

READING BOROUGH COUNCIL  
REPORT BY MANAGING DIRECTOR

TO:	HOUSING, NEIGHBOURHOODS & LEISURE COMMITTEE		
DATE:	15 MARCH 2017	AGENDA ITEM:	13
TITLE:	READING OLD CEMETERY GATE		
LEAD COUNCILLOR:	PAUL GITTINGS/ LIZ TERRY	PORTFOLIO:	CULTURE, SPORT & CONSUMER SERVICES/ NEIGHBOURHOODS
SERVICE:	CEMETERIES	WARDS:	PARK
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**1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 This report is responding to a petition, which was submitted to the Housing, Neighbourhoods and Leisure Committee on 18 March 2015 (Minute 21 refers) about opening the access gate on the Wokingham Road to Reading Old Cemetery to allow local residents the opportunity to walk through the cemetery.
- 1.2 Appended to the report is a plan of the cemetery showing two possible options to upgrade the footpaths within the Old Reading Cemetery to comply with the requirements of the Disability Discrimination Act and enable the Cemetery to be open for general public use.

**2. RECOMMENDED ACTION**

- 2.1 That, having taken into consideration the petition to open the access gate on the Wokingham Road to Reading Old Cemetery to allow local residents the opportunity to walk through the cemetery, the request be declined and the access gate on the Wokingham Road remain closed for the reasons specified in Section 4 of the report.

**3. POLICY CONTEXT**

- 3.1 This paper is a report back on a request contained within a petition that was considered at the Housing, Neighbourhoods and Leisure Committee on 18 March 2015 in the following terms:

## Open the access gate on Wokingham Road to Reading Cemetery at Cemetery Junction to give local residents the choice to walk through this green space

"We feel that increased access to this green space would be beneficial for the wellbeing of East Reading residents and provides a safer and more pleasant route than the busy A329 when walking to Palmer Park.

We appreciate that the following concerns may be raised:

- Disruption/ escape of the muntjac deer in the cemetery;
- Concerns from St Batholomews Road residents.

The cemetery arch is open all day and as far as I am aware the deer do not run out into the road although they can be seen grazing quite close to it. The cemetery is a wide space and we do not anticipate vast numbers using this route.

The residents have voiced concerns that burglary rates will increase if the access gate is open in the day between 8am to 8pm (currently there is a security firm who close the front gates, we would suggest that they simply closed and opened the side gate also) this would incur minimum costs to the Council. Also although we do not have the exact figures for burglary rates for when the gate was opened historically we proposed that a trial period be arranged as now that burglary rates are generally lower in the area (Thames Valley Policy crime statistics 2014) this may alleviate residents' concerns. Moreover generally better access to the cemetery by local people will hopefully discourage anti-social behaviour and the fact that the cemetery arch now houses a police station should also help.

Some clearing work (branches/grass etc) may be needed around the area of the access gate which we would propose to get a group of volunteers to help us with."

3.2 The then Chair of the Committee, Councillor Hacker, responded to the petition as follows:

Officers are looking at a number of options. There are a number of considerations to be made which include:

- the financial implications for any changes;
- collaboration with the police;
- and a public and grave owner consultation.

Following this exercise a report will be presented to a future HNL committee.

## 4. THE PROPOSAL

### 4.1 Current Position:

Officers have looked into a number of options all which require a financial commitment given the state of the footpaths. There are also a number of

considerations to be made when implementing either of the options listed below.

### **Improvement Works Needed**

- 4.1.1 The work has identified the following possible options, all of which require compliance with Disability Discrimination Act (DDA) regulations ensuring wheelchairs and prams access.
- 4.1.2 **Option A (Area one & two on Appendix 1):** Upgrade the central driveway leading to the rear boundary then across to the rear gates. This will necessitate removing large branches from a huge conifer which is almost in the middle of the path.
- 4.1.3 **Option B (Area three & four on Appendix 1):** Upgrade the footpath on the southern side of the cemetery parallel to Wokingham Road. It is worth noting that due to the proximity of graves to the footpath, Option B will be difficult to implement. However, should Option A be implemented exclusively, the route outlined in Option B will still be accessible to locals who may choose to use it despite its state of disrepair. This will therefore increase the council's liability exposure should an accident occur.
- 4.1.4 In order to facilitate the opening of the rear gates to the Cemetery it will require a range of remedial work and investment into the site.

