



## EXPLANATORY NOTE

### MISSION AND PASTORAL MEASURE 2011 DRAFT PASTORAL (CHURCH BUILDINGS DISPOSAL) SCHEME CLEARWELL CEMETERY CHAPEL DIOCESE OF GLOUCESTER

This note accompanies a draft scheme under the Mission and Pastoral Measure 2011 which makes provision for the future of a closed church building, The Church Commissioners provide this information so that individuals and interested parties can understand the background to the proposals, make a reasoned judgement on the merits of the draft scheme and, if they see fit, a reasoned expression of support or objection to it.

#### **The Proposals**

The Church Commissioners have agreed to publish a draft Pastoral (Church Buildings Disposal) Scheme providing for the closed Clearwell Cemetery Chapel to be appropriated for monument, cultural and community use and purposes ancillary thereto.

The diocese has recommended that the building and a small part of the churchyard including the boundary walls and gates fronting the High Street be transferred to the ownership of the Forest of Dean Buildings Preservation Trust (FODPT), a registered charity and trust formed in 2009 to take on the ownership of historic monuments and buildings at risk in the Forest of Dean and Wye Valley areas to repair and conserve them.

Should the draft Scheme proceed and the FODPT take ownership of the property they also hope, subject to statutory consents, to build a small WC facility remote from the chapel to support the cultural and community uses.

#### **Background**

The Cemetery Chapel had not been used for its original purpose for many years and has now been formally closed for worship use under a previous Pastoral Church Buildings Scheme made on 2nd November 2020. The condition of the building has been deteriorating and although some essential repairs were undertaken, the PCC does not have sufficient funds to maintain both the unused Cemetery Chapel and the Grade I listed parish church of Clearwell St Peter.

#### **The Building**

Designed by John Middleton and built 1867, Clearwell Cemetery Chapel is a modest single cell Grade II listed building of considerable landscape and streetscape value within the Clearwell conservation area located at the east end of the village High Street. It stands as a 'gateway' building to a large open cemetery and is a good example in miniature of the revived Early English Style.

Standing on part of the site of a former chapel of ease by George Vaughan Maddox it is constructed from locally quarried 'snecked' Forest sandstone with Bath stone dressings and a plain clay tiled roof. It is in poor condition with evidence of structural movement and is now on the Forest of Dean Buildings at Risk Register.

The north boundary wall fronting the High Street is built of rough ashlar blocks of Forest sandstone with a flat coping. In the centre is a pair of sandstone gate piers with corners shaped as shafts with stylised capitals and a classically-moulded capping stone. Between

them is a pair of wrought iron gates. It is thought the walls and gates are surviving features from the former chapel of ease by Maddox built 1829-30.

### **Burials and the Churchyard**

A small part of the churchyard will be transferred with the building into the ownership of the FODPT but there will be no physical separation from the retained churchyard. Continued access for those visiting graves within this area will be legally provided for along with access to the retained open churchyard which will remain the responsibility of the PCC.

### **The Views of the Statutory Advisory Committee**

The Commissioners' statutory advisors, The Statutory Advisory Committee of the Church Buildings Council (SAC) have indicated that the church building is of moderate significance overall with some scope for change and should therefore be preserved by conversion to an alternative use (although recognising that being a single cell structure of modest size any sub-division would be harmful to its character and significance), but is not of sufficient quality for vesting in the Churches Conservation Trust.

### **Planning and Access**

Neither a planning consent or listed building consent are required as the proposed use falls within the current planning Use Class (Class F) and no alterations are proposed to the building.

### **Correspondence**

Further information can be obtained from the Closed Churches Case Officer, Sarah Mellor at [sarah.mellor@churchofengland.org](mailto:sarah.mellor@churchofengland.org) or by telephone at 07824 581 491.

### **Representations against or in support of the draft Scheme**

Anyone may make a representation for or against the provisions of the draft Scheme. Representations must be made in writing or by e-mail and should be sent to:

Matthew Crowe  
Pastoral Division  
Church Commissioners  
Church House  
Great Smith Street  
London  
SW1P 3AZ

or by e-mail to: [matthew.crowe@churchofengland.org](mailto:matthew.crowe@churchofengland.org) Any communication received after 9<sup>th</sup> November 2023 cannot be treated as a representation.

