

## CABINET MEMBER FOR LIFELONG LEARNING, CULTURE AND LEISURE

Venue: Town Hall,  
Moorgate Street,  
Rotherham.

Date: Tuesday, 31st January 2006

Time: 8.30 a.m.

### A G E N D A

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Minutes of previous meeting held on 17th January, 2006 (copy herewith). (Pages 1 - 2)
4. Petition regarding access to the Walker Mausoleum (Guy Kilminster, Libraries, Museums and Arts Manager) (report herewith). (PETITION - 353 SIGNATURES - NOT AVAILABLE ELECTRONICALLY) (Pages 3 - 5)  
**- to receive the report**
5. Date and Time of Next Meeting

**CABINET MEMBER FOR LIFELONG LEARNING, CULTURE AND LEISURE**  
**Tuesday, 17th January, 2006**

Present:- Councillor Boyes (in the Chair); Councillors Austen and Littleboy.

**152. MINUTES OF PREVIOUS MEETINGS HELD ON 6TH AND 13TH DECEMBER, 2005**

The minutes of meetings held on 6<sup>th</sup> and 13<sup>th</sup> December, 2005 were agreed as a correct record.

**153. ROTHERHAM CULTURAL CONSORTIUM**

The minutes of a meeting of the Rotherham Cultural Consortium held on 7<sup>th</sup> December, 2005 were agreed as a correct record.

**154. CHRISTMAS CARNIVAL CO-ORDINATING GROUP**

The minutes of a meeting of the Christmas Carnival Co-ordinating Group held on 15<sup>th</sup> December, 2005 were agreed as a correct record.

**155. PETITION - PARKING AT CLIFTON 'A COMMUNITY AND ARTS' SCHOOL**

Consideration was given to a report of the Acting Head of Service, Resources and Access regarding the content of a petition received from local residents complaining about car parking at Clifton 'A Community and Arts' School.

The residents, who mainly live on Cambridge Street and Gladys Street, have complained that teachers and other staff are parking their cars on these streets instead of in the new school car park. This is causing congestion and does not allow for local residents to park outside their own houses.

The meeting was informed that an investigation into the problem has identified that even though the new car park has been brought into operation, not all the spaces are currently available for use.

This is due to continuing construction work on the multi-games court which has limited the number of places available. It is envisaged that once the whole car park is fully available, the necessity for teachers to park on Cambridge Street and Gladys Street will cease.

Resolved:- (1) That the petition be received.

(2) That the petitioners be notified of the temporary non-availability of some spaces within the Clifton 'A Community and Arts' School car park.

(3) That the Head Teacher be asked to report on the school's transport policy for staff, for example car sharing initiatives, use of public transport and possible other options there might be in terms of reducing single occupancy car use.

(4) That a report be submitted to a future meeting following further negotiation with the Head Teacher regarding a transport policy.

(5) That an attempt be made to identify registration numbers quoted by petitioners in establishing whether they are owned by teaching staff, and the petitioners informed accordingly.

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>Cabinet Member for Lifelong Learning, Culture &amp; Leisure</b>
<b>2.</b>	<b>Date:</b>	<b>31st January 2006</b>
<b>3.</b>	<b>Title:</b>	<b>Petition regarding access to the Walker Mausoleum</b>
<b>4.</b>	<b>Programme Area:</b>	Children & Young People's Services

### **5. Summary**

A petition with over 300 signatures has been presented to the Council from the Friends of Masbrough Chapel and the Walker Mausoleum regarding the need to secure access to the Masbrough Chapel graveyard and Walker Mausoleum. Legal Services are drafting an Access Agreement to ensure the owner of the Masbrough Chapel allows access to the graveyard and Mausoleum for maintenance purposes.

### **6. Recommendations**

**That Members receive the report.**

## **7. Proposals and Details**

The Walker Mausoleum sits in the burial ground adjacent to the Masbrough Chapel. It was built in the late 18<sup>th</sup> century and houses memorials to members of the Walker family, the founders of Rotherham's iron and steel industry.

In 1968 the Chapel Trustees and the former County Borough Council (CBC) entered into an Agreement that gave the CBC responsibility for the management and control of the burial ground and mausoleum. The details of this agreement are contained in a note from Legal Services attached as Appendix One. It should be noted that ownership of the Mausoleum is believed to lie with the surviving heir(s) of the Walker family.

When the Trustees sold the Chapel in 1991, RMBC grounds maintenance staff were refused access to the burial ground by the new owner and no further maintenance work took place. Repair works continued on the Mausoleum as necessary.

In 2004 a repair and refurbishment plan was prepared for the Mausoleum and SRB 4 funding was secured to cover the cost of the works (£50,000). The current owner of the Chapel and burial ground was consulted and offered no objections to the work until the day work was due to begin when he refused contractors access to the site. Consequently the SRB funding was lost.

Following a report to Members in June 2004, Legal services wrote to the owner of the Mausoleum requesting the opening of negotiations to discuss the resolution of the matter. No response was forthcoming. Further efforts to open negotiations through the owner's Solicitors made no progress. In April 2005 Members agreed to Court action being taken. Legal Services have subsequently advised an Access Agreement be drafted rather than pursuit of a Court Order and a draft Agreement is close to finalisation.

Unfortunately the delays have frustrated the 'Friends of Masbrough Chapel and the Walker Mausoleum' and led to the Petition being drawn up.

## **8. Finance**

There are no financial implications in relation to the Petition. Once the Access Agreement is in place, external funding will be sought to carry out the necessary works to the Mausoleum and graveyard.

## **9. Risks and Uncertainties**

If no action is taken the Mausoleum will continue to deteriorate and an important part of Rotherham's industrial heritage will be lost. The Friends are very concerned at the current situation and are urging that action is taken immediately to allow progress to be made.

Officers from Legal services have met with the owner of the Chapel and he has expressed a willingness to sign up-to an Access Agreement. However, there is the risk that he will not do so once it is presented to him. It may be that Court action is then required .

#### **10. Policy and Performance Agenda Implications**

Securing the future of the Mausoleum will safeguard an important part of Rotherham's heritage. It's repair and enhancement will contribute to the town centre's regeneration and a safer Rotherham (clearing an area used by drug addicts).

#### **11. Background Papers and Consultation**

The Head of Culture and Leisure and Senior Executive Director Children and Young People's services have commented on the report.

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