

| <b>Community Committee Meeting</b> |  |
|------------------------------------|--|
| <b>Meeting Date</b>                | 7 September 2022   |
| <b>Report Title</b>                | Rebuild and Repairs to Churchyard Wall at St Peter and St Paul's Church, Lynsted   |
| <b>EMT Lead</b>                    | Emma Wiggins, Director of Regeneration & Neighbourhoods  |
| <b>Head of Service</b>             | Martyn Cassell, Head of Environment & Leisure  |
| <b>Lead Officer</b>                | Jay Jenkins, Leisure Services Manager<br>Trevor Wentworth, Special Projects Surveyor   |
| <b>Classification</b>              | <b>Open</b>  |
| <b>Recommendations</b>             | <ol style="list-style-type: none"> <li>1. Agree to the repair of the collapsed section of wall and the commencement of tender proceedings for option 2 (subject to receipt of KCC approval) or option 1 (if KCC approval is not received).</li> <li>2. To undertake the additional works to repair the braced section, bulging section and general repairs.</li> <li>3. To add a sum of £120,000 to the capital programme funded from capital receipts.</li> <li>4. To delegate authority for the Head of Environment and Leisure in consultation with the Director of Resources to award the contract if above £100k but within the budget allocation.</li> </ol> |

## **1 Purpose of Report and Executive Summary**

- 1.1 This report documents the issues resulting from a collapse of the churchyard wall at St Peter and St Paul church in Lynsted and proposes solutions to repair.
- 1.2 As the cost of any repair work to the church wall falls outside of allocated budgets, additional funding is required for this work to be undertaken.

## **2 Background**

- 2.1 A section of the wall in this churchyard collapsed onto the road in January 2021. The old stone wall acts as a retaining wall between the higher level of the churchyard and the adjacent highway. A combination of vegetation growth, wet weather, rolling traffic and constant pressure over many years is likely to have caused the failure of the wall. There are also anecdotal reports that this section of the wall was possibly impacted by a vehicle shortly before the collapse.
- 2.2 Lynsted churchyard is one of the 'closed churchyards' under the Council's responsibility. Where a Church of England churchyard is closed to further burials in accordance with an Order in Council under the Burial Act 1853, responsibility for maintenance may, at the request of the Church, be transferred to the relevant local authority (Parish Council first and

then Borough Council). The transfer is compulsory, not dependent on the condition of the churchyard in question, and not dependent on the local authority's ability to meet the additional maintenance costs.

- 2.3 Following the collapse, a contractor cleaned the debris from the road and made the wall temporarily safe. Re-useable material including flints has been stored in the churchyard. A structural engineer was appointed to design a temporary structure that would prevent the wall from further collapse which was provided in the form of 1 tonne bags of gravel stacked in front of the battered back soil. This work was complete on 4<sup>th</sup> February 2021.

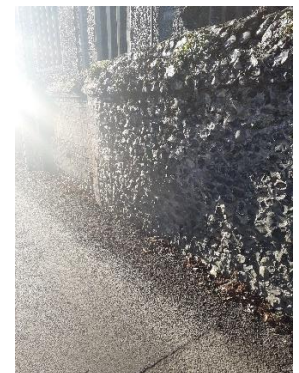


- 2.4 The structural engineer was asked to design a permanent wall solution which was then submitted for approval by KCC Highways. This was received on 6<sup>th</sup> September 2021 following several requests for changes to the design and clarifications. The approved design comprises a mass concrete retaining wall which is dressed in re-used flints to match the existing wall.

- 2.5 Some further visits were undertaken to inspect the wall with conservation colleagues and independent stonemasons where it became evident that other areas of the wall needed attention, namely a section of wall that has been braced with timber for several years and another section that is protruding, suggesting that it is under strain and potentially prone to collapse (see images below).



Braced section



Protruding section

- 2.6 It also became clear that there are multiple repairs necessary along the length of the wall, which will cause it to fall into further disrepair if not attended to. This includes loose masonry, large pieces of capping which can be lifted off and splits in the core, which rainwater freely

drains into. Previous repairs have been carried out with cement instead of lime mortar, causing further cracking and movement.

- 2.7 Stone masons have raised the option of rebuilding the collapsed wall using traditional construction, as the original wall. KCC Highways, however, favour the concrete retaining wall option, even though the traditional construction might not need a complete road closure, whereas the concrete wall option would. Closure of the highway requires 3 months' notice to KCC Highways, and the road is busy, also being a bus route. There is however a risk that KCC may not approve the traditional construction method.
- 2.8 Due to the length of time of the project, we have revisited with contractors and KCC to agree a revised fencing structure that has released more of the road space for use by vehicles. See image below;



- 2.9 The following costs have been incurred to date from the existing budget.

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|--|----------------|
| Clearing the road following wall collapse and temporary stabilisation solution | £5,000         |
| Engineer's fees  | £2,132         |
| KCC Highways fees  | £5,000         |
| Hire of barriers (ongoing), estimate: -  | £1,000         |
| Revised fencing structure  | £3,000         |
| <b>Total:</b>  | <b>£16,132</b> |

- 2.10 It is clear that the collapsed wall needs to be rebuilt. We believe there are two options 1) a concrete retaining wall and 2) traditional build method.

