

# Coombe Bissett Parish Council

## Memorial Safety Policy

### **Background.**

In recent years the safety of memorials has become a focus of much attention and debate. The most recent guidance from the Ministry of Justice (2009) states that over the last 30 years eight people in the UK have been killed when a memorial has fallen on them. Given the number of memorials and the number of visitors to burial grounds in any one year, the risk of any injury is “extremely low.” Action to manage risks in burial grounds, therefore, needs to be sensible, proportionate and undertaken in a sensitive way. Statistics from the ICCM indicate that there have been many serious injuries caused by unsafe memorials. The Parish Council is bound by the conditions of the Local Authorities Cemeteries Order 1977 and has a legal duty under the Health and Safety at Work Act 1974, Management of Health and Safety at Work Regulations 1999 and Occupiers Liability Act 1957 to ensure that its burial grounds are safe places to work and visit. Managing memorial safety, therefore, is an essential part of controlling the risks to health and safety.

The intention of this policy is to set out how Coombe Bissett Parish Council undertake the management of any significant risks from memorials, within its cemetery in a sensible and appropriate manner. However, since the general risk can be deemed low it is not the intention of this policy to cause any unnecessary concern, only to provide guidance to any questions that may arise by any concerned party and to provide an assurance that memorials are managed.

It is the Parish Councils intention to follow the latest guidance from the Institute of Cemetery and Crematorium Management (ICCM) on memorial safety and the Ministry of Justice – ‘Managing the safety of Burial Ground Memorials’ (2009).

**Ownership of memorials remains with the family of the deceased**, memorials within the cemetery which after testing are found to be unsafe, dangerous or in poor condition will be cordoned off. Every effort will be made by the Parish Council to contact any concerned parties before any further action is taken, only when the memorial poses a significant risk, such as imminent collapse in a way that could lead to serious injury, will immediate action be taken.

### **New Memorials.**

All new memorials must conform to maximum size criteria as set out in the Council’s rules and regulations. Details of specific restrictions are available from the Parish Clerk on request.

### **Carrying Out Memorial Safety Inspections.**

- Safety Inspections will be carried out every 5 years.
- Prior to commencing memorial safety inspections, the Council will follow the notification procedure as set out under the Local Authorities Cemeteries Order (LACO) 1974:

- This includes a notice in the cemetery. At least 28 days prior to starting memorial safety inspections a notice will be displayed in the cemetery. This notice will detail what is being done, when it will be done and how people can obtain further information.
- The Council will carry out safety inspections on all memorials in the cemetery every five years.
- A record of all memorial inspections and the results of these inspections will be kept by the Council. For each memorial inspected a Risk Assessment will be completed. The inspection will include both a visual check and a hand test. The hand test will be used to determine stability of the memorial. Even where a visual check reveals no sign of defects the hand test will be used to confirm that the memorial is stable. The hand test will be carried out by standing to one side of the memorial and applying a firm but steady pressure in different directions. This will be used to determine if or to what degree the memorial is unstable.

### **Procedure for Contacting Memorial Owners.**

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

- A notice attached to the unsafe memorial.
- A letter to the last known address of the memorial owner; if the Council receives no response a further letter will be sent after three-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 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. an up to date record of all memorial owners' contact information.

### **Dealing with Unsafe Memorials.**

Memorials will be laid flat if there is no other practical means of making the memorial safe or where the memorial owner has requested it.

### **Records relating to the inspection of memorials.**

- All memorials will be inspected on a 5-year cycle and a record kept of the inspection. Records will include name, location and information on the visual and hand tests.

A record of up to date contact details of memorial owners will be kept.

Should you have any concerns about the Parish Council's safety policy or if you would like further information, please contact the Clerk at [parishclerkcoombebissett@gmail.com](mailto:parishclerkcoombebissett@gmail.com)

Adopted 14<sup>th</sup> November 2023.

Signed: A Bird