



**Report To:** Planning and Economic Development  
Portfolio Holder  
**Lead Officer:** Director of Planning and New Communities

20 March 2014

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## Heritage Guardianship Sites and Closed Churchyards

### Purpose

1. To provide an update regarding the:
  - (a) Disposal of St Denis Church, East Hatley
  - (b) Future of Landbeach Tithe Barn.
  - (c) Transfer of maintenance responsibility for the closed churchyard at St Michael's Church, Longstanton.
2. This is not a key decision. The report is brought to this meeting at the request of the Portfolio Holder, at his meeting in October 2013.

### Recommendations

3. It is recommended that Portfolio Holder:
  - a) Endorses the action plan for the transfer of St Denis Church, East Hatley
  - b) Notes the update regarding the future of Landbeach Tithe Barn, including notification that the Landbeach Society wishes to rescind the lease for the Tithe Barn, request a further report in September 2014, and approve the recommended option in paragraph 31.
  - c) Notes that the management arrangement for Duxford Chapel is to cease, and that responsibility will return to English Heritage.
  - d) Notes the progress in respect of exploring a collaborative approach and local management for the closed yard at St Michael's Church, Longstanton.

### Reasons for Recommendations

4. The outline action plan for the transfer of St Denis Church has been agreed with the Friends of Friendless Churches, and includes the key steps necessary for this transfer.
5. Over the last four months, the Landbeach Society has raised the local profile of the Tithe Barn. The Society, Cambridge Past Present and Future and the Farmland Museum wish to work with the Council for a focussed period to seek a local person or group that would take on the Barn for the future benefit of local people. In order to secure the future of the Barn, an alternative option would be residential conversion and sale.
6. To support the successful transfer of management responsibility for the closed churchyard at St Michael's Church, Longstanton.

## **Background**

### **St Denis Church, East Hatley**

7. St Denis Church is owned by the Council. It is a Grade II\* listed building and local nature reserve.
8. In October 2013, the Portfolio Holder agreed to transfer St Denis Church, East Hatley, to the Friends of Friendless Churches, subject to acceptable terms and conditions and appropriate support from the local community and recommended that the Finance and Staffing Portfolio Holder considered funding to support the maintenance of the church and facilitate the transfer. The Trustees of the Friends agreed to accept a contribution of £60,000 and further contributions have been committed by local people. On 27 February, Council approved payment of £60,000 to the Friends of Friendless Churches, subject to acceptable terms and conditions and upon transfer of the Church.

### **Landbeach Tithe Barn**

9. Landbeach Tithe Barn is a Grade II listed building owned by the council, and leased to the Landbeach Society. The Barn has been leased to the Society since 1975. In 1986 the Barn was sold to South Cambridgeshire District Council by the Ely Diocese, with the lease still being made to the Landbeach Society.
10. At his meeting on 28 May 2013, the Portfolio Holder agreed that the local community should be given the opportunity to put forward proposals for the future of the Barn, or that the Barn should be converted for residential use and sold.
11. In October 2013, the Portfolio Holder noted that a meeting had taken place with the Landbeach Society, Cambridge Past Present and Future (CPPF), District Councillors and other local representatives. He allowed time for further work to take place, and requested a report to this meeting.

### **Duxford Chapel**

12. Duxford Chapel is a Grade II\* listed building and scheduled monument. English Heritage has a management agreement with the owners which give it responsibility for maintaining the building. The Council currently has a partnership agreement with English Heritage whereby it provides day to day care and public access through local caretakers.
13. During 2013, the Council asked Whittlesford Parish Council if it would take over the day to day care of the Chapel. In October 2013, Whittlesford Parish Council decided to not take on the day-to-day care of Duxford Chapel. Then, the Portfolio Holder decided to pass responsibility back to English Heritage.

### **St Michael's Church, Longstanton**

14. The churchyard at St Michael's Church was closed by an Order in April 2013. The Parochial Church Council asked the Parish Council whether it would take on the responsibility for the maintenance of the churchyard. The Parish Council initially wrote to us saying that it did not want this responsibility and asking this Council to take it on. In such cases the District Council has an obligation to accept the maintenance responsibility, subject to certain conditions and good practice requirements.

