

## GODALMING TOWN COUNCIL

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13 February 2026

I HEREBY SUMMON YOU to attend the **ENVIRONMENT & PLANNING COMMITTEE** Meeting to be held in the Council Chamber, Waverley Borough Council, The Burys, Godalming on THURSDAY, 19 FEBRUARY 2026 at 6.30pm.

*Andy Jeffery*

Andy Jeffery  
Chief Executive Officer

If you wish to speak at this meeting please contact Godalming Town Council on 01483 523575 or email [office@godalming-tc.gov.uk](mailto:office@godalming-tc.gov.uk)

**Where possible proceedings will be live streamed via the Town Council's Facebook page.** If you wish to watch the council meeting's proceedings, please go to Godalming Town Council's [YouTube](#) page.

Committee Members:	Councillor Kiehl – Chair Councillor Williams – Vice Chair
Councillor Adam	Councillor Marshall
Councillor Crowe	Councillor Martin
Councillor C Downey	Councillor PMA Rivers
Councillor S Downey	Councillor PS Rivers
Councillor Duce	Councillor Steel
Councillor Follows	Councillor Thomson
Councillor Heagin	Councillor Weightman
Councillor Holliday	

### A G E N D A

#### 1. MINUTES

To approve as a correct record the minutes of the meeting of the Committee held on the 29 January 2026, a copy of which has been circulated previously.

#### 2. APOLOGIES FOR ABSENCE

#### 3. DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGISTERABLE INTERESTS

To receive from Members any declarations of interests in relation to any items included on the agenda for this meeting required to be disclosed by the Localism Act 2011 and the Godalming Members' Code of Conduct.

The Comments and observations from the following Waverley Borough Councillors are preliminary ones prior to consideration at Borough Council level and are based on the evidence and representations to the Town Council.

Councillor Crowe	Councillor PMA Rivers
Councillor Duce	Councillor PS Rivers
Councillor Follows	Councillor Williams
Councillor Martin	

4. PETITIONS/STATEMENTS/QUESTIONS FROM MEMBERS OF THE PUBLIC

The Chair to invite members of the public to make representations, ask or answer questions and give evidence in respect of the business on the agenda or other matters not on the agenda. This forum to be conducted in accordance with Standing Order 5:

- the period of time designated for public participation at a meeting for a maximum of three minutes per person or 15 minutes overall, unless otherwise directed by the Chair of the meeting;
- a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given. If a matter raised is one for principal councils or other authorities, the person making representations will be informed of the appropriate contact details.

5. QUESTIONS BY MEMBERS

To consider any questions from Councillors in accordance with Standing Order 6.

6. PLANNING APPLICATIONS – CONSULTATION

The full schedule of planning applications received from the Local Planning Authority since the last meeting is attached for the information of Members.

7. PLANNING APPLICATIONS – SUBJECTED TO AMENDMENT

Members to consider planning applications previously considered by this committee for which subsequent amendments have been submitted.

8. WBC CONSULTATION – DRAFT GODALMING NAVIGATIONS CONSERVATION AREA APPRAISAL DOCUMENT

Members to note the final response submitted to Waverley Borough Council.

9. PROCESS FOR OBTAINING A FACULTY FOR NIGHTINGALE CEMETERY

Members are asked to consider the attached Officer report and recommendations therein, which are:

- a. To note the process and authorise Officers to commence the following:
  1. preliminary enquiries with the Diocese of Guildford; and
  2. consultation with the Rector of Godalming Minster.
- b. That a further report be brought to Committee once initial feedback from the Diocese of Guildford and the Rector of Godalming Minster is received. This will include:
  1. a map of the plots proposed to be included in the faculty application;
  2. recommendations on the consultation process; and
  3. a request for approval to submit the formal faculty application.

10. CROWNPITS LANE/BRIGHTON ROAD TELEPHONE BOX

The telephone box on the junction of Crownpits Lane/Brighton Road has now been formally adopted by GTC.

As the telephone box is located in the Godalming Crownpits Conservation Area, Members are being asked to give permission for Officers to consult with the Waverley Conservation

Officer to seek approval for repurposing it to house a defibrillator and a book library. Costings will be brought back to a future meeting.

11. COMMUNICATIONS ARISING FROM THIS MEETING

Members to identify which matters (if any), discussed at this meeting, are to be publicised.

12. DATE OF NEXT MEETING

The next meeting of the Environment & Planning Committee is scheduled to take place in the Council Chamber on Thursday, 12 March 2026 at 6.30pm.

13. ANNOUNCEMENTS

Brought forward by permission of the Chair. Requests to be submitted prior to commencement of the meeting.

