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| **POLICY:**   | **Memorial Safety in Council Cemeteries Policy** |
| **Policy number:** |  |
| **Available to:** | All Staff, Councillors & Public (upon request) |
| **Supersedes Version:** | Memorial Safety in Council Cemeteries Policy and Procedures – Adopted 16th March 2015 |
| **Approved by:**  | Full Council  |
| **Approval date:** | 31st July 2023 |
| **Review due:** | June 2026 |

**1. Description**

This document details the policy and procedures adopted by Ludlow Town Council for the management of memorial safety in cemeteries under the Town Council’s control.

**2. Purpose of this policy**

 To ensure the safety of employees, contractors and visitors to cemeteries under the Town Council’s control.

**3. Scope**

3.1 Ludlow Town Council recognises that it has a duty of care to ensure the safety of employees, contractors and visitors who come into contact with memorials in Council operated cemeteries.

3.2 It is the policy of Ludlow Town Council to ensure that the condition of memorials in cemeteries under the Town Council’s control does not pose a significant hazard to anyone who works in, or visits the cemetery.

3.3 A ‘memorial’ is a permanent structure that commemorates a deceased person and may include kerbstones, plaques, chains and posts, together with any temporary items placed on a grave.

3.4 Memorials in cemeteries may be old, neglected and in poor repair. In such condition they may pose a threat to safety.

3.5 Town Council staff involved in cemetery management should follow these procedures designed to implement the Town Council’s policy on memorial safety.

**4. Procedure**

**4.1** **Responsibilities For Memorial Safety**

The following parties have responsibility for memorial safety in Town Council cemeteries:-

a) Ludlow Town Council has health and safety responsibilities to its employees, contractors and visitors to cemeteries.

b) A Memorial Mason has the responsibility to work in accordance with the Council’s conditions and specifications for memorials.

c) An owner of a memorial has the responsibility to maintain it so as not to present a hazard.

**4.2 Notice of Intent**

4.2.1 Prior to any memorials being inspected, reasonable steps will be taken to inform grave owners and members of the public of the intention to inspect memorials and remove the danger from unsafe memorials.

4.2.2 This will involve:-

a) Giving notice in a local newspaper and on local radio.

b) Placing notices on the cemetery gates and elsewhere in the cemetery as appropriate.

***Copies of the preferred forms of notice are contained in Appendix 1a–c***

**4.3 Procedures for Memorial Inspection And Remedial Action**

4.3.1 These procedures have been formulated with due regard to the Code of Practice issued by the Institute of Burial and Cremation Administration (IBCA) on ‘The Management of Memorials’.

4.3.2 The degree of implementation of these procedures will be dependent on sufficient resources being available to carry out inspections and to take remedial action.

4.3.3 The management of memorial safety in Council controlled cemeteries is based on a risk assessment approach. As a priority, this will involve attempting to identify those memorials that present an immediate and significant hazard and making them safe.

4.3.4 Action will also be taken to deal with memorials identified as being unstable but not an immediate hazard, in order to prevent these memorials becoming a risk to safety in the future.

4.3.5 Priority will be given to the identification of larger memorials as these are potentially the most hazardous. Following this, the Council will engage a competent person or Memorial mason to inspect all memorials 2 metres or more in height.

4.3.6 Appropriately trained Council staff may inspect memorials less than 2 metres in height. The inspection will comprise a visual assessment and a hand test, if considered safe to do so.

4.3.7 In the case of memorials less than 2 metres in height, priority will be given to those that are older, jointed or that appear unstable. The age of the memorial, ground conditions and local knowledge will be other factors used to guide inspecting staff in determining the priority of memorial inspections.

4.3.8 The Town Council will devise a suitable pro-forma for recording memorial inspections.

4.3.9 The contractors or inspecting officers will identify memorials in one of three categories:

**Category 1** – requires immediate attention

**Category 2** – unstable but unlikely to cause immediate danger

**Category 3** – not dangerous

4.3.10All memorials will be inspected on a 5-year rolling programme.

