

HOUSE OF COMMONS

ORAL EVIDENCE

Taken before the

UNOPPOSED BILL COMMITTEE

on the

GENERAL CEMETERY BILL [*LORDS*]

Monday 13 October 2025

Before:

The Chairman of Ways and Means (Ms Nusrat Ghani) (Chair)

The Second Deputy Chairman of Ways and Means (Caroline Nokes)

Amanda Martin MP

Peter Swallow MP

NICHOLAS EVANS, of TLT LLP, appeared as Parliamentary Agent for the Promoter of the Bill.

CHRIS JOHNS, Chairman of the Directors of the General Cemetery Company, appeared on behalf of the Promoter of the Bill.

KELLY FARRINGTON, General Manager and Registrar of Kensal Green Cemetery and West London Crematorium, and **ROSS INGHAM**, Director of Ingham Pinnock Associates and adviser to the General Cemetery Company, were in attendance.

JUSTIN LESLIE, Counsel for Domestic Legislation, was in attendance.

Exhibits referred to by the promoter during the hearing can be found [here](#).

A video of the proceedings can be found [here](#).

Ordered at 5.03 pm: that Counsel and Parties be called in.

- 1 **CHAIR:** Good afternoon. My name is Nusrat Ghani; I am the Chairman of Ways and Means, and I am chairing today's Unopposed Bill Committee. With me on the Committee today are Amanda Martin, Peter Swallow and my fellow Deputy Speaker, Caroline Nokes.
- 2 We are here to consider the General Cemetery Bill, which was deposited on 27 November 2024 and introduced into the House of Lords in January 2025. No petitions were received against the Bill in the House of Lords, and it completed its stages in that House in July. The Bill received its Second Reading in the House of Commons on 2 September. As no petitions were received against the Bill in the House of Commons, the next stage of proceedings is today's Unopposed Bill Committee.
- 3 The Promoter of the Bill, the General Cemetery Company, is represented by Nicholas Evans of TLT LLP, the Parliamentary Agent for the Promoter. He is accompanied by three witnesses, who I will now ask to introduce themselves for the record, starting on the left.
- 4 **ROSS INGHAM:** My name is Ross Ingham. I am an economic development and regeneration consultant specialising in heritage projects. I have been advising the General Cemetery Company on this project for the last couple of years.
- 5 **KELLY FARRINGTON:** I am Kelly Farrington, the general manager and registrar of Kensal Green Cemetery and West London Crematorium.
- 6 **CHRIS JOHNS:** I am Christopher Johns, chairman of the directors at the General Cemetery Company.
- 7 **CHAIR:** We will first hear from Mr Evans, who will make representations in support of the Bill on behalf of the Promoter. Members of the Committee may ask questions at any time. The Promoter's evidence bundle will be uploaded to the Parliament website after this session.
- 8 **NICHOLAS EVANS:** Thank you, Madam Chairman and members of the Committee. My name is Nick Evans. I am a Parliamentary Agent instructed by the General Cemetery Company, which is promoting the Bill. Despite its name, and despite the name of the Bill, it only deals with one cemetery, which is that in Kensal Green, and the associated West London Crematorium. Madam Chairman, this afternoon I plan to briefly describe the background to the promotion of the Bill—in other words, why it is needed—before summarising the Bill's clauses, if that is acceptable to the Committee.
- 9 The General Cemetery Company was set up by the Metropolitan General Cemetery Act 1832, which had the snappy title: "An Act for establishing a General Cemetery for the Interment of Dead in the Neighbourhood of the Metropolis"—they did not have short titles in those days. In short, the cemeteries and burial grounds in London and the vicinity were full and were unable to cope with the increasing population of the metropolis, so



various private cemeteries were established in what was then open space outside London, which is now Kensal Green. In those days, you needed an Act of Parliament to do that.

