

Report to: Environmental Services Policy
Development Group

Date: 29th June 2009

Report of: Malcolm Veigas, Assistant Director of
Community Services

Report No: EMES/270/09

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Report Title: **Management of Memorials**

**Confidential /
Non Confidential:**
(delete as approp)

(Non-Confidential) This report does **not** contain information which warrants its consideration in the absence of the press or members of the public

Purpose:

To share with the committee the considerations with regard to the council responding to its legal obligations relating to memorial safety management to ensure the health and safety of staff and visitors to its cemeteries.

Recommendations:

The Executive member is requested to note the considerations identified and the approve the recommended way forward for the service presented in the report to:

- a) Develop a formal memorial safety policy as part of the overarching Bereavement Services Strategy
- b) Meet the costs of the scheme from the Graves in Perpetuity fund.

Decision:

Background Doc(s):

Report from Peter Mitchell Associates.

(for use on Exec Rep)

Signed:

Leader / Executive Member

Monitoring Officer

Date:

Summary:

(on its own page
with background
docs)

1. BACKGROUND

There is a legal duty on the council to ensure the Health and Safety of staff and visitors in its cemeteries and to resolve to undertake a memorial safety programme.

It is wrongly assumed that memorials are permanent structures that have been installed to the highest standards and will therefore last forever without any need for repair. Unfortunately, across the country this assumption has cost the lives of a number of people over the past few years and there have been a number of accidents ranging from bruising to severe crush injuries and bone breakages.

Guidance has been issued from national bodies within the industry which indicates that cemetery managers have a responsibility, under the Health and Safety at Work Act 1974, to ensure that memorial risks within their cemeteries are properly managed. Key documents in this respect are the Institute of Crematorium and Cemetery Management (ICCM) guidance (updated in April 2007) and the Local Government Ombudsman special report about memorial safety published in March 2006.

Guidance indicates that all cemetery memorials should be inspected to ensure they can withstand a reasonable pressure that may be applied by users of the cemetery should they slip and use the memorial to try and stabilise themselves for instance.

Indeed, the Health and Safety Executive now expect burial authorities to be inspecting memorials at least every 5 years and to be making safe any memorials that fail the inspection process. To make memorials safe there are range of options based on a proper risk assessment.

This can include;

- Placing notices on memorials
- Setting memorials in the ground
- Temporary make safe systems
- Laying memorials down
- Barrier fencing each memorial
- Fencing or cordoning off whole sections if the problem is severe enough.

This work is potentially extremely expensive and creates a significant workload for cemetery managers. It can also cause upset to bereaved families and potentially become a huge problem area.

In Bolton, a sample check inspection has been undertaken at all cemeteries as public safety is of paramount importance. However to undertake a full inspection programme of an estimated 48,000 memorials across the 7 borough cemeteries and introduce a programme of remedial measures will run into tens of thousands of pounds.

Steps have already been taken to avoid the problem escalating in that we ensure that all new memorials are fixed by contractors who are registered with the British Register of Accredited Memorial Masons (BRAMM) who are required to undertake the work in accordance with the National Association of Memorial Masons (NAMM) national code of practice standards to ensure memorials are securely fixed.

Bolton Council commissioned Peter Mitchell Associates to provide the council with independent assessment and advice regarding the issues surrounding the management of memorials in its cemeteries.

The following is a summary of the findings from the specialist report.

2. MANAGEMENT OF MEMORIALS - KEY FINDINGS

2.1. The Council should develop and approve a formal memorial safety policy to adapt national guidance to our local circumstances.

2.2. Specific consideration should be given to the resources required and the costs involved in the management of memorials.

2.3. The key issues to consider relate to:

- Publicity e.g. public notices in cemeteries etc.
- The memorial inspection process and the test force that should be applied to memorials
- Assessment and Recording e.g. data capture and recording.
- Making memorials safe e.g. laying down; temporary support; full re-instatement etc.
- Administration e.g. contacting grave owners; maintaining records.

2.4. The costs and impacts of undertaking memorial safety work will vary between the different cemeteries in Bolton. On the basis of an estimated 48,000 memorials and an assumed failure rate of minimum 20%, maximum 40% of which 75% can be staked and 25% laid down; costs are in the region of £200k to £250k.

2.5. Decisions need to be made relating to whether to deliver the work programme through in-house staff or specialist contractors or a combination of both.

2.6. Bolton council's cemeteries vary in character and types and sizes of memorials. It would be logical to tackle one cemetery at a time and in view of the scale of the work and the likely costs, phase the work over 2/3 years.

2.7. Capital funding will need to be allocated to complete the memorial safety programme over an agreed period.

2.8. It is also a matter of Council policy whether to fund or part-fund the reinstatement of memorials.

3. RECOMMENDATIONS.

- a) Develop a formal memorial safety policy in line with the independent assessment and as part of the overarching Bereavement Services Strategy
- b) Meet the costs of the scheme from the Graves in Perpetuity fund.

The Executive Member is requested to approve the above way forward recommended for the service in line with the information presented in the report.