

FAIR OAK AND HORTON HEATH PARISH COUNCIL



MEMORIAL SAFETY IN COUNCIL CEMETERIES POLICY AND PROCEDURES

1 Introduction

- 1.1 Fair Oak and Horton Heath Parish Council recognises that it has a duty of care to ensure the safety of employees, contractors and visitors who come into contact with memorials in Council operated cemeteries.
- 1.2 A 'memorial' is a permanent structure that commemorates a deceased person and may include kerbs, plaques, chains and posts, together with any temporary items placed on a grave.
- 1.3 Memorials in cemeteries may be old, neglected and in poor repair. In such condition they may pose a threat to safety.
- 1.4 Fair Oak and Horton Heath Parish Council is authorised to introduce memorial safety policy and procedures under the provisions of the Local Government Act 1972, Local Authorities' Cemeteries Order 1977, and the Health and Safety at work etc Act 1974.
- 1.5 This document details the policy and procedures adopted by Fair Oak and Horton Heath Parish Council for the management of memorial safety in cemeteries under the Council's control.
- 1.6 Council staff involved in cemetery management should follow these procedures designed to implement the Council's policy on memorial safety.

2 Policy on Memorial Safety

- 2.1 It is the policy of Fair Oak and Horton Heath Parish Council to ensure that the condition of memorials in cemeteries under the Council's control does not pose a significant hazard to anyone who works in, or visits the cemetery.

3 Responsibilities for Memorial Safety

- 3.1 The following parties have responsibility for memorial safety in Council cemeteries:-
 - (a) Fair Oak and Horton Heath has health and safety responsibilities to its employees, contractors and visitors to cemeteries.
 - (b) A monumental mason has the responsibility to work in accordance with the Council's conditions and specifications for memorials.
 - (c) An owner of a memorial has the responsibility to maintain it so as not to present a hazard.

4 Notice of Intent

4.1 Prior to any memorials being inspected, reasonable steps will be taken to inform grave owners and members of the public of the intention to inspect memorials and remove the danger from unsafe memorials.

4.2 This will involve:-

- I) placing notices on the cemetery gates and elsewhere in the cemetery as appropriate, and
- II) advertising in the Parish Council newsletter.

Copies of the preferred forms of notice are contained in Appendix I (a)-(c).

5 Procedures for Memorial Inspection and Remedial Action

5.1 These procedures have been formulated with due regard to the Code of Practice issues by the Institute of Burial and Cremation Administration (IBCA) on 'The Management of Memorials'.

5.2 The degree of implementation of these procedures will be dependent on sufficient resources being available to carry out inspection and to take remedial action.

5.3 The management of memorial safety in Council controlled cemeteries is based on a risk assessment approach. As a priority, this will involve attempting to identify those memorials that present an immediate and significant hazard and making them safe.

5.4 Action will be taken to deal with memorials identified as being unstable but not an immediate hazard, in order to prevent these memorials becoming a risk to safety in the future.

5.5 Appropriately trained staff may inspect memorials less than 2 metres in height. The inspection will comprise a visual assessment and a hand test, if considered safe to do so. Use may be made of a 'Topple Tester', structural stability testing device, when testing memorials less than 1.5 metres in height.

5.6 In the case of memorials less than 2 metres in height, priority will be given to those that are older, jointed or that appear unstable. The age of the memorial, ground conditions and local knowledge will be other factors used to guide inspecting staff in determining the priority of memorial inspections.

5.7 The inspecting officer will identify memorials in one of three categories:

Category 1 – requires immediate attention

Category 2 – unstable but unlikely to cause immediate danger

Category 3 – not dangerous

5.8 All memorials will be inspected on an annual rolling programme.

6 Action to deal with Category 1 Memorials

6.1 For All types of Category 1 memorials, the following action will be taken without delay:

- Cordoning off of the memorial using staked hazard tape.
- Placing a Category 1 Notice in a suitable position at the grave to warn of the immediate hazard posed by the memorial. A copy of a Category 1 Notice is attached as Appendix 1.
- Photographs are to be taken of the memorial at the time of the inspection and following the memorial being laid down or remedial work being completed. Photographs are to be retained with the inspection records.
- If the memorial is dangerous on the inspection the hazard posed by the memorial must be remedied by laying the memorial down immediately.
- Attempts will be made to recover the costs of this work from the owner, where known, together with an administration charge of 30% of the cost of the work.
- Where the owner of, or a person with an interest in, a memorial identified as a hazard is known, a letter must be sent within 3 working days of the inspection. A copy of the Category 1 Letter is set out as Appendix 2. A 'Record of Memorial Repair' form, set out as Appendix 7 should be sent with this letter.
- When a Category 1 memorial is subsequently repaired, the completed repair must be inspected by the Parish Council's officer. A completed 'Record of Memorial Repair' form should be forwarded to the Council by the monumental mason carrying out the repair. This will provide signed confirmation that the repair has been carried out in accordance with the Council's conditions and specifications for memorials, contained in the Council's Cemetery Regulations and Procedures.