- 10 Kensal Green was the first of these great Victorian private cemeteries that are now known as the 'Magnificent Seven'. It is about 72 acres; it is in both Hammersmith and Fulham, and Kensington and Chelsea. There are over 65,000 graves and about 120,000 interments in the cemetery—the population in the cemetery is about the same as the population of Kensington and Chelsea above it. The 1832 Act was supplemented by further Acts in 1839 and 1937, which updated the cemetery company's powers and allowed it to construct and operate the West London Crematorium.
- 11 Today, though, the cemetery is the only surviving example from the 'Magnificent Seven' that is still owned and operated by the original company that founded it. The others have all either closed, been taken over by the local authorities or passed into other ownership. The fact that it is still owned by the same founding company, under the same original Acts of Parliament, has consequences for the upkeep of the cemetery and the memorials in it. That is essentially why we are here today.
- 12 The cemetery has huge significance in terms of history and architecture. In common with other cemeteries of the era, it was built to what they called a landscape design, so various buildings were placed dotted around the cemetery, not in individual sections one after another. The site itself is now a grade I registered landscape. One of the chapels is grade I listed; another one is grade II*. There are 10 grade II* listed monuments within the cemetery, two grade II listed buildings, and 147 grade II listed memorials within the cemetery. Historic England has stated that the cemetery is one of the most important historical places in London. However, because so many of the buildings and structures are in poor condition and are on the asset heritage at risk register, Historic England has also described it as having the largest collection of registered at risk memorials in London.
- 13 Technically, the maintenance of monuments and memorials is not a matter for the burial authorities. They belong to the grave owners, and the grave owners are responsible for their maintenance, but, frankly, the passage of time means that fewer and fewer owners carry out the maintenance or even know that they are supposed to do that. The cost associated with repairing and conserving this large number of buildings, some of which are almost 200 years old, has fallen on the GCC.
- 14 Around 10 years ago, there was a wholesale change in the management of the GCC and the composition of its board. It started trying to do something about that and sought ways to deal with the necessary works. However, the fact that the company is still governed by rules and regulations that are almost 200 years old has limited its ability to carry out the repair work.
- 15 In particular, the General Cemetery Company is a statutory company, and



it can only do the things that its enabling legislation allows it to do. Because the cemetery company is older than the first general legislation about companies, there are a lot of things in the 1832 Act of Parliament that for a normal company would just be in its articles of association.

- 16 For instance, the cemetery company cannot identify the amount of money it wishes to borrow by agreement with the shareholders and with its bankers; that is set in the 1832 Act, in 1832 sums. The GCC cannot simply borrow the money it needs for repairs, and it cannot apply for grant funding because the National Lottery Heritage Fund grants of the scale that are needed are only available for not-for-profit organisations, and the GCC is a private, for-profit company. It also cannot set up a charity and pass the interests in the cemetery or the operation of the cemetery over to that charity, because the old Acts require the GCC itself to run the cemetery and prevent it from disposing of any land that has been set aside for burial.
- 17 A couple of years ago, in 2023, the cemetery company sought specialist advice on this matter, and that advice was clear: the old Acts effectively prevent it from taking the measures it needs to take to repair and conserve the historical buildings and monuments in the cemetery. The General Cemetery Company has come to Parliament to ask for the powers to enable it to do that.
- 18 Those powers fall under three main headings. First, the Bill updates the legislation that regulates the cemetery company and essentially allows it to register under the Companies Act 2006 like a normal company and to operate in the same way. Secondly, the Bill allows the cemetery company to transfer the ownership and management of the cemetery to a charity. As a not-for-profit body, that charity would be able to apply for heritage grants that the cemetery company cannot apply for. Thirdly, the cemetery company would like to modernise its operating powers.
- 19 There are two main aspects to that modernisation. One is that the operating powers are in 1830s language—they were written at the same time as “*Les Misérables*”—and we are going to bring them into more modern terms, although “modern” in this sense means the late 1970s, when the Local Authorities’ Cemeteries Order 1977 was written. That order contains the operating powers for municipal cemeteries, which are the vast majority in the country.
- 20 The second is that the Bill grants the cemetery company powers to extinguish unused burial rights and to disturb and reinter remains in graves, which will create new space for burials. Only about 1% of the cemetery is still available for burials; the cemetery company sells around 15 new graves a year and expects to be full within 10 years. Those grave renewal powers are available to local authority and some private cemetery companies in London, and they are needed for the cemetery to continue as a working cemetery, rather than simply being a tourist attraction. Again, primary legislation is required to enable the GCC to do that.
- 21 I do not know whether it would be helpful to go into the specific clauses of



the Bill, Madam Chair, or whether you would like to hear anything on the consultation process that preceded the Bill.

22 **CHAIR:** I will just check whether there are any questions from my colleagues before we go any further. I know Ms Nokes potentially had a question or two.

23 **CAROLINE NOKES:** Yes, I do; it might be a series of questions. You are bringing the GCC up to legislation that will fall in line with the 1970s municipal cemeteries legislation. Is there any chance that that in itself might be revised in due course, and would this legislation automatically then be updated alongside it?

