Borough of Pendle

REPORT FROM:	**CORPORATE DIRECTOR**
TO:	**SPECIAL BUDGET POLICY AND RESOURCES COMMITTEE**
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Report Author:	**Philip Mousdale**
Tel No:	**01282 661634**
E-mail:	**Philip.mousdale@pendle.gov.uk**

NELSON CEMETERY LODGE, WALTON LANE, NELSON

PURPOSE OF REPORT

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

RECOMMENDATIONS

(1)   That the Lodge and the additional rea of land, shown hatched on the plan, 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 rea 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.

REASON FOR RECOMMENDATIONS

Preservation of the listed building elements of the cemetery.
A capital receipt and an end to liabilities for the Council.

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 2nd 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 16th 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 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. It is estimated there is currently 670 burial spaces within the cemetery which would provide 6 years capacity for burials in Nelson cemetery based on pre-covid levels of activity.

7. The 670 spaces are split between 396 spaces for Muslim vaults and 274 Non-Muslim burial spaces. Our records indicate that the number of Non-Muslim burial places would create enough spaces for burials to continue for 10 years

8. Within this report an option of the lodge's demolition has been put forward for further consideration. Should this option be pursued we are advised that this would create a further 200 spaces for Muslim Vaults providing approximately 4 years of burial space.

9. Additional to the recommendations within this report we are actively working to identify additional sites across the Borough to use fs a cemetery.

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, but 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 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.

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

Option three

The property and an additional area of land as shown hatched on the plan 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. Work would be required to have started within six months of the sale agreement. 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
Location plan

LIST OF BACKGROUND PAPERS
None