

# THRAPSTON TOWN COUNCIL

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## CEMETERY MEMORIAL SAFETY POLICY 2019



## **INTRODUCTION**

The following document sets out Thrapston Town Council's policy for the management of memorial safety in its burial grounds.

The Authority currently has responsibility for the following cemeteries and closed churchyards:-

Oundle Road Cemetery, Thrapston

St James's Churchyard, Thrapston

Since Victorian times, memorials have been erected at the heads of graves, as a permanent reminder of loved ones that are buried within.

Memorials have been wrongly assumed to be permanent structures that have been installed to the highest standard and will last forever without any need for repair.

The issue of memorial safety was brought to a head following cases where memorials have toppled over and caused injuries, sometimes fatal, to members of the public. In particular, the death of a child in Yorkshire in 2000 highlighted the problem of unstable memorials.

## **RESPONSIBILITIES AND LIABILITY**

1. Primary responsibility for Health and Safety in Council owned and also Council maintained cemeteries lies with Thrapston Town Council, as it is the burial authority in control of the cemetery, Thrapston Town Council is required to control the risks associated with any cemetery for which they have responsibility be they open or closed cemeteries.
2. Thrapston Town Council has responsibility for the overall safety within a burial ground under the Health & Safety at Work Act 1974 and the Occupiers Liability Act 1957 to ensure that, as far as reasonably practicable, their sites are maintained in a safe condition.
3. In order to comply with the Health and Safety at Work Act 1974, Thrapston Town Council intends to embark on a systematic programme of memorial inspections ensuring that any memorials that pose a risk to Health and Safety are made safe.
4. The strategic aim of this policy is to ensure that all open and closed cemeteries which are under the responsibility of Thrapston Town Council are safe places for staff, visitors and all others who may visit or work in the cemeteries.
5. Whilst Thrapston Town Council has overall responsibility for the safety of the cemetery, including risks from unstable memorials, it does not own the memorials. The owner of the memorial will be the grave owner.
6. The owners of memorials are responsible for maintaining the memorial in a good condition. In many cases there is no identifiable owner.
7. Memorial Stonemasons must now ensure memorials are erected safely and in accordance with current standards available within the industry – British Standard 8415, the National Association of Memorial Masons (NAMM) code of working practice and the British Register of Accredited Memorial masons Blue Book.;

## **IMMEDIATE DANGER**

8. In cases of immediate danger, the Council is empowered under the provision of the Local Authorities Cemeteries Order 1977 Article 6(1) to take immediate action to make safe dangerous memorials.

9. The Council is prohibited from taking direct action to remove an unstable memorial, which presents no immediate risk without following the Council's procedure.

## **GUIDANCE**

10. Thrapston Town Council has produced this policy with guidance from the Institute of Cemetery and Crematorium Management's (ICCM) report "Management of Memorials" April 2007, and The Local Government Ombudsman's special report "Memorial Safety in Local Authority Cemeteries".
11. This policy has been designed to mirror the Health and Safety Executive (HSE) and Institute of Cemetery & Crematorium Management (ICCM) guidance. The first recommendation being that "a clear policy should be in place with set standards for management of memorial stability".

## **TRAINING**

12. HSE guidance states that "all staff should be trained to carry out inspection of unstable memorials".
13. The Town Council's Facilities Manager will carry out all memorial inspections.

## **MEMORIAL STABILITY INSPECTIONS**

14. The management of memorial safety is based on a risk assessment approach and as a priority; this will involve identifying those memorials, which present an immediate and significant hazard, and making them safe (Appendix 1).
15. Prior to commencing memorial safety inspections the Council will follow the notification procedure as set out under the Local Authorities Cemeteries Order 1977 Schedule 3 (whilst schedule 3 relates to memorial clearance, Thrapston Town Council confirms that no memorials will be removed. The notification procedure in Schedule 3 is considered to be best practice). This includes notices around the burial ground and in local papers along with notification to any relevant Religious Authority and Commonwealth Graves Commission where required. Applications will be made to the Diocese in order to obtain permission of the Church of England to carry out work on consecrated ground if necessary.

