

MINUTES OF STEEPLE BUMPSTEAD PARISH COUNCIL
EXTRAORDINARY MEETING HELD ON MONDAY 28
SEPTEMBER 2015 AT 7PM IN THE MOOT HALL

Present: Messrs: Kerry Barnes (in the chair), Frank Aldred, Ted Bloxham,
Kim Cresswell, Ian Westrope.
Mesdames: Alex Rolph, Sophia Girvan.

Members of the Public: 2

4025

<u>Apologies</u>	John Fellows -	holiday
	Chris Cadman -	holiday

4026

Responsibility for the maintenance and upkeep of the closed churchyard.

Sophia Girvan asked why it was necessary to hold an extraordinary meeting. The Chairman replied that this matter had to be brought to a head so that we could move on.

The Chairman read out a letter dated 29 September 1974 written to the Chairman of the Parish Council by the Hon. Sec. of the Parochial Church Council, concerning the closed churchyard (a copy is attached to these minutes).

The wording of this letter could be interpreted in two ways. Firstly it could mean the Parochial Church Council intended asking the Parish Council to take over maintenance and upkeep of the closed churchyard. Secondly it could mean the Parochial Church Council had made a resolution and were asking the Parish Council to take over the maintenance and upkeep of the closed churchyard.

After much discussion it became apparent that neither the Parish Council nor the Parochial Church Council realised the importance of entering into this agreement since there is much correspondence in the Parish Council's file stating that the Parish Council's work in the churchyard was purely voluntary and the Parochial Church Council were themselves carrying out work there too. It was obvious that the Parish Council had verbally agreed to do work on the churchyard since it was considered to be a disgrace to the village but they had not transferred responsibility to the District Council within three months of receiving the Parochial Church Council's letter which might or might not have been a proper request.

The maintenance and upkeep of the closed churchyard included all fences and walls.

The Parish Council agreed to ask Braintree District Council's legal team their considered opinion as to whether this letter of 29 September 1974 was a legal request for the Parish Council to take over the maintenance of the churchyard. Also is this letter enough evidence that the Parish Council are responsible taking into account the other letters on file referring to our voluntary work.

Kim Cresswell made the point that he felt there had been a misunderstanding by both parties as to the importance of such an agreement.

Ian Westrope felt Highways should be advised of the unsafe state of the churchyard wall.

The question of the insurance of this wall did not come under the Parish Council's responsibility since they did not own the wall.

The meeting was suspended at 7.43pm in order that Simon Perry of the Parochial Church Council could be asked certain questions.

Simon Perry confirmed that the Parochial Church Council did have Public Liability insurance on this wall. The safety precautions already carried out are at the Insurers request.

The meeting resumed at 7.45pm.

Kerry Barnes put the following proposal to the Parish Council:

The Parish Council should meet with the Legal Team at Braintree District Council to establish the legal status of a letter and other correspondence received from the Parochial Church Council regarding responsibility for the upkeep of the closed churchyard at St Mary's Steeple Bumpstead.

This proposal was seconded by Frank Aldred.

This proposal was unanimously agreed.

The Clerk suggested that the meeting with Braintree District Council should be a face to face meeting rather than drawn out emails.

There being no further business, the meeting closed at 7.46pm.

Signed.....

Date.....

COPY

**MARIGOLD COTTAGE
STEEPLE BUMPSTEAD
HAVERHILL, SUFFOLK
STEEPLE BUMPSTEAD 340**

29th September 1974

Dear Sir

**ST. MARY THE VIRGIN
STEEPLE BUMPSTEAD**

At a Meeting of the Parochial Church Council on the 16th September 1974 it was resolved to request the Parish Council to undertake the maintenance and upkeep of the Churchyard and the Burial Ground.

It is, however, requested that, in accordance with the verbal agreement between the Chairman of the Parish Council and the Vicar and Churchwardens, no alteration to the character and lay-out of the Churchyard and the Burial Ground shall be made without the previous agreement of the Vicar and Church Wardens.

It is further requested that the arrangements for burials, and the erection of memorials, shall remain within the sole control of the Vicar and the Parochial Church Council.

Yours faithfully

M. Christey
Hon. Sec. Parochial Church Council.

To:
The Chairman,
Steeple Bumpstead Parish Council.