

May 3rd 1982

HCS/PC

Dear Mr Harrison,

Horton-in-Ribblesdale Churchyard

I am writing to ask your advice about the above churchyard. This was closed in 1960 and the Parochial Church Council gave notice of this to the Settle Rural District Council and then asked the Parish Council to assume maintenance of the closed churchyard. The Parish Council has looked after the churchyard since, but, as far as I can ascertain, has never recouped the cost of such maintenance from the District Council, though I understand that the Parish Council could do so.

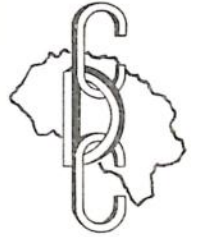
I would be grateful if you could tell me if I am correct in this last item. I am particularly asking at the present time as several of the tombstones in the churchyard have become unsafe and the Parish Council will have to find the cost of their repair. The P.C. intends to trace the owners of the tombstones where possible so that they can attend to the repair of their tombstones individually but in many cases, as some of the tombstones are 200 years old, this will not be possible.

I will welcome any observations you may have on this matter.

Yours sincerely,

*W. C. Bryant*

# CRAVEN DISTRICT COUNCIL



J. HARRISON, A.C.I.S.  
Clerk of the Council  
P.O. Box No. 19, Council Offices, Granville Street,  
Skipton, North Yorkshire BD23 1PS  
Telephone: Skipton (0756) 2304

Our Ref: AH/SH/14/3

Your Ref:

Date 14th May, 1982

Dear Mrs. Sergeant,

Horton-in-Ribblesdale Churchyard

Thank you for your letter dated 3rd May, 1982.

Where a churchyard was closed and an appropriate certificate given to the Rural District Council as described in your letter the effect is two-fold:-

1. Responsibility for maintenance of the churchyard passed to the Parish Council.
2. The cost of maintenance became a charge on the rates, and although the Parish Council could have claimed reimbursement of the expenses from the Rural District Council the District Council would in turn have recovered those costs from the Parish rate.

Therefore, although you are correct in saying that the cost of maintenance could have been recovered the end result would have been the same - i.e. the Parish rate payers would have paid.

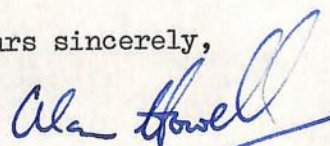
There is a similar situation at Burton-in-Lonsdale where the Parish Council maintains the churchyard but passes any accounts received to the District Council's Financial Officer for payment. The money spent is then recharged to Burton-in-Lonsdale on the Parish rate.

Other Parish Councils in the district also have responsibility for maintenance of burial grounds, some of which are closed and some still in use, and in all cases the costs are met by the Parish.

With Local Government Reorganisation the Local Authorities etc., (Miscellaneous Provisions) Order 1974 contained a provision to the effect that where a Parish was responsible for maintenance of a closed churchyard the responsibility would stay with the Parish.

Although the District Council has the power to contribute towards expenses incurred by any other person in maintaining a burial ground I think it is unlikely that the Council would agree to make a contribution. Nevertheless if the Parish Council wishes to make the application I will submit it to the appropriate committee.

Yours sincerely,

  
Clerk of the Council

Mrs. C. Sergeant,  
The Cottage,  
Selside,  
Settle.

PC/PAB

12 Jan 77

Rev J C Bacon  
St Oswald's Vicarage  
Horton-in-Ribblesdale  
Settle  
North Yorkshire

Dear Mr Bacon,

Adopted Churchyard

Since acknowledging your letter 5 Jan 77  
I have had an opportunity to study the  
Parish Council Minutes and a copy of  
entries dated 5 Dec 60 and 29 May 61 are  
enclosed for information.

It may be that the reference to the Settle  
RDC indicates that possibly the more legal  
formalities might have been dealt with at  
that level.

The matter is being further investigated.

Yours faithfully,

*P. Adams*

Clerk.