15. In October 2013 the Portfolio Holder agreed that a protocol be drawn up setting out the scope of the Council's responsibility and how our role would be fulfilled for approval at a future meeting.

### Considerations

#### St Denis Church, East Hatley

16. On 13 February 2014, Cabinet approved payment of £60,000 to the Friends of Friendless Churches, subject to acceptable terms and conditions and upon transfer of the Church.
17. A project plan has been agreed with the Friends of Friendless Churches, and is shown below. It is expected that the transfer will be completed during this calendar year.

	<b>Task</b>	<b>Suggested Target Date</b>	<b>Status</b>
1	SCDC Funding Contribution of £60K to be presented to Council for agreement	27 February 2014	Complete
2	SCDC to seek approval from Church Commissioners to vary the covenant	March 2014	
3	SCDC to liaise with Church Commissioners to confirm access rights and other relevant information for the Friends of Friendless Churches	March 2014	
4	<p>Friends of Friendless Churches would like 2 easements –for the current footpath and a route for maintenance – to be agreed prior to transfer.</p> <p>SCDC to approach the owners of the existing footpath to introduce the proposal, and then to be taken forward by Friends of Friendless Churches.</p> <p>SCDC to facilitate drafting of easements.</p>	April 2014	
6	Meeting to be arranged for SCDC, Friends of Friendless Churches, local management committee and other stakeholders to agree	May 2014	

	principles/approaches moving forward regarding maintenance and use of the churchyard and the church and FofFC		
7	Funding agreement between SCDC and FofFC to be agreed	May 2014	
8	Agreement reached regarding funding committed by local people regarding timing and means of payment	June 2014	
9	Transfer to East Hatley Church to FofFC	September 2014	

### Landbeach Tithe Barn

18. The Landbeach Society has submitted a report that is attached as **Appendix 1**. Since October, the Society has:
- (a) Conducted a village survey that was distributed to 350 homes
  - (b) Held an Open Morning
  - (c) Stimulated media interest in the Barn
  - (d) Obtained three estimated costs for re-thatching
  - (e) Engaged Cambridge Past Present and Future, and the Farmland Museum in discussions regarding the future of the barn.
19. The village survey was completed by about 40 households, and the Open Morning was attended by 56 people. Some people were willing to help staff the Barn on open days, and some people offered funding including one person who pledged a five-figure sum. There were range of suggestions, attached as **Appendix 2**, that included names of organisation and individuals who could be approached to ask if they would take on ownership of the Barn.
20. The Society has stated that it does not have funds to cover the costs of immediate and ongoing maintenance. It suggests that a Trust or Friends Group could be set up, and offered to assist this.
21. At a Committee meeting on 31 January 2014, the Landbeach Society reluctantly decided to relinquish the lease back to South Cambridgeshire District Council. There do not appear to be any provisions within the lease that allow the Landbeach Society to terminate the lease. As there are no termination provisions there is no notice period, and the arrangements will need to be negotiated.
22. The Barn needs re-thatching. The estimated costs range from £33,000 - £45,000 plus VAT, for re-thatching with long straw. It is thought that some timbers may need repair, and a structural survey has been suggested by CPPF.
23. The Barn was overhung by trees from a nearby property. Following local discussions, the trees have been cut back.

24. Cambridge Past Present and Future has stated that it cannot take on any further heritage buildings, “unless sufficient funding comes with it”, but that it is keen to “help SCDC to find another group or individual who will look after this special barn for wider community use. At this stage and considering the potential growth in the Waterbeach/Landbeach area we strongly consider that there is still scope to retain the barn for community usage. Based on our experience with supporting the future of Milton Country Park, Cambridge PPF would again be prepared to host and/or support a workshop or other event to bring together potential partners” to explore safeguarding the future of the barn.
25. The Farmland Museum is “very supportive of plans to keep the Tithe Barn as a community asset, we regret that without substantial funding to pay for it we cannot offer help either with running it as a visitor attraction or event space or with moving it to our site, which has been a suggested option... The Tithe Barn tells another part of the story about our area and it would be lovely if more people could be made aware of it and the part it and similar buildings, now long gone in other places, played in village life in the past. So many people are moving to the region who will know little about its life before the recent growth in population and business. It is so important that they have the opportunity to get a sense of what the area was like before the revolutionary changes of the recent past.”

