



QUENIBOROUGH PARISH COUNCIL

MEMORIAL MANAGEMENT POLICY

Introduction

This policy sets out the Parish Council's approach to managing memorials at Queniborough Cemetery. The policy covers the responsibilities, the approval process, assessment and testing procedures, practices for temporarily making memorials safe and the processes for memorial owners to effect repairs. The memorials do not belong to the Parish Council; they remain the property and the responsibility of the Deed Holder to the Exclusive Rights of Burial.

This policy should be read in conjunction with the Rules and Regulations for Queniborough Burial Ground.

Please see the Parish Council website www.queniborough-pc.gov.uk/parish-council-services for the latest versions of all relevant documents.

1. Responsibilities

The Parish Council acts as the statutory Burial Authority under the Local Authority Cemeteries Order 1977. Responsibility for the overall safety (duty of care) within the burial ground lies with the Parish Council. The Parish Council has responsibilities under the Health & Safety at Work Act 1974 and the Occupiers Liability Act 1957 to ensure that “**as far as reasonably practicable**” the burial ground is maintained in a safe condition. This includes ensuring that anyone who enters the site to carry out work, attend interments, visit graves, or for any other reason, can do so safely.

The Cemetery is open to the public at all times, therefore the Health and Safety of visitors, employees and contractors who are visiting or working in the burial ground is the primary concern of the Parish Council. Fortunately the Cemetery is quite small, is located away from population centres and does not generally attract many visitors. The general level of risk is therefore considered low.

However, the Parish Council will carry out inspections of memorials to identify potential hazards and reduce risk where possible. Any memorials identified as Category 1 - (Unsafe) will be made safe temporarily and, where possible, memorial owners contacted. The full procedure for inspection, testing and communication with owners is set out later in this document. While responsibility for general safety lies with the Parish Council, there are specific responsibilities that lie with the owners of any memorials and the memorial masons responsible for installing them.

2. Memorial Owners

Owners of the Exclusive Right of Burial (grave owners) are responsible for maintaining any memorial associated with their burial plot in good, safe condition in accordance with the Rules and Regulations for Queniborough Burial Ground. The Parish Council will ensure regular inspections of graves, test memorials and, where possible, bring any defects to the attention of owners. **ONLY** those memorials found to be Category 1 unsafe (as defined) will be temporarily made safe by the Parish Council. For the avoidance of doubt, "making safe" may include laying the headstone flat. Memorial owners must keep their contact details (address, phone and email) up to date with the Parish Council as these will be used to contact owners in the event of a problem. Failure to advise the Parish Council of a change of address could lead to unnecessary distress for all involved.

3. Memorial Masons

Memorial masons are legally liable for the work they carry out and must ensure that memorials are erected safely and in accordance with British Standard BS8415. Memorial masons must also comply with the Rules and Regulations for Queniborough Burial Ground (Section 6. All memorial stones must have a grave number engraved on the base at the back of the stone).

4. Application to Place a Memorial Upon a Grave

Owners of the Exclusive Right of Burial at the Cemetery have automatic entitlement to install a headstone or memorial plaque subject to the Rules and Regulations for Queniborough Burial Ground and this policy. No memorial is to be installed unless permission has been granted by Queniborough Parish Council. Approval will not usually be withheld provided that the memorial is installed in accordance with the Rules and Regulations for Queniborough Burial Ground. Alterations such as repairs and additional inscriptions **MUST** also be approved in advance by the Parish Council.

An application to carry out memorial works may be made by any of the following:

- The owner of the exclusive right of burial or
- Any person who can satisfy Queniborough Parish Council that he/she is a relative of the person buried in the grave, or is acting at the request of such a relative and that it is impractical for him or her to trace the owner of the said right.

The memorial application form must be completed fully and include a detailed drawing of the proposed memorial including the dimensions allowed, and details of the proposed fixing method. An application will only be processed upon receipt of the correct fee where applicable.

The application must clearly state the section of the cemetery in which the grave is situated together with the grave number.

Applications should be made through the Cemetery Clerk who can be contacted on 07739 636650 or cemeteryclerk@queniborough-pc.gov.uk .

5. Fixings of Memorials

No works are permitted to be carried out on any grave space except by:

A Monumental Mason who is credited to the British Registration of Approved Monumental Masons Scheme (BRAMM) or an equivalent scheme, or

By staff/contractor of Queniborough Parish Council (and such works may include any works associated with memorial inspections and the subsequent temporary making safe of any memorial).

All memorial stones must have the grave number engraved on the base at the back of the stone.

Basic cleaning/washing down and non -specialist cleaning of a memorial may be undertaken by any person.