24 **NICHOLAS EVANS:** This legislation would not automatically be updated alongside that; it would be a matter for whichever Government at the time were updating the existing municipal cemeteries powers to ensure that they included private cemeteries, including Kensal Green. There is a Law Commission consultation under way at the moment, looking at some aspects of cemeteries. Whether that leads to changes in the law is a different question; there was another one about 15 years ago.

25 **CAROLINE NOKES:** But it would be feasible that any future or current Government looking at this legislation could just ensure that there were provisions included, so that you will not be back?

26 **NICHOLAS EVANS:** They could.

27 **CAROLINE NOKES:** That is my fundamental question: are you coming back any time soon?

28 **NICHOLAS EVANS:** We are not planning to.

29 **CAROLINE NOKES:** Fine. My second question is about the space. Just 1% of the land is still available for graves.

30 **NICHOLAS EVANS:** Yes.

31 **CAROLINE NOKES:** Is there any other land, either in the vicinity or on the site itself—maybe something like car parking—that could be used instead of disturbing existing graves? I think we would all acknowledge that that is not a very appetising prospect.

32 **NICHOLAS EVANS:** The short answer, as I understand it, is no; for the longer answer, I will hand over to Mr Johns and Ms Farrington to talk about the practicalities.

33 **CHRIS JOHNS:** The crematorium area is built on an area that can only be used for a crematorium; it cannot be used for a cemetery. That is already very much used and full—I say full, but in crematorium terms you are never quite full, because it is a slightly different process. In terms of free space there is probably, as Nick has said, about 10 years' space left, maximum. Car parking is already quite restricted and most of the roadways are fairly narrow; many of them are footpaths and, if you go into those areas, you start to disrupt the flow of the cemetery and affect its status as a listed area. It is very limited in that sense.



- 34 **CHAIR:** How much is the cost of a grave today?
- 35 **KELLY FARRINGTON:** Starting at £20,000.
- 36 **CHAIR:** Starting at £20,000—and I assume there is a long list of people trying to secure them?
- 37 **KELLY FARRINGTON:** We will only sell a grave at the point it is needed. Once a family is bereaved, they can purchase a grave, unlike historically, when they purchased a grave in reserve.
- 38 **CHAIR:** I assume people of all faiths and none are buried there?
- 39 **KELLY FARRINGTON:** They are.
- 40 **CHAIR:** Clause 22 requires the company to retain a record of remains disturbed under the Bill. Why must the record, according to subsection (2)(f), include only the approximate location of the reinterment? Why is it not possible to give the specific location? You will know exactly where people are moved to, surely.
- 41 **NICHOLAS EVANS:** It is intended to describe the location of the grave; you are quite right, Madam Chair, that they will know where the new grave is going to be. This clause mirrors language in other legislation that has conferred these powers. The intention is that the location of the grave would not be set out in, say, GPS co-ordinates, but by reference to which pathway it was off, how many graves it was to the left and how many graves it was behind that.
- 42 It was felt that describing that as an approximate location, rather than as the location, was appropriate when the first legislation came forward that included these provisions. I believe was the London Local Authorities Act 2007, but it may have been the New Southgate Cemetery Act 2017. My apologies.
- 43 **CHAIR:** Do not worry—we have quite a detailed briefing note in front of us, so we can always go through that and discuss it with the Clerks shortly. Do any of the witnesses wish to make a short statement or provide any further evidence? I believe you have a question, Mr Swallow.
- 44 **PETER SWALLOW:** Clause 8(1) of the Bill would allow all aspects of the company related to the cemetery to be transferred to a charitable transferee. Will there be any functions remaining for the company after the transfer? What will the company do and be once it has given up its assets?
- 45 **NICHOLAS EVANS:** The current intention is that the cemetery company would become a wholly owned subsidiary of the new charity. A lot of charities own a company that trades on their behalf. It would then be a matter for the charity to decide what to do with the company: it could be used as a trading subsidiary, it could potentially operate part of the cemetery for the charity, or the charity could decide to wind it up. It would be, though, a normal company. It would not be responsible for the operation of the cemetery any more. That would sit with the charity, so, as with any normal company, it would be up to its owners to decide what

to do with it.

46 **ROSS INGHAM:** If I may add to that, the charity does not exist as yet. We are going through the process of recruiting members of a steering group who will in due course become trustees of that new charity. I think the view is that it would be right for that entity or that group of people to make those sorts of decisions about what to do with the residual shell that is the GCC, once it is owned by the charity.