**4.4 Action To Deal With Category 1 Memorials**

 For all types of Category 1 memorials, the following action will be taken without delay:

* Cordoning off of the memorial using staked hazard tape.
* Placing of a **Red Category 1 Notice** in a suitable position at the grave to warn of the immediate hazard posed by the memorial. A copy of a **Category 1 Notice** is attached as **Appendix 2.**
* Photographs are to be taken of the memorial at the time of the inspection and following the memorial being laid down or remedial work being completed. Photographs are to be retained with the inspection records.
* Where practicable, within 3 working days of the inspection the hazard posed by the memorial must be remedied by laying the memorial down.
* Attempts will be made to recover the costs of this work from the owner, where known, together with an administration charge of 5% of the cost of the work.
* Where the owner of, or a person with an interest in, a memorial identified as a hazard is known, a letter must be sent within 3 working days of the inspection.
* A copy of the **Category 1 Letter** is set out as **Appendix 3.** A **‘Record of Memorial Repair’** form, set out as **Appendix 7** should be sent with this letter.
* When a Category 1 memorial is subsequently repaired, the completed repair must be inspected by a competent member of staff, or by an inspecting contractor. A completed ‘Record of Memorial Repair’ form should be forwarded to the Town Council by the Memorial mason carrying out the repair. This will provide signed confirmation that the repair has been carried out in accordance with the Council’s conditions and specifications for memorials, contained in the Council’s Cemetery Regulations and Procedures

**4.5 Action To Deal With Category 2 Memorials**

 For all types of Category 2 memorials the following action will be taken without delay:-

* Placing of a **Yellow Category 2 Notice** in a suitable position at the grave to warn of the unstable condition of the memorial. A copy of the **Category 2** **Notice** is set out as **Appendix 4.**
* Photographs are to be taken of the memorial immediately following the inspection. These should be retained with the inspection records.
* Where the grave owner or next of kin is identified, a **Category 2(1) Letter** must be sent within 5 working days of the inspection requesting memorialrepair within 3 months. A copy of the **Category 2(1) Letter** is set out as **Appendix 5.** A ‘Record of Memorial Repair’ form, set out as **Appendix 7** isto be sent with this letter.
* After the expiry of 3 months the memorial is to be checked by a competent member of staff. If no work has been done a letter must be sent requesting memorial repair within 1 month. A copy of the **Category 2(2) Letter** is set out as **Appendix 6.**
* Where works have not been carried out by the owner, or where no owner is identified, the Council will arrange for the memorial to be made safe, which will generally involve the memorial being laid down. The costs of this work will be recharged to the owner, where known, together with an administration charge of 5% of the cost of the work.
* Where a Category 2 memorial is repaired, the completed repair must be inspected by an appropriate member of staff, or by an inspecting contractor. A completed ‘Record of Memorial Repair’ form should be forwarded to the Council by the Memorial Mason carrying out the repair. This will provide signed confirmation that the repair has been carried out in accordance with the Council’s conditions and specifications for memorials, contained in the Council’s Cemetery Regulations and Procedures.
* Memorial repairs must be carried out to approved National Association of Memorial Masons (NAMM) standards.

**4.6 Category 3 Memorials**

 The inspection of Category 3 memorials will be recorded by Council staff and be subject to re-inspection as part of the 5 year rolling programme.

**4.7** **Flow Chart of Memorial Inspection and Remedial Action Procedures (Include Kerbs, Plaques, Chains, Spikes, etc.)**

The inspection and remedial action procedures for existing memorials is illustrated in the following flow chart.

**All Memorials Over 2m in Height**

**All Others**

Age of memorials
Ground Conditions

Local Knowledge

### In-House

Visual Test / Hand Test

**Competent Person / Memorial Mason**

Category 1

Immediate Hazard

Cordon Off with Hazard Tape / Red Notice / Photograph

**Category 3**

**Not Dangerous**

Incorporate in programme for re-inspection

**Category 2**

**Unstable**

Yellow Notice / Photograph

**REMEDIAL WORK**

Arrange for laying down of memorial to be

done within 3 days

Recharge if possible

**REMEDIAL WORK**

Write to Owner giving 3 months to do works. If no action write again giving 1 month. Do works in default generally lay flat & recharge if possible

Re-inspection in 5 years

Check repair work by Council staff or contractor to Council’s conditions and specifications

Check repair work by Council staff or contractor to Council’s conditions and specifications

When repaired etc –

re-inspection in 5 years

When repaired etc –

re-inspection in 5 years

**4.8 New Memorials**

 To ensure that new memorials in Ludlow Town Council cemeteries do not pose a safety hazard, the Council’s Cemetery Regulations and Procedures contain a specification for the construction and installation of new memorials. All Memorial Masons and others installing memorials in Town Council controlled cemeteries will be required to construct and install memorials that meet this specification, or an equivalent standard.