## GODALMING TOWN COUNCIL

### ENVIRONMENT & PLANNING – SCHEDULE OF PLANNING APPLICATIONS – 20 JANUARY-10 FEBRUARY 2026

<u>Ref</u>	<u>Ward</u>	<u>Proposal</u>	<u>Site Address</u>	<u>GTC Observations</u>
<b>WBC Weekly List 26/04</b>				
TM/2026/00124	Godalming Binscombe & Charterhouse	APPLICATION FOR WORKS TO TREE SUBJECT OF TREE PRESERVATION ORDER 16/20	13 Binscombe Crescent Farncombe Godalming GU7 3RA	
TM/2026/00123	Godalming Binscombe & Charterhouse	APPLICATION FOR WORKS TO TREE SUBJECT OF TREE PRESERVATION ORDER 13/19	1 High Pines Knoll Road Godalming GU7 2EP	
WA/2026/00117	Godalming Central & Ockford	Listed Building Consent for replacement gutters to the Pepperpot building.	Godalming Town Council The Pepperpot High Street Godalming	
WA/2026/00110	Godalming Central & Ockford	Erection of a single storey extension and alterations following demolition of existing conservatory.	6 Quarry Hill Godalming GU7 2NW	
WA/2026/00105	Godalming Farncombe & Catteshall	Certificate of Lawfulness under Section 192 for extension to roof to allow habitable room in the roof space.	127 George Road Farncombe Godalming GU7 3LX	
NMA/2026/00142	Godalming Binscombe & Charterhouse	Amendment to WA/2022/02499 for extension of rear dormer to west as well as east (as approved). Change of materiality of both north and south dormer to an off-white render to match existing house. New rooflight to front (south) roof pitch for ensuite shower room. New rooftiles to existing roof - mid grey tile. Double carport with storage to concrete flat area to front of house. Oak structural frame and photovoltaic panels and grey roof tiles to roof.	84 Peperharow Road Godalming GU7 2PN	

<u>Ref</u>	<u>Ward</u>	<u>Proposal</u>	<u>Site Address</u>	<u>GTC Observations</u>
<b>WBC Weekly List 26/05</b>				
NMA/2026/00148	Godalming Binscombe & Charterhouse	Amendment to WA/2025/00649 - Alteration to fenestrations	73 Combe Road Farncombe Godalming GU7 3SL	
WA/2026/00179	Godalming Binscombe & Charterhouse	Erection of access steps to roof garden.	5 Sol Y Vista Frith Hill Road Godalming GU7 2EF	
WA/2026/00146	Godalming Central & Ockford	Listed Building consent for alterations to flat roof to cover existing first floor walkway; alterations to elevations and internal works.	116-118 High Street Godalming GU7 1DJ	
WA/2026/00149	Godalming Holloway	Erection of single storey extensions and alterations with associated landscaping following demolition of existing detached garage/store.	Tanglewood 13 Braemar Close Godalming GU7 1SA	
TM/2026/00162	Godalming Holloway	APPLICATION FOR REMOVAL OF TREE SUBJECT OF TREE PRESERVATION ORDER 42/99	The Beeches 12 The Paddock Godalming GU7 1XD	
<b>WBC Weekly List 26/06</b>				
WA/2026/00197	Godalming Central & Ockford	Erection of single and two storey extensions and alterations to elevations following demolition of existing outbuilding; construction of a dropped kerb and associated works.	117 Aarons Hill Godalming GU7 2LJ	

# GODALMING TOWN COUNCIL

Chief Executive Officer: Andy Jeffery MSc MCGI

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3 February 2026

Planning Specialists  
Waverley Borough Council  
The Burys  
Godalming  
Surrey  
GU7 1HR

Dear Heritage Team,

## **Re: Waverley Borough Council Consultation – Draft Godalming Navigations Conservation Area Appraisal Document**

Godalming Town Council (GTC) welcomes the opportunity to respond to Waverley Borough Council's (WBC) consultation on the Godalming Navigations Conservation Area Appraisal (CAA). GTC is pleased to offer strong support for the appraisal and wishes to highlight the following points as justification for its endorsement:

### **1. Heritage and Character**

Protecting Godalming's historic environment and ensuring that development enhances the town's unique character is a key priority of the Godalming & Farncombe Neighbourhood Plan (GoFarNP). GTC Members are pleased that the appraisal identifies and promotes the protection of heritage assets, including both listed buildings and those of local merit, and welcomes the recommendation for the Council to take a proactive role in identifying and protecting these assets, working in partnership with local groups. GTC Members note that a project has already been set up to identify, review and adopt additional BLMs, however it is hoped that this will be led by the WBC Conservation Officer, who would be able to provide the required guidance and expertise.

### **2. Environmental Quality and Biodiversity**

The sensitive natural environment of Godalming, especially the River Wey and its associated green spaces, is of great importance to the community. The appraisal's emphasis on the river corridor, open spaces, and biodiversity and the recommended actions to maintain and enhance these features for the benefit of current and future generations align with GTC's environmental stewardship objectives.

