

**To receive an update on the P.C.C registering the churchyard as closed and consider any actions and associated expenditure**

**Information:**

Further information has been sought for Members consideration regarding the process and associated costs to consider when closing a churchyard. The following link and questions are provided by the Ministry of Justice:

**How do you close a Churchyard?** – The relevant application form and guidance can be located here <https://www.gov.uk/government/publications/apply-to-close-a-churchyard>

**Are there any costs?** The Ministry of Justice does not charge, however, it may be worth seeking independent legal advice, at a cost. In the first instance it is probably best approaching the Diocese (who would need to be consulted in any case).

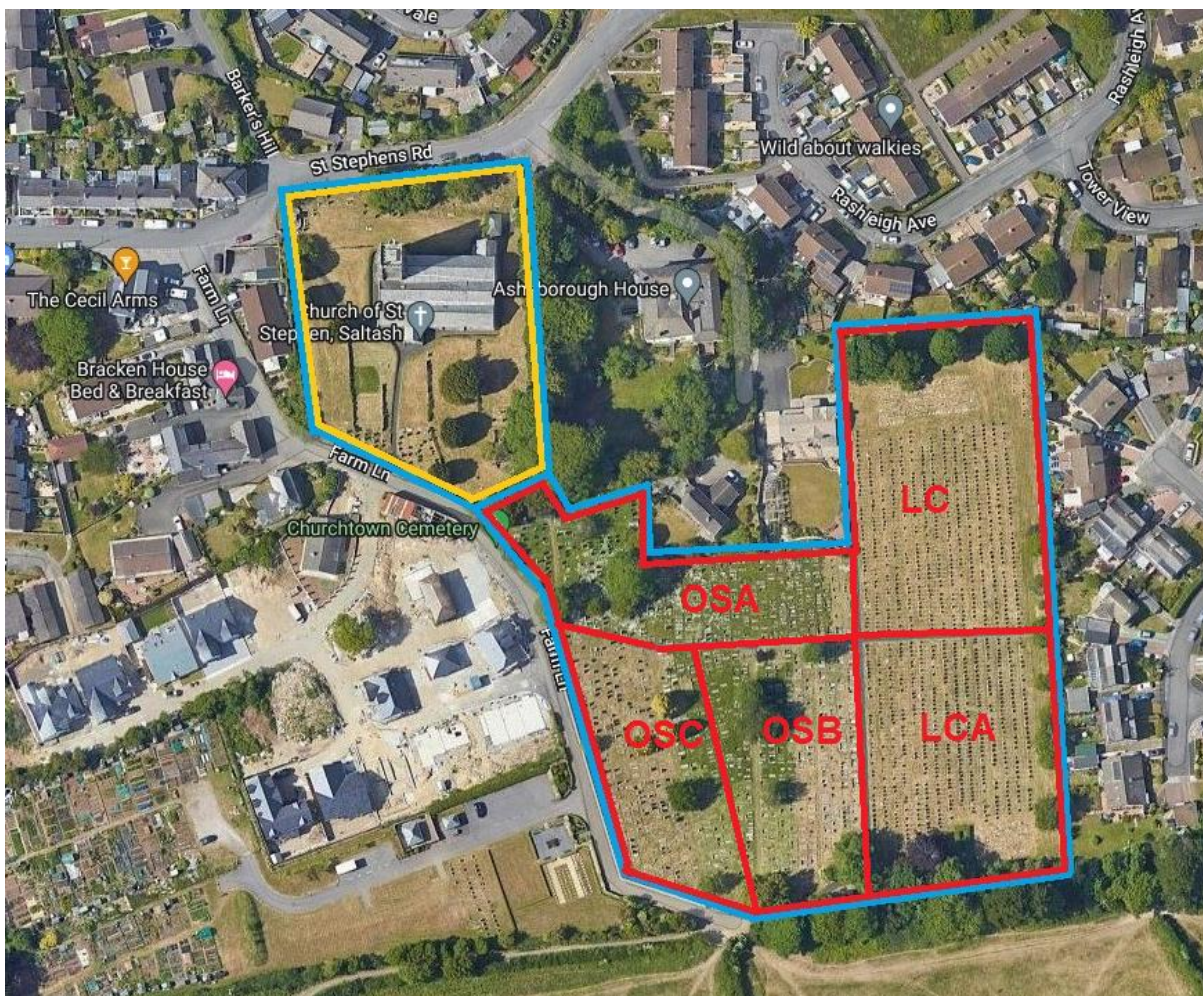
**What happens after the Churchyard is closed?** By this do you mean in respect of maintenance costs? The Church would need to contact Saltash Town Council to discuss them taking over maintenance if the Church so wished to do so. Again, independent legal advice is recommended, at a cost. The Ministry of Justice itself is not a party to any agreement to transfer maintenance.

