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Rt Hon Lord Hermer KC
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The Lord Gardiner of Kimble
Senior Deputy Speaker
House of Lords
London
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Tuesday 15th April 2025

Dear Lord Gardiner,

Report of the Attorney General on the General Cemetery Bill

House of Lords Private Business Standing Order No. 142 requires the Attorney General to provide a report on the above-mentioned Bill to the House before it can be taken into consideration by the committee on the Bill. I have considered the provisions of the Bill and how it affects the beneficial interests in charity.

The General Cemetery Company has owned and operated Kensal Green Cemetery since its inception in 1832. The making of rules for the management of the Company and Cemetery is currently set out in Acts of 1832, 1839 and 1937. As explained in the Explanatory Memorandum to the Bill, the purpose of the Bill is to update the regulation and management of the Company and the Cemetery, in order to preserve its historic landscape. The Bill will enable the Company to register as a private company under the Companies Act 2006 and repeals outdated and redundant legislation. Further, the Bill allows the Company to transfer the ownership and management of the cemetery to a charitable transferee, which would become the burial authority and, as a not-for-profit organisation, would be eligible for National Lottery heritage grants. Finally, the Bill will empower the Company to extinguish rights of burial in grave spaces and to disturb and reinter human remains in order to increase the space for further increments in those graves.

Kensal Green Cemetery is a place of significant historical, cultural and environmental importance. A source of income, including grant funding, is essential for the Cemetery's maintenance and conservation. However, this must not come at the expense of the Cemetery's cultural and historical integrity. I am satisfied that the Bill strikes this balance.

There is a clear benefit in transferring the Cemetery to a charitable transferee, which will unlock grant funding to be used for repairing and conserving the Cemetery's historic structures. Once transferred, the charitable transferee will be bound to operate the Cemetery in accordance with its primary objects which will ensure its conservation and uphold its

historical and cultural significance. I am satisfied that there is nothing in the Bill which will impede the charitable transferee's ability to act in accordance with those objects.

Kind Regards,

A handwritten signature in black ink, consisting of stylized, overlapping letters that appear to be 'LH'.

**RT HON LORD HERMER KC
ATTORNEY GENERAL**