### **3. Community Engagement and Partnership**

GTC is committed to working in partnership and engaging the community in decision-making. The appraisal's encouragement of collaboration with local organisations and its emphasis on public consultation for planning and environmental improvements are strongly supported.

### **4. Economic Vitality and Tourism**

Enhancing the vitality of the town centre and supporting the local economy are central to the GoFarNP. GTC endorses the appraisal's recommended actions to maintain and enhance the public realm and visitor experience in the conservation area, which in turn will support tourism and the local economy.

## **5. Waverley Design Awards**

As WBC is approaching its last year, GTC requests that WBC holds a final Design Awards, and passes over the procedures and method statements to equip GTC with the necessary information to manage future Design Awards, if so desired.

GTC welcomes the enhancement of this conservation area and wishes to remain engaged throughout the process. GTC Members look forward to continuing to work closely with WBC and other partners to ensure the Godalming Navigations Conservation Area remains a vibrant, sustainable, and cherished asset for future generations.

Yours faithfully

Andy Jeffery  
Chief Executive Officer

9. PROCESS FOR OBTAINING A FACULTY FOR NIGHTINGALE CEMETERY

**1. Purpose of Report**

To outline the statutory and procedural steps required for Godalming Town Council to obtain a faculty for the reuse of consecrated graves at Nightingale Cemetery, and to seek formal approval to undertake the necessary early consultation needed to commence the process.

**2. Background**

Godalming Town Council inherited sole responsibility for the management of both Eashing and Nightingale Cemeteries from the Joint Burial Committee. Members may be aware that the Joint Burial Committee had previously proposed the creation of inhumation capacity at Nightingale Cemetery by the reuse of graves. This report is to inform Godalming Town Council and its Members of the process that the Joint Burial Committee started.

The original report of to the Joint Burial Committee is attached as an **APPENDIX** for information; the Joint Burial Committee agreed to the following:

1. *The Clerk should engage the services of a suitable organisation to investigate the Nightingale Cemetery burial records to determine the location of private and common graves indicating on a plan of suitable scale:*
  - a. *the common graves within the consecrated portion of the cemetery;*
  - b. *grave spaces with interments less than 75 years of age;*
  - c. *Private graves where the Exclusive Rights of Burial is older than 75 years and has not been exercised*
  - d. *the presence of memorials on identified graves;*
  - e. *the presence of trees and significant shrubs over identified graves; and*
  - f. *Graves of national or local significance, including Commonwealth War Grave Commission graves.*
2. *Utilising the information gathered, the Clerk should engage with the Diocesan Advisory Committee to establish appropriate protocols and procedures in support of a Faculty application to reuse specific identified grave spaces within the consecrated portion of Nightingale Cemetery.*
3. *The Clerk should present the outcomes of recommendations 1 and 2 above to the Committee to enable Members to determine whether an application for a Faculty should be applied for.*

*In order to support the recommendations above, Members RESOLVED to approve expenditure of up to £10,000, to be taken from the Cemeteries Ear Marked Reserves.*

Although this resolution was made in 2018, the Joint Burial Committee's work has been progressing, predominantly by mapping, digitising and ensuring accuracy of the records. Several common graves in the consecrated section have been identified for potential reuse and the graves being considered for the purpose of this report meet the following criteria:

- i. the most recent interment in the grave took place at least 100 years ago; and
- ii. there is no active Exclusive Right of Burial.

Officers are now at a point where they can advance to the next stage in the process, which would involve applying for a faculty.

### **3. Faculty – Early Consultation**

Although informal engagement had been started with previous incumbents, due to the changes in the ecclesiastical structure to form the Godalming Minster, the requirement for formal consultation has not progressed, hence the need for this report.

Effective consultation with the Rector and Diocese is a critical early step in the faculty process for the reuse of graves. Godalming Town Council should first approach the Rector of Godalming Minster to discuss the proposal in principle, ensuring that any local pastoral concerns or sensitivities are identified at the outset.

Once local support is established, Godalming Town Council should formally notify the Diocesan Registry, provide full details of the proposal and request guidance on the faculty application process.

Throughout, it is important to maintain clear records of all communications and to ensure that the views of the Rector, Parochial Church Council, and Diocese are fully considered and documented as part of the application. This collaborative approach helps to address concerns early, ensures compliance with ecclesiastical requirements, and supports a smoother faculty determination process.

Information provision and public consultation should be undertaken at an early stage in the faculty application process, before the formal application is submitted to the Diocesan Registry. This ensures transparency, respects sensitivities, and is generally required by the Church of England's faculty jurisdiction procedures. The Diocese will expect evidence that reasonable steps have been taken to inform the public. Early consultation allows concerns to be addressed and objections to be raised before the legal process is underway.

For the purpose of this report, it is proposed that the public consultation will be done at the next stage, after engagement with the Rector and Diocese has taken place.