### **4.2 Option Proposed**

- 4.2.1 It is recommended that the Reading Old Cemetery Gate should remain closed.

### **4.3 Other Options Considered**

- 4.3.1 As part of the investigation into the request to open the Cemetery gates it should be noted that Thames Valley Police no longer have a presence at Reading Old. This is of concern as there is evidence of anti-social behaviour at the Cemetery and access via the rear gates may offer further opportunities for anti-social behaviour in the more secluded parts of the Cemetery.
- 4.3.2 DDA compliance stipulates paths widths of least 1m, and a maximum gradient of 1:20. The 1m minimum width requirement would present a challenge in a small section (Option B on attached map) of the cemetery given the proximity of graves to paths.
- 4.3.3 While some people find turning closed cemeteries and churchyards into public amenity land acceptable, others do not. They continue to feel that a cemetery will always be a 'sacred' place of some kind, even if they are agnostic or without any religious belief at all.'
- 4.3.4 There would be an increased risk of losing the herd of Muntjac at the Cemetery.

4.3.5 While the Cemetery itself may be publicly owned and accessible, the individual plots and monuments remain in private hands and their views on the proposal to open the access gate should be sought.

4.3.6 At the last HNL, it was suggested that a public consultation be undertaken. In view of the findings of this report, particularly the DDA requirement and the associated financial costs, a public consultation is not appropriate.

## **5. CONTRIBUTION TO STRATEGIC AIMS**

5.1 The action described in the report not to open the Reading Old Cemetery Gate is consistent with the Corporate Priority to remain financially sustainable to deliver the Council's service priorities.

## **6. COMMUNITY ENGAGEMENT AND INFORMATION**

6.1 The Council encourages the submission of petitions and has carried out an investigation into this request to open the Reading Old Cemetery Gate, which has resulted in a report being submitted to a public meeting for consideration by Councillors.

## **7. EQUALITY IMPACT ASSESSMENT**

7.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 As the report is recommending no change to current practice it is not considered that an Equality Impact Assessment (EIA) is relevant to the decision. However, if the decision were to open the gate an EIA would need to be undertaken to address the issues highlighted regarding compliance with the DDA.

## **8. LEGAL IMPLICATIONS**

8.1 The Council does not have a legal duty to open the access gate to Reading Old Cemetery Gate to allow the general public unrestricted access to the Cemetery. However, if the decision were taken to open the gate, the Council would be responsible for ensuring compliance with the DDA regarding access to the Cemetery and any other relevant legislation.

## **9. FINANCIAL IMPLICATIONS**

9.1 The financial implications of opening the Reading Old Cemetery Gate and undertaking the necessary works to upgrade the footpaths and undertake appropriate ground maintenance are set out in the table below:

Activity	Cost	Frequency
<b>Option A</b> Repair of main drive & Footpath - with DDA compliance	£24k	N/A
<b>Option B</b> Repair of footpaths to comply with DDA	19K	N/A
Increase in annual Grounds maintenance	3k	Annual cost
Cutting back foliage to reduce dark corners	2.5k (or undertaken by volunteers)	Annual Cost
Daily opening and closing of rear gate	4.5k	Annual cost
<b>Total for options A, B &amp; annual costs</b>	<b>£53.5k</b>	

9.2 There is no financial provision in the Budget to carry out the works set out above.

## 10. BACKGROUND PAPERS

10.1 None

## 11. Appendix

11.1 Map of Reading Old Cemetery

Appendix 1 - Map of Reading Old Cemetery with options annotated.

