

## **MISTLEY PARISH COUNCIL MEMORIAL SAFETY POLICY**

**INTRODUCTION** - This policy has been produced to set out Mistley Parish Council's (the Council's) position with regard to memorial safety, the responsibilities of the Council, its contractors, memorial masons and Deed Holders/Exclusive Rights of Burial owners. The policy provides an overview of the actions that will be taken to minimize risk to users of the Mistley Cemetery at New Road, the Closed Churchyard at New Road, and the Closed Churchyard at Trinity Road.

Since Victorian times memorials have been erected at the head of graves as a permanent reminder of those buried within. It is often wrongly assumed that memorials are permanent structures, installed to the highest standards, and will last forever without need for repair. Unfortunately, this is not the case. Local authorities now have to tackle years of neglect and in some cases poor workmanship. The memorials do not belong to the Council; they remain the property and the responsibility of the Deed Holder to the Exclusive Rights of Burial.

### **RESPONSIBILITIES REQUIRED**

The following parties have responsibility for memorial safety in the Council's Cemetery and Closed Churchyards:

The Council has health and safety responsibilities to its employees, contractors and visitors to Cemetery. The Council has a responsibility to staff (Section 2 Health and Safety at Work Act 1974) and a responsibility to visitors (Section 3 Health and Safety at Work Act 1974). The Management of Health and Safety at Work Regulations 1999 places a legal duty on the Council to assess the risks from cemetery structures and work activities and ensure that the risks are controlled.

A monumental mason has the responsibility to work in accordance with the Council's conditions and specifications for memorials as described in the Cemetery Rules. It is recommended that Mistley Parish Council seeks to implement the National Association of Memorial Mason Standards for the fixing of memorials and any subsequent changes to these standards. This will be a rolling programme of testing and includes new memorials.

The Deed Holder or successor in title, of a memorial has the ultimate responsibility to maintain it so as not to present a hazard to themselves, members of the public, staff or contractors, and as such are therefore responsible and liable for all expenditure incurred to make safe their memorial in the event that their memorial is found to be unsafe or dangerous condition. This is not the responsibility of the Council.

### **NOTICE OF INTENT**

Prior to any memorials being inspected, reasonable steps will be taken by the Council to inform grave owners, Deed Holders or successors in title, and members of the public, of the intention to inspect memorials and reducing the risk posed by unsafe memorials.

### **THIS WILL INVOLVE:**

- Giving advance formal notice in a local publication of any inspection regime commencing.
- Publishing details of the assessment and methodology on the Council's website.
- Placing public notices at the Cemetery entrance and in prominent locations elsewhere in the Cemetery affected by the assessment regime.

- Where practicable, to notify the owner, Deed Holder or successor in title.

## **MEMORIAL FIXING**

It is imperative that mistakes from the past are not repeated and all works to new and repaired memorials are carried out to the industry standard.

In order that the industry standards are met it is necessary to regulate both the memorial masons and the methodology of memorial works. The Council understands that the memorial masons are an important partner to the cemetery service, therefore a more formal partnership and safer system of work will be implemented in the form of the memorial masons@ registration scheme.

Companies or individuals that are not registered on this scheme will not be permitted to carry out any memorial works in any of the Council's controlled cemeteries.

- **These registered masons will use the latest national standards laid down by the National Association of Memorial Masons irrespective of whether works are being carried out on new or existing memorials.**

## **EXISTING MEMORIALS**

The problem with existing memorials that are insecure is that historically masons were not fixing memorials to any industry standards and for many years this was accepted. The older Churchyard monolith headstones, (memorials that are sunk a third of their height into the ground) can be far more stable than their modern multi block contemporaries.

## **FORMAL INSPECTION PROGRAMME**

All individuals carrying out memorial safety inspections shall be trained by the Institute of Cemetery and Crematorium Management (ICCM) and obtain certificates of competence which shall be held on their personnel file.

Information notices regarding all inspections shall be placed within the cemetery grounds at appropriate locations.

## **TESTING**

Where memorials fail this inspection, the Council will attempt to contact the grave owners to inform them of the failure of their memorial.

## **CATEGORY 1 MEMORIALS**

Memorials up to 24 inches/610mm in height will first be visually inspected and then will be physically checked to ensure that all joints are sound and that the memorial is stable on its plinth. Memorials in this category are not to be used to lean against or act as leverage when standing up from a kneeling position.

## **MAKE SAFE - CATEGORY 1 MEMORIALS**

- Temporary strapping to post with notice (for one year).
- Notify grave deed holder where possible.
- Laying flat when no other viable option is available.

## **CATEGORY 2 MEMORIALS**

Memorials above 24 inches/610mm but not exceeding 78 inches/1980mm in height will first be inspected visually and then hand tested as per the training received by the I.C.C.M.

### **MAKE SAFE - CATEGORY 2 MEMORIALS**

- Temporary strapping to post with notice (for one year).
- Notify grave deed holder where possible.
- Laying flat when no other viable option is available.
- The Council needs to ascertain what memorials are of social, architectural ,and historic value and the impact on the character of the cemeteries making safe will have.

## **CATEGORY 3 MEMORIALS**

Memorials above 78 inches/1980mm in height will be first visually checked and if no problems are noted then no further action is required; however, if a memorial is deemed unsafe then a further check will be carried out by a suitably qualified person. The cost of this will be the responsibility of the grave deed holder.

Memorials found to have failed this inspection will be made safe by:

### **MAKE SAFE - CATEGORY 3 MEMORIALS**

- Cordoning off, for larger memorials category 3, that fail the visual test. The cordon will need to cover the fall radius of the highest point of the memorial and not just the memorial itself.
- Notify grave deed holder where possible.

## **MEMORIALS ERECTED ONTO AN ESTABLISHED CONCRETE RAFT**

Memorials which have been erected onto one of the concrete rafts constructed in the Cemetery will undoubtedly be more secure and will only undergo 'hand-testing' on a five-year basis.

## **ROLLING PROGRAMME OF INSPECTIONS**

Memorials which fail the test and are temporarily made safe, will be inspected again one year from the make safe date to ascertain whether they have been repaired a stonemason instructed by the by the grave deed owner. Informal visual inspections will also be carried out by Council Staff during their normal working days i.e. locally to where graves are being dug and grass cutting operations are taking place; should any memorials fail these random visual tests the employee will report their findings to the Parish Council immediately.

## **COMMUNICATION**

The Council is aware that memorial testing is a sensitive issue for those involved. Regular communication will be maintained so that the general Public, Staff and Councillors are aware and understand each stage of the testing process.

***Review Body: Annual Parish Council Meeting; Review Period: Annually; May Annual Parish Council Meeting. Adopted 20/05/2019. Last Reviewed 19/05/2025. Next Review Date May 2026.***

