

FLITTON & GREENFIELD PARISH COUNCIL

Safety in Flitton Cemetery

Flitton and Greenfield Parish Council is committed to ensuring the safety of its cemetery to ensure the wellbeing of those visiting or working there.

How we propose to do this

The Council will periodically undertake inspections of its cemetery in line with advice from the Health and Safety Commission (HSC) and the Institute of Cemetery and Crematorium Management ICCM, which highlight the fact, that across the country there are a number of accidents each year, some serious and including several fatalities during the last ten years.

The Council will arrange an immediate inspection of the cemetery following any safety complaints, accidents or reports of danger.

All safety checks will consist of a visual inspection to identify any memorials that appear visually unsafe. If there is any concern about the stability of a monument, this will be followed up by a light manual tapping test. There will be no intention to knock over a headstone or push it until it topples. However if at this stage it does topple, then it will be left in its fallen position and reported to the owner of the Exclusive Rights of Burial as soon as possible.

The Council will not use any kind of machine or implement to carry out this stability test. It will be a gentle finger tap and if the risk of falling over is assessed to be high, the owner of the Exclusive Rights of Burial will be contacted as soon as possible.

Risk Assessment

The Council is also required to have a risk register in place for all of its areas of responsibility including the cemetery and a major part of the risk here relates to the stability of headstones and memorials.

Regular checks of headstone and memorial stability will take place and plot owners are responsible for ensuring that they are firmly affixed to the ground and are not liable to topple.

We do this under the Government's (Ministry of Justice) 2009 'Managing the safety of Burial Ground Memorials Practical advice for dealing with unstable memorials' https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/326725/safety-burial-grounds.pdf

How problems will be resolved

The Council may require the owner of any monument, gravestone or other structure, which in their opinion has become unsafe, to lay it down or reinstate/repair it. The Council will take all reasonable steps to contact the grave owner in advance of this

action by trying to make contact and/or advertising on the cemetery notice board and the Parish website.

If however, in the opinion of the Council the removal should be effected immediately due to the risk involved, then the Council may carry out the work without incurring any liability for any damage arising and the costs thereof shall be recoverable from the owner

If the owner fails to comply with any such requirement within 3 months of notification or advertising, then the Council will take action to lay the headstone down and the costs thereof shall be recoverable from the owner

If the owner chooses to re-instate or lay down the headstone they must use the services of a registered Stone Mason, who should submit plans to the Clerk for approval showing how they will necessitate the work.

The owner is not permitted to do this work themselves. This is because the Council needs to be sure the work is done properly and with third party liability insurance cover in case of any accident.

The owner may ask the Council to lay the headstone down providing their written prior consent is granted and the cost incurred will be recoverable from the plot owner

Responsibility.

Although the council has a duty of care to ensure the cemetery is safe, the responsibility for memorials lies with the owner of the Exclusive Rights of Burial and we will recommend that they should contact the memorial mason who supplied the memorial as soon as possible to arrange for it to be fixed and made safe.

We fully appreciate that this may be upsetting for bereaved families and we are very sorry for any distress it may cause. Memorials are a lasting tribute to our loved ones and through careful testing to ensure their safety, we would like to work with you to ensure that all the memorials in our cemeteries and churchyards remain a fitting tribute for years to come.

Why memorials fail

The majority of older memorials are constructed from a single piece of stone, whereas more modern memorials are constructed from several sections that are joined together. The main reason for memorials becoming unstable is the failure of these joints or the dowels anchoring them into the ground. Once found to be in an unstable position the repair must be carried out by a memorial mason or an accredited stonemason who will ensure that work is carried out to the proper professional standards issued by the National Association of Memorial Masons.

The Council's position

The council will not remove the memorial from its site or lay it flat on the ground, except in exceptional circumstances when it presents an imminent or serious hazard. If it has actually toppled over or falls during the finger tapping, the Council will leave it in the fallen position.

The Council will not touch the memorial until after three months of trying to contact the owner or advertising for the owner to contact the Council. When a memorial owner cannot be traced or there is no contact, and a memorial has been identified as not being safe, the Council will make the memorial safe by laying it in a horizontal position and/or partially sinking it. Care would be taken to ensure, where possible, that inscriptions are not affected but it may involve the ground on the plot being levelled and then re-seeded with grass. It could also mean that space has to be made available within the plot area which may disturb other ornaments or vases (see sample letter at Appendix A)

How we keep visitors and owners up to date

We will place a copy of this policy on the Council's website.

How to find out more

Please contact the Cemetery Committee on email cemetery@pc.flittongreenfield.org.uk or the Clerk to the council on clerk@pc.flittongreenfield.org.uk or phone: 01525 860377

January 2017

Sample letter to Plot Owner

As a result of recent legislation, the Council has to have a risk register for all of its areas of responsibility and this includes the cemetery in Flitton. We need to ensure that there are no dangers to visitors or contractors working there and a major part of the risk that we have to assess, relates to the stability of the headstones. Following a recent inspection we have identified a number of headstones which appear to be loose and need to be attended to. We have advertised the fact that we need to act on these non compliant headstones on the Cemetery notice board and now we are writing to known plot owners where the headstones fall into this category.

As you may be aware, the responsibility for upkeep and maintenance of the grave including the headstone lies with the individual plot owner and as you are the registered plot owner for Grave No xx (xx), where the memorial stone is either loose or wobbles, the Council needs to bring this matter to your urgent attention. It is your responsibility to ensure that the risk which has been identified is mitigated by taking action to ensure the headstone is made secure and stable.

You can do this by contacting a registered Stone-mason (for advice on this you can contact BRAMM - The British Register of Accredited Memorial Masons or look at their website on <http://www.bramm-uk.org/>). Depending on the seriousness of the headstone stability they may be able to reset it. Alternatively you may like to instruct the Stone-mason to lay the headstone down as this means it is less likely to cause any risk issues in the future. You will be responsible for arranging and paying for this work and to ensure it is made safe in an ongoing position. Whichever action you take, we require you to use a registered Stone-mason to undertake the work as they have indemnity insurance which protects both you as the plot owner and the Council.

If we have not heard from you within three months from the date of this letter and in order to comply with safety regulations, the Council will take action to lay the headstone down flat on the ground within the earth on the plot area and it will not be reinstated to an upright position, unless you arrange and pay for this using a Stone-mason. In order to lay the headstone down we may need to level the ground on the plot and make sufficient space for it to be laid down safely.

When you have decided which course of action you want to take, we will need to be informed before any work takes place. If you would prefer the Council to lay the headstone down straight away, please let us know by returning the slip below. Under the current circumstances, we will not charge you for this service.

Please note that this risk assessment is now an ongoing duty on the Council and so regular checks of headstone stability will have to take place and plot owners will need to continue to comply with this safety issue at all times in the future.

Name

Date

I (xx) give my consent for the Council to lay the memorial headstone of (xx) Plot Number (xx) down flat on the plot area because I do not want to continue to maintain it in an upright position. I accept that this may

- involve the ground on the plot being levelled
- involve the ground being re-seeded with grass
- mean that space has to be made available within the plot area which may disturb other ornaments or vases

and

- will mean that once the headstone has been laid down it will remain in this position in perpetuity, unless I arrange and pay for it to be re-erected in a safe manner.

Signed

Date