If we receive representations against the draft Scheme, we will send all representations, both for and against, to the Bishop, whose view will be sought. Individual representors will then receive copies of our correspondence with the Bishop (including copies of all the representations) and they may comment further in writing to us in light of the diocesan response if they so wish.

If no representations against the Scheme are received the Commissioners shall make the Scheme and bring it into effect as provided for in the scheme and explained above.

Information on the Mission and pastoral Measure 2011 and its procedures can be found on the Church Commissioners' web-site at [www.ccpastoral.org](http://www.ccpastoral.org). The draft Scheme documents are also available online at [www.churchofengland.org/consultation](http://www.churchofengland.org/consultation).

5 October 2023

## Draft Pastoral (Church Buildings Disposal) Scheme

This Scheme is made by the Church Commissioners (“the Commissioners”) this ..... day of .....20.... under the Mission and Pastoral Measure 2011.

### Background

By a Scheme of the Commissioners made under the said Measure on the 2nd day of November 2020 the cemetery chapel known as Clearwell Cemetery Chapel (“the building”), being one of the parish chapels of the parish of The Mid-Wyedean Churches of All Saints, Newland and Staunton, Good Shepherd, Broadwell, Saint John, Coleford, Saint Peter, Clearwell and Saint Saviour, Redbrook in the diocese of Gloucester was declared closed for regular public worship.

NOW, it is provided as follows:-

### Future of the church building and annexed land

1. The building and part of the land annexed or belonging to shown outlined by a red line on the annexed plan (“the property”) shall be appropriated to monument, cultural and community use and for purposes ancillary thereto.

### Disposal

2. The Commissioners are hereby empowered to give the property for any or all of the said uses together with the benefit of the rights granted by Schedule 1 and subject to the rights reserved by Schedule 2.

### Contents

3. The contents of the building shall be disposed of as the Bishop shall direct subject, as far as it is required, to listed building consent being granted.

### Coming into operation of this Scheme

4. This Scheme shall not come into operation until such date or dates as the Commissioners shall determine following the making of this Scheme and the Commissioners shall not be obliged to bring the Scheme or any part of it into operation.