**4.9** **Staff Training**

 All Ludlow Town Council staff employed in memorial safety work will be trained to ensure competency and consistency in carrying out their duties.

**5. Legal**

Ludlow Town Council is authorised to introduce memorial safety policy and procedures under the provisions of the Local Government Act 1972, Local Authorities’ Cemeteries Order 1977, and the Health and Safety at Work etc. Act 1974.

**6. Other relevant policies**

|  |
| --- |
| Cemetery Rules and Regulations  |

**APPENDIX 1(a)**

**LUDLOW TOWN COUNCIL**

**SAFETY INSPECTIONS OF MEMORIALS IN COUNCIL CEMETERIES**

**LOCAL AUTHORITIES CEMETERIES ORDER 1977**

**HEALTH AND SAFETY AT WORK ETC ACT 1974**

**NOTICE IS GIVEN** that inspections of memorials, in cemeteries controlled by Ludlow Town Council, are to be carried out to assess the safety of memorials.

The inspections will be carried out on a five year rolling programme to identify memorials that are an immediate hazard or unstable. This inspection programme will start on ……………………………………………………………………………….

Where memorials are considered to be an immediate hazard the Town Council will cordon off the memorial, place a notice at the grave and take action to remove the hazard by laying the memorial down.

Where memorials are considered to be unstable the Council will place a notice on the memorial and ask the memorial owner to carry out repairs to make the memorial safe giving time for the grave owner to do this.

The Council will make every effort to recover the costs of making memorials safe when carrying out work in default.

Full details of the memorial inspection programme can be obtained by contacting

Ludlow Town Council’s Cemetery Officer or Town Clerk at:

Ludlow Town Council, The Guildhall, Mill Street, Ludlow, Shropshire, SY8 1AZ.

Tel: (01584) 871970

**APPENDIX 1(b)**

**LUDLOW TOWN COUNCIL**

**SAFETY INSPECTIONS OF MEMORIALS IN COUNCIL CEMETERIES:**

**HENLEY ROAD CEMETERY**

Memorial safety inspections are being carried out at this cemetery.

Memorials that are potentially dangerous may be cordoned off with hazard warning tape and laid down. Hazard warning notices will be placed on such graves.

**DO NOT TAMPER WITH THIS MEMORIAL IDENTIFIED**

Where practical, all reasonable attempts will be made to contact grave owners.

If you are a grave owner, or have knowledge of a grave owner affected by these inspections, please contact the Council’s Cemetery Officer or Town Clerk as soon as possible to assist at:-

Ludlow Town Council, The Guildhall, Mill Street, Ludlow, Shropshire SY8 1AZ

Tel: (01584) 871970

e-mail: charolotte.ambrazas@ludlow.gov.uk

**APPENDIX 1 (c)**

**LUDLOW TOWN COUNCIL**

**SAFETY INSPECTIONS OF MEMORIALS IN COUNCIL CEMETERIES**

**HENLEY ROAD CEMETERY**

I am writing to inform you that safety inspections of memorials in the above cemetery are due to start in the near future.

These inspections are being carried out as part of a five year rolling programme of memorial inspections in this cemetery.

The aims of the inspections are to identify memorials that are an immediate safety hazard, or, that are unstable and could become a safety hazard.

Memorials considered an immediate safety hazard, will be cordoned off using ‘hazard’ tape. Appropriate safety warning signs will be placed at the grave and a

photograph of the memorial will also be taken. These memorials will normally be laid down as soon as possible to eliminate the safety hazard.

Safety warning signs will be placed close to memorials that are unstable; a photograph of the memorial will also be taken. Where the memorial owner is identified, a letter will be sent requesting that repairs to an approved specification are carried out within 3 months. If repairs are not completed, a reminder letter will be sent allowing a further month to complete the repair work.

