

CREWKERNE & WEST CREWKERNE

JOINT BURIAL COMMITTEE

Clerk to the Committee:
K. Sheehan

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Councillors are hereby summoned and members of the press and public are invited to attend a meeting of the Joint Burial Committee to be held in the Council Chamber on **Tuesday 5 October 2021 at 6.45p.m.**

Note: Members of the public who wish to view the meeting proceedings, either in real time or afterwards, can access the meeting through the following link:
<https://www.youtube.com/channel/UCTA9K-7L4Onjcli2Gtz7tCg>

AGENDA

1. **To note apologies for absence.**
2. **Open Forum:** public participation session.
3. **To approve the minutes** of the meetings held on 8 June and 17 June 2021.
4. **Declarations of interest.**
5. **The Clerk's update report** for consideration.
6. **Cemetery Ownership:** to receive an update relating to ownership of the cemetery and associated implications.
7. **Lodge refurbishment:** to consider a report relating to possible options for the Lodge.
8. **Financial Matters for consideration:**
 - a) To approve the following payments:

Net	VAT	Total	Payee	Purpose
£19,651.47	£1,253.41	£20,904.88	Crewkerne TC	Reimbursement for period 01/06/21 to 30/09/21
£185	£0	£185	Mrs Melville	Surrender of plot

- b) To report that the bank reconciliation for September has been completed.
 - c) To receive the second quarter financial report.
 - d) To consider the proposal from the clerk for the cemetery fees for 2022/23.
 - e) To confirm that the precept split for 2022/23 should remain at 93% for Crewkerne Town Council and 7% for West Crewkerne Parish Council.
8. **Paths:** To consider a quote for tarmac pathing.
9. **Bell:** To consider a costed proposal to recommission the bell.
10. **Maintenance 2022/23:** To consider quotes for cemetery maintenance 2022/23.
9. **To approve the applications, transfers and memorials received.**
10. **Matters of report (for information).**
11. **Date of the next meeting** - Tuesday 7 December 2021 at 6.45 p.m. in the Council Chamber in the Town Hall, Market Square, Crewkerne.

Katharine Sheehan
Clerk to the Burial Committee
28th September 2021

UPDATE: Ownership of the Townsend cemetery and the implications for the Joint Burial Committee and the two Councils

Introduction

Some months ago a submission was made to the Land Registry, to register the cemetery land in the name of the Crewkerne and West Crewkerne Joint Burial Committee. The response from the Land Registry and subsequent investigations have identified some very important facts regarding ownership of the cemetery and, as a result, the role and authority of the Joint Burial Committee. This report is an updated version of the one prepared by Peter in June, to give an assessment of where we currently are and the required way forward.

Land Registry response

As you will recall, the Land Registry was not prepared to register the land in the name of the Joint Burial Committee, because they do not recognise that a committee can have a separate legal identity. Subsequently, a revised application has been made to the Land Registry to register the cemetery jointly in the names of Crewkerne Town Council and West Crewkerne Parish Council. This evidence is now with the Land Registry and we are waiting for a response. There are two possible options for this outcome. Firstly, that the Land Registry will simply register title as requested jointly in the names of the two councils. Secondly, the Land Registry may grant title to Crewkerne Town Council, as the larger of the two councils. In this case, solicitors have indicated that title could be then split between the two councils via a legal transfer.

What this means

1. The Joint Burial Committee (JBC) is not a legal entity. It can not therefore own the cemetery land.
2. The land was originally owned by the Parish of Crewkerne. We now know that in 1893 the land was split into two – the urban portion subsequently became Crewkerne Urban District Council, which in turn became Crewkerne Town Council. The remainder of the land became West Crewkerne Parish Council. The land should therefore be registered in the names of the two councils.
3. If the land is owned by the councils, then so are the buildings. Therefore, any major decision involving the land or buildings, such as the decision to sell or rent out the lodge, must ultimately be sanctioned by both councils.
4. The JBC must be regarded solely as a convenient vehicle to facilitate the day-to-day management of the cemetery. As we know, the JBC does an excellent job of this and I see no reason in principle why the committee should not continue with this function. The role, function and authority of the JBC are captured in the Terms of Reference for the committee. These ToR's need to be reviewed by the Town Council and by West Crewkerne Parish Council as a matter of priority. This will be an item on December's JBC agenda.
5. The JBC financial arrangements are currently very complex, with invoices paid through the Town Council accounts and with the Town Council periodically back-charging the JBC both for contractor services and for Town Council staff time. These arrangements are driven by an assumption that the JBC is the Burial Authority, which it is not.
6. As the two councils are the Burial Authority, the financial arrangements need to be modified (*see separate slide*).
 - The finances for the cemetery need to form a part of the overall budget for the Town Council. Separate budget headings need to be created to allow the same clarity of

detailed budget income and expenditure as the JBC enjoy currently. The JBC would have a role in defining the cemetery budget, but authority for budget sign-off would rest with the Town Council.