*OK No further action*  
*Ab*

HORTON-in-RIBBLESDALE PARISH COUNCIL

Extracts from the Minute Book

1. Meeting held 5 Dec 1960

CLOSED CHURCHYARD

A letter was received from the secretary of the Parochial Church Council stating that notice had been given to the Settle R.D.C. that the Churchyard at St Oswald's Church Horton-in-Ribblesdale was now closed, and asked the Council to undertake the maintenance of the disused graveyard.

The letter also stated that there had been no interment since 1954 and that the churchyard now being full is considered to be closed. The council observations were asked on this matter.

In accordance with the Local Government Act of 1933 Section 269 (2) the Council are obliged if requested to undertake the maintenance of closed churchyards.

On the motion of Cr. Berisford ~~(XXXX)~~ seconded Cr. Newhouse and agreed the clerk was instructed to make the necessary arrangements for the take over of this maintenance and to write to the Parochial Church Council that this is being done.

Signed "W. Pollard" Chairman 12 Jan 61.

2. Meeting held 29 May 1961

CHURCHYARD

In consequence of the council taking over the maintenance of the churchyard certain work and attention would be necessary to keep it in order. It was agreed that Cr. Frankland be asked to include this work along with the burial ground.

Signed "G H Frankland" Chairman 3 Jul 61.

HORTON-in-RIBBLESDALE PARISH COUNCIL

Extracts from the Minute Book

1. Meeting held 5 Dec 1960

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Signed "G H Frankland" Chairman 3 Jul 61.

PC/PAB

12 Jan 77

Rev J C Bacon  
St Oswald's Vicarage  
Horton-in-Ribblesdale  
Settle  
North Yorkshire.

Dear Mr Bacon,

Adopted Churchyard

Your letter of 5 Jan 77 was placed before the council on Monday last.

I have been requested to make some enquiries and this note is to advise you that the matter is having attention.

It was suggested that you might like to attend the next meeting of the council on Tuesday 1 Feb 77 in order to discuss the matter further.

Yours faithfully,

Clerk.

THE REVEREND JOHN C. BACON  
Telephone STD 072-96-207

ST. OSWALD'S VICARAGE,  
HORTON-IN-RIBBLESDALE,  
SETTLE,  
YORKSHIRE,  
BD24 0HD.

5th. January, 1977.

P.A. Bayes Esq.,  
Clerk,  
Horton-in-Ribblesdale Parish Council,  
Pen-y-ghent Cafe,  
Horton-in-Ribblesdale,  
Settle,  
North Yorkshire.

(a) Is it in fact "closed" ?  
(b) Was an order in council obtained ?

Dear Mr. Bayes,

St. Oswald's, Horton-in-Ribblesdale, Closed Churchyard.

As you are no doubt aware, the Parish Council have taken over the maintenance and repair of the Churchyard.

The only document that I possess relating to this is a letter dated June 5th. 1961.

This is signed by E Sarginson, Clerk, and states:

"I have to inform you that in accordance with the Local Government Act of 1933, Section 269 (2) which deals with the taking over by the Parish Councils of closed churchyards that the Parish Council do hereby agree to undertake the maintenance of the churchyard, Horton-in-Ribblesdale as from the first day of April 1961, and will maintain it in good order forthwith."

As a result of comments made by the Bradford Diocesan Registrar it now seems necessary to establish:

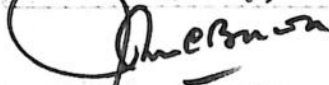
1. Whether an Order in Council was obtained for the discontinuance of burials in the Churchyard and the necessary certificate was given by the Churchwardens so as to make the Local Authority legally liable for the maintenance of the closed Churchyard.
2. If the Local Authority has taken over the responsibility and upkeep of the Churchyard merely by agreement and not as a result of a closure Order having been obtained, then the position as regards liability would depend on the terms of the agreement made when taking over the responsibility for the upkeep of the Churchyard.

In view of the uncertainty that an Order in Council was obtained I should be most obliged if you will check your records.