After this period, and if the memorial owner fails to complete the necessary repair, the Council will carry out safety works. This work will generally involve laying the memorial down. Where possible, the Council will recover the costs of carrying out this work from the owner of the memorial together with an administration charge of 5% of the cost of the works.

The safety inspection programme is being publicised by notice in the local press and on local radio and by the display of notices at the cemetery involved. However, this is a sensitive issue and I am therefore keeping Town Councillors informed of the proposed inspection programme.

Please contact me if you require more information regarding this matter.

Yours sincerely

**APPENDIX 2**

**LUDLOW TOWN COUNCIL**

**SAFETY INSPECTIONS OF MEMORIALS IN COUNCIL CEMETERIES**

**HENLEY ROAD CEMETERY**

**IMPORTANT SAFETY NOTICE**

This memorial has been found to be in an unsafe condition.

For reasons of safety the memorial is to be / has been laid down.

**FOR SAFETY REASONS DO NOT TAMPER WITH THIS MEMORIAL**

Attempts are being made to contact the grave owner.

If you are the grave owner, or have knowledge of the grave owner affected by this work, please contact the Council’s Cemetery Officer or Town Clerk as soon as possible at:

Ludlow Town Council, The Guildhall, Mill Street, Ludlow, Shropshire, SY8 1AZ.

Tel: (01584) 871970

e-mail: charlotte.ambrazas@ludlow.gov.uk



 Gina Wilding

The guildhall

Mill Street

Ludlow

Shropshire

SY8 1AZ

T: 01584 871970

E:charlotte.ambrazas@ludlow.gov.uk

**APPENDIX 3**

**LUDLOW TOWN COUNCIL**

**SAFETY INSPECTIONS OF MEMORIALS IN COUNCIL CEMETERIES**

**HENLEY ROAD CEMETERY**

Dear

**Re: Memorial Safety in Henley Road Cemetery. Grave No**

I understand that you are the owner of the exclusive rights of burial for the above numbered grave, or, have an interest in this grave.

A safety inspection programme of memorials is being implemented in the above Cemetery by Ludlow Town Council. The aim of the inspection programme is to identify memorials that are an immediate safety hazard and those memorials that could become a safety hazard due to instability.

During our safety inspection, the memorial on the above numbered grave was

found to be an immediate safety hazard. In the interest of public safety, the

memorial has been made safe by being laid down.

Should you wish to have the memorial restored you will need to contact a Memorial mason of your choice to undertake the work which will need to conform to the Town Council’s Regulations, or, otherwise as approved by the Council.

If repairs are carried out to the memorial, the enclosed record of memorial repair form must be completed and signed by the registered owner/s of the grave and returned to this office by your Memorial mason.

The repair will be checked by an Officer of the Council and will then be reinspected on a five yearly programme.

If I can be of any assistance, please do not hesitate to contact me on the above number.

Yours sincerely

Gina Wilding

Town Clerk

**APPENDIX 4**

**LUDLOW TOWN COUNCIL**

**SAFETY INSPECTIONS OF MEMORIALS IN COUNCIL CEMETERIES:**

**HENLEY ROAD CEMETERY**

**IMPORTANT SAFETY NOTICE**

This memorial has been identified as requiring attention to prevent it becoming a danger.

**FOR SAFETY REASONS DO NOT TAMPER WITH THIS MEMORIAL**

Attempts are being made to contact the grave owner.

If you are the grave owner, or have knowledge of the grave owner affected by this notice, please contact the Council’s Cemetery Officer or Town Clerk as soon as possible at:

Ludlow Town Council, The Guildhall, Mill Street, Ludlow, Shropshire, SY8 1AZ.

Tel: (01584) 871970

e-mail: charlotte.ambrazas@ludlow.gov.uk



Gina Wilding

 Town Clerk

The Guildhall

 Mill Street

Ludlow

 Shropshire SY8 1AZ

 Tel: 01584 871970

 email: charlotte.ambrazas@ludlow.gov.uk

**APPENDIX 5**

**LUDLOW TOWN COUNCIL**

**SAFETY INSPECTIONS OF MEMORIALS IN COUNCIL CEMETERIES:**

**HENLEY ROAD CEMETERY**

Dear

**Re: Memorial Safety in Henley Road Cemetery**

**Grave No:-**

I understand that you are the owner of the above numbered grave, or, have an interest in this grave.