#### **Duxford Chapel**

26. English Heritage has been notified that the Council wishes to end its partnership agreement, and discussions are in hand regarding practicalities.

#### **St Michael’s Church, Longstanton**

27. On 27 January 2014 the Portfolio Holder met with representatives of the Parochial Church Council and Parish Council on site to view the condition of the Churchyard, discuss existing maintenance arrangements and discuss options.
28. The Parochial Church Council no longer has the ability or local volunteers to maintain the Churchyard. This was noted and accepted. The Parish Council is reconsidering whether it is better placed to take on board the responsibility. It is currently considering how it might do this and is in discussion with its local heritage group and wishes to seek local views through its village magazine as well as reviewing its insurance arrangements. It intends to review the situation at its next meeting on 9 April 2014.
29. There are three significant trees on the site which require attention and the Council is seeking advice and quotes for this work to inform future discussions.

#### **Options**

30. For St Denis Church, the agreed option is to continue to progress its transfer to the Friends of Friendless Churches.
31. For Landbeach Tithe Barn, the recommended option is to:
  - (a) Approach English Heritage and other relevant bodies to ask for their advice and input to explore options for the future of the Barn
  - (b) Work with CPPF to arrange a workshop for interested parties to consider options for the future, with the workshop to be held within the next four months

- (c) For potential options to be identified and tested, as agreed by the Director of Planning and New Communities
  - (d) For the Director of Planning and New Communities to take forward the request by the Landbeach Society to rescind the lease
  - (e) For a further report to be presented in September 2014.
32. An alternative option is for the Barn to be sold with residential planning consent.
33. For Duxford Chapel, the agreed option is to return management responsibility to English Heritage.
34. For St Michael's Church, the Parish Council is reviewing whether it is better placed to maintain the Churchyard and this option is being explored and supported as a preferred option. However, if requested, the Council is obliged to take on the maintenance for close churchyards. At that point the only available options concern the scope of that responsibility, how it is transferred and how it is carried out.

### **Implications**

35. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

#### ***Financial***

36. The Council has agreed to grant £60,000 to the Friends of Friendless Churches to contribute towards the cost of repairs to St Denis Church, East Hatley, subject to agreement regarding transfer of ownership. There are a range of financial implications arising from Landbeach Tithe Barn and they will be considered in a future report. There is no budgetary provision for the re-thatching of the Barn or repair of timbers. For Duxford Chapel, from 1 April 2014, the Council will no longer receive a management fee from English Heritage and similarly will cease to have any financial responsibilities. The financial implications of the transfer of St Michael's Churchyard, Longstanton particularly the cost of works to trees, are currently being scoped.

#### ***Legal***

37. Legal officers are assisting with the transfer of St Denis Church, East Hatley and have advised on the lease for the Landbeach Tithe Barn.

#### ***Staffing***

38. None

#### ***Risk Management***

39. The Landbeach Tithe Barn has been added to the Council's Insurance Policy in order to mitigate financial risks arising from damage to the Barn, for instance, caused by storms. The work on the Council's heritage assets seeks to safeguard them for the future.

#### ***Equality and Diversity***

40. None.

#### ***Climate Change***

41. There are no climate change implications arising from this report.

### **Consultation responses (including from the Youth Council)**

42. The Farmland Museum and Cambridge Past Present and Future have been consulted regarding the future of Landbeach Tithe Barn.

### **Effect on Strategic Aims**

#### **Aim 1 – We will listen to and engage with residents, parishes and businesses to ensure we deliver first class services and value for money**

43. This report is based on discussions with local residents' groups and the Parish Councils of Longbeach and Longstanton, regarding the future management of the heritage assets in their neighbourhoods.

#### **Aim 2 – We will make sure that South Cambridgeshire continues to offer an outstanding quality of life for our residents**

44. This report outlines progress regarding proposals to secure the future of historic assets, thereby contributing to the quality of life of residents.

### **Background Papers**

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

Heritage and Guardianship Sites and Closed Churchyards – reports to Planning and Economic Development Portfolio Holder on 22 October 2013, 28 May 2013 and 18 December 2012.

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