

UCKFIELD TOWN COUNCIL



MEMORIAL SAFETY POLICY

Policy Number 33

Issue No.	Date completed	Details of amendments
1		Revised following publication of Ministry of Justice guidance "Practical advice for dealing with unstable memorials" (January 2009) (<i>attached</i>)
<u>42</u>	09.02.09	EL.073.02.09
<u>43</u>	30.03.15	EL.080.04.15
<u>44</u>	20.03.23	EL.020.03.23
<u>5</u>	<u>19.01.26</u>	<u>Items 2.12 (re: new memorial testing SOP), 3.3 and 3.4 (to confirm earliest date & new pre-booking system for memorial installations)</u>

1.0 BACKGROUND

This document sets out Uckfield Town Council's policy for memorial safety in the cemetery and churchyard for which it has responsibility.

- 1.1 Uckfield Town Council is a burial authority as designated by Section 214 of the Local Government Act 1972 with the power to provide and maintain cemeteries. The Council has provided a cemetery at Snatts Road since 1885 and more recently it has become responsible for the maintenance of the closed churchyard at Holy Cross Church under Section 215 of the Local Government Act 1972.
- 1.2 Safety in cemeteries has been an issue for most burial authorities in recent years, with a number of well reported incidents in the national news. However, the actual number of accidents involving memorials known to the HSE is low, despite the very large number of memorials that exist.
- 1.3 Any monument or memorial erected in the cemetery remains the property and responsibility of the grave owner or their personal representative and therefore, remains in the cemetery at the sole risk of the owner or representative and must be kept in a good state of repair by them.
- 1.4 Uckfield Town Council can not be held responsible for any damage or breakage caused by a third party or by weathering which may occur to any monument or memorial. Any damage or breakages to memorials caused by Council staff or contractors working on behalf of the Council will be rectified appropriately.

2.0 PROCEDURE

This procedure has been revised following the publication of Ministry of Justice guidelines: "Managing the safety of Burial Ground Memorials – Practical advice for dealing with unstable memorials" (January 2009).

- 2.2 Signs are present in the Cemetery advising that some of the memorials may not be safe and that visitors should not lean on memorials.
- 2.3 The Council operates a rolling programme of memorial safety testing as part of its management regime. This includes:
 - 2.3.1 Their historical importance.
 - 2.3.2 The likelihood of members of the public visiting or walking past particular memorials.
 - 2.3.3 An overall assessment of the risks associated with the memorials to assist prioritisation of the more detailed inspections.
- 2.4 All testing of memorials is undertaken by trained staff and the following assessments will be carried out as necessary:
 - 2.4.1 A visual check for obvious signs that a memorial is likely to be unstable. Visual signs may include:

- damaged or eroding bonding
- movement of parts of a memorial from its original position
- kerb stones breaking apart
- undermined or unstable foundations
- leaning memorials
- evidence of structural disturbance or damage
- the presence of vegetation, etc.

2.4.2 Where a visual check suggests no stability defects, a hand test can help confirm that assessment or identify stability problems. This can be done at the time of the visual inspection, with staff applying firm but steady pressure in different directions to determine to what degree the headstone is loose. No mechanical means of testing will be undertaken.

It should be noted that many memorials installed in recent years on independent foundations are fitted with ground support systems. These may move or even rock if the base to its foundation joint is broken they will do so within designed tolerance limits and may represent no danger as the memorial will lock on the ground anchor.

2.4.3 Where the initial inspection identifies significant risk, arrangements will be made for a more detailed inspection before any action is taken, e.g., the memorial is laid flat.

2.5 Formal notices will be posted at the cemetery advising visitors that testing is carried out regularly. Information regarding memorial testing will also be available on the Council's website and through the Council's newsletter to ensure that all local people are aware that the testing will be taking place. Staff and visitors to the cemetery will also be encouraged to report to the Council any memorials they believe to be unsafe. All notifications will be recorded and details passed to the last known Deed holder as appropriate.

2.6 The results of all memorial inspections will be recorded, noting the current condition of the memorials and where action is necessary or likely to be necessary in the future.

2.7 During testing, if a memorial is found to be unsafe any precautions taken must be proportionate to the risk of people suffering harm. The following action will be taken:

2.7.1 If the memorial requires attention to make it safe, but is not in imminent danger of falling down, the Council will place a warning sign near to the memorial alerting visitors to the potential danger and will write to the last known Deed holder within six weeks, advising them of the findings.

Deed holders will be asked to confirm to the Council that the work will be undertaken and when the work is likely to be carried out.

- 2.7.2 If the memorial is extremely unsafe and thought to be at risk of falling down Council staff may lay the memorial down flat or restrict access to the memorial. The last known Deed holder will be written to advising them of the action that has been taken and what is required of them if they wish to have the memorial fixed and re-erected. It is emphasised that laying down memorials will only be carried out as a last resort.
- 2.8 Whilst the Council makes every effort to trace the last known Deed holder, this is not always possible for a number of reasons (the person may have died, or moved and the Council has not been informed of the change of address).
- 2.9 The Council will not pay to have unsafe memorials repaired or re-erected if the last known Deed holder cannot be traced and with consideration to the actual level of risk the most appropriate action will be taken to make the memorial safe, i.e., laying the memorial flat.
Staking of memorials is not recommended.

| 32.10 There are a number of War Graves in the cemetery. War Graves are maintained and inspected by the Commonwealth War Graves Commission (CWGC).

| 23.11 During routine memorial inspections any damage or disturbance to any of the War Graves that is noted by Council staff will be reported to the CWGC for further action.

| 2.12 A Standard Operational Procedures guide is available for qualified memorial safety testers (App A Internal Use Only print out attached).

| **43.0 MANAGEMENT AND ADMINISTRATION OF MEMORIAL SAFETY**

| 43.1 All memorials must be erected and fixed in accordance with either The British Register of Accredited Memorial Masons scheme (BRAMM), which is managed by a board comprising 50% representation by burial authorities and 50% by memorial masons, or, National Association of Memorial Masons (NAMM) Code of Working Practice, which is managed by masons that are NAMM registered. All monumental masons are made aware of this policy and received a copy of the Council's Cemetery Regulations.

| 43.2 The burial authority will not permit a memorial to be erected without this guarantee of conformity which also includes public liability cover. If a memorial becomes unsafe at any time the authority can check the work, if it does not comply with BS 8415 and the appropriate industry code of practice current at the time of installation, the memorial masons will be liable.

3.3 A headstone memorial must be installed by a qualified Memorial Mason no less than 14 months after a burial. This is to allow the ground to settle before any works can be carried out to the grave setting.

3.4 To ensure that there are no clashes with days when burial interments are taking place a new pre-booking system is available via Uckfield Town Council for Stone Masons and Funeral Directors to book ahead for the installations of memorials.