### **4. Stages after initial consultation with the Rector and the Diocese**

- a. Public consultation
- b. Application
- c. Public Notice
- d. Diocesan Advisory Committee (DAC) Consultation
- e. Chancellor's Determination
- f. Implementation

### **5. Recommendations**

- i. The Committee notes the process and authorises Officers to commence the following:
  - a. Preliminary enquiries with the Diocese of Guildford; this should include advice on the consultation process.
  - b. Consultation with the Rector of Godalming Minster.
- ii. That a further report be brought to Committee once initial feedback from the Diocese of Guildford and the Rector of Godalming Minster is received. This will include:
  - a. A map of the plots proposed to be included in the faculty application.
  - b. Recommendations on the consultation process.
  - c. A request for approval to submit the formal faculty application.

## APPENDIX

JBC 08.11.18 – Agenda Item 9

### 9. GRAVE PLOTS AT NIGHTINGALE CEMETERY

#### **Introduction**

Burial land is a finite resource and having been opened in 1857, there are now very few inhumation<sup>1</sup> grave spaces remaining in Nightingale Cemetery. Therefore, Officers have been exploring ways of increasing availability within Nightingale Cemetery.

The current rate of burial at Nightingale Cemetery shows an average of five inhumations per annum, although a small number, the wish to be buried in Farncombe close to family connections is important to many parishioners. However, despite the fact that inhumations at Nightingale are restricted to parishioners, the cemetery now has less than 12 months' of supply. As such, Officers wish to offer Members options and possibilities for creating at least a 20-year supply at Nightingale Cemetery.

#### **Developing a Strategy**

In order for the Joint Burial Committee to be able to continue to provide parishioners the option of an inhumation at Nightingale Cemetery, it will need to either create new burial space or reuse existing burial plots within the cemetery.

Both the creation of new plots and/or the reuse of existing burial plots will be challenging. If re-use is deemed the better option, it must be approached in a considered, well-resourced way. This will involve the development of a re-use strategy, requiring careful research and investigations of the existing burial records and cemetery plans before options are able to be fully considered. Once the research and investigations of the existing records has been completed, additional surveys may have to be conducted to confirm which areas of the cemetery would be the most suitable and acceptable areas for consideration for the re-use of graves.

Re-use may be seen as contentious by some people and would need to be carefully communicated to councillors, officers and the public. Therefore, there is a need to:

- have a plan by which to formally consult with councillors, residents and officers, and other stakeholders (including funeral directors);
- have the strategy costed and budgets allocated;
- set out clearly any risks associated with adopting and moving forward with the Strategy

A Cemetery Strategy may, in turn, ensure the burial committee will be able to:

- continue to have burial capacity and thus be able to offer a service to the community;
- maintain revenue to offset costs so as to enable cemetery landholdings to be managed in the long term.

#### **Types of Burial Plots**

There are two types of burial plots in Nightingale Cemetery:

- private graves, meaning that an Exclusive Right of Burial (ERoB) was purchased;

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<sup>1</sup> the action or practice of burying the dead; the fact of being buried

- common graves, the norm for a common grave was that the cost of the interment was paid for by the estate/family of the deceased, but no ERoB was purchased, this meant that inhumations of unrelated persons could have been made in the same grave space. Although the concept was that common graves should not have memorials on them, for whatever reason this convention does not seem to have been adhered to and though less frequent than on private graves, some common graves do have a memorial stone above them. If, however, the estate/family of the deceased could not afford the interment, it was paid by the parish and these were known as:
  - paupers' graves, meaning the parish paid for the burial. It is believed that many of those buried in this type of grave were parishioners who died in the Union Workhouse at Guildford and were returned to the parish for burial. There are no memorial stones on the paupers' graves.

What is surprising, when reviewing the burial records for Nightingale Cemetery, is how very few plots are shown to have more than a single inhumation, a sample of 255 plots within the area of the cemetery with the highest concentration of paupers' graves indicates that fewer than 6% have a double inhumation. This would indicate that the custom and practice was that the default position was to prepare graves for a single burial, with the resulting effect being a very inefficient use of the available space.

### **Reclamation of Unused Grave Space**

Reclamation refers to burial into unused capacity (depth) in graves where the last interment was at least 75 years prior to the new burial. Generally this involves the cancellation of private burial rights where previously held on those graves, and removal of any memorial. Because of the limited depth over existing burials, reclamation often involves only a single new burial per grave.

- Reclamation is also used to refer to burial within private plots previously purchased in reserve where there has been no previous burial and where any rights over that plot have been extinguished.
- Reclamation is also sometimes used to refer to burial over common (public) graves where there is sufficient depth to conduct new burials without disturbance of existing remains.

### **Identifying Unused Capacity**

#### **1. Unused Capacity Within Common Graves**

As there are no exclusive rights in unpurchased graves, local authorities may use any remaining depth in them for further burials at any time. Therefore, an option exists to conduct interments atop existing interments in common graves both within the consecrated and unconsecrated areas.

