



PCC
St Peter's Church
Church Hill,
Kinver,
DY7 6HX

Please ask for: David Campbell
Direct Dial: 01902 696115
Email: d.campbell@sstaffs.gov.uk

FAO: PCC Secretary

26 February 2018

Dear Sirs

St Peter's Churchyard

I act on behalf of the Council's Environmental Services team.

You will be aware that the church owns the above parcel of land.

The PCC originally served notice under s.215 of the Local Government Act 1972 on Kinver Parish Council asking them to take on responsibility for future maintenance. The parish council declined to take on responsibility meaning that the duty passed to the district council.

Prior to the transfer of responsibility the PCC were under a legal duty to maintain the churchyard by "keeping it in decent order and its walls and fences in good repair".

The District Council took on responsibility in or around April 2017.

The District Council have since inspected the churchyard. It is the view of the district council that the churchyard (pre- transfer) was not maintained to a reasonable standard as works are now necessary to bring the churchyard (trees within it and the War Memorial and Lichgate walls) up to an acceptable standard. I attach copies of quotations that set out what needs to be done.

The District Council has accepted the legal position but should not be required to pay for works which were required when responsibility (and the legal duty to maintain) rested with the PCC.

As such the District Council would require the PCC to either pay for the works required or to agree to reimburse the district council after works have been undertaken and paid for.



Might I suggest that a representative of the PCC meets with an officer from environmental services, on site, to discuss this matter?

I look forward to hearing from you.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'D. Campbell', written in a cursive style.

David Campbell
Solicitor

M Power & Sons Ltd

(Stonemasons)

109 Reservoir Rd

Solihull

B92 8AW

T: 0121 707 0746

M: 07710 134830

E: info@mpowerandsons.co.uk

Vat Reg: 167 9508 63

Client:

Andy Cousins

SSC

Project

St Peters Church

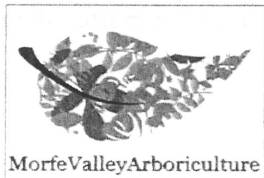
Kinver

No: 099

Date: 08-1-2018

Quotation

Item	Description	Quantity	Unit Price	Amount
	3.0 WEST BOUNDARY WALL			
1	Drill and insert plastic covers for weep holes 2.5 m apart along the wall	20	£20.00	£400
	War Memorial Wall			
2	Cut out joints and repoint in lime mortar 4.2 m2	4.2	£80.00	£336
3	Replace deteriorated stone with similar sandstone 4 no	4	£120.00	£480
	Lichgate			
4	Cut out joints and repoint in lime mortar 40 m2	40	£80.00	£3,200
5	Replace deteriorated stone with similar sandstone 30 no	30	£120.00	£3,600
6	Stitch and repair corner to Lichgate wall to include repointing in lime mortar	1	£640.00	£640
	Carpark to Lichgate			
7	Cut out joints and repoint in lime mortar 3 m2	3	£80.00	£240
8	Cut out joints and repoint in lime mortar 2 m2	2	£80.00	£160
	Sub Total			£8,656
	Vat@20%			£1,731.20
	Total Amount			£10,387.20



Morfe Valley Arboriculture

Arboricultural Services.

8 Letchmere Lane
Pattingham
Wolverhampton
WV67AH

Our Ref: MV/3/2017/05.
Date: 15th May 2017

Dear Mr Taylor

RE: Tree Works – St Peter Church, Kinver, South Staffordshire.

Quotation for: Arboricultural Works.

1. T1 Ash, re-coppice and manage as coppice on a cyclical basis.
2. T9 – 18 remove epicormical growth and re-inspect to allow detailed inspection (**included in this quotation**) of basal area of each tree.
3. T11 Lime crown reduce/pollard to a height of approximately 14m.
4. T15 Lime reduce competing leader over grave yard side by up to 5m back to suitable growth points.

Total Costs: £1195.00 no VAT (not registered).

Tel: 01902 701057/07870 602501

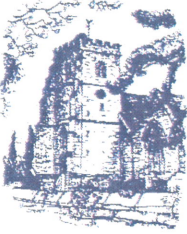
Email: Trees@morfevalley.com

WWW.Morfevalley.com

Morfe Valley Arboricultural and Grounds Services

Insured:
£1 million Professional Indemnity.
£5 million Public Liability.

All Works Conform to BS3998:2010 "Tree Work Recommendations"



THE PARISH CHURCH OF ST PETER, KINVER

May 14th 2018

File.

Dear Mr Campbell

Section 215 of the Local Government Act 1972

Churchyard at St Peter's, Kinver

Thank you for your letter dated 26th February marked for the attention of the PCC Secretary.

The Section 215 notice that we served on you accurately described the condition of our churchyard as "fair" and I would strongly dispute that it has not been "maintained to a reasonable standard". Before serving you with the notice (and within the preceding eighteen months), we undertook repairs to the Lych Gate, to a collapsed burial vault and indeed to a section of the wall abutting that referred to in your stonemasons' report.

We have already agreed that the Faculty application for memorial testing in respect of all the churchyards in your care can be made in our name. I would be most happy to supply you with the name of the local builder who repaired the section of wall referred to above in an exemplary manner.

We want to continue to assist you in discharging your maintenance responsibilities under Section 215 and would welcome a site meeting with your Environmental Services colleagues to discuss what practical assistance, if any, we can give them in addition to that which has already been supplied.

This maintenance liability for this closed churchyard has been correctly passed to you and the costs associated with it must therefore rest with South Staffordshire Council.

Yours Sincerely,

Karen J. Stanton

Rev'd Karen J. Stanton
Rector of Kinver and Enville



REV'D KAREN J STANTON, THE RECTORY, VICARAGE DRIVE, KINVER. SOUTH STAFFORDSHIRE DY7 6HJ 01384 872556