7 Action to Deal with Category 2 Memorials

7.1 For all types of Category 2 memorials the following action will be taken without delay:-

- Placing of a **Category 2 Notice** in a suitable position at the grave to warn of the unstable condition of the memorial. A copy of the **Category 2 Notice** is set out as Appendix 4.
- Photographs are to be taken of the memorial immediately following the inspection. These should be retained with the inspection records.
- Where the grave owner or next of kin is identified, a **Category 2(1) Letter** must be sent within 5 working days of the inspection requesting memorial repair within 3 months. A copy of the **Category 2(1) Letter** is set out as **Appendix 5**. A 'Record of Memorial Repair' form, set out as **Appendix 7** is to be sent with this letter.

- After the expiry of 3 months the memorial is to be checked by EH staff. If no work has been done a letter must be sent requesting memorial repair within 1 month. A copy of the **Category 2(2) Letter** is set out as **Appendix 6**.
- Where works have not been carried out by the owner, or where no owner is identified, the Council will arrange for the memorial to be made safe, which will generally involve the memorial being laid down. The costs of this work will be recharged to the owner, where known, together with an administration charge of 30% of the cost of the work.
- Where a Category 2 memorial is repaired a completed 'Record of Memorial Repair' form should be forwarded to the Council by the monumental mason carrying out the repair. This will provide signed confirmation that the repair has been carried out in accordance with the Council's conditions and specifications for memorials, contained in the Council's Cemetery Regulations and Procedures.
- Memorial repairs must be carried out to approved National Association of Memorial Masons (NAMM) standards.

8 Category 3 Memorials

- 8.1 The inspection of Category 3 memorials will be recorded by staff and subject to re-inspection as part of the 5 year rolling programme.

9 Flow Chart of Memorial Inspection and Remedial Action Procedures (include Kerbs, Plaques, Chains, Spikes, etc)

An inspection and remedial action procedures for existing memorials is illustrated in the following flow chart.

PUBLICITY
Newsletter/Cemetery Notice Board/Letter/Councillors

MEMORIALS TO BE TESTED:

All over 2.0 metres in height
All Obelisks
All Crosses

All other memorials
Age of memorials
Ground Conditions
Local knowledge

**STRUCTURAL ENGINEER/
MONUMENTAL MASON**

IN HOUSE
Visual Test/Hand Test/Topple Tester
Palm Computer for Recording

**Category 1
Immediate Hazard**
Photographs – Laid Down

**CATEGORY 2
Unstable**
Notice – Photograph - Staked

**CATEGORY 3
Not Dangerous**
Incorporate in programme for re-inspection

REMEDIAL WORK
Arrange for laying down of memorial to be done within 3 days
Recharge if possible

REMEDIAL WORK
Write to Owner – giving 3 months to do works. If no action – write again giving 1 month.
Do works in default – generally lay flat and recharge if possible

Re-inspection in 1 year

Check repair work by EH staff or contractor to Council's conditions and specifications

Check repair work by EH staff or contractor to Council's conditions and specifications

When repaired etc re-inspect annually

When repaired etc re-inspect annually

10 New Memorials

- 10.1 To ensure that new memorials in Council cemeteries do not pose a safety hazard, the Council's Cemetery Regulations and Procedures 2006 contain a specification for the construction and installation of new memorials. All memorial masons and others installing memorials in Council controlled cemeteries will be required to construct and install memorials that meet this specification, or an equivalent standard.

11 Staff Training

- 11.1.1 All staff employed in memorial safety work will be trained to ensure competency and consistency in carrying out their duties.

12 Application for a Faculty

- 12.1.1 An application for a faculty under the Dioceses of Winchester will be required from the Bishop of the Local Church in Hampshire diocese before any work can be carried out by the Council on memorials in consecrated ground. The council will apply to the Church for an all-embracing faculty prior to undertaking memorial safety inspections.

