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Dear Senior Deputy Speaker,

Report of the Attorney General on the Highgate Cemetery Bill

Standing Order 142 of the House of Lords 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. As Solicitor General, I may exercise any function of the Attorney General. I have considered the provisions of the bill and how it affects the beneficial interests in charity.

The Cemetery has been operated by the Friends of Highgate Cemetery Trust since 1975, following the dissolution of the London Cemetery Company which had operated it previously. As set out in the Explanatory Memorandum to the Bill, the purpose of the Bill is to authorise the Trust to extinguish rights of burial in grave spaces and to disturb and reinter human remains in order to increase the space for further interments in such graves and to improve Highgate Cemetery. The Bill also repeals outdated and redundant legislation in so far as it applies to the Cemetery and confirms the Trust's powers to operate and manage the cemetery following those repeals.

Highgate Cemetery is a site of national importance and unique cultural heritage. It is vital that this heritage is protected and preserved. This requires ensuring that the historical integrity of the Cemetery is not compromised in the pursuit of funds to preserve it, and I am content that the Bill strikes this balance. The Trust will remain bound to manage the Cemetery in such a way as to serve the charity's objects, and nothing within the Bill impedes the Trust's ability to do so. The Trust will continue to operate the Cemetery with ongoing input and support from Historic England, and others, to ensure the unique nature of Highgate Cemetery is preserved and protected.

I have written in similar terms to the Chairman of Ways and Means of the House of Commons.

RT HON MICHAEL ELLIS QC MP
SOLICITOR GENERAL