47 **PETER SWALLOW:** Well, indeed, what steps are you taking to ensure that there are no conflicts of interest here? You are quite right that, once the charity is set up and running, its job will be to manage its asset, the cemetery, in the way it feels is best for its objectives, which could well be to take on board the GCC in that way, or to wind it up and do it a different way.

48 **NICHOLAS EVANS:** Sorry—conflicts of interest between whom?

49 **PETER SWALLOW:** Between the charity and the GCC.

50 **NICHOLAS EVANS:** The charity would own the GCC 100% at that point, so they should not arise.

51 **CHAIR:** Mr Ingham, do you want to respond any further?

52 **ROSS INGHAM:** No, that is fine, thank you.

53 **CHAIR:** I have a question around clause 20(3), which talks about a minimum notice period of six months being considered sufficient to extinguish rights of burial in grave spaces and disturb human remains. I just want to check something. Earlier on, when I asked about people of many faiths and none, Ms Farrington, I think you nodded. If there are to be removals of human remains, I assume they will all be done appropriately within the faith of the person who was buried?

54 **KELLY FARRINGTON:** Absolutely, yes.

55 **CHAIR:** For the record, Ms Farrington, you are saying yes?

56 **KELLY FARRINGTON:** Yes.

57 **CHAIR:** Wonderful, thank you.

58 **CAROLINE NOKES:** I am going to ask a very vulgar question. Presumably the company as it stands makes an operating profit—or does it not?

59 **CHRIS JOHNS:** Yes, it does. The company as it stands turns over about £1.2 million. That is the turnover. It does make an operating profit, but almost all that profit goes back into keeping the cemetery active and open. Very little is distributed to shareholders—or it has historically been distributed to shareholders and is no longer distributed to shareholders, but goes back into the company.

60 **CAROLINE NOKES:** And that is not a sufficient surplus to have been able to maintain over the years all these grade II* listed monuments.

61 **CHRIS JOHNS:** No, definitely not.



HOUSE OF COMMONS

- 62 **CAROLINE NOKES:** Has any work been done to establish what the cost will be to bring those monuments up to the standard expected by English Heritage?
- 63 **ROSS INGHAM:** We have had various costed condition surveys undertaken over the last few years, in the run-up to this process. For the Anglican chapel, for example, the grade I listed building at the centre of the cemetery that is the centrepiece of the entire design, simply to make that building wind and watertight is £3 million, £4 million or £5 million. That is excluding the dozens of grade II or grade II* listed memorials and the boundary wall, which is also listed. The capital repairs liabilities are enormous, and significantly in excess of anything that the company would ever be able to generate through trading.
- 64 It is no coincidence, when you look at the others of the magnificent seven cemeteries in London, that they have all pursued and secured fairly significant heritage fund grants to address repairs liabilities with buildings, monuments and so forth. That is the route we are taking.
- 65 **NICHOLAS EVANS:** We estimated in mid-2004 that the full cost would be in the region of £30 million.
- 66 **CAROLINE NOKES:** In 2004?
- 67 **NICHOLAS EVANS:** Sorry—in 2024.
- 68 **CHAIR:** If the Committee have no further questions, I will ask the parties to leave the room while we deliberate in private.

The Committee deliberated in private from 5.24 pm to 5.25 pm.

- 69 **CHAIR:** Thank you for your patience while we considered what we have heard this afternoon. We have agreed that we are content for the Bill to proceed. I therefore invite Mr Johns to prove the preamble.

CHRIS JOHNS, sworn previously

Examined by NICHOLAS EVANS

- 70 **NICHOLAS EVANS:** Are you Christopher Francis Johns?
(Chris Johns): I am.
- 71 **NICHOLAS EVANS:** Are you the chairman of the directors of the General Cemetery Company?
(Chris Johns): I am.
- 72 **NICHOLAS EVANS:** Do you hold responsibility for the promotion of the



HOUSE OF COMMONS

Bill on behalf of the General Cemetery Company?

(Chris Johns): I do.

73 **NICHOLAS EVANS:** Have you read the preamble to the Bill?

(Chris Johns): I have.

74 **NICHOLAS EVANS:** Is it true?

(Chris Johns): It is true.

The witness withdrew.

75 **CHAIR:** Thank you. We have now concluded our business for today.

The Committee adjourned at 5.26 pm.