There are a number of issues associated with this option, the first being whether there would be a demand for this type of grave. It is possible that parishioners would not wish to be buried atop of an unrelated stranger, no matter how long ago that person was buried. However, an alternative viewpoint is this type of burial could be a cheaper option, which could cost less than a cremation, some people may consider it a preferable choice.

The reason the cost would be significantly cheaper is because an ERoB is unlikely to be sold with this type of plot (as it would be for single use only). This being the case it would not be the norm to grant permission for a memorial to be installed

over the grave. However, an option could be provided to allow the installation of a memorial over a 'Common Grave' for a fixed period of time on the payment of a permit fee. The details of this type of permit would need to be explored further if Members were minded to consider this option.

The other, and possibly more important, consideration rests on the fact that the viability of this option is dependent upon the depth of the original interment as there is a legal requirement to ensure that all parts of the coffin, in suitable soil conditions, be covered by a minimum of 2ft of soil.

The use of this option, whilst on paper the simplest and potentially most expedient method of increasing capacity, is to a large extent, reliant upon the accuracy of the historic burial records.

## 2. Statutory Powers to Reclaim Space Remaining in Old, Unused Purchased Graves

Grave spaces may exist in Nightingale Cemetery where the ERoB, has existed for at least 75years<sup>2</sup> and not been exercised, i.e. no burials have taken place. This is likely where the exclusive rights in a grave were purchased as a means of reserving a grave for future use and for whatever reason not used. In such cases, a procedure exists for the Burial Authority to reclaim the grave plot. The relevant legislation is set out below:

The Local Authorities' Cemeteries Order 1977, Schedule 2 Part 3

1. -(1). This paragraph applies to the following rights and agreements granted or entered into by a burial authority or any predecessor of theirs at a time before 1st April 1974 and to the rights and agreements made or entered into between 31st March 1974 and 28th June 1974 which were validated by article 7 of the Local Authorities etc. (Miscellaneous Provision)(no.3) Order 1974-

- (a) all rights in respect of any grave space granted under a provision falling within paragraph 2(b) of Part 11 in perpetuity, or for a period exceeding 75 years from the date of the grant;
  - (b) any other right to place and maintain a tombstone or other memorial so granted; and

-(2). Where any rights described in paragraph 1(1)(a) or (b) have not been exercised, the burial authority may, at any time after the expiration of 75 years beginning with the first day on which any such rights were granted, serve notice on the owner of the rights of their liability to determination under this paragraph, and the rights shall determine by virtue of the notice unless, within 6 months of the date of the service, the owner notifies the authority in writing of his intention to retain them.

It should be noted that due to the changes in the layout of Nightingale Cemetery over the preceding 164 years, finding the exact location of isolated vacant graves is challenging.

## 3. Statutory Powers to Reclaim Space Remaining in Old, Used Purchased Graves

Legislation to extinguish exclusive rights granted in perpetuity, where a burial has already taken place and the grave has remaining space i.e. the grave was originally prepared for a double interment but only one has taken place and the

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<sup>2</sup> Article 10 and Schedule 2 to the Local Authorities' Cemeteries Order 1977, as amended

first interment was over 75 years ago, appears to be only applicable to London Boroughs, although further investigation could be undertaken to determine if this remains the case.

#### 4. Summary of Options 1 and 2

Option 1, whilst seemingly a simple solution, does pose difficulties due to the uncertainty of the depth of the original interments, especially on the steeper slopes within the cemetery. This in turn carries the risk of inadvertently exposing the remains of a previous burial and the resulting inability to achieve sufficient depth for a new interment and hence the cancelling of a funeral adding further distress to the bereaved.

In the case of Option 2, whilst a basic review of the cemetery plans indicate a very small number of unused plots scattered around the cemetery, recent experience has shown that there tended to be a reason for these plots not being used – either the indicated grave space not having sufficient width due to errors of measurement in preparing other graves in the same row, or the discovery of isolated seams of bargate stone, which, when discovered required a pneumatic drill and many hours of work to create a minimum depth grave space (Members may not be aware that the cemetery is in the shadow of what was a significant local stone quarry – Knoll Quarry).

It is suggested that whilst a full investigation of the cemetery records should be conducted to identify any unused capacity in plots which are recorded as having been prepared as double depth graves, the numbers available are unlikely to achieve significant additional capacity.

### **Reuse of Existing Burial Plots**

#### 5. Reuse of Graves Within the Unconsecrated Section

The disturbance of human remains within unconsecrated areas of public cemeteries requires the permission of the principal Secretary of State, which is currently unlikely to be given for the re-use of a grave space.

#### 6. Re-use of Graves Within Consecrated Areas

The general position is that buried human remains may not be disturbed without specific authority. However, *Section 25 of the Burial Act 1857 (as amended by section 2 of the Church of England (Miscellaneous Provisions) Measure 2014* allows, with permission from the appropriate Church of England Diocese, for the disturbance of remains in churchyards and other consecrated ground.