16. The Council will carry out safety inspections on all memorials as part of its routine annual health and safety inspections, depending on the condition and risk assessment for each memorial.
17. A record of all memorial inspections and the results of these inspections will be kept by the Council and will be available to view on request at the Council Offices (one week's notice will be required for each request).
18. This inspection regime has been coordinated in accordance with the ICCM and NAMM recommendations.

## **METHOD STATEMENT**

19. Inspect and make safe where necessary all memorials up to 2.5m in height.
20. Visual inspection only of memorials over 2.5m in height and any complex structures. Any memorials considered to be hazardous will be cordoned off and considered by a team comprising the Thrapston Town Council's Facilities Manager and an independent structural engineer before any permanent action is taken, as in 28 below.
21. The Facilities Manager will initially carry out a thorough visual inspection of a memorial looking for signs of decay, e.g. loose or cracked cement, and degree of any lean that may occur. The Facilities Manager should also look for signs of soil erosion around the base of the memorial.
22. Once an unsafe memorial has been identified, information concerning the memorial is recorded on the dangerous memorials log sheet (Appendix 2) and the memorial inspection form (Appendix 3).
23. All relevant details, such as grave and section number, are included on the dangerous memorials log sheet, the condition of the memorial and the work required re-instating the memorial. The date of inspection is also recorded along with any intermediate action taken, such as attaching a warning (i.e. in the case of an exceptionally dangerous memorial it may be necessary to cordon off the memorial with pins and barrier tape).
24. In some cases it may also be necessary to photograph memorials that are in a dangerous condition. This may be evident from the degree of inclination or visible cracks in cement. Photographic evidence would, of course, be useful in any future correspondence with the

memorial owner. Where a memorial is unstable but where there are no visible signs of deterioration, the need for photographic evidence is dispensed with.

## **DEALING WITH MEMORIALS**

25. Data recorded on the memorial inspection form will be communicated to Thrapston Town Council.
26. Where the Facilities Manager has assessed a memorial as showing some evidence of movement but is not in imminent danger of collapse, he/she will inform Thrapston Town Council once the inspection of the site is complete.
27. A warning sign is placed on the memorial informing the grave owner of giving them a contact telephone number for further information. A letter will be sent to the owner if identified, informing of the condition of the memorial and what remedial action is required to ensure the memorial stays safe.
28. Where no owner can be found the Council will re-assess the memorial in a year, if the situation worsens the Council will lay down the memorial.
29. Where the Facilities Manager has assessed a memorial as posing an imminent danger, he/she will contact the Council immediately. A contractor can then be called upon to dismantle and make safe the memorial forthwith.
30. Memorials over 2.5m in height that are found to be hazardous will be cordoned off, pending inspection and receipt of qualified advice from a structural engineer.
31. The re-erection of the dangerous memorial remains the responsibility of the grave owner. For this reason the memorial inspection form is conveyed to the Clerk to the Council who is then able to identify the grave owner from the cemetery records.
32. Once identified, a standard letter is sent to a grave owner by the Clerk to the Council informing them of the dangerous state of the memorial and the remedial action taken to make the memorial safe. The letter will also inform the owner that if they wish to re-erect the memorial they must appoint a registered memorial mason and responsibility for their fees lies entirely with the grave owner and not Thrapston Town Council. Furthermore, notices can be placed around the cemetery displaying the grave and section numbers of memorials made safe.

33. In the case of memorials that require reinstatement and no living grave owner can be traced, repairs to the memorial could be funded by Thrapston Town Council if the grave is deemed to hold historical or aesthetic value.
34. Where memorials do not have historical or aesthetic value, Thrapston Town Council will lay down on the gravesite any failed memorial if the owner cannot be traced.
35. All data concerning the memorial, the original memorial inspection form, the contractor's emailed copy of the memorial inspection form and the dangerous memorials log sheet, will be filed away for reference and any future communication with grave owners.
36. Memorials that are found to have a no risk category and pose no significant risk to public safety will be placed on a rolling programme of testing. The length of time will be determined by the Facilities Manager. In some cases, the owners or relatives of the exclusive right of burial will be contacted and advised that their memorial would benefit from reinstatement.