All memorials (including memorials being re-fixed after a burial has taken place and those found to be unsafe after memorial testing has taken place) are to be fixed in line with the National Association of Memorial Masons (NAMM) approved standard and code of safe memorials.

To ensure all memorials are safe they must be fixed to the recognised approved standards of the day.

The upkeep and maintenance of any memorial within the Cemetery remains the responsibility of the person to whom permission was granted to place the memorial or his or her heir.

6. Stability Guarantee Period

All memorials installed at the Cemetery from the date of installation must be subject to a 'Guarantee of Conformity' granted by the Mason who installed the memorial. Such a guarantee is given to confirm that the memorial has been fixed to the best standard set by NAMM at the date of fixing and should last for a minimum of three years. If at any point during the life of the memorial it becomes loose or unstable and this cannot be attributed to ground conditions or disturbance, the mason should, under the terms of the said guarantee, refix the memorial to the original standard at no cost to the grave owner or the Council.

This is a standard guarantee given to any person arranging a memorial.

7 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. 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.

8. Operational Times for Memorial Works

The erection of, cutting of inscriptions on, or professional cleaning of memorials shall be carried out between the hours of 9.00am and 4.00pm Monday to Friday.

Works can only be undertaken during normal operational hours to ensure safety within the site.

8. Memorial Safety Inspections

All memorials will be subject to a visual inspection;

The simple hand test is the primary test for all memorials except over 1.5 metres in height or complex structures.

Category 1 (Unsafe) – Is considered to be an immediate risk of toppling and causing serious injury. Requires immediate attention to protect the public, contractors, employees and other visitors to the cemetery.

Action: Immediate action will be required to significantly reduce the risk by using the appropriate means of making the memorial safe.

Category 2 (Monitoring) – Is considered to have potential of becoming a danger to the public, contractors, employees and other visitors to the cemetery, but is not in immediate risk of toppling and causing serious injury.

Action: Re-inspect in 12 months

Category 3 – Is considered to be of little risk to the public, contractors, employees and other visitors to the cemetery.

Action: Re-inspect in 5 years.

9. Procedure for Unsafe Memorials

All memorials in the burial ground shall be visually assessed as part of the overall risk assessment process and be safety tested using the 'Hand test'.

The Council have a legal obligation to ensure all of its sites are safe to both visit and work in. In order to be satisfied that this is the case it is essential that Queniborough Parish Council carry out regular inspections of the memorials in the cemetery in a bid to avoid injury or death to any of its contractors, staff or visitors.

Any memorials failing a safety test will be made safe by Queniborough Parish Council contractors. This may include being sunk into the ground vertically, laid flat, cordoned off, or stake and banded. A warning sign will be placed on any unsafe memorials.

It is the grave owner's responsibility for authorising suitable repairs to be undertaken by an approved BRAMM accredited mason.

If a memorial is found to require maintenance every effort will be made to contact the memorial owner to undertake repairs. The method of contact will be:

- A warning notice attached to the unsafe memorial
- A letter to the last known address of the memorial owner
- Posts to local social media
- The Parish Council website

If the Parish Council receives no response a further letter will be sent after two months. It will inform the owner that their memorial has been found to be unsafe and details of the action needed to be taken. If there is no response a third and final letter will be sent after three months.

If there is no response the Council will take the necessary steps to permanently make safe the memorial. This will also apply to memorials where the memorial owners have been contacted and they are unwilling or unable to undertake a repair. The timescale for the Council to permanently make safe memorials is dependent on the level of risk from the memorial. High risk memorials will be made safe after six months, medium risk after one year and low risk after two years.

The Council will keep an up to date record of all memorial owners' contact information.

Where after at least six months from being found unsafe the Council have been unable to contact the memorial owner a decision will be taken as to how to make the memorial safe either by partially burying in the ground or permanently laid flat.

10. Unauthorised Memorials

Should any unauthorised items be placed on or around any grave or any memorial put in place contravene the rules the grave will be photographed, the unauthorised items shall be removed and placed into storage by Queniborough Parish Council to be returned on request. No notice will be given to the owner of the Exclusive Right of Burial.

Pursuant to the Local Authorities' Cemeteries Order 1977 no memorial may be placed in a cemetery without permission of the Officer appointed for that purpose by the burial authority. If permission has not been granted the burial authority is permitted to remove the memorialisation from the site.

It is essential that the burial sites are maintained to the agreed standard for the benefit of all visitors.

All memorials installed within the Cemetery must be approved by the Cemetery Clerk and if any memorials are erected outside of the Rules and Regulations for Queniborough Burial Ground without proper permission they may be removed and destroyed.