The Diocese of Southwark has published advice that there should be an expectation of reuse of graves after 75 years and the Diocese of St Albans has issued a faculty to Bishop Stortford Town Council for re-use of graves within its historic cemetery. Therefore, it would appear that the general principle of grave re-use in consecrated sections of a cemetery is established, although it is the responsibility of each Diocese to set its own guidelines and determine its own criteria. Members will wish to note that discussions with the Diocesan Advisory Committee highlighted that some permissions for re-use of grave spaces have been granted by the Diocese of Guildford, although each case is assessed on its merits.

There is much work that would need to be done before applying for a Faculty to the Diocese, including identifying existing common graves or private graves with

expired EROB, the dates of the last interment, whether a memorial stone exists, trees maintenance and establishing protocols, etc. In order to establish much of the required information, a full audit of the historic burial records for Nightingale would need to be conducted with the results being used to create an interpretive map that could be used to assess the viability and feasibility of any potential application for a Faculty from the Diocese of Guildford.

#### 7. Lift and Deepen vs Lift and Re-inter

If permission were to be given to reuse existing grave spaces within the consecrated area of the cemetery, then a protocol for the dignified handling of any existing remains and possessions discovered would have to be approved.

There are two existing methods of managing the re-use of graves, the first is 'Lift & Deepen'. This method allows for any remains and possessions discovered during the preparation of the grave to be lifted from the existing position, the grave is then dug to a greater depth than required with the discovered remains replaced in the same grave and then covered over with a minimum of 6 inches of soil. Thereafter the grave space can be used as though it was a new grave. This is a simple system with much merit in that it allows graves to be re-used without having to extensively remap the cemetery.

The second method is 'Lift and Re-inter', with this method any existing remains discovered whilst preparing the grave are removed from the grave and re-buried in a designated burial plot within the same consecrated ground, i.e. the consecrated area of Nightingale Cemetery.

#### 8. Summary of Options 4, 5 and 6

Although the House of Commons Briefing Paper No. 04060, 6 June 2017 – Reuse of Graves, shows that the availability of burial space is being kept under review, with the issue last being aired in November 2016,<sup>3</sup> the only significant changes made to the 1857 Burial Act that would allow for the re-use of existing graves relate to burials in churchyards and other consecrated ground. As such, it is the re-use of graves in the consecrated area of Nightingale Cemetery that offers the best hope for parishioners wishing to be buried in Nightingale Cemetery.

At this stage of consideration, Officers would not wish to make any recommendations as to which re-use method would be the better option, as this would, if Members were minded to explore this possibility further, form part of the required considerations with the appropriate authorities.

### **Other Options for the Creation of New Capacity**

#### 9. Use of Footpaths

At some point between 1950 and 1955, the footpaths at Nightingale Cemetery were removed and replaced with earth taken from the Binscombe area during the building of the Binscombe estate. As such, with few exceptions it is difficult to visually identify where these footpaths used to be positioned.

Utilising the historic cemetery maps and plans along with appropriate survey techniques it may be possible to identify the location of the original paths.

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<sup>3</sup> House of Commons Debate 29 November 2016 c1487

The re-establishing of some of the original paths may be needed to allow for safe access to any new burial areas that might be opened up for use following the granting of the appropriate permissions.

It is **RECOMMENDED** that a survey is undertaken to identify the location of the historic pathways in both consecrated and unconsecrated areas of the cemetery and to determine whether they can be used to create additional grave spaces or whether they would be needed to access new burial plots.

#### 10. Lodge House Garden:

One option could be to reduce the size of Nightingale Lodge garden and utilise the area not designated for the lodge as new burial ground. This has the potential of creating approx. 30 new graves.

This option is achievable although it will require planning consent for change of use from residential grounds to cemetery use and would require negotiations with the current tenant.

#### 11. Summary of Options 9 and 10

Options 9 and 10 could provide additional burial space and indeed similar works did provide some new capacity, the use of the old carriageway. However, the carriageway was a clearly defined area of sufficient width to easily accommodate the length of a grave, whereas the old pathways will be harder to identify and may not have sufficient width to allow for interments in the existing orientation i.e. facing towards Deanery Road. That said it is recommended that the use of old footpaths, especially in the unconsecrated section of the cemetery is fully explored.

### **Commonwealth War Graves**

Graves that contain a Commonwealth war burial should not be included in any re-use scheme.

This covers both those graves owned by the Commission on which a standard pattern headstone has been erected and those private graves, owned by the relatives of the deceased war casualty, where a war burial has taken place. The Commission holds records for the latter graves that will assist in identifying their locations within any cemetery.

Notwithstanding the requirements contained in law for the Commission, i.e. the need to serve a notice on the Commission before undertaking any works on a war grave, and its right to object, it is advisable to inform the Commission that all graves containing a war burial will be specifically excluded from any potential scheme.