- West Crewkerne PC would be invoiced each year for their contribution to the running of the cemetery. How the level of contribution is set needs to be re-considered (*see attached slide*).
- The JBC Earmarked Reserves list should cease to exist and those items on the list should be added to the Town Council Earmarked Reserves.
- The JBC asset register should cease to exist and all assets transferred to the two councils' asset registers.

These changes will greatly simplify the financial administration of the cemetery.

K Sheehan

Town Clerk
September 2021

Report: possible options for the Lodge

Introduction

Councillors will recall that some months ago a survey was carried out on the Lodge in order to determine the scale and cost of the works anticipated in order to bring the Lodge into working order, to lease out either for residential or commercial purposes.

Outcome of the survey

- The survey ago included estimated costs for refurbishment, which were in the region of £150,000.
- The survey cost estimate also included an amount in the region of £20,000 to cover the costs of hiring a project manager to manage the refurbishment. Given the complexity of such a major refurbishment, the JBC Chairman and the Clerk strongly recommend that the option is taken up of employing a professional project manager.
- Following a recent consultation with a VAT specialist it has become apparent that it is highly unlikely that the Town Council would be able to claim back any VAT costs incurred on the project. This has the impact of adding 20% immediately to any build costs.
- It had been assumed that the cost estimates compiled by the surveyor would prove pessimistic, based on the experience from the Town Hall remedial works. However, a quotation has now been obtained from a contractor to undertake the external elements of the remedial works. This quotation has in fact validated the overall cost estimate put forward by the surveyor.
- Bearing in mind refurbishment costs, project management costs, VAT implications and possibly contingency requirements, it is evident that overall costs will be in excess of £200,000.

Options for the lodge

- Given the high cost of refurbishing the lodge, the councils need to consider potential options, for example, to refurbish the lodge with a view to renting it out, or to sell the property.
- Estate agents have been approached to give a view on the value of the property.

Information from Estate agents

Two estate agents have provided the following estimates:

	Estate Agent 1	Estate Agent 2
Sale of Lodge unrefurbished	£325,000	£375,000
Sale of Lodge refurbished	£400-425,000	
Residential lease of refurbished Lodge	£1,000-1,200 pcm	£875 – 900 pcm

Neither agent was able to give figures for a commercial lease.

Way forwards

The refurbishment or the sale of the lodge is a major strategic decision for the two councils. It is therefore recommended that:

- the JBC put forward their recommendations for the way forwards.
- A meeting is called of the two councils to consider the JBC recommendations.

K Sheehan, 28th September 2021

RECEIPTS AND PAYMENTS VARIANCE REPORT AS AT 30/09/21

	Actual 2020/21	Budget 2021/22	Income/Expend to Date 30/09/21	Year End F'cast 2021/22	Net expenditure: comparison of year end f'cast to budget	% +/-	Comments
EXPENDITURE							
Administration	30780	27280	10423	25507	1773	6%	
Chapels	5648	5900	5567	15585	-9685	-164%	
Lodge	3008	11200	2850	4240	6960	62%	
Grounds	5199	14200	9160	15615	-1415	-10%	
Treework/New Planting	1890	2500	510	2500	0	0%	
Path Improvements	0	7000	0	7000	0	0%	
Total EXPENDITURE	46524	68080	28510	70447	-2367	-3%	
Total RECEIPTS	19943	22245	21551	29602	7357	33%	
Precept	45292	46135	24682	46135			
TOTAL	18710	300	17723	5290	9724		

Within or on budget	
Over budget but fully covered by Alloc Reserves	
Expenditure Over budget by < 5% or Income Under budget by < 5% or partly funded by Alloc Reserves	
Expenditure Over budget by > 5% or Income Under budget by > 5%	

Please note Payments include reimbursement to Crewkerne Town Council to be paid 05/10/21

CREWKERNE AND WEST CREWKERNE JOINT BURIAL COMMITTEE

PROPOSED Fees 1st April 2022– 31st March 2023 (changes in red)

These charges apply to residents of Crewkerne & West Crewkerne Parishes, including residents who have recently moved out of these parishes to a nursing home or hospital, or where the purchaser does not live in the parish but the deceased did. **All Charges for residents outside these parishes are double.**

DESCRIPTION	FEE (£)
<u>Exclusive Right of Burial – 99 years</u>	Under 16: free Over 16:
Grave Plot – Double depth in New Section	650
Ashes Casket Plot	300
<u>Interment Fees</u>	Under 16: free Over 16:
Body in a grave	250
Cremated remains	180
Digging of ashes plot for interment	40
<u>Memorials</u>	
Headstone	180
Vase	90
Each additional inscription/Memorial/Tablet	90
Replacement Memorial	90
<u>Garden of Remembrance</u>	
Scattering of ashes on the garden	£ 90
Memorial plaque on the wall	£120
<u>Other fees</u>	
Use of bell	£ 25
Use of the chapel	£100
Transfer of Exclusive Right of Burial	£ 60
Statutory Declaration	£ 100
Administration Fee	£ 25
<u>Memorials in old section of Cemetery</u>	
Headstone not exceeding 5ft in height	£180
Kerbstones enclosing a space not exceeding 7ft by 3ft without rails, chains or palisades	£180
Vase – not exceeding 15 ins in height	£ 90