



**Anston Parish Council Meeting – 17<sup>th</sup> June 2019**

**Agenda Item 9(c) – Lychgate at St James' Church**

**Background**

At St James' Church in South Anston there is a memorial gatehouse (Lychgate) which was erected in 1920 as a war memorial to those men of the parish who died, and who served, in the First World War. The gatehouse sits within the curtilage of the churchyard for which, since it is formally a 'closed churchyard', Rotherham Metropolitan Borough Council have the maintenance responsibility.

According to the history of Anston booklet written by Pem Stratford in 1976 and republished in 2003 the Lychgate cost £1,000 and was opened in 1920 by Mrs Wright of Anston Hall. Indeed, one resident has informed me that Mrs Wright may have paid for the gatehouse herself. In addition, the booklet features a picture from 1935 of a group of people standing outside the Lychgate at the opening of the 'garden of remembrance', the location of which I have yet to identify.

However according to our asset register, upon which the Lychgate is listed, it was paid for by public subscription and the survey report of the condition of the Lychgate commissioned by the Parish Council in 2013 states that the Parish Council paid £1,000 for its construction. I have still to find any evidence that that was in fact the case as when I looked at the historic minute books of the Council from the time in question, held in the Rotherham Archives, I could find no reference at all to the Lychgate. Had the Parish Council been involved in its purchase and erection then I would have expected to have found a reference to it in the minute books. Since they are handwritten minutes it is though possible that I have overlooked something.

The Lychgate is valued at £81,249 in our asset register and it is also insured by the Parish Council. I am not aware that any of the remedial works identified by the 2013 survey as being required to the Lychgate have been carried out. The cost of those repairs was assessed as being £24,019 + VAT in 2013.

According to guidance from Historic England, the War Memorials Trust and war memorials were often paid for by public subscription and the committees that organised their construction were disbanded on completion of the works. This means that it is often difficult to establish ownership and it is not always possible to identify who has responsibility for maintenance. From past work in the parish and town council sector I know this to be the case.

For some memorials, formal transfer of ownership took place but, in many cases, the local community, church or local council assumed responsibility for the upkeep. In order to clarify the issue of responsibility, The War Memorials (Local Authorities'

Powers) Act 1923 empowered local authorities (including parish councils) to use public money for the maintenance, protection and repair of war memorials. This may explain why the Lychgate has come to be listed on our asset register and to be insured by the Parish Council even though we may not be the owner of it.

I also understand that, whether a private or public memorial, a war memorial remains in the ownership of the individual or organisation which erected it, or the heirs or successors of that individual or organisation. From previous experience involving war memorials I understand that in the absence of any other evidence the most likely owner of a war memorial is the person on whose land the memorial is situated.

That fact that a faculty would be required from the Diocese of Sheffield to carry out any repairs to the Lychgate has no bearing on the issue of ownership. Since the churchyard is a 'closed churchyard' and having spoken with the current Vicar, the Reverend Jon Hidden, we are both of the opinion that maintenance of the Lychgate falls to Rotherham Metropolitan Borough Council.

Any lack of certainty about the ownership and maintenance responsibilities relating to the Lychgate should not obscure the fact that the fabric of the war memorial is degrading and requires restoration.

### **Recommendations**

That the Parish Council liaises with the Parochial Church Council and Rotherham Metropolitan Borough Council to agree a shared understanding of who is the most likely owned owner of the Lychgate war memorial and who has the maintenance responsibility.

That once that understanding is clear the Parish Council considers what, if any, financial contribution it wishes to make to the restoration of the war memorial and whether it continues to insure it and list it on its asset register.

Chris Pilkington  
Clerk to Anston Parish Council  
16<sup>th</sup> June 2019