## **LAYING DOWN MEMORIALS**

37. Thrapston Town Council recognises the sensitive nature of burial grounds and wishes to maintain attractive cemeteries.
38. Thrapston Town Council recognises their duty to keep the public safe, but equally understands the sensitivities of the grave owners and relatives. The permanent laying down of memorials will only take place in extreme circumstances and every attempt will be made to contact the owners or relatives of the exclusive right of burial. Where grave owners cannot be traced, memorials will be permanently laid down unless the memorials hold an aesthetic or historical value and the Council decides to reinstate these.
39. If there are no other practical means of making the memorial safe or where the grave owner or relative has requested it, having first received notification of the dangerous state of the memorial, memorials will be permanently laid down in as sensitive a manner as possible.
40. Where possible (i.e. where the memorial can be dismantled) the part of the memorial posing a danger shall be laid down leaving the remainder standing.

# INSPECTION RECORDS

Memorial inspections will be recorded giving details of:-

- Date of Inspection
- Grave Plot Number
- Condition (Lean, Angle, Stability, Decay, Movement Etc.)
- Test – Pass/Fail
- Actions Required and Taken
- Details of any Photographs
- Timescale for Re-inspection

The records will be archived electronically.

All inspection records will be held at the Thrapston Town Council offices and will be available to view if requested with one week's notice.

***“The Town Council reserves the right to amend and update this policy from time to time”.***

Adopted by Thrapston Town Council  
12<sup>th</sup> March 2019

.....  
Chairman

.....  
Town Clerk

Review Date: March 2020



## RISK ASSESSMENT & INSPECTION SHEET FOR THE INSPECTION OF MEMORIALS

Location: \_\_\_\_\_

Date of Inspection: \_\_\_\_\_

Monolith Memorials	
Lawn sections / low frequency visitation	
Away from roads/paths, seldom visited	
Accessible, reasonable numbers	
Signs of misuse in area e.g. vandalism	
Accessible, well visited	
Adjacent to well used roads and footpaths	
Very well visited ongoing burials in section	

Memorials Below 3'6"	
Lawn sections / low frequency visitation	
Away from roads/paths, seldom visited	
Accessible, reasonable numbers	
Signs of misuse in area e.g. vandalism	
Accessible, well visited	
Adjacent to well used roads and footpaths	
Very well visited ongoing burials in section	

Memorials up to 4'	
Lawn sections / low frequency visitation	
Away from roads/paths, seldom visited	
Accessible, reasonable numbers	
Signs of misuse in area e.g. vandalism	
Accessible, well visited	
Adjacent to well used roads and footpaths	
Very well visited ongoing burials in section	

Multi-jointed Memorials	
Lawn sections / low frequency visitation	
Away from roads/paths, seldom visited	
Accessible, reasonable numbers	
Signs of misuse in area e.g. vandalism	
Accessible, well visited	
Adjacent to well used roads and footpaths	
Very well visited ongoing burials in section	



No issues found on date of inspection

SIGNED: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

POSITION: \_\_\_\_\_



## DANGEROUS MEMORIALS LOG SHEET

Location: \_\_\_\_\_

Date of Inspection: \_\_\_\_\_

Section & Grave No	Condition	Photograph		Action Required	Action Taken			Timescale for Re-Inspection
		Yes	No		Warning Attached	Tapes Off	Laid Down	

SIGNED: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

POSITION: \_\_\_\_\_



## MEMORIAL INSPECTION FORM

Location: \_\_\_\_\_

Name(s) on Memorial: \_\_\_\_\_

Section & Grave No: \_\_\_\_\_

Detail of Work Required: \_\_\_\_\_

\_\_\_\_\_

Date of Inspection: \_\_\_\_\_

Inspector: \_\_\_\_\_

Date Requested Action: \_\_\_\_\_

Time Emailed: \_\_\_\_\_

Inspector Signature: \_\_\_\_\_

Owner's Details: \_\_\_\_\_

\_\_\_\_\_

Date Letter Sent: \_\_\_\_\_

Work Completed: \_\_\_\_\_

Authorised TTC Officer: \_\_\_\_\_

Signature: \_\_\_\_\_