

**REPORT FROM: CORPORATE DIRECTOR**

**TO: POLICY AND RESOURCES COMMITTEE**

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## **NELSON CEMETERY, WALTON LANE, NELSON**

### **PURPOSE OF REPORT**

To consider further the future of the Nelson Cemetery Lodge and the other listed elements of Nelson Cemetery.

### **RECOMMENDATIONS**

- (1) That the Lodge and an additional area of land be declared surplus to requirements to be sold on the open market as set out in Option 3.
- (2) That authority be given to make a planning application for the additional area to be used as a vehicle access, parking and garden.
- (3) That the making of a grant application to the Heritage Fund and seeking other additional funding to improve the condition of the listed features be noted and supported; and that a further report be submitted in due course.

### **REASONS FOR RECOMMENDATIONS**

- (1) Preservation of the listed building elements of the cemetery.
- (2) A capital receipt, reducing the Council's liabilities.

### **BACKGROUND**

1. Following the vacation by the tenant of the Cemetery Lodge a report on the future of the building was submitted to the Nelson Committee on 2<sup>nd</sup> December 2019 recommending that it be declared surplus to requirements and marketed for sale.
2. The Nelson Committee recommended the Policy and Resources Committee not to declare the property surplus to requirements and subject to this an application be made to the Secretary of State for its demolition to make land available for additional burial plots.

3. The Policy and Resources Committee resolved on 16<sup>th</sup> January 2020 that demolition not be pursued. It also resolved that consideration be given to achieving the maintenance of all the listed building elements of Nelson cemetery to as high a standard as possible and a further report on all options be submitted to a future meeting.
4. There are two listed building elements of Nelson Cemetery, namely the cemetery chapel and the gateway and railings. The lodge itself is not listed but the whole of the cemetery is considered to be the curtilage of the chapel and it therefore has listed building protection.
5. The lodge has remained vacant since 2019 and has become a victim of theft, vandalism and anti- social behaviour.
6. We estimate there are currently 670 burial spaces within the cemetery which would provide 6 years' capacity for burials based on pre-covid levels of activity.
7. The 670 spaces are split as to 396 spaces for Muslim vaults and 274 Non-Muslim burial spaces. Our records indicate that the number of Non-Muslim burial places would amount to capacity for burials to continue for 10 years.
8. It would be possible to extend the area for Muslim vaults into the adjoining land currently used for non- statutory allotments creating a further 800 vaults. Subject to the condition of the land it is estimated that this would extend the life of the cemetery by a further 10 years.
9. Option 4 below is that the lodge be demolished to make way for additional plots. We estimate that this would create a further 200 spaces for Muslim Vaults providing approximately 4 years' of burial space.

## **The Lodge**

10. The lodge is unoccupied and a full programme of refurbishment is required to bring it back into use and the cost has been estimated in the region of £85,000. There are the following options:

### **Option one**

For the Council to refurbish the property then to re-let it. The market rent in refurbished condition has been assessed at £750 per month, and the refurbishment costs to make the property habitable for modern living are estimated at £85,000 including re-roofing, new external doors, re-plastering, renewal of ceilings, redecoration, replacement of timber floors, new kitchen and bathroom fittings, new electrical and gas installation, creating a parking area and vehicle access from Walton Lane.

The Council would have to fund the cost. There is currently no provision in the capital programme and any payback period for other funding would have to be based on rental income. If it were re-let there would also be the issue of a residential tenancy to be resolved and the Council would continue to be responsible for ongoing maintenance of the structure and general management.

### **Option two**

That the property be declared surplus to requirements and for it to be sold on the open market in current condition by informal tender under a development agreement. The property has a small garden space and no parking or vehicular access, and it is considered there would be limited demand. The market value in current condition is estimated to be in the region of £150,000.

### **Option three**

That the property and an additional area of land be declared surplus to requirements to be sold on the open market by informal tender under a development agreement and that an application be made for planning permission for the additional area to be used as a vehicle access, parking and garden. The additional land would make it a more attractive proposition and increase the sale price potentially achievable.

If sold on a development agreement the purchaser would be required to complete the refurbishment works before completion of sale. The works required would take account of the building's listed status.

### **Option four**

Demolition of the property to make way for additional burial plots. The Committee has already resolved not to do this and as mentioned above it would require the consent of the Secretary of State which may well not be forthcoming. The Council would have to fund the substantial demolition cost and an opportunity for a capital receipt from the property would be lost though over time fees for burials would be received.

### **The Listed building elements of the cemetery**

11. There is currently no additional budgetary provision for maintenance of the listed building elements of the cemetery beyond normal maintenance and repair budgets. In using these regard is had as far as possible to preserving the listed features.
12. The chapel and the gateway and railings are considered to be in a reasonable state of repair. To raise this to as high a standard as possible, as the Committee would like to see, will require additional resource. Work has started on an application for a grant to the Heritage Fund and other potential sources are being explored.

### **Conclusions**

13. The disposal of the Lodge subject to an appropriate development agreement would seem to be the best way of preserving the building. Adding in the piece of additional land would add to its attraction for potential purchasers. This is also the best financial option for the Council
14. Enhancing the condition of the other listed features will require resources beyond those currently available and will largely be dependent on the success of the work now underway to obtain additional funding via grant application. The successful disposal of the Lodge would also raise the future possibility of allocating some capital funding to this end.

### **IMPLICATIONS**

**Policy:** The Council seeks to identify surplus property for inclusion in its disposal programme in order to achieve capital receipts. It is proposed that the property be sold on the open market by informal tender under a development agreement which would take account of the listed status elements.

**Financial:** A capital receipt and no further liabilities for the Council.

**Legal:** No legal implications arise directly from this report.

**Risk Management:** On disposal of the property all risks and liabilities will cease for the Council

**Health and Safety:** No implications arise directly from this report.

**Climate Change:** No implications arise directly from this report

**Community Safety:** See risk management

**Equality and Diversity:** No implications arise directly from this report

## **APPENDICES**

None

## **LIST OF BACKGROUND PAPERS**

None