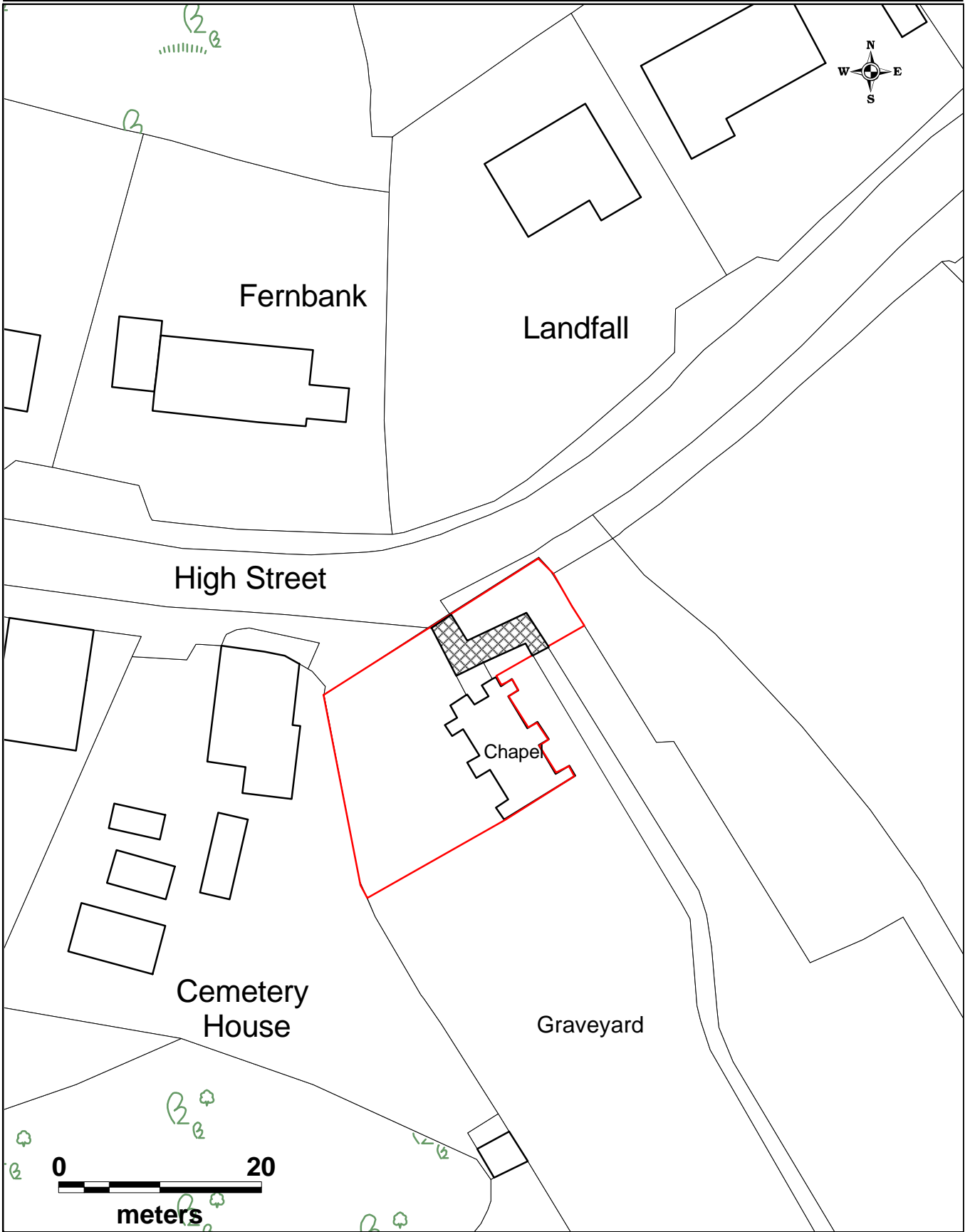
In witness of which this Scheme has been duly executed as a deed by the Church Commissioners.

Executed as a Deed by the Church Commissioners for England acting by two authorised signatories:

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Signature of Authorised Signatory

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Signature of Authorised Signatory

# CLEARWELL CEMETERY CHAPEL



Details			Rev No.		
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alison.peacock	1:500	22/09/2023			
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## **Schedule 1: Grant of Rights of Way**

To enable the property to be used for the purposes specified in the Scheme, the following rights shall vest in the Commissioners for the benefit of the property:-

- (i) the right to the passage of water, soil, gas, electricity and telecommunication services (if any) through any drains, sewers, pipes, wires, cables and other conducting media (“the services”) now laid or to be laid under, upon or above the remaining part of the said churchyard; and
- (ii) the right (upon reasonable prior notice in writing to the said parochial church council) to enter with or without vehicles, equipment and apparatus upon such parts of the remaining churchyard as may be necessary for the purpose of inspecting, repairing and maintaining the building and for the purpose of laying, connecting into, inspecting, repairing, maintaining or renewing the services subject to the person exercising such right causing as little damage as possible to the said churchyard or any graves, tombstones, monuments and memorials therein, and subject to the Commissioners’ successors in title making good any damage so caused to the reasonable satisfaction of the said parochial church council or other the person for the time being responsible for the care and maintenance of the said churchyard and subject to the grant of any necessary faculties by the Consistory Court to authorise the said works; and
- (iii) all rights and easements over land other than the said churchyard appertaining or reputed to appertain to the property (in common with all others entitled to the like rights).

## **Schedule 2: Reservation of Rights of Way**

To enable the remaining part of the said churchyard to continue in use as a burial ground the right to pass and repass over the cross-hatched land with or without vehicles required in connection with the use and maintenance of the remaining part of the said churchyard shall be reserved to the incumbent for the time being of the benefice of Coleford, Staunton, Newland, Redbrook and Clearwell and all persons lawfully visiting the remaining part of the said churchyard.