



Advisory Panel on the  
Archaeology of Burials in England

21<sup>st</sup> May 2010

Advice to David Radford, Oxford City Council, on the development of the former Ratcliffe Infirmary Burial Ground, Oxford

Background

An evaluation at the former Ratcliffe Infirmary Burial Ground indicated the likely presence of 500-700 well-preserved burials. The burial ground was in use from AD1770-1855. It lies on the site of a proposed double-basemented new university development. The RIBG was one of about 40 voluntary infirmaries built in the 18<sup>th</sup> century, but not all would have had dedicated burial grounds.

Specific questions

1. The architect's report on the site claims that the RIBG can be seen as one of hundreds of probably surviving 'similar' workhouse infirmary burial grounds. Is this assertion valid?
2. Is this well preserved example of a small group of voluntary infirmary (teaching / university) burial ground a sufficiently distinctive subset of Georgian burial grounds to be considered nationally important (using English Heritage criteria)?
3. In the event that archaeological excavation rather than preservation in situ is undertaken, would this group of inhumations warrant additional funds to secure storage in a consecrated environmentally monitored store with research access?
4. The removal of burials by faculty prior to a planning application and Environmental Impact Assessment would mean that the loss of archaeological significance would not be weighed against the wider merits of the scheme. Oxford City Council have therefore previously

argued that the University should set out its justification for removal and its consideration of alternative options within an EIA process. If the burials are removed under faculty pre determination then when the EIA is undertaken the historic environment baseline would have effectively been 'flattened'. In this instance would pre-application removal by faculty be acceptable?

### **Our advice**

The Panel has considered the case and offers the following advice:

1. We would question whether there are 'hundreds' of surviving workhouse infirmary burial grounds, and note that this claim was not based on detailed research. In any event, the information which teaching hospital burial grounds, such as RIBG, are likely to yield is rather different from that which might be derived from other sites such as workhouses or other hospital sites (e.g. military hospitals) which had different working practices and served different clienteles. In addition, the extent to which human remains and burial material culture survives on other, as yet unexcavated sites, is unknown as it is dependent upon local soil conditions and other factors.
2. It seems to us that, in PPS5 terminology, there is an archaeological interest in the site and that it is a heritage asset. Whether it meets criteria for national importance, and hence for preservation in situ, is less clear, and one should recall that the buried remains may deteriorate if soil conditions, hydrology etc are altered as a result of nearby development. If the development does proceed then the importance of the site argues for proper archaeological excavation, post excavation assessment and analysis, and publication.
3. If the site yields the quantity of burials anticipated, then the human remains, and their associated material culture, are likely to have considerable long-term research potential. The case for long-term retention of remains for research is strong. They would not need to be stored in consecrated ground, and only basic environmental controls (mainly to avoid excessive humidity and large temperature changes) would be needed. Note also that given the likely expense of reburial of remains, retention as a research collection may be the less costly option.
4. In this case, no useful purpose appears to be served by the residual legal effects of the consecration of the site, and the best way forward may be to remove those legal effects. As the land is not owned by an ecclesiastical corporation, the correct procedure for removing the legal effects of consecration would be by an application under S.22 of the Care of Churches and Ecclesiastical Jurisdiction Measure. Such an order is made by the Bishop on application of the relevant Archdeacon, but enquiries should be made to the Diocesan Registrar in the first instance.

Permission for removal of burials could then be granted by the Ministry of Justice (MoJ) in the normal way. This would make it easier to then look for storage, which would not have to be on consecrated ground or under faculty. Note that a S25 license as issued at present would almost certainly stipulate reburial two years after exhumation, although the Government statement of 6 April 2010 indicated that this was under review. In the meantime, it would be open to you to apply for an extension to this condition from MoJ, who have said that they will give extensions if there is good reason. However, it is important to have a suitable place available for long-term deposition.

We hope this advice is helpful.

Joseph Elders (Chair)  
Simon Mays (Secretary)

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