

STOURBRIDGE AREA COMMITTEE – 5TH SEPTEMBER 2007

REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT

**LYE & WOLLESCOTE CEMETERY CHAPEL – RESULTS OF THE
OPTIONS APPRAISAL AND PUBLIC CONSULTATION EXERCISE**

Purpose of Report

1. To provide Committee with:-
 - the results of the Options Appraisal undertaken on Lye and Wollescote Cemetery Chapel
 - the results of the public consultation exercise undertaken in respect of the Draft Options Appraisal.
 - the results of the consultation with the Diocese of Worcester and with other external organizations.
 - a consideration of future actions required to move the project forward.

Background

2. At the meeting of this Committee on 13th February 2006 the Director of the Urban Environment was endorsed to work in partnership with the West Midlands Historic Buildings Trust (WMHBT) to accept the financial assistance of the Architectural Heritage Fund (AHF) in order that an Options Appraisal could be undertaken on Lye & Wollescote Cemetery Chapel. The purpose of an Options Appraisal is to properly appraise the different options available for the future use of the building
3. Specialist ecclesiastical building conservation architects Brownhill Hayward and Brown carried out the Options Appraisal. They were commissioned to explore possible future options for the buildings, to consult the public on those options, recommend the most beneficial option and establish the likely viability of the project.
4. This report provides the Committee with the results of the Options Appraisal alongside results of the consultation undertaken on the Options Appraisal with the public, the Diocese of Worcester and external organizations.

Options Appraisal

5. The Options Appraisal included an assessment of the existing condition of the building and why the building is at risk; the principal repairs required and the appropriate conservation philosophy to be applied. The report then assessed potential options for use of the building and the principal alterations that would be required and provided a suggestion as to the preferred scheme that would ensure long-term maintenance. The report is supported by relevant market analysis, project costs, valuations and financial analysis and concludes with recommendations and an implementation strategy.
6. The architects were required to provide sufficient information in order to assess the likely financial implications of necessary repairs and alterations necessary to accommodate re-use of the building. Outline sketch schemes were prepared for this purpose sufficient to indicate a general approach to layout, design and construction.
7. The Architect identified and explored five possible future options for the use of the Chapel buildings, this is set out below:-
 - **Option A – Repair and Retain in Current Form**

This would minimise the disruption to the existing fabric and retain the building in its current form and layout. It would be suitable for rental to local groups for community use

Estimated Cost – Option A (excluding Legal Costs, Finance, VAT) = £453,500.00
 - **Option B & C– Office Accommodation**

The layout of the building would permit easy subdivision into two office units or one large unit with mezzanine floors introduced. In Option B there would be conversion into two office suites. Option C would convert the former Anglican Chapel and crypt only restoring the non-conformist chapel (without furnishing) for use as a large meeting room, assuming single occupancy of the building.

Estimated Cost – Option B (excluding Legal Costs, Finance, VAT) = £528,250.00

Estimated Cost – Option C (excluding Legal Costs, Finance, VAT) = £511,000.00
 - **Option D – Residential Accommodation**

Conversion of the building into a residential dwelling is a potentially feasible option

Estimated Cost – Option D (excluding Legal Costs, Finance, VAT) = £538,600.00

- **Option E – Day Nursery/Other Specific Uses**

The building is within a principally residential area. A proposed day nursery may be a viable option but would depend on finding a suitable purchaser. Other possible specific users could include an Undertakers, Doctor's Surgery, Dentist etc.

Estimated Cost – Option E (excluding Legal Costs, Finance, VAT) = £541,475.00

8. Within the Options Appraisal the Architects offered their suggestion as to what they felt would be the most appropriate scheme. They concluded that office usage (either Option B or C) was their recommended route and that the Chapel building's interest would be best served by going forward with the project as a partnership between the West Midlands Historic Buildings Trust and the Council by first securing the necessary external grant aid which if successful may result in the disposal of the building to the WMHBT. The public were asked to provide their views on the options put forward by the architects.

