

WEST MOORS TOWN COUNCIL



Management of Memorials Policy and Procedure Document

Adopted 26th March 2009

Amended 7th February 2023

MANAGEMENT of MEMORIALS POLICY and PROCEDURE DOCUMENT

1. INTRODUCTION.

- 1.1 West Moors Town Council undertakes all aspects of the day-to-day management of the cemetery at Priory Road, West Moors.
- 1.2 West Moors cemetery was opened in the 1930's.
- 1.3 Under current legislation, as owners of the cemetery, the West Moors Town Council have a duty of care to ensure that visitors to the cemetery are safe and no harm will come to them.
- 1.4 To ensure this, the Town Council has undertaken a risk assessment for the cemetery (annex 1) and within that assessment the issue of unstable memorials has been raised.
- 1.5 Whilst the Town Council recognises its responsibility to ensure that the cemetery is in a safe environment, memorials contained within the site are not within its ownership and this needs to be considered as part of the authority's management of memorials.

2. RESPONSIBILITY FOR HEALTH AND SAFETY.

- 2.1 West Moors Town Council takes its responsibility for health and safety very seriously and, therefore, anyone working or visiting the cemetery must be able to do so without fear of injury or peril.
- 2.2 The Town council has direct ownership and control of the land, and therefore should there be a reason for these assets to become unsafe it can, with out recourse to others, take the appropriate steps to remove any danger. Grave memorials are the exceptions to this, being in the ownership of individual grave owners.
- 2.3 Cemetery memorials are rarely in the ownership of the local authority and therefore should a memorial be deemed to be unsafe, the local authority is in a difficult position as it cannot use public money to repair private property which has fallen into disrepair or become unsafe. All that the authority can do is, to the best of its ability, make such a memorial safe by either laying it down or temporarily staking it. It is then the sole responsibility of the monument owner to fund any repairs to ensure that it is made safe.
- 2.4 The Town Council has taken steps to ensure that when private memorials are erected at the Cemetery, the memorial is fixed in such a way, using an appropriate NAMM (National Association of Memorial Masons) style fixing, that we can be assured that the memorial is not likely to become unsafe.

3. GRAVE AND MEMORIAL OWNERSHIP.

- 3.1 The current policy that the Town Council has with regard to grave ownership is that once a grave space is purchased, a grant is issued allowing the owner exclusive rights of burial for 100 years. The right to erect a memorial on the said grave space is taken as part of the grant.
- 3.2 Keeping track of grave owners is difficult as, under the current arrangement, the only contact we have is when the grave owner requests to intern another relative or erect a memorial.
- 3.3 In recent years, we have been much more proactive in ensuring records are updated as soon as such requests are received or when it is brought to our attention that there is likely to be a change of owner of the grave.
- 3.4 As part of the ongoing management of graves, prominent notices are displayed in the cemetery asking those visiting graves to be sure that the Burial Authority knows who the current grave owner is.
- 3.5 To overcome this problem, in future the Town Council decided to split the right to erect a memorial from the grave space grant and in future all new memorials erected or when an additional inscription is added, a new grant to erect a memorial is issued.
- 3.6 If a memorial fails a safety test and the owner decides not to pay for a repair or cannot be traced, the Town Council will remove the dangerous monument without the consent of the grave owner.

4. UNSAFE MEMORIALS.

- 4.1 Should a memorial be found to be unsafe the Town Council will have no alternative other than to make it safe immediately.
- 4.2 West Moors Town Council have adopted the following procedure to ensure that the memorials can be made safe.
- 4.3 The first step, when a memorial becomes unsafe and where it is safe to do so, is to stake from behind and to band it carefully using plastic strapping. This can only be seen as a short term remedy whilst attempts are made to track down the owner. This type of repair is itself is subject to testing and therefore should be in place for no more than six months.
- 4.4 If, after that time, the owner has not been located or they have not made any attempt to repair the memorial, it will be laid down onto the grave. In laying down care must be taken to ensure that the process itself does not cause a danger either to the staff undertaking the work or visitors after the work is done. The correct lifting equipment will be used and the memorial will be placed within the designated grave space and will not obstruct the paths.

4.5 The Town Council's policy is that any memorial that is laid down for a period of five years or more will be deemed to be untended and will be removed.

4.6 As stated every effort will be made to contact the memorial owner in order that they can undertake the necessary repairs.

5. TESTING FOR UNSAFE MEMORIALS.

5.1 A proactive approach will be taken to memorial testing with all memorials being tested every five years.

5.2 The Town Council will instruct an independent contractor who will carry out the work sensitively and will produce records accurately.

5.3 In addition to the statutory notices, for a period of three months prior to any work commencing, the Town Council will undertake an awareness campaign through the press, not only to meet its statutory obligation, but to raise awareness of the issue of memorial safety. Along side this there will be notices at the cemetery and by contact with local memorial masons who work regularly in the cemetery.

5.4 Once the start date has been agreed, the testing will be open to the public and monument owners who are concerned about the testing. Should they wish, a memorial owner will be able to watch whilst their monument is being tested.

- ❖ Stage one is a visual inspection - the memorials will be visually inspected and any leaning will be noted. The memorial will also be checked for signs of damage or cracking around the joints.
- ❖ Stage two will be the hand test a gentle hand pressure is applied to the monument to see if it moves. Should it move, it shall have been deemed to have failed and will be made temporarily safe by staking if appropriate.

The final action will be to record the results.

6. SUMMARY

6.1 Memorial testing is a sensitive issue and needs to be undertaken using care and diligence. Nevertheless, the authority has a duty to ensure that its cemetery is safe for both staff, contactors and visitors and therefore it can not ignore the need to safety test memorials.

7. REVIEW

The policy will be reviewed as and when there is an organizational or legislation change.

APPENDIX 2.

REMOVAL, STORAGE AND DISPOSAL OF UNTENDED MEMORIALS

Once a memorial has been erected it is unlikely to be considered for removal until such time as it becomes unsafe. The Town Council's document Management of Memorials clearly sets out the condition under which a memorial can be removed, however in reality a memorial will only be removed once it is deemed to be dangerous and it is clear that the owners are going to make no attempt to make it safe.

Once a decision is made to remove a memorial, the Town Council will act in the following way:-

After the five year period of the memorial being laid down within the designated grave space unless the rightful owner comes forward and reinstates the memorial, decides to take it away or replace it with a new one it will be removed.

Hazard	Likelihood	Severity	Risk LXS=	Control Measures in Place
Cemetery				
Damage/vandalism to walls, fences, seats and memorials.	2	2	4	Material damage cover through Norwich Union. Visual inspection. In House repairs or appropriate qualified contractor.
Inaccurate record keeping and grave space identification.	2	3	6	Computerised record systems with data held on a remote server. Additional paper copies as backup. Staff fully aware of cemetery layout.
Unstable memorials	2	4	8	Memorial stability being checked on a five yearly basis. Remedial work identified and corrective measures monitored. In House repairs or appropriate qualified contractor. Public Liability Insurance.
Loss of revenue through poor management and badly maintained cemetery.	2	4	8	Material damage cover through Norwich Union. Computerised record systems. Public Liability Insurance.

Appendix 1