13 Review of this Policy and Procedures

- 13.1 This policy and these procedures will be regularly reviewed by the Council.

January 2006

FAIR OAK AND HORTON HEATH PARISH COUNCIL

SAFETY INSPECTIONS OF MEMORIALS IN COUNCIL CEMETERIES

**LOCAL AUTHORITIES CEMETERIES ORDER 1977
HEALTH AND SAFETY AT WORK ETC ACT 1974**

NOTICE IS GIVEN that inspections of memorials, in cemeteries controlled by Fair Oak and Horton Heath Parish Council, are to be carried out to assess the safety of memorials.

The inspections will be carried out on an annual rolling programme to identify memorials that are an immediate hazard or unstable.

This inspection programme will start on

Where memorials are considered to be an immediate hazard the Council will cordon off the memorial, place a notice at the grave and take action to remove the hazard by laying the memorial down.

The Council will make every effort to recover the costs of making memorials safe when carrying out work in default of the memorial owner.

Full details of the memorial inspection programme can be obtained by contacting Fair Oak and Horton Heath Parish Council at:-

2 Knowle Park Lane
Fair Oak
Eastleigh
SO50 7GL
Tel: 023 8069 2403



FAIR OAK CEMETERY

MEMORIAL SAFETY INSPECTIONS

Memorial safety inspections are being carried out at this cemetery.

Memorials that are potentially dangerous may be cordoned off with hazard warning tape and laid down. Hazard warning notices will be placed on such graves.

DO NOT TAMPER WITH MEMORIALS SO IDENTIFIED

Where practical, all reasonable attempts will be made to contact grave owners.

If you are a grave owner, or have knowledge of a grave owner affected by these inspections, please contact the Council as soon as possible.

Please contact Fair Oak and Horton Heath Parish Council, at:

2 Knowle Park Lane
Fair Oak
Eastleigh
SO50 7GL
Tel: 023 8069 2403

APPENDIX I(c)

Dear

Safety Inspections of Memorials in Cemeteries Controlled by Fair Oak and Horton Heath Parish Fair Oak Cemetery

I am writing to inform you that safety inspections of memorials in the above cemetery are due to start in the near future.

These inspections are being carried out as part of an annual rolling programme of memorial inspections, this is a result of best practice of, in all Council controlled cemeteries.

The aims of the inspections are to identify memorials that are an immediate safety hazard, or, that are unstable and could become a safety hazard. Most memorials are found to be safe. If your gravestone is identified as unsafe we will contact you.

Memorials considered an immediate safety hazard, will be cordoned off using 'hazard' tape. Appropriate safety warning signs will be placed at the grave and a photograph of the memorial will also be taken. These memorials will normally be laid down as soon as possible to eliminate the safety hazard.

Safety warning signs will be placed close to memorials that are unstable; a photograph of the memorial will also be taken. Where the memorial owner is identified, a letter will be sent requesting that repairs to an approved specification are carried out within 3 months. If repairs are not completed, a reminder letter will be sent allowing a further month to complete the repair work.

After this period, and if the memorial owner fails to complete the necessary repair, the Council will carry out safety works. This work will generally involve laying the memorial down. Our records show you as responsible for this grave and you will be charged with the costs of the works

The safety inspection programme is being publicised by notice in the newsletter and by the display of notices at the cemeteries involved. However, this is a sensitive issue and I am therefore keeping local Councillors informed of the proposed inspection programme.

Please contact the Parish Clerk if you require more information regarding this matter.

Yours sincerely



FAIR OAK CEMETERY
IMPORTANT SAFETY NOTICE

This memorial has been found to be in an unsafe condition.

For reasons of safety the memorial is to be/has been laid down.

**FOR REASONS OF SAFETY DO NOT TAMPER
WITH THIS MEMORIAL**

Attempts are being made to contact the grave owner.

If you are the grave owner, or have knowledge of the grave owner affected by this work, please contact the Council at:

2 Knowle Park Lane
Fair Oak
Eastleigh
SO50 7GL
Tel: 023 8069 2403

APPENDIX 3

Dear

Memorial Safety in Council Cemeteries Fair Oak Cemetery – Grave Number

I understand that you are the owner of the above numbered grave, or, have an interest in this grave.