### **Church of England Faculty**

Having identified and detailed the potential area(s) that might create new burial capacity within Nightingale Cemetery, the Joint Burial Committee would need to work with the Diocesan Advisory Committee to submit an application for a Church of England Faculty to gain the required permissions and authorisations.

A Faculty is a species of licence or permission required under Church law for any substantive alterations to church fabric. Faculty approval is required for all works, alterations and additions to parish churches and churchyards, and is also required for any substantial alteration to consecrated land within a municipal cemetery.

Faculty is also required for the re-use or reclamation of graves in consecrated ground. Faculty secures permission to undertake the action stated on the Faculty application, and cannot be taken as blanket approval to apply a particular procedure. So, for example, Faculty to re-use a particular section within a consecrated portion of the cemetery cannot be taken as permission to re-use all graves within the consecrated portion.

Faculty does not override parliamentary statute (or vica versa); s25 of the Burial Act 1857, rather it allows for the removal of remains from one consecrated place of burial to another.

Other operations as relevant to re-use/reclamation may also require permission from the diocesan authorities. Depending on their scope, nature or extent, such operations might include:

- Trial pits and intrusive site investigations.
- Development of new infrastructure such as paths and carriageways
- Development of new burial layouts.
- Development of new forms of memorialisation.

It is therefore essential to maintain good contact with the Diocese throughout the process of planning for re-use and to seek advice on the necessity for any Faculty permission.

Good practice in the matter of applications for any Faculty indicates that full information should be provided, since permission will be granted only to undertake the procedures clearly specified in the application.

The applications should include the following:

- The address of the site, and its date of opening,
- A justification for the intention to introduce re--use, including the estimated capacity of the cemetery,
- A site map with the consecrated sections clearly indicated, and the areas for intended re-use highlighted,
- Indicative photographs of the proposed section,
- A date range for the burials where re-use is intended.
- Summary of public notification strategy and planned consultation exercises with clergy, funeral directors and the public,
- A summary statement of your memorial strategy,
- A clear statement of the intent to reinter remains in consecrated ground,
- Copy of the re-use protocol.

The diocese may grant Faculty unconditionally, or require that certain conditions be met.

The provision of full information at the outset gives diocesan authorities confidence that re-use will take place in a legal, ethical and fully transparent manner. The types of requirement the diocese may specify include a set notification procedure or it may require that only graves of a certain age be included in the re-use programme.

The principles of local Faculty notifications follow the need to ensure sufficient time for the lodging of objections, and the placement of notices at the areas due to be affected by the Faculty application.

The Church regards the respectful and dignified treatment of human remains as paramount, and would require applications for Faculty to re-use graves to demonstrate due sensitivity.

### **Sensitivity**

Adverse publicity may occur often as a result of misinformation or misinterpretation. There may be a general view that the introduction of re-use is disrespectful. As such, it is important that an open and transparent process should include bringing the media (both traditional printed and social media) early into the information process, ensuring they are provided with all the appropriate facts. At the early stages the key fact being that;

- Godalming Joint Burial Committee, on behalf of Godalming Town Council and Busbridge Parish Council, does have the power to provide new burial land, but does not have statutory duty to do so.
- With options for potential new burial sites constrained by both availability and affordability, the burial committee has an obligation to manage its existing cemeteries to the best of its ability so as to continue to provide the option for burial in Godalming for as long as possible.
- The Godalming Joint Burial Committee understands that some people may never like the concept of re-use, in the same way that some people will never like the idea of cremation. These are personal preferences and the choice of whether to accept a previously used grave is also a personal choice.
- Whilst currently less common in the consecrated areas of public cemeteries, the re-use of graves in the consecrated churchyards of the Church of England is an established process.

### **Administration**

Although Godalming Town Council provides the day to day operational support for the Joint Burial Committee, the degree of research and investigation needed for an application for a Faculty will require the Joint Burial Committee to provide supplementary project resource. As custodians of the burial records, Godalming Town Council has the burial registers, records of purchased graves, records of issue of deeds of EROB and cemetery plans for Nightingale Cemetery from 1857. As Members might appreciate, many of the original records are both delicate and irreplaceable and as such any research requiring access to the original burial records must be conducted with care and due regard for the continued preservation of the records.

Whilst at this stage the cost associated with conducting the required research and investigations in order to work up an appropriate Faculty application is unknown, any monies expended in the creation of additional burial space should be viewed as a 'spend to save' investment. Figure 1 provides an indication of the general process requirements to be in a position to create new capacity within Nightingale Cemetery.

