

<b>Committee</b>	<b>Dated:</b>
Open Spaces & City Gardens Committee	08 April 2019
<b>Subject:</b> Churchyards Enhancement Programme	<b>Public</b>
<b>Report of:</b> The Director of Open Spaces	<b>For Decision</b>
<b>Report author:</b> Madhur Gurjar, Open Spaces	

### Summary

The Churchyard Enhancement Programme (CEP) was developed to address the need to increase the amount and quality of accessible open space in the City. The development of the CEP provides an umbrella under which individual projects are to be coordinated. In July 2018 the Committee noted progress made on the detailed site assessments of the Churchyards, the prioritisation exercise to identify those churchyards most in need of improvement and of the detailed public consultation completed by the project team. Committee approved the prioritisation of the 11 churchyards, to make progress on the detailed project briefs and to develop a delivery plan.

This report summarises the progress made on the overall CEP Programme. This includes detailed project briefs for the 11 transformational projects including an update note on the 2 projects that have already been approved, high level cost information on 10 small- medium scale improvement projects and cross- cutting work stream

### Recommendations

Members are asked to:

- Approve the Churchyards Enhancement Programme noting progress to date.
- Approve the project briefs for the 9 priority churchyards (proposed aspirational projects), attached at Appendix 2;
- Note the status of the 2 existing churchyard improvement projects.
- Approve the small- medium scale outline project ideas for 10 churchyard improvement projects and cross cutting work stream, attached at Appendix 3
- Approve, in principle, the delivery of the churchyard improvements on a project by project basis, subject to available funding, to be progressed through the City's Project Procedure as appropriate.

## **Main Report**

### **Background**

1. Churchyards form the setting for the City's listed Churches and ancient monuments, are the burial places of past City communities and are part of a rich ecclesiastical, architectural and social heritage. There are over 60 churchyards in the City and these vary greatly in size, condition and character. Many are popular green spaces or 'hidden gems' that provide much needed places for rest and enjoyment. However, others are underutilised and in need of improvement. The programme has completed detailed site assessments and a detailed consultation exercise involving all parishes as well as wider public. Following the consultation, churchyards were prioritised for enhancement, considering their strategic importance to the City, and based on the feedback received from the consultation and site condition assessments conducted by officers. The list of the approved prioritised churchyards is attached at Appendix 1.

### **Current Position**

2. Following the approval of the prioritisation list of churchyards in July 2018, project design briefs have been written in consultation with internal stakeholders and informed by the consultation and site assessments. Project briefs for 9 churchyards are included at Appendix 2. Two of the prioritised churchyards, namely St. Mary at Hill and St Peter Westcheap, have already been approved under the Project Procedure and a project update for these is included in the same appendix. High level project ideas for small to medium scale improvement works in further 10 churchyards have also been prepared along with summary of the cross cutting workstreams that cover all the above churchyards. This is summarised at Appendix 3.
3. The project briefs for enhancements of the prioritised Churchyards as well as the small to medium sized landscape improvements will aim to achieve the following benefits:
  - Responding to the projected increase in worker, visitor and resident numbers in the City by providing enhanced areas to sit, eat lunch and relax whilst maintaining the historic character of these unique spaces;
  - Increase biodiversity and greenery within the spaces;
  - Accommodating active uses such as small-scale community or corporate events (in those churchyards where such uses are permissible or compatible with the space);
  - Providing inclusive access (wherever possible) to enable people of all abilities to use the spaces, and improve connections and signage;
  - Reducing pressure on current maintenance budgets by delivering new spaces that require less maintenance and including budget for future maintenance within project costs;
4. Whilst it was understood that the Diocese of London would be leading an application for funding from the Heritage Lottery Fund, this has not materialised.

In the absence of this external funding and financial partnering with the Diocese there is uncertainty over the timescales for delivery of these enhancement projects.

## **Corporate & Strategic Implications**

5. The Churchyard Enhancement Programme supports the following outcomes in the Corporate Plan 2018-23:
  - Contribute to a flourishing society, where communities are cohesive and have facilities they need;
  - People enjoy good health and wellbeing;
  - Shape outstanding environments where we have clean air, land and water and a thriving sustainable natural environment.
6. The CEP also supports the Open Spaces Department's three top line objectives:
  - Open spaces and historic sites are thriving and accessible.
  - Spaces enrich people's lives.
  - Business practices are responsible and sustainable
7. The Open Spaces Strategy was adopted in January 2015 as a supplementary planning document (SPD). It sets out a vision for open space in the City as follows:

"The creation of a network of high quality and inspiring open spaces which helps ensure an attractive, healthy, sustainable and socially cohesive place for all the City's communities and visitors".

## **Financial Implications**

8. Publicly accessible open space and public realm enhancements are both listed as "Infrastructure to be funded by CIL" in the City's "Regulation 123 List". The City churchyards are a community resource and cultural asset and, subject to remaining open to the public, may be considered as "publicly accessible open space" and "public realm". Therefore, subject to the necessary approvals, Community Infrastructure Levy (CIL) is an appropriate source of funding for these works.
9. The availability of CIL funding for individual projects will affect the scale, timeline and delivery of the project. The use of and prioritisation of CIL funds falls within the scope of the fundamental review of Corporation wide capital works going forward and so availability of funds for projects is not guaranteed.
10. The Open Spaces Department and City Surveyors Department will be committing staff resources to the delivery of the identified projects. This will include project management, procurement and delivery of the project. Staff costs will also need to be covered by CIL funds.

