



ENVIRONMENT AND HERITAGE COMMITTEE

at 7.45pm on

Wednesday 11 April 2018

at Loughton Library and Town Hall, Traps Hill, Loughton IG10 1HD

Supplementary Agenda

**For Agenda items 7, Christmas Lighting, and
8, Loughton Cemetery – Memorial Safety Policy**

Agenda item 7

Christmas Lighting

The Services Manager has been working with three contractors to explore options for a seasonal lighting scheme in the shopping centres for December 2018.

The Committee will be asked to consider various options and agree preferences so that the costs can be negotiated on a three-year contract and to delegate the final decision to the Town Clerk and Services Manager in discussion with the Chairman and Vice Chairman.

BUDGET

The 2018/19 budget for Christmas lights stands at £15,000. The Committee is asked to CONFIRM that a similar figure for the two following years may be allowed for to enable the Services Manager to negotiate a 3-year contract at a more advantageous price.

OPTIONS

- 1) **To continue with the current scheme** for The Broadway, Loughton High Road and Old Station Road involving 49 lamp columns with 1.2m artificial trees.

Cost £21,000 for 3 years (cost to date £30,000 for 3 years), i.e. £7,000 p.a.

Officers do not recommend this option.

- 2) **To wrap 49 lamp columns** (locations as above) **with 200 LED lights**

Cost £17,500 for 3 years (cost includes initial purchase, storage, annual installation and dismantling and switch on), i.e. £5,833 p.a.

Cost for 300 LED lights per column increases to £22,800 or £7,600 p.a.

The cost could be reduced by leaving the lights in situ as with tree lights on Kings Green and the Horse Chestnut tree near Standard Green, but officers do not recommend this and it is unlikely that ECC would approve.

- 3) **Motives for lamp columns**

Standard sized motives are 2m tall and project between 0.5m and 1m depending on the design. They are available in a choice of colours. The choice of colour does affect the impact of the display given the ambient light levels in the shopping centres.

Photographs will be available at the meeting to give a better idea of the likely impact. They can also be used in pairs to create a bigger impact but lamp column locations may restrict this.

Costs per motive (purchase) range from £230 - £400 each.
Installation and removal costs of £80 per motive per year plus storage.

- 4) **Lighting of additional trees**

Currently the two large trees lit annually are the large lime tree by the War Memorial on Kings Green and the Horse Chestnut near Standard Green. There is potential to light 2 medium trees on Centric Parade and 5 trees on The Broadway, all on the south-eastern side of the road (Burton Road side).

Costs depend on number of LED lights required for the size of tree but for 1,000 lights allow **£600** for purchase and installation plus additional infrastructure work to provide power from adjacent lamp column. Additional lights pro rata.

Officers are concerned that these smaller trees will lack the visual impact of the larger trees and may also be more vulnerable to accidental damage.

5) Brickclamps Display Panel

For a 5m panel (larger than the previous 3m) **allow £1,500** for 3 years.

PREFERENCES

The Committee is asked to consider the options above and CONFIRM its preferences for the lighting displays.

DELEGATION

The Committee is asked to DELEGATE the final contract arrangements to the Town Clerk and Services Manager in discussion with the Chairman and Vice Chairman.

Agenda item 8

Loughton Cemetery – Memorial Safety Policy

Background

The 2014 document “Managing the safety of burial ground memorials: practical advice for dealing with unstable memorials”, published by the Ministry of Justice, comments:

Over the last 30 years, eight people in the UK have been killed when a memorial has fallen on them. Given the number of memorials and the number of visitors to burial grounds in any year, the risk of any injury is extremely low.

The Town Council issues licences for the installation/erection of memorials to the owners of the Exclusive Rights of Burial for a particular grave. The memorial remains the property and responsibility of the owner of the Exclusive Right of Burial and not the Council. However, under the Health and Safety at Work Act 1974 and the Occupiers Liability Act 1957, the Council has a “duty of care” and must assess and manage the risks from these memorials.

Since September 1997 when Loughton Town Council assumed responsibility for Loughton Cemetery, officers have endeavoured to ensure that all new memorials are installed using methods recommended by the National Association of Memorial Masons (NAMM) and so comply with British Standard 8415.

Whilst this should guarantee the stability of headstones for many years, it is wrong to assume that memorials are permanent structures requiring little or no maintenance. The licence holder, or their successors in title, has the ultimate responsibility to maintain their memorial so as not to present a danger and as such are therefore liable for all expenditure incurred to make safe their memorial in the event that their memorial is found to be unsafe or in a dangerous condition. This is not the responsibility of the Council.

The draft policy provided below is based on the Management of Memorials guidance issued by the Institute of Cemetery and Crematorium Management (ICCM). This guidance was based on the research carried out by the Confederation of Burial Authorities (CBA) and is supported by the Health and Safety Executive (HSE).

For information memorials can be categorised in the following styles:

1. Cremated remains and lawn section memorial plaques and flower vases (low level up to 0.305M (12”));
2. Kerb sets;
3. Traditional (headstone with base up to 1.067M (3’ 6”));
4. Large monument (statues etc greater than 1.067M (3’ 6”));
5. Multi units (tiered crosses, obelisks etc.); and
6. Older headstones (base below ground with saddle foundation)

Memorials in styles 3 to 6 will be treated as a priority for testing. A recent inspection has identified almost 1,000 of these styles from amongst the 4,300 graves requiring testing. Of the remainder, there are some 700 cremated remains plots with only stone plaques and many full graves without memorials. The inspection cost per memorial is likely to be around £1 net of VAT.

Cont’d overleaf

MEMORIAL SAFETY POLICY (draft)

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:

The Burial Clerk
Loughton Town Council
Loughton Library and Town Hall
Traps Hill
Loughton IG10 1HD

contact@loughton-tc.gov.uk

020 8508 4200