Public Consultation

9. Between the 9th and 29th September 2006 a public consultation exercise was undertaken on Lye and Wollescote Cemetery Chapel. The process began with a **Heritage Open Weekend** at Lye Chapel itself, this was held on Saturday 9th and Sunday 10th September.
10. In addition to having the opportunity to look inside the Chapels, the public were provided with an exhibition of the draft proposals of the Options Appraisal.
11. Unmanned exhibits of the same material were also made available throughout the whole of the consultation period in the various public locations e.g. Lye Library etc, where leaflets were available inviting comments. The Council's website also had a link to the consultation.
12. To view a full summary of the results of the Public Consultation exercise (which also include additional comments made by the public) copies of the Public Consultation Process Report can be viewed online on the Council's website by following the link to the Lye Chapel Public Consultation at <http://www.dudley.gov.uk/environment--planning/planning/historic-environment/listed-buildings/lye-chapel-public-consultation> and hard copies are available on request.
13. By the end of the Public Consultation exercise 96% of the respondents supported the view that Lye & Wollescote Cemetery Chapel is an important historic building that needs to be conserved and enhanced for the future. Similarly 96% of the respondents supported the view that a use is required for the building, a use which is both sustainable and sympathetic.

14. The respondents indicated that out of the five available Options, Option A (Repair and Retain in Current Form) was the most favoured option, Option C (Office Use with the Option to rent out the other half for meetings) the second most popular option and Option B (Office Use) the third most popular option. The respondents therefore supported the building being repaired and retained in its current form or it being converted into office use. The least popular option was Option D (residential) with a majority of respondents opposing this option. Option E (Day Nursery or other specific use) was equally unpopular with the majority of respondents also opposing this as an option.
15. Question 9 of the Consultation Questionnaire demonstrated that the majority of respondents felt that **if** disposal of the building did become the only option for the Council **then they would support** it being disposed of to a charitable organisation such as a Building preservation Trust.

Consultation with External Organizations

16. The following external organizations were also consulted and asked to provide suggestions as to the best possible way forward for Lye/Wollescote Cemetery Chapel
 - The Friends of Friendless Churches
 - The Churches Conservation Trust (CCT)
 - The Victorian Society
 - The Chapels Society
 - Council For The Care of Churches
17. In summary all of the above consultees felt that Lye/Wollescote Chapel had the potential to attract external funds (subject to its use), all felt that the involvement of a Building Preservation Trust was a good idea , all accepted the need to find an alternative new use of the building and all supported the involvement of the West Midlands Historic Buildings Trust as the way to securing a future for the building. None of the organisations, however, felt in a position to take on the building themselves.

Consultation with the Diocese of Worcester

18. Due to the western half of the site and Chapel being consecrated the Diocese of Worcester were formally consulted on the Options Appraisal and were invited to comment. In response the Archdeacon of Dudley visited the Chapel and explained that the consecration of land as a burial ground imposes perpetual sacred uses upon it and subjects it to the jurisdiction of the Consistory Court of the Diocese. Thus no change in it or change in its use can lawfully be made without a Faculty of the Consistory Court.

19. The Chapel, whilst consecrated, could not be sold. It could be de-consecrated by a Scheme under the Pastoral Measure 1983 (which can take at least a year) or by order of the Bishop under Section 22 of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 which could take a shorter length of time to determine.
20. In conclusion therefore, the Archdeacon advised that the Council makes a decision on which course of action it would like to take and to then engage in discussions with the Diocese of Worcester. As a general comment, the Archdeacon indicated that the Church generally favours schemes which have support from the local community.