It may prove necessary to refer to the Department of the Environment, 2 Marsham Street, London, SW1.

As the Parochial Church Council are meeting on January 17th. your reply will be appreciated.

Yours sincerely,



John C. Bacon. Vicar.



# HORTON-IN-RIBBLESDALE PARISH COUNCIL

HORTON-IN-RIBBLESDALE, Yorks.

E. SARGINSON  
Clerk and Treasurer

Jun 5<sup>th</sup> 1961

The Secretary  
Parochial Church Council  
St Oswalds Church  
Horton in Ribblesdale.

Dear Madam.

I have to inform you that in accordance with the Local Government Act of 1933. Section 26(2) which deals with the taking over by the Parish Council of closed churchyards that the Parish Council do hereby agree to undertake the maintenance of the Church yard Horton in Ribblesdale as from the first day of April 1961, and will maintain it in good order forthwith

E. Sarginson

Clerk

Pen-y-ghent Cafe  
XXXXXXXXXXXXXXXX

P A Bayes

XXXXXXXXXXXXXXXX

XXX ONE

PC/PAB/CA

2 September

4

H Jordan Esq  
Jordan Charlesworth & Co  
Chapel Street  
SETTLE  
Yorkshire

Dear Mr Jordan

Horton-in-Ribblesdale Burial Ground  
Consecration of Extension

Cheque in settlement of your account dated 2 Jul 74 and amounting to £60.50 is attached.

I have been asked by the Council to express thanks to you for the manner in which you have dealt with all the details of this project.

Yours faithfully

P A Bayes

Pen-y-ghent Cafe  
XXXXXXXXXXXXXX

P.A. Bayes

XXXXXXXXXXXXXX

xxx OHE

3 Jul 74

PC/PAB

H. Jordan Esq  
Jordan Charlesworth & Co  
Chapel Street  
SETTLE  
Yorkshire.

Dear Mr Jordan,

Horton-in-Ribblesdale Burial Ground

Many thanks for your letter 2 Jul 74. and this note is to acknowledge safe receipt of the enclosures.

The account will be placed before the Council at the next meeting.

Yours sincerely,

Clerk

*Madan*

ALSO AT  
WHITEFRIARS, SETTLE (TEL. 3514)  
BETHAM (TEL. 61254)  
GISBURN (THURSDAYS ONLY)  
INGLETON (FRIDAYS ONLY)

JORDAN, CHARLESWORTH & CO.

TELEPHONE SETTLE 3589

SOLICITORS  
COMMISSIONERS FOR OATHS

H. JORDAN

*Chapel Street,  
Settle,*

*Yorkshire.*

BD24 9HT

OUR REF. HJ/LC

YOUR REF.

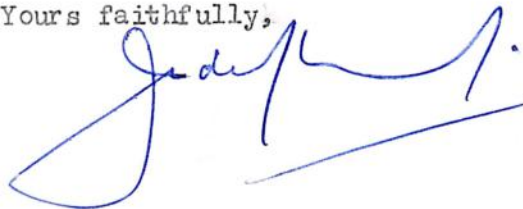
2nd July, 1974

Dear Mr. Bayes,

We enclose the Sentence of Consecration of the extension of the Burial Ground for keeping with the Council's records.

We also enclose the deeds of the property, the Town & Country Planning Permission and a note of our charges which we trust you will find satisfactory.

Yours faithfully,



P.A. Bayes, Esq.,  
Pen-y-ghent Cafe,  
Horton-in-Ribblesdale,  
Nr. Settle.

3 - JUL 1974

PAB

17 Jun 74

Alan Carr Esq  
Brackenbottom  
Horton-in-Ribblesdale  
Settle  
Yorkshire.

Dear Alan,

Horton-in-Ribblesdale Burial Ground

Just a personal note to place on record my thanks for arranging for the area to be consecrated to be marked out in advance of the Bishop's visit.

I am sorry I was out when you telephoned.