A safety inspection programme of memorials is being implemented in the above cemetery controlled by Fair Oak and Horton Heath Parish Council. The aim of the inspection programme is to identify memorials that are an immediate safety hazard and those memorials that could become a safety hazard due to instability.

During our safety inspection, the memorial on the above numbered grave was found to be an immediate safety hazard. In the interest of public safety, the memorial has been made safe by being laid down.

Should you wish to have the memorial restored you will need to contact a memorial mason for your choice to undertake the work which will need to confirm to the Council's Regulations, or, otherwise approved by the Council.

If repairs are carried out to the memorial, the enclosed record of memorial repair form must be completed and signed by the registered owner/s of the grave and returned to this office by your monumental mason.

The repair will be checked by an Officer from the Parish Council and will then be re-inspected on the yearly programme

If I can be of any assistance, please do not hesitate to contact me on the above number.

Yours sincerely



FAIR OAK CEMETERY

IMPORTANT SAFETY NOTICE

This memorial has been identified as requiring attention to prevent it becoming a danger.

**FOR REASONS OF SAFETY DO NOT TAMPER WITH
THIS MEMORIAL**

Attempts are being made to contact the grave owner.

If you are the grave owner, or have knowledge of the grave owner affected by this notice, please contact the Council at:

2 Knowle Park Lane
Fair Oak
Eastleigh
SO50 7GL
Tel: 023 8069 2403

APPENDIX 5

Dear

Memorial Safety in Council Cemeteries Fair Oak Cemetery – Grave Number

I understand that you are the owner of the above numbered grave, or, have an interest in this grave.

A safety inspection programme of memorials is being implemented in the above cemetery controlled by Fair Oak and Horton Heath Parish Council. The aim of the inspection programme is to identify memorials that are an immediate safety hazard and those memorials that could become a safety hazard due to instability.

During our safety inspection, the memorial on the above numbered grave was found to be unstable and in need of repair work in order to prevent it becoming a danger to visitors, Council staff or contractors. I would ask that you make arrangement for the headstone to be re-fixed in accordance with Cemetery Regulations, or, in accordance with an alternative approved repair scheme, by a monumental mason of your choice. This work should be carried out within three months of the date of this letter.

When repair are carried out, the enclosed 'Record of Memorial Repair' form must be completed and signed by the registered owner/s of the grave and returned to this office by the monumental mason.

The repair will be checked by an Officer from the Parish Council and will then be re-inspected on the yearly programme

If I can be of any assistance, please do not hesitate to contact me on the above number.

Yours sincerely

APPENDIX 6

Dear

**Memorial Safety in Council Cemeteries
Fair Oak Cemetery – Grave Number**

I wrote to you on..... Regarding the memorial on the above numbered grave, requesting that necessary repair work be carried out within three months in the interests of public safety and enclosing a memorial repair form.

As I have not heard from you within that period, I must inform you that this work must be carried out within one month of the date of this letter or the Council will make arrangements for the memorial to be made safe by our own contractor. Generally, this will involve laying the memorial down. Our records show you are the person responsible for this memorial and you will be charged with the costs of the works.

Please contact this office if you wish to discuss the contents of this letter.

Yours sincerely

APPENDIX 7

**FAIR OAK AND HORTON HEATH PARISH COUNCIL
RECORD OF MEMORIAL REPAIR**

PART 1 – TO BE COMPLETED BY THE REGISTERED GRAVE OWNER(S)

I/We am/are the registered owner(s) of the grave number..... at cemetery. I/We have instructed (monumental mason) to carry out repairs to the memorial on this grave to make the memorial safe.

Signed Date
Registered Grave Owner(s)

Once Part 1 has been completed please send this form to the Monumental mason carrying out the repair

PART 2 – TO BE COMPLETED BY THE MONUMENTAL MASON CARRYING OUT THE REPAIR

I confirm that I have carried out repairs to the memorial on grave number

At Cemetery, to make the memorial safe in accordance with the Council’s conditions and specifications.

Description of repair (to include dowel length and widths where appropriate)

.....
.....
.....

Signed Date
Monumental Mason

Once the repair has been completed, please return this form to:

Fair Oak and Horton Heath Parish Council
2 Knowle Park Lane
Fair Oak
Eastleigh
SO50 7GL
Tel: 023 8069 2403

PART 3 – INSPECTION BY COUNCIL OFFICER

Name of Officer Date of Inspection

Repair approved/rejected

Comments
.....

Signed Date