### **Recommendation**

2. Members to resolve to agree that the Clerk should engage the services of a suitable organisation to investigate the Nightingale Cemetery burial records to determine:
  - a. The location of private and common graves indicating on a plan of suitable scale:
    - i. the common graves within the consecrated portion of the cemetery;
    - ii. grave spaces with interments less than 75 years of age;

- iii. Private graves where the ERoB is older than 75 years and has not been exercised
  - iv. the presence of memorials on identified graves;
  - v. the presence of trees and significant shrubs over identified graves; and
  - vi. Graves of national or local significance, including Commonwealth War Grave Commission graves.
3. Members to resolve to agree that utilising the information gathered the Clerk should engage with the Diocesan Advisory Committee to establish appropriate protocols and procedures in support of a Faculty application to reuse specific identified grave spaces within the consecrated portion of Nightingale Cemetery.
4. Members to resolve to agree that the Clerk should present the outcomes of recommendations 1 and 2 above in order for the Godalming Joint Burial Committee to determine whether an application for a Faculty should be applied for.
5. Members to resolve to approve expenditure of up to £10,000, to be taken from the EMR Cemeteries, which currently stands at £58,883.

## General Process Requirements

<b>Audit &amp; Plan Ahead</b>		
Audit available space – by type of grave and cemetery area.i.e consecrated unconsecrated	Consider data projections for burial demand	
Start to plan ahead with estimated timescales, consider resource and staffing implications.		
<b>Consider Diocesan Matters</b>		
Confirm consecrated areas, initiate discussions with Diocese	Initiate Faculty application for advance work if required.	
<b>Research for General Cemetery Strategy</b>		
<i>Map out key Characteristics</i>	<i>Below ground assessment: Available Depth</i>	<i>Above ground assessment</i>
Map: Age/type (lawn/kerb)/ Consecrated/Purchased & Common/War Grave/Cremated Remains/Memorial etc	Review registers for recorded depths of last burials	Check and listed bldg. / funerary monuments.
	Conduct site investigations: rodding and or trials digs	Check TPO status/ Wooded Hillside Policies
<b>Age Structure</b>	Correlate records against site investigations. Characterise depth available	<i>Practical constraints</i>
Conduct general review of records		Size of plots, ability to accurately identify plots
Check existing electronic records and digital filtering/sorting and/or sampling sufficient for requirement	Check/confirm on general ground conditions (trial dig)	
Understand age structure of Common/purchased sections		
<b>Consultations &amp; Communications</b>		
Initiate dialogue with Funeral Directors, faith groups, and other stakeholders.		
Develop and follow formal consultation programme, including stakeholder and residents		
<b>Develop and Adopt General Cemetery Strategy</b>		
Identify potential for developing burial capacity on a section by section, year by year approach.		
Map out on a section by section basis short mid and long term	Identify risks and opportunities. Develop an outline 'Cost Plan'	Consult upon Strategy, Scrutiny (including legal) Formally adopt
<b>Conservation Management Planning</b>		
Desktop review/ registers/archives	Assessment of amenity use	Habitat survey
	Review maintenance practices	Protected Species Survey
		General tree survey
Cultural significant research	Condition and specialist surveys if required	Review of tree management
Monument/architectural surveys	Statement of Significance	
Assess risks & opportunities	CMP aims & objectives	
Set out Management Prescriptions Action Plan		
<b>Prepare for Re-Use</b>		
Set up Admin Process/Records Check/Compile List of Graves Affected/Commence Extinguishing of Rights (Notifications) /Record Monuments/Prepare new Burial Records/Plan Infrastructure/Train Operatives/Prepare Info for FD's & Masons/Initiate & Adopt any new Rules and Regulations/Agree Code for memorials etc		
Notification Periods		
Re-Use		

Figure 1.

## GODALMING TOWN COUNCIL

Disclosure by a Member<sup>1</sup> of a disclosable pecuniary interest or other registerable interest (non-pecuniary interest) in a matter under consideration at a meeting (S.31 (4) Localism Act 2011 and the adopted Godalming Members' Code of Conduct).

As required by the Localism Act 2011 and the adopted Godalming Members' Code of Conduct, **I HEREBY DISCLOSE**, for the information of the authority that I have [a disclosable pecuniary interest]<sup>2</sup> [a registerable interest (non-pecuniary interest)]<sup>3</sup> in the following matter:-

**COMMITTEE:**

**DATE:**

**NAME OF COUNCILLOR:** \_\_\_\_\_

Please use the form below to state in which agenda items you have an interest.

Agenda No.	Subject	Disclosable Pecuniary Interests	Other Registerable Interests (Non-Pecuniary Interests)	Reason

**Signed** \_\_\_\_\_

**Dated** \_\_\_\_\_

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<sup>1</sup> "Member" includes co-opted member, member of a committee, joint committee or sub-committee

<sup>2</sup> A disclosable pecuniary interest is defined by the Relevant Authorities (Disclosable Pecuniary Interests) regulations 2012/1464 and relate to employment, office, trade, profession or vocation, sponsorship, contracts, beneficial interests in land, licences to occupy land, corporate tenancies and securities

<sup>3</sup> A registerable interest (non-pecuniary interest) is defined by Section 9 of the Godalming Members' Code of Conduct.