Way Forward

21. Now that the results of the Options Appraisal and the results of the public consultation exercise on the Options Appraisal are now available, alongside the qualifications provided by the Diocese of Worcester it is now necessary for the Council and the West Midlands Historic Building Trust to consider this information and make a decision on how best to proceed.
22. It is evident from the advice provided from various external organizations and from the results of the public consultation exercise and conclusions reached in the Options Appraisal that in order to secure the long term future of Lye and Wollescote Cemetery Chapel the following have become evident:-
 - It will be necessary to find an alternative, sustainable new use for the building.
 - That use has to be sympathetic to the fact that Lye & Wollescote Chapel is a Grade II listed building located within an operational, consecrated graveyard.
 - Using the building as an alternative to Stourbridge Register Office is not an option under the rules of the Civil Marriage Law (due to the fact the building contains religious elements and is a chapel).
 - Using the building for residential or a nursery purpose is strongly opposed by the public.
 - Using the building as offices or a community use does however, have the support of the public.
 - The involvement of a Building Preservation Trust (BPT) such as the West Midlands Historic Buildings Trust (WMHBT) is welcomed as this provides the most likely way of securing the future of the chapel.
 - The only way a BPT can obtain the necessary external grant aid is if they are the owners of the building. If therefore, disposal of the chapel did become the only option for the Council the disposal of it to a charitable organisation such a Building Preservation Trust would be supported by the public.

23. The evidence from the consultation exercise suggests that to use the building for office/community use is most supported and in the context of ongoing viability it is the office use that has most likelihood of being successful.
24. In order to fund the repair and restoration of the building and its conversion to a new acceptable use it is vital that external grant aid be obtained from the Heritage Lottery Fund (HLF). The next step towards obtaining external grant aid is to prepare an application. and in order to do this it is proposed that an application be made by the WMHBT with the support of the Council to the Architectural Heritage Fund (AHF) for a series of four separate grant packages: a Project Administration Grant, a Business Planning Grant, a Project Organiser Grant and a Project Development Grant.
25. These grants cover the necessary areas of work that have to be undertaken in pursuit of a full application to HLF for the repair and renovation works including building the business case and preparing detailed drawings.

Finance

26. It is estimated that the costs of preparing the four discrete plans is £56,500. The maximum grant available from AHF is £51,500 thus requiring the Council to provide £5,000 towards these costs. This amount can be found within budgets held within the Council's Directorate of the Urban Environment.

Law

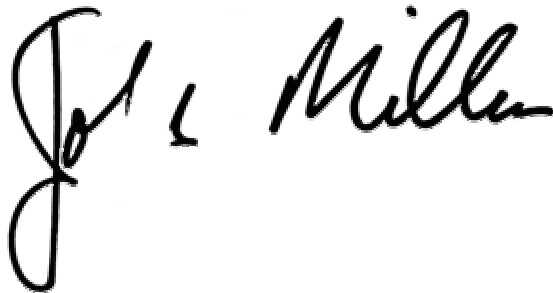
27. The relevant provisions regarding listed buildings are contained in the Planning (Listed Buildings and Conservation Areas) Act 1990.
28. The Council's powers to manage and improve Cemeteries are contained in a variety of legislation, including Section 214 and Schedule 26 of the Local Government Act 1972 and the Local Cemeteries Order 1977.
29. Section 123 of the Local Government Act enables the Council to dispose of property for the best price reasonably obtainable or, if not, with the consent of the Secretary of State

Equality Impact

30. The proposals contained in this report are in full accordance with the Council's equal opportunities policies and should in no way have any impact of different racial groups, disabled people, both genders and/or other relevant groups.

Recommendation

31. That Committee notes the results of the Options Appraisal and the consultation responses received from the Public and from the Diocese of Worcester and from external organisations
32. That Committee request the Director of the Urban Environment to approach the West Midlands Historic Buildings Trust and request that they apply to the Architectural Heritage Fund (AHF) for a Project Organiser, Administration, Business Planning and Development Grant for Lye and Wollescote Cemetery Chapel with a view of submitting an application to the Heritage Lottery Fund, in due course.



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List of Background Papers

1. Stourbridge Area Committee report dated 15th September 2003
2. Stourbridge Area Committee report dated 9th February 2004
3. Stourbridge Area Committee report dated 14th November 2005
4. Stourbridge Area Committee report dated 30th January 2006
5. Letter from the Heritage Lottery dated 8th July 2004.
6. Correspondence from DCMS dated 8th March 2005 confirming that that Lye and Wollescote Cemetery Chapel has been added to the Statutory List of buildings.

7. Copy of the feasibility study specification sent out Consultants on the 26th August 2005.
8. Correspondence from AHF to the WMHBT confirming the success of the application for an Options Appraisal Grant.