

REPORT TITLE: MAGDALEN HILL CEMETETRY LODGE AND GARDEN

23 JANUARY 2020

REPORT OF CABINET MEMBER: Councillor Learney, Cabinet Member for Housing and Asset Management

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WARD(S): ST BARTHOLOMEW

PURPOSE

This report sets out recommendations for the Cemetery Lodge at Magdalen Hill Cemetery, Alresford Road, Winchester, and as The Cemetery comes under the town account, approval for the project is required from the Town Forum.

Previously, The Cemetery Lodge was the home and office for the Cemetery Manager. However, the previous Manager, retired 18 months ago, as the role no longer requires a live-in Manager; this role has been replaced with a part time post, which uses the office downstairs with the rest of the building not being used at all. To use the Lodge to maximise its income, the proposal is to rent one of the rooms upstairs and some parts of the Lodge downstairs to a Stonemason and to the Butterfly Conservation Group, with the second room upstairs for a Winchester City Council staff office.

RECOMMENDATIONS:

That the Town Forum:

1. Approves a budget of £23,000 to fund renovation and improvement works at the Magdalen Hill Cemetery Lodge for the purposes of enabling its lease to external users.
2. Finances the renovation and improvement works from a virement within the uncommitted "Grants" budget for 2019/20.

IMPLICATIONS:1 COUNCIL PLAN OUTCOME

- 1.1 The council plan 2020-2025 includes the priority of "Your Services, Your Choice", with a clear aim towards continuous improvement and cost effectiveness.

2 FINANCIAL IMPLICATIONS

- 2.1 The outline cost for the work for the Lodge is approximately £23,000; this includes 5% for contingency plans, for unforeseen cost.
- 2.2 The projected income from the Lodge is £6,300 per annum split between both prospective tenants. The expected rental figure calculated by Estates- is based on the current costs of rental office space per square foot, and includes a percentage of the cost for rates and all amenities used. Ongoing revenue costs are expected to be minimal, due to the fact the building will still be used as an office for council staff, even if there were no tenants. Payback is therefore, expected within a four to five year period.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 Legal Services have confirmed that the Cemetery and Lodge has a covenant stating:

*"the said hereditaments shall not be used for any purposes whatsoever other than those of a Public Cemetery or Crematorium or both and that no buildings whatsoever shall be erected thereon other than a Caretaker's Lodge and such Mortuary Chapels Glasshouses tool sheds cart sheds sanitary conveniences and Crematorium buildings as may be necessary for the proper use of the said hereditaments as a Cemetery or Crematorium or both"*

*In addition, the land immediately to the south of the property now owned by the Butterfly Conservation under the registered title number HP509937. The land immediately to the south of this land is owned by the Church Commissioners for England under the registered title number HP708392. This land with other land around, is let to the Butterfly Conservation for a term of 25 years from the 1st January 2000 under the registered title number HP578614.*

*Land to the west of the cemetery, is owned, by the Church Commissioners for England, and is registered under registered title number HP780273.*

*Accordingly, the Butterfly Conservation and Church Commissioners have the benefit of the covenants*

This had made the decision to rent out the property a difficult one to the Butterfly Conservation as Legal have stated that we can only rent out the property to a service relating to burials or cremations as per the covenant.

However, the Church of England Commissioner informed us that they have no objection to the use of the room for the Butterfly Conservation Group, but are waiting for their legal department to confirm.

#### 4 WORKFORCE IMPLICATIONS

- 4.1 Both the Cemetery Manager and the Burial Officer will manage and run the rented office.

#### 5 PROPERTY AND ASSET IMPLICATIONS

The works proposed will ensure the Lodge is kept maintained to a reasonable condition and help to prolong the life of the asset.

#### 6 CONSULTATION AND COMMUNICATION

- 6.1 Consultations have taken place with Planning, Historic Environment, Legal, Historic Parks and Gardens, Building Control, Funeral Directors, Stonemasons, Commissioners for the Church of England. The outcome of those meetings was concern for the disabled access to the downstairs rooms and the garden. Therefore, the current porch will be replaced with a wider door and ramp access within the DDA guidelines. Planning Application was submitted to South Downs National Park Planning Department, for change of use to B1 office space, and there were no objections and HCC Highways have stated no objections to the proposal and no added conditions: consultation regarding the planning application ended on the 24<sup>th</sup> October 2019 and approval has now been given. The main areas for concern were parking, accessibility and management. The property is not a listed building and the Historic Environmental Officers have confirmed this fact. With regards to the parking, there is already ample parking within the grounds of the Cemetery and there is an overflow car park opposite the Cemetery

#### 7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The works proposed are limited to minor adaptations with a view to bringing the property back into use. They do not include measures at this stage to significantly improve the energy efficiency or reduce emissions from the property.

#### 8 EQUALITY IMPACT ASSESSEMENT

- 8.1 Access to the lodge and garden for the elderly and disabled is a key consideration, and have been taken into account.

#### 9 DATA PROTECTION IMPACT ASSESSMENT

- 9.1 None

#### 10 RISK MANAGEMENT

- 10.1

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
<i>Property</i> The property is at risk of falling to into disrepair, decay and possible vandalism	Completing works as proposed	Income from the Lodge
<i>Timescales</i> Risk of losing potential tenant if works delayed	Works can commence early in the New Year, subject to resources being agreed	
<i>Financial</i> That the building will not be let and costs will not be recovered	A suitable tenant has already been identified and a verbal agreement has been made, pending a decision by the Town Forum	The renovations will open up a new source of income to the council.
<i>Innovation</i> Restriction to use of the asset results in limited uses available.	Limited use of property is available	Will bring in an income stream for the foreseeable future. Provides an indoor area for visitors to the Cemetery, which is not available at present.
<i>Reputation</i> Could damage council and Cemetery reputation if left to fall into disrepair	Due to continued use by the council cemeteries service, the Lodge will still require minimal repairs, even if it not rented out.	The repairs and change of use of the Lodge will be an asset and an enhancement to the Cemetery.

## 11 SUPPORTING INFORMATION:

- 11.1 Due to the strict covenant and the nature of the covenant use, there are no other viable options to consider for the Lodge. The Lodge itself is visible from the road at the entrance of the Cemetery. If left to fall in disrepair and to become unsightly, this may cause families to reconsider using the Cemetery to intern their loved ones and go elsewhere.

Last year, the council extended the Cemetery to last for another 40 to 50 years, with the addition of other faiths within it. Therefore, it is felt that the Lodge will complement and enhance the Cemetery, as there will be areas to sit in peace and quiet and the opportunity to sit indoors when raining, which currently there is not. .

## 12 OTHER OPTIONS CONSIDERED AND REJECTED

- 13 Full consideration has been given, to find alternative uses for the Lodge. This is restricted by the covenant and there is no immediate alternative council use identified

13 BACKGROUND DOCUMENTS:-

None

14 Other Background Documents:-

None