Several times I have had intentions of 'phoning you but failed to manage it, and as I'm burning the midnight oil thought it would be as well to just let you have a note to let you know how much your kindness in fixing this up is appreciated.

Yours sincerely,

Pen-y-ghent Cafe  
XXXXXXXXXXXXX X

P A Bayes

XXXXXXXXXXXXX

xxx OHE

PC/PAB

17 Jun 74

The Bishop of Bradford  
Bishopcroft  
Ashwell Road  
Heaton  
BRADFORD  
Yorkshire BD9 4AU

Dear Sir,

Horton-in-Ribblesdale Burial Ground

Thank you for your letter 11 Jun 74.

This note is to confirm that arrangements have been made for the designated area to be marked by stakes in accordance with your request.

If we can give you any further assistance please let us know.

Yours sincerely,

  
Clerk

THE BISHOP OF BRADFORD

BISHOPSCROFT, ASHWELL ROAD, HEATON, BRADFORD, YORKSHIRE, BD9 4AU

TELEPHONE BRADFORD 45414 (STD CODE 0274)

11 June 1974

The Clerk to the Council  
Pen-y-Ghent Cafe  
Horton in Ribblesdale  
Nr. Settle  
Yorks  
BD24

Dear Mr. Bayes,

No doubt Mr. Firth, my Registrar, has been in touch with you regarding the consecration of Burial Ground at Horton in Ribblesdale. All that is required by me is that the area to be consecrated should be clearly marked but it will be sufficient if there is a stake at each of the four corners.

I look forward to seeing you on the 28th June at 3.30 p.m.

Yours sincerely,

Russ Bradford

12 JUN 1974

ALSO AT  
WHITEFRIARS, SETTLE (TEL. 3514)  
BENTHAM (TEL. 61254)  
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JORDAN, CHARLESWORTH & CO.

TELEPHONE SETTLE 3589

SOLICITORS  
COMMISSIONERS FOR OATHS

H. JORDAN

*Chapel Street,  
Settle,*

*Yorkshire.*

BD24 9HT

OUR REF.

HJ/PC

YOUR REF.

5th June, 1974

Dear Mr. Bayes,

Horton-in-Ribblesdale Burial Ground.

Thank you for your letter of yesterday's date and we have forwarded the Petition and appropriate copy plans to the Diocesan Registrar.

We will let you know about a suggested date for the consecration in due course.

Yours faithfully,

The Clerk,  
Horton-in-Ribblesdale Parish Council,  
Penyghent Cafe,  
Horton-in-Ribblesdale.  
Settle.  
BD24 OHE

E-6 JUN 1974



Pen-y-ghent Cafe  
XXXXXXXXXXXXXX

P A Bayes

XXXXXXXXXXXXXXXXXX

XXX OHE

Tel: Horton-in-Ribblesdale 333

4 June 4

PC/PAB

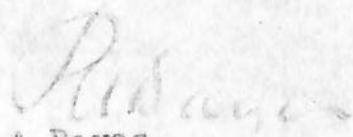
H Jordan Esq  
Jordan Charlesworth & Co  
Chapel Street  
SETTLE.

Dear Mr Jordan,

Horton-in-Ribblesdale Burial Ground

The Petition enclosed with your letter of  
17 Apr 74 has been signed and is now returned  
to you for further attention.

Yours faithfully,

  
P A Bayes.

ALSO AT  
WHITEFRARS, SETTLE (TEL. 3514)  
BENTHAM (TEL. 254)  
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COMMISSIONERS FOR OATHS

H. JORDAN

*Chapel Street,  
Settle,*

*Yorkshire.*

BD24 9HS

OUR REF. HJ/AC

YOUR REF.

17th April, 1974.

Dear Mr. Bayes,

Horton-in-Ribblesdale Burial Ground

We enclose the formal Petition for the consecration of the Burial Plot, which please have signed by 2 members of the Parish Council in your presence and returned to us in due course.