11. **Table A:** Estimated work costs of the high priority Churchyards

<b>Name of churchyard</b>	<b>Estimated Cost (£) (Capital works)</b>	<b>Estimated Cost (£) (Staff costs, consultant fees and charges)</b>
St Helen's Bishopsgate	£400K to £500K	£120K to £150K
St Anne & St Agnes	£600K to £800K	£180K to £240K
St Paul's Cathedral	£800K to £1.5M	£240K to £450K
St Bartholomew the Great	£300K to £500K	£90K to £150K
St Mary Aldermary	£300K to £400K	£90K to £120K
St Olave Silver Street	£300K to £400K	£90K to £120K
St Botolph Bishopsgate	£700K to £1M	£210K to £300K
St Brides Fleet Street	£300K to £500K	£90K to £150K
Christchurch Greyfriars	£400K to £500K	£120K to £150K
St Mary at Hill	£425K to £500K	£45K to £160K
St Peter Westcheap	£300K to £350K	£70K

12. The next step would be to bid for funds from either the Neighbourhood, Unallocated, or Open Spaces CIL pots (or a combination of these) for all CEP projects.
13. **Table B:** Estimated work costs of the small- medium scale landscape improvements to Churchyards

<b>Name of churchyard</b>	<b>Estimated Cost (£) (Capital works)</b>	<b>Estimated Cost (£) (Staff costs, consultant fees and charges)</b>
All Hallows London Wall	£200K to £250K	£60K to £75K
St Andrew By the Wardrobe	£50K to £100K	£15K to £30K
St Andrew Undershaft	£20K to £50M	£6K to £15K
St Anne Blackfriars Ireland Yard	£100K to £150K	£30K to £45K
St Giles Cripplegate	£100K to £150K	£30K to £45K
St Mary Staining	£30K to £50K	£9K to £15K
St Pancras Soper	£20K to £30K	£6K to £9K
St Peter Cornhill	£75K to £150K	£23K to £45K
St Sepulchre-without-Newgate	£50K to £150K	£15K to £45K
St Benets Paul's Walk	£15K to £20K	£5K to £6K

14. **Table C:** Estimated work cost of cross cutting work streams

<b>Workstreams</b>	<b>Estimated Cost (£) (Capital works)</b>	<b>Estimated Cost (£) (Staff costs, consultant fees and charges)</b>
Information Signage	£300K to £400K	£90K to £120K
Template Legal Agreement	unknown	unknown

15. **Table D:** Available funds in CIL

<b>Funding Source</b>	<b>Funds available (£)</b>
CIL Neighbourhood	£4,790,000
CIL Open spaces	£1,600,000
CIL Unallocated	£7,970,000

16. Other likely streams of funding to be pursued include contribution from S106, S278, Transport for London, Private/ Church contributions, Greater London Authority and Heritage Lottery Fund, subject to their individual bidding procedure.
17. Subject to Members' approval of the project briefs for the high priority churchyards and project ideas for the small-scale improvements including the cross-cutting work streams, it is proposed that individual projects will be initiated and progressed through the City's Project Procedure as usual when appropriate funding becomes available. The programme board will remain in place to provide direction and monitor schemes as they are implemented, and benefits are realised.
18. One of the key work-streams for the projects above will be the development of updated maintenance legal agreements with individual Churches once the design project is initiated. This will involve a legal process to agree on the onus of costs of maintenance of the churchyard there after. This will need to consider any costs of related negotiations, consultations, or legal process. A template maintenance agreement has been negotiated with the Diocese which will need to be negotiated with individual Churches on case by case basis. The costs of these legal negotiations are currently unknown.

## **Legal Implications**

19. Churchyards have individual and complex land ownership issues. Only a small number are managed under the Open Spaces Act 1906. Most are publicly accessible private land and either maintained by the City by formal agreement under Section 5 of the City of London (Various Powers) Act 1952 pursuant to the Burial Act 1855 or by informal agreement. The freehold generally rests with the individual parish rather than the Diocese.
20. Many churchyards have either restrictive covenants, byelaws, maintenance

agreements or other arrangements that affect the types of improvement or the activities which can take place on them. There are few which currently permit commercial or income generating activities. Cost implications will need to be considered on a case by case basis where permitting commercial activities in certain churchyards is sought. (i.e. For making any amendments to the restrictive covenants, byelaws etc). Planning considerations will also be relevant as will be, for example, amenity issues. These costs are currently not included in the estimates above.

## **Next Steps**

21. In order to progress the programme of projects, it is proposed that officers:
- Ascertain appropriate sources of funding available for each site.
  - Ascertain legal costs likely to be incurred in negotiating a maintenance agreement with individual churches.
  - Subject to corporate prioritisation exercise, apply for CIL funding once the application process has been approved.
  - Initiate individual projects in line with City's Project Procedures.

## **Summary**

22. Good progress has been made on the CEP so far but, without a large initial investment of capital (through HLF or similar), it is not possible to progress 'batches' of projects as was the initial intention. Instead, it is proposed that individual projects will be initiated on a case by case basis, as and when suitable funding is identified and when evaluated against other corporate priorities.
23. Whilst the corporate prioritisation process is finalised, Members are asked to approve project briefs for the priority churchyards, outline project ideas for small to medium scale landscape improvements to churchyards and cross cutting work streams in the programme, as attached at Appendix 2 and 3.

## **Appendices**

- Appendix 1 – List of approved prioritised Churchyards
- Appendix 2 – Project briefs for the high priority churchyards including appendices A and B
- Appendix 3 – Outline project ideas for churchyards prioritised for small-medium sized landscape improvement projects and cross cutting work streams

## **Background Papers**

Update report Open Spaces and City Gardens Committee (July 2018)

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