A safety inspection programme of memorials is being implemented in the above cemetery by Ludlow Town Council. The aim of the inspection programme is to identify memorials that are an immediate safety hazard and those memorials that could become a safety hazard due to instability.

During our safety inspection, the memorial on the above numbered grave was found to be unstable and in need of repair work in order to prevent it becoming a danger to visitors, Council staff or contractors. I would ask that you make arrangements for the headstone to be re-fixed in accordance with the Cemetery Regulations, or, in accordance with an alternative approved repair scheme, by a Memorial mason of your choice.

This work should be carried out within three months of the date of this letter.

When repairs are carried out, the enclosed ‘Record of Memorial Repair’ form must be completed and signed by the registered owner/s of the grave and returned to this office by the Memorial mason.

The repair will be checked by an Officer from the Council and will then be reinspected on a five yearly programme.

If I can be of any assistance, please do not hesitate to contact me on the above number.

Yours faithfully,

Gina Wilding

Town Clerk

 Gina Wilding

 Town Clerk

The Guildhall

Mill Street

Ludlow

Shropshire

SY8 1AZ

Tel: 01584 871970

email: charlotte.ambrazas@ludlow.gov.uk

**APPENDIX 6**

**LUDLOW TOWN COUNCIL**

**SAFETY INSPECTIONS OF MEMORIALS IN COUNCIL CEMETERIES:**

**HENLEY ROAD CEMETERY**

Dear

**Re: Memorial Safety in Henley Road Cemetery, Grave No**

I wrote to you on \* regarding the memorial on the above numbered grave, requesting that necessary repair work be carried out within three months in the interests of public safety and enclosing a memorial repair form.

As I have not heard from you within that period, I must inform you that this work must be carried out within one month of the date of this letter or the Council will make arrangements for the memorial to be made safe by our own contractor.

Generally, this will involve laying the memorial down.

The cost of this work together with an administration charge of 5% of the cost of the work will be recharged to the grave owner.

Please contact this office if you wish to discuss the contents of this letter or have any other queries regarding this procedure.

Yours faithfully

Gina Wilding

Town Clerk

**APPENDIX 7**

**LUDLOW TOWN COUNCIL**

**SAFETY INSPECTIONS OF MEMORIALS IN COUNCIL CEMETERIES:**

**HENLEY ROAD CEMETERY**

**RECORD OF MEMORIAL REPAIR**

**PART 1 – TO BE COMPLETED BY THE REGISTERED GRAVE OWNER(S)**

I/We……………………………………………. am/are the registered owner(s) of the grave number …………………………………. at Henley Road Cemetery. I/We have constructed…………………………………….…. (Memorial mason) registered with Ludlow Town Council’s approval scheme to carry out repairs to the memorial on this grave to make the memorial safe.

Signed: ……………………………………………. Date: ………………………….…

Registered Grave Owner(s)

**Once Part 1 has been completed please send this form to the**

**Memorial mason carrying out the repair.**

**PART 2 – TO BE COMPLETED BY THE MEMORIAL MASON CARRYING OUT THE REPAIR**

I confirm that I have carried out repairs to the memorial on grave number …………………………………

at Henley Road Cemetery, to make the memorial safe in accordance with the Town Council’s conditions and specifications.

Description of repair (to include dowel length and widths where appropriate)

……………………………………………………………………………………………

……………………………………………………………………………………………

……………………………………………………………………………………………

Signed: ……………………………………………. Date: ………………………….…

Memorial Mason

**Once the repair has been completed, please return this form to:**

Ludlow Town Council, The Guildhall, Mill Street, Ludlow, Shropshire, SY8 1AZ

**PART C – INSPECTION BY COUNCIL OFFICER**

Name of Officer ……………………………Date of Inspection ……………………

Repair approved / rejected

Comments…………………………………………………………………………………

Signed: ……………………………………………. Date: …………………