### 3 Proposals

3.1 The potential costs for the works to the wall for both options can be summarised as follows: -

| Work Item   | Estimated costs<br>OPTION 1 | Estimated costs<br>OPTION 2 |
|---|-----------------------------|-----------------------------|
| Collapsed wall repair   | £60,000                     | £80,000                     |
| Removal of vegetation and repointing/stabilising braced section | £25,000                     |                             |
| Dismantle and rebuild protruding section                        | £20,000                     |                             |
| Allow for contingency   | £10,000                     | £10,000                     |
| KCC design fees   | n/a                         | £4,000                      |
| KCC fee for road closure  | £500                        | £500                        |
| Traffic Management  | £4,500                      | £4,500                      |
| <b>Total:</b>   | <b>£120,000</b>             | <b>£99,000</b>              |

3.2 We therefore recommend that the Committee;

- Agree to the repair of the collapsed section of wall and the commencement of tender proceedings for option 2 (subject to receipt of KCC approval) or option 1 (if KCC approval is not received).
- To undertake the additional works to repair the braced section, bulging section and general repairs.
- To add a sum of £120,000 to the capital programme funded from capital receipts.
- To delegate authority for the Head of Environment and Leisure in consultation with the Director of Resources to award the contract if above £100k but within budget allocation.

### 4 Alternative Options

4.1 We could progress quicker with option 1 given the design stage is agreed. Although KCC have expressed reservations about alternative methods of construction, a traditionally built wall is favoured by conservation officers, Members, and the stonemasons themselves. The traditional built wall has been in situ for many years and therefore provides as good an option as the concrete retaining wall and stonemasons feel that the design might even hinder the flow of rainwater along the run of the wall. The traditional build method is

estimated to be more cost effective as well. There is of course however a risk that KCC do not approve the traditional method.

- 4.2 A further option would be to leave the temporary solution in-situ. This is not deemed acceptable as the church, Parish Council and KCC highways are expecting a permanent solution.

## 5 Consultation Undertaken or Proposed

- 5.1 Since the collapse of the wall, we have been liaising with church personnel to apply for the necessary church permissions to get the relevant faculty approval. This has been a long process, but headway has been achieved in recent weeks and the faculty approval can run alongside the tender period. There has also been close communication with KCC regarding the approval of the design and the necessary road closure.
- 5.2 Procurement colleagues have also been kept up to date and tender documents are currently in final draft stage.
- 5.3 We have recently received a letter, dated 7 June, from Lynsted Parish Council stating that the Councillors of Lynsted with Kingsdown Parish Council find it totally unacceptable that we are no further forward some 18 months after the initial collapse. We have responded setting out the above position.

## 6 Implications

| Issue                            | Implications  |
|----------------------------------|---|
| Corporate Plan                   | This supports the Council's objective to 'Recognise and support our local heritage to give people pride in the place they live'.  |
| Financial, Resource and Property | <p>Costs identified in this document are deemed to be necessary expenditure to reduce risk of further collapse and disrepair of the wall. The expenditure would be an investment against future repair costs, The rebuilding of the collapsed wall is paramount.</p> <ul style="list-style-type: none"> <li>• Option 1 - KCC preferred method at approx. <b>£120,000</b> with all additional works</li> <li>• Option 2 – Conservation Officers &amp; Stonemasons' preference at approx. <b>£99,000</b> with all additional works.</li> </ul> <p>2022/2023 budgets relating to closed churchyards;</p> <ul style="list-style-type: none"> <li>• The annual Revenue budget of <b>£32,000</b> is currently overspent/committed by £12,000 undertaking priority 1 and 2 works in other churchyards.</li> <li>• The Closed Church Yard and War memorials reserve of <b>£25,758</b> - will be drawn down to cover the above overspend and remainder has been provisionally allocated to the remaining priority 2 works from the condition surveys.</li> </ul> |

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|  | <ul style="list-style-type: none"> <li>Therefore, a request has been made to add the sum of £120,000 to the capital programme funded by capital receipts.</li> </ul>   |
| Legal, Statutory and Procurement                             | Tender and procurement documents are drafted and ready to issue upon receiving funding approval. Any commissioned work will follow the Council's Contract standing orders but delegated authority is requested above to award the contract to try and speed up the repair process. |
| Crime and Disorder   | None identified at this stage  |
| Environment and Climate/Ecological Emergency                 | None identified at this stage  |
| Health and Wellbeing   | None identified at this stage  |
| Safeguarding of Children, Young People and Vulnerable Adults | None identified at this stage  |
| Risk Management and Health and Safety                        | The current temporary solution for the collapsed wall presents H&S risks in terms of traffic travelling on a reduced width highway (albeit vastly improved with the most recent changes), and the bulging wall is in danger of collapse.   |
| Equality and Diversity                                       | None identified at this stage  |
| Privacy and Data Protection                                  | None identified at this stage  |

## **7 Appendices**

7.1 Not used

## **8 Background Papers**

8.1 Not used.