Introduction

This is the latest in a series of newsletters from the Directors of the General Cemetery Company (GCC) intended for all those with an interest in Kensal Green Cemetery.

A Sustainable Future for the Cemetery is one step further as Shareholders vote in favour of the Bill

Many people do not realise that the General Cemetery Company is actually owned by shareholders and has been since it was established nearly 200 years ago in the 1830s. The unusual way that the company is constituted means that no shareholders are able to hold significant volumes of shares so there is no controlling interest, as there often is with more modern companies. The GCC's shareholdings are therefore highly fragmented and held by many different parties who each have a relatively small number of shares. Whilst the GCC knows who many of its shareholders are, shares have been handed down through families over generations and in some cases these shareholders cannot be traced. All of these factors combined can make governance particularly challenging at times.

As previously reported, the Directors of the GCC now know that to implement the major changes that are required to secure the future of the site, a new Act of Parliament is needed. Significant work was ongoing over 2024 to prepare a private Bill which, as previously reported, was submitted to Parliament in November of that year.

A key step in the process of the Bill was asking shareholders to agree to the submission of the Bill at something called a 'Wharncliffe Meeting'. If the motion was passed, the bill would continue; if the motion was rejected, the whole process would stop and the GCC would be prevented from making any material changes to the way that the site is run, placing it in significant jeopardy. The situation with shareholders explained above meant that the outcome of this meeting was particularly hard to predict.

However, the Directors are pleased to report that the motion in support of the Bill was passed unanimously at the Wharncliffe Meeting earlier this year, paving the way for the Bill to continue its passage through the Parliamentary process.

Key fact: A Wharncliffe Meeting is a specific type of company meeting in British law, where the proprietors or members of a company convene to formally approve a bill that will be presented to Parliament, granting the company additional powers; named after Edward Mackenzie, the 1st Earl of Wharncliffe, a prominent British 19th century railway chairman and member of the House of Lords.

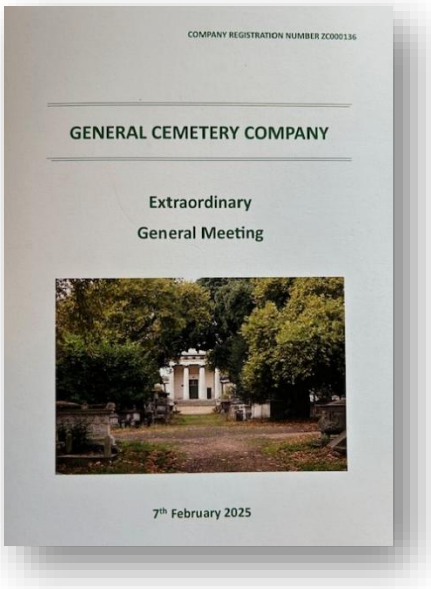

Image above showing the booklet provided to shareholders attending the Wharncliffe Meeting

So what happens next?

There is still a long way to go before the Bill can receive Royal Assent and become an Act; we estimate that this could be around the end of 2025 / start of 2026.

One of the key objectives of the Bill is to enable the GCC to set up a specialist charity to own and operate the cemetery and crematorium. This will also need shareholder agreement. As part of the preparation for this transition a draft set of charitable objects, effectively governing what the charity will do, have been prepared as follows:

1. For the public benefit, the continued operation of the cemetery as a public burial ground for the commemoration, burial and cremation of the dead;
2. For the public benefit, the repair and conservation of the monuments, buildings and historical landscape features of the cemetery;
3. For the public benefit, the conservation and management of historic records and other archives relating to the cemetery;
4. For the public benefit, the education of the public about the social, economic, environmental, architectural and cultural history of the cemetery and those buried in it.

In preparation for the future, as the Bill continues through Parliament, the GCC is currently setting up a Steering Group that is the embryo that will grow into the new charity board of trustees. Comprising a mixture of Directors (at first), and external parties, the Steering Group will then transition into the charity, taking ownership of the business plan and submitting an application to the Charity Commission in due course. Once it is up and running, and the Bill has become an Act, the process of transferring the ownership of the cemetery and the GCC over to the charity can begin.

We are very pleased to report that the process to find the first three external members of the Steering Group is now underway and applications are invited. We are seeking three high calibre individuals to fill the following three roles:

1. Treasurer
2. Heritage-lead
3. Management-lead

Further details and role specifications are provided in an information pack that can be requested by emailing office@inghampinnock.com

The deadline for applications is 21st June 2025.

We are looking for individuals who understand and will embrace our vision and who can help to shape plans for the future of Kensal Green Cemetery.

Contact

If you would like to receive future newsletters or opt out of future newsletters, please e-mail the GCC office using the following address: peter.humphries@kensalgreencemetery.com