

Loughton Town Council MEMORIAL SAFETY POLICY

Introduction

Since Loughton Cemetery opened for burials in 1888, memorials have been erected on graves as a permanent reminder of those buried within. It is often wrongly assumed that memorials are permanent structures, installed to the highest standards, which will last forever without any need for repair.

Sadly, this assumption has cost the lives of eight people nationally in recent years, most of whom have been children, and there have been countless accidents ranging from bruising to severe crush injuries and bone breakages. Local authorities have a responsibility to tackle the issue of neglect and in some cases poor workmanship.

The memorials do not belong to the Council; they remain the property of the Deed Holder to the Exclusive Rights of Burial or their successors in title.

Responsibilities

The following parties have responsibility for memorial safety in Loughton Cemetery:

- **The Council** has health and safety responsibilities to its employees, contractors and visitors.
- **Monumental masons** have the responsibility to work in accordance with the Council's conditions and specifications for memorials as laid down in the Cemetery's Rules.
- **An owner**, the Deed holder or successor in title, of a memorial has the responsibility to maintain it so as not to present a hazard.

Communication – Notice of Intent

To raise awareness and reduce the potential for adverse publicity and public distress, prior to any memorial inspection, the Council will take reasonable steps to inform grave owners, deed owners or successors in title, and members of the public, of the intention to inspect memorials and remove the danger from unsafe memorials.

This will involve:

- giving advance general notice in a local newspaper at least three months in advance of any inspection regime commencing;
- making further media announcements giving details of the methodology at least one month prior to commencement of any inspection;
- publishing details of the assessment and methodology on the Council's website and in the Council's quarterly newsletter 'Think Loughton';
- placing public notices in prominent locations in the cemetery and on noticeboards around the town; and
- informing all our regular funeral directors and stonemasons.

Memorial Inspection Procedure

1. Memorial safety inspections will be carried out by a specialist operative appointed by Loughton Town Council.
2. If required, a Faculty Notice will be obtained for consecrated areas of the Cemetery. This can be obtained from the Chelmsford Diocese. NB: a faculty is not necessary when the process of memorial testing is to be carried out by hand.

3. Assessment:

- a visual inspection of each memorial will be followed by
- a safety assessment to test whether memorials can withstand a reasonable hand force. This force has been arrived at scientifically and replicates the force of a person falling, pushing or pulling against a memorial.

Initial visual warning signs of memorial instability are as follows:

- Movement 5 degrees from vertical
- Cracks in headstone or base
- Movement if rocked
- Ground settlement
- Waterlogged ground
- Missing parts

4. At the completion of the testing of each memorial, the operative will identify memorials in one of the two following categories and record the results:

- Category 1 – requires immediate attention to make safe.
- Category 2 – stable and not dangerous in any way and to be reassessed in five years.

For Category 1 memorials, in line with the available official guidance from the Local Government Ombudsman and the Institute of Cemetery and Crematorium Managers, the options for **remedial action** are as follows:

- a) Braced with a stake and banded to provide support. This will be the primary method of making safe.
- b) Carefully laid flat within the grave space with the inscription visible. This method is considered to be a last resort and will only be used where the danger is acute and immediate and there is no other way of making safe.
- c) Dismantled to remove the danger (larger memorials, tiered crosses, obelisks etc). This method is also considered to be a last resort and will only be used when unavoidable.
- d) Any memorial found to be unsafe is to have a warning notice attached explaining the situation and giving contact details for further advice.
- e) An appropriate officer of the Council will determine in discussion with the operative which of the above options will be used to make the memorial safe.

Notification, Repair and Re-fixing

Where a memorial has been identified as being unsafe and action taken to remove the immediate danger, the following action will be taken:

- A warning notice will be displayed and attached to any memorial that has been assessed as dangerous. This notice will explain the situation and offer advice and contact details for further information.
- The Burial Clerk will endeavor to contact the owner of the memorial at the last known address**.
- Detailed lists of failed memorials will be published on the Council's website and available for viewing at the Town Council Offices in Loughton Library and Town Hall.

**Where the owner cannot be traced the Council will be asked to consider whether the memorial warrants the Council undertaking the repairs and placing a charge on the grave record such that when an owner comes forward a reimbursement of these costs may be requested.

Memorial Owners

Loughton Town Council recognises that the assessment process may be upsetting for members of the public and regrets any distress that it may cause. However, it is better that the memorial is assessed rather than be left to pose a potential danger to other people.

If a memorial has to be made safe at the time of the inspection, Deed owners can choose to either:

- **Take no further action;** if a stake has been used to support the memorial it is considered to be safe. The stake may be replaced to re-stabilise the memorial during any further assessment in the next five-yearly round of assessments to stabilise it. If the memorial has been laid flat, this action will have been taken only as a last resort. Once a memorial has been laid flat it is considered to be safe; or
- **Have the memorial repaired;** Deed owners will need to arrange the necessary remedial work with a memorial mason, for which the mason is likely to charge a fee. These memorial masons must undertake the repair up to a minimum standard as recommended by NAMM or equivalent. Repairs can only take place after a Memorial Application form has been authorised by Loughton Town Council – there is no fee for this authorisation. No attempt should be made to repair or remove any memorial except by a properly qualified memorial mason.

Informal visual inspections will continue to be carried out by council staff during their normal working routines i.e. locally to where graves are being dug and grounds maintenance operations are taking place; should any memorials fail these random visual tests the employee will report their findings to the Burial Clerk.

Information

Any concerns or questions about the memorial assessment process should be referred to the Burial Clerk by writing to Loughton Town Council, Loughton Library and Town Hall, Traps Hill Loughton, IG10 1HD or by email to contact@loughton-tc.gov.uk, telephone 020 8508 4200.

Agreed 11 April 2018