
REPORT TO:	COMMUNITY SERVICES	AGENDA ITEM:	13
DATE OF MEETING:	10TH JANUARY 2001	CATEGORY:	DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN	
MEMBERS' CONTACT POINT:	CHRIS MASON 5794	DOC:	
SUBJECT:	CEMETERY MANAGEMENT – INSPECTION OF MEMORIALS	REF:	e:\leisure\committee reports\cemeteries2.doc
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:	CS07

1.0 Recommendations

- 1.1 That Members note the requirement to undertake detailed inspections and the implications arising from these inspections.
- 1.2 Comments are sought on the approach to dealing with dangerous memorials and general access to cemetery sites.

2.0 Purpose of Report

- 2.1 To appraise Members of requirements to undertake the systematic inspection of memorials in cemeteries directly managed by the Council.

3.0 Executive Summary

- 3.1 Following a number of fatalities in cemeteries guidance has been issued that requires cemetery managers to undertake systematic inspections of all memorials. Good practice has also been issued on the correct method for erecting memorials. To comply with this guidance inspections and testing has recently commenced at Gresley Cemetery. Once this is complete, inspections will then be undertaken at the Council's other cemeteries. At this early stage it is difficult to gauge the public response to our actions or indeed to the financial implications that may arise.

4.0 Detail

- 4.1 The management of memorials in cemeteries has traditionally received little attention. However, this changed considerably following the deaths of 4 children, since 1995, in separate memorial related accidents. 3 of these deaths have occurred in the last 3 years. Following these tragic accidents the Health and Safety Executive (HSE) and insurance companies took a more active interest in how councils managed memorials.

- 4.2 One of the main issues initially facing local authorities was the absence of good practice guidance on the inspection and installation of memorials. This gap has been closed with the publication of advice and the delivery of training from a variety of professional bodies.
- 4.3 The maintenance of memorials is the responsibility of grave owners ('grant of right' holders). As managers of cemeteries, local authorities have a 'duty of care' under the Health and Safety at Work Act 1974 to protect the health and welfare of people visiting and working on their premises.

Memorial Inspections

4.4 In terms of implementing regular inspections, the following regime has been introduced:

- Staff undertaking the inspections have attended training sessions jointly organised with a neighbouring authority.
- The inspection of all memorials, with those that have lateral movement being identified by a yellow polythene bag. This serves two purposes. The first is to warn visitors and people working in the cemetery that the monument is dangerous. The second, is to make 'grant of right' holders aware that their memorial is unsafe. A letter is then written to 'grant of right' holders explaining why the inspections are taking place and requesting that they need to make the memorial safe as quickly as possible. Grave owners are also requested to advise the Council of their intentions. Advice is also offered on where bona fide monumental masons can be contacted.
- The guidance is that if a response is not received within a reasonably practicable time, then site managers need to take action themselves to make the memorial safe. This effectively means laying the memorials flat on the ground. 'Grant of Right' holders are advised in their letter that this action could take place.
- One of the main problems is in contacting 'grant of right' holders. Frequently people move house and do not advise of changes of address. As Members are more than aware, the provision of a burial service is a very sensitive area of service delivery. Aware of these sensitivities, it was decided to publicise the reasons for undertaking inspections, together with a contact telephone number if people required further information. It was also intended to try and make contact with 'grant of right' holders with whom contact had been lost.
- The regime of inspections has commenced at Gresley Cemetery, the District's largest site. To date, approximately 800 memorials have been inspected and 60 have been identified as 'dangerous'. The inspection of memorials at Gresley will be completed by early in the New Year. It is then intended to continue the process at Newhall Cemetery and then to the other four smaller sites in the District.
- The Council also has maintenance responsibility for a number of closed churchyards. At this stage investigations are taking place into where overall responsibility lies for these sites.

- 4.5 The guidance is not solely about inspections; there is also an emphasis on ensuring that the problems currently being found with memorials are not repeated. The main vehicle for doing this is a 'Code of Practice' for the erection of memorials introduced by the National Association of Monumental Masons. This has been implemented in all of our cemeteries and covers the erection of new and the reinstatement of existing memorials. There is also advice about the need to erect signage emphasising the danger from memorials. These will be erected, initially, at Gresley Cemetery and then at other sites in the District.
- 4.6 An issue that also needs to be considered, is the Council's approach to access to these sites. Currently, all of the Council's cemeteries are freely accessible all of the times. The view being that people being 'about' will act as a deterrent to anti-social behaviour. At Gresley, the cemetery is also used as a short cut to and from a nearby junior school. One way in, which the Council could minimise its risk at Gresley is by keeping the main gates off York Road closed until say 9:30 am. At this stage it is very difficult to totally restrict access to the site. Members may however wish for further investigations to take place into how this can be achieved.
- 4.7 Since commencing our inspection regime, one of the main issues raised by 'grant of right' holders are concerns over vandalism. To help guide policy development and as a preliminary stage in the Best Value review of our cemeteries operation Members' views are sought on access issues.

5.0 Financial Implications

- 5.1 The inspection regime is currently being funded from existing revenue budgets. The major area of financial uncertainty concerns who funds the repair of memorials where the 'grant of right' holder cannot be traced? Similarly, what actions should be taken if 'grant of right' holders who can be contacted refuse to have the necessary repair work undertaken? At this stage it is impossible to answer these questions until further inspections are undertaken and there has been more opportunity to gauge response.
- 5.2 It is however generally assumed, that unless local councils want random memorials laid flat on the ground that funding will have to be found to reinstate memorials, particularly where 'grant of right' holders cannot be traced. A bid has been submitted as a 'service development' proposal on the basis that some initial funding will be required. An adjustment has also been recommended to cemetery fees and charges to generate additional income to partly fund any additional work that may be required.

6.0 Corporate Implications

- 6.1 None

7.0 Community Implications

- 7.1 While this report is essentially about 'health and safety' concerns, it does contain some community implications. While for many, cemeteries are quiet, personal places, for others they provide recreation space in a relatively crowded urban area. This is particularly the case at Gresley, where over half the area has been cleared of memorials and a large open space area created. The current approach of a number of authorities is to include the development of cemeteries as part of their parks and open space strategies.

8.0 Conclusions

- 8.1 It is felt that the implementation of systematic inspections is a positive response to guidance issued. Until further inspections are undertaken the outcome in terms of public response and the financial impact on the Council is difficult to quantify. To prevent future problems with memorials a 'code of practice' has been implemented that covers the erection of new and the repair of existing memorials.

9.0 Background Papers

- 9.1 Institute of Burial and Cremation Authorities – Guidance Notes