

BOLSOVER DISTRICT COUNCIL

EXECUTIVE

22 MARCH 2021

ADOPTION OF THE HOLY TRINITY CHURCHYARD SHIREBROOK

Report of the Portfolio Holder – Environmental Health and Licensing

This report is public

Purpose of the Report

- To advise members of the closure and subsequent adoption of The Holy Trinity Churchyard, Shirebrook for future ongoing maintenance at the Council's expense.

1 Report Details

- 1.1 Shirebrook Town Council has applied to the District Council requesting adoption in maintenance responsibilities of the Holy Trinity Churchyard, Shirebrook following the Parochial Church Council informing the burial ground having been previously closed by the Home Office.
- 1.2 The churchyard has been tended to on a voluntary basis by local parishioners and requires remedial works to raise to a Council maintainable standard.

2 Conclusions and Reasons for Recommendation

- 2.1 The District Council must now assume legal responsibility for maintenance and upkeep of The Holy Trinity Churchyard, Shirebrook.
- 2.2 Maintenance will entail grass cutting, tree and hedge pruning, upkeep of walls, paths, boundaries and inspections of monumental masonry to ensure the place is safe to visitors.
- 2.3 Maintenance cost will have need to be met by the Council and afforded to standards as provided to other churchyards the Council maintains throughout its District.

3 Consultation and Equality Impact

- 3.1 The Council is duty bound to adopt maintenance of the Holy Trinity Churchyard, Shirebrook (Local Government Act) and afford maintenance as undertaken at other closed burial grounds it maintains throughout the District.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council is not able to avoid adoption of closed burial grounds.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 The cost of grounds maintenance operations is estimated at £1,850 for one off works to bring to a maintainable standard with ongoing annual costs of £1,300 which may be containable within existing Streetscene budgets.
- 5.1.2 Annual memorial masonry, footpath and boundary safety inspections are estimated to cost £1,000 per annum, which may be contained within existing Engineering budgets; further to which, these may be reviewed at revised budget.
- 5.1.3 Engineering one off works are identified to macadam footpath, car park stoned surfacing and dry stone walling totalling £17,000, which are not containable within Engineering Team budgets. However, these will be subject to a future capital budget bid (2021\22) or undertaken by way of current capital budget where flexibility affords.

5.2 Legal Implications including Data Protection

- 5.2.1 Following Home Office closure of a burial ground, the Parochial Church Council are able to request Shirebrook Town Council take over maintenance of the churchyard; further to which, the Town Council is able to pass responsibility to the District Council.
- 5.2.2 The District Council has a legal duty to accept The Holy Trinity Churchyard, Shirebrook for maintenance following Shirebrook Town Council formally requesting this in accordance with the Local Government Act 1972 (s215).

5.3 Human Resources Implications

- 5.3.1 None arising from this report.

6 Recommendations

- 6.1 Bolsover District Council undertake their statutory obligation and commence maintenance of the Holy Trinity Churchyard, Shirebrook.
- 6.2 Cost of undertaking maintenance is contained within existing budgets and where necessary reviewed during the revised budget process.
- 6.3 Engineering one off works (£17,000) not containable within Engineering Team budgets will be subject to a future capital budget bid (2021\22) or undertaken by way of current capital budget where flexibility affords.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p><i>BDC: Revenue - £75,000 <input type="checkbox"/></i> <i>Capital - £150,000 <input type="checkbox"/></i></p> <p><i>NEDDC: Revenue - £100,000 <input type="checkbox"/></i> <i>Capital - £250,000 <input type="checkbox"/></i></p> <p><input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>Has the relevant Portfolio Holder been informed</p>	Yes

District Wards Affected	Shirebrook
Links to Corporate Plan priorities or Policy Framework	Environment Ambition

8 Document Information

Appendix No	Title
N/a	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
N/a	
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