We are informed by the Diocesan Registrar as follows:-

ok "As regards the procedure for consecration, if you will let me know when the land is ready to be consecrated I will inform the Bishop, who will no doubt ask the Rural Dean to inspect. At the same time, you should get in touch direct with the Bishop to arrange a date for the consecration. That date should also be a date on which I shall be available to attend."

Yours faithfully,

The Clerk,  
Horton-in-Ribblesdale Parish Council,  
Penyghent Cafe,  
Horton-in-Ribblesdale.

25 APR 1974

ALSO AT  
WHITEFRIARS, SETTLE (TEL. 3514)  
BENTHAM (TEL. 61254)  
GISBURN (THURSDAYS ONLY)  
INGLETON (FRIDAYS ONLY)

JORDAN, CHARLESWORTH & CO.

TELEPHONE SETTLE 3589

SOLICITORS  
COMMISSIONERS FOR OATHS

—  
H. JORDAN

*Chapel Street,  
Settle,*

*Yorkshire.*

BD24 9HT

OUR REF. HJ/LC

YOUR REF.

4th April, 1974

Dear Sir,

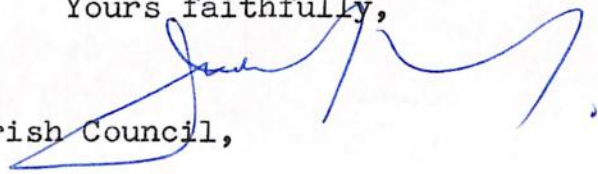
We have today received approval from the Home Office for the portion of land edged red on the annexed plan (but excepting the part hatched green) to be consecrated as a burial ground.

We have informed the Diocesan Registrar accordingly.

We return the plans which you left with us.

Yours faithfully,

The Clerk,  
Horton-in-Ribblesdale Parish Council,  
Peny-ghent Cafe,  
Horton-in-Ribblesdale,  
Nr. Settle.



Pen-y-ghent Cafe  
XXXXXXXXXXXXXX

P A Bayes

XXXXXXXXXXXXXX

XXXX ONE

4 Mar 74

PC/PAB

H Jordan Esq  
Jordan Charlesworth & Co  
Chapel Street  
SETTLE.

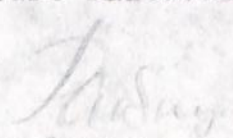
Dear Mr Jordan,

Horton-in-Ribblesdale Burial Ground  
Proposed Consecration

Thanks for your letter of 14 Feb 74 and I apologise  
for the delay in replying.

It was agreed at the Parish Council meeting held  
on 21 Jan 74 that 7 (seven) graves spaces should be  
left unconsecrated.

Yours faithfully,

  
P A Bayes.

*P.S. This is the row parallel to the road*

ALSO AT  
WHITEFRIARS, SETTLE (TEL. 3514)  
BENTHAM (TEL. 61254)  
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*Chapel Street,  
Settle,*

*Yorkshire.*

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YOUR REF.

14th February, 1974

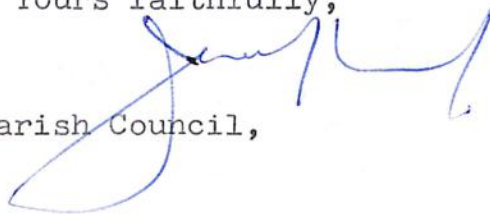
Dear Mr. Bayes,

Horton-in-Ribblesdale Burial Ground,  
Proposed Consecration.

With reference to your letter of the 14th January we shall be glad to know if the Council reached any decision at its meeting on the 21st January regarding the provision of unconsecrated grave spaces.

Yours faithfully,

The Clerk,  
Horton-in-Ribblesdale Parish Council,  
Penyghent Cafe,  
Horton-in-Ribblesdale,  
Nr, Settle.  
BD24 OHE.