**What can the Church do and not do when the churchyard is closed?** The various exceptions in a closed churchyard are set out in the guidance above. They may or may not be relevant to St Stephens. The land would remain church land.

Cornwall Council also have a lot of information located on their website: <https://www.cornwall.gov.uk/parks-leisure-and-culture/parks-and-open-spaces/closed-churchyards/>

Map of St Stephens and current cutting schedules/agreement:

- Blue = STC currently manage and maintain grounds;
  - Yellow = Closed section of Churchyard owned by Cornwall Council and agreed Cutting Agreement in place between CC and STC;
  - St Stephens Open Churchyard
- OSA / OSB / OSC = Areas (internally marked) showing the old sections of the Churchyard;
- LC / LCA = Areas (internally marked) showing the newer areas of the Churchyard which are still in use and available for burials.



**Please note:** If the old sections of the churchyard were to be closed, the Town Council would not be responsible for headstone checks, tree surveys and clearing the pathways. The Church would have the option to request the Town Council to set up a Grass Cutting Agreement between Cornwall Council and Saltash Town Council to provide a level of service.

The current Grass Cutting Agreement between Cornwall Council and Saltash Town Council for the closed section (yellow section marked on the above map) of the Churchyard is as follows:

## **2. OBLIGATIONS OF THE TC**

2.1 The TC shall provide the following services throughout the Term (1 April 2022 – 31<sup>st</sup> March 2023):

(i) cutting of grass at the Site at regular intervals and on at least three occasions between 1st April and 31st October in any calendar year;

(ii) removing all cuttings and arisings resulting from (i) above from the pathways and entrances at the Site;

(iii) notify the Authority if it becomes aware of or suspects the presence of Japanese Knotweed (otherwise known as Fallopia Japonica) growing or placed within the Site as soon as reasonably practicable. The TC shall not cut or dispose of the Japanese Knotweed.

### Current Income and Expenditure:

The Grass Cutting Agreement provides the Town Council with an annual sum:

## **3. OBLIGATIONS OF THE AUTHORITY**

3.1 The Authority shall pay to the TC the sum calculated as follows (“the Annual Sum”):

Where:

A = Area to be cut (4526.79m<sup>2</sup>)

B = the minimum number of cuts each year (3)

C = the annual sum of **£584.56**

During the Winter months the Service Delivery Team cut the grass in the closed and open sections of the churchyard as and when required / weather dependent.

However, in the summer months the open section of the churchyard can be scheduled to be cut as often as once every two weeks, subject to staffing levels.

It takes two members of staff, two working days (minimum), to cut the closed area of the churchyard.

The Town Council receives a sum for interments direct from St Stephens Church:

<b>Date Range</b>	<b>Amount Received</b>
10 February 2019 – 17 August 2022	£37,892

The sum is over a 3 year, 6 month and seven day period, equating to an average of £902.19 per month.

The current cost of an interment at St Stephens can be located in the Joint Burial Board Fees and Charges booklet or link below:

[Click here to view Joint Burial Board St Stephens Cemetery Fees and Charges](#)

The Church provided current plot information:

**How many cremation plots are available?**

There are twelve plots remaining and no grave plots left to purchase.

**Are there many second and third interments?**

Unfortunately, it is much harder to answer this question, even approximately. Possible a substantial number.

The Town Council consulted with their appointed Gravedigger who believes there is space for up to 30 additional cremation plots at St Stephens should they wish to use the available land.

If the Churchyard were to be closed, the Town Council would not receive the income for burials, instead as stated previously, a Grass Cutting Agreement could be considered with Cornwall Council and an agreed income based on the closed areas would be the income the Town Council receives.

Please note; the Town Council undertake headstone checks in the open sections of the Churchyard.

An approximate cost has been requested from Cornwall Council should the Church decide to close the section marked red on the map.

**End of Report**  
**Administration Officer**