/Contact Details	Tim Pashen –Executive Head - Community tim.pashen@surreyheath.gov.uk
Head of Service	Tim Pashen - Executive Head of Community