115 FEB 1974

Pen-y-ghent Cafe  
XXXXXXXXXXXXXX

F A Bayes

XXXXXXXXXXXXXX

XXX OHE

14 January 4

Jordan, Charlesworth & Co  
Solicitors  
Chapel Street  
SETTLE  
Yorkshire  
BD24 9HT

Dear Sir

HORTON-IN-RIBBLESDALE BURIAL GROUND - PROPOSED CONSECRATION

Thanks for your letter of 10 Jan 74 enclosing copy of  
Home Office letter of 8 Jan 74.

This will be placed before the council at their next  
meeting on 21 Jan 74.

Yours sincerely

P A Bayes

ALSO AT  
WHITEFRIARS, SETTLE (TEL. 3514)  
BENTHAM (TEL. 61254)  
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SOLICITORS  
COMMISSIONERS FOR OATHS

—  
H. JORDAN

*Chapel Street,  
Settle,  
Yorkshire.*

OUR REF.

HJ/J

YOUR REF.

PC/PA B

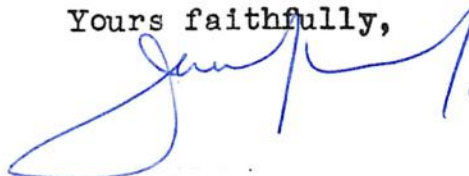
BD249HT

10th January, 1974.

Dear Sir,

We enclose copy of a letter to-day received from the Home Office and shall be glad to receive the Council's instructions in due course.

Yours faithfully,



The Clerk,  
Horton-in-Ribblesdale Parish Council,  
Penyghent Cafe,  
HORTON-IN-RIBBLESDALE,  
Settle, Yorks.



HOME OFFICE

Romney House Marsham Street London SW1P 3DY

Telephone 01-799 3488 ext 199

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Jordan, Charlesworth & Co  
Chapel Street  
Settle  
Yorkshire  
BD24 9HS

Your reference  
HJ/PC  
Our reference  
BUR/63 791/1/1  
Date  
8 January 1974

---

Dear Sirs

HORTON-IN-RIBBLESDALE BURIAL GROUND - PROPOSED CONSECRATION

Thank you for your letter of 29 October 1973. I am sorry that you have had to wait so long for a reply.

It would appear that if the proposed consecration is carried out there will be no grave spaces available in un-consecrated ground. Section 1 of the Burial Act, 1900 does not contemplate the consecration of the whole of a burial ground and although we appreciate that there may have been little or no demand for un-consecrated grave spaces in recent years, we would be glad if the Council would reconsider its recommendation. The plans which you submitted are enclosed.

Yours faithfully



B E INGRAM



ALSO AT  
WHITEFRIARS, SETTLE (TEL. 3514)  
BENTHAM (TEL. 61254)  
GISBURN (THURSDAYS ONLY)  
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COMMISSIONERS FOR OATHS

H. JORDAN

*Chapel Street,  
Settle,  
Yorkshire.*

OUR REF. HJ/LC

YOUR REF.

BD249HT

26th October, 1973

Dear Sir,

Horton-in-Ribblesdale Burial Ground.

Thank you for your letter of the 19th instant with enclosures and we will proceed to give the appropriate information to the Home Office.

Yours faithfully,

The Clerk,  
Horton-in-Ribblesdale Parish Council,  
Peny-Ghent Cafe,  
Horton-in-Ribblesdale,  
Nr. Settle.

27 OCT 1973

Pen-y-ghent Cafe  
XXXXXXXXXXXXXXXXXX

P A Bayes

XXXXXXXXXXXXXXXXXX

XX OHE

PC/PAB

24 Oct 73

Allan Carr Esq  
Chairman  
Horton-in-Ribblesdale Parish Council  
Brackenbottom  
Horton-in-Ribblesdale

Dear Allan,

HORTON-in-RIBBLESDALE BURIAL GROUND

This note is to keep you posted regarding progress with this assignment.

As you will see I have been hard put to find a really acceptable resolution having been recorded for the purposes of the Consecration and Allotment formalities, and am doubtful if the attached (copy of) note to the solicitors' will slip through.

Am keeping well in mind the fact that a special resolution might be called for.

Best wishes,

