

Newnham Parish Council - Managing the safety of memorials.

(Within St Michael and All Angels Church Graveyard and Newnham Parish Burial Ground.)

Practical advice for dealing with dangerous or unstable memorials.

1. Significant risks should be properly managed – but generally, the risk of injury from a gravestone or other memorial which has become loose and unstable is very low. Any action to manage risks in burial grounds needs to be sensible, proportionate, and undertaken in a sensitive way.
2. This guidance sets out Newnham Parish Council's (*hereafter NPC*), risk-based proportionate approach to managing the risks associated with memorials.
3. Ownership of, and the safety of memorials remains with the family of the deceased, and for this reason it is good practice to communicate with memorial owners, the bereaved and the wider community as part of the arrangements for managing memorials. There is potential for much distress when this is overlooked.
4. Where memorials are found to require maintenance, every effort will be made to contact the family to effect repairs. Only when the memorial poses a significant risk, such as imminent collapse in a way that could lead to serious injury or damage will immediate action need to be taken to control the risk.

What is the risk?

5. Government statistics tell us that in the 30 years to 2009, eight people in the UK have been killed when a memorial has fallen on them. Given the number of memorials in the UK and the number of visitors to burial grounds in any year, the risk of any injury is extremely low.
6. However, this general low level of risk may be called into question by the public following an incident when it comes to their assessment of the theoretical risk. There are simple steps which **NPC** can take to assess and manage the risks posed by memorials installed in their burial grounds to provide assurance to the public that the risks are low and that they are being properly managed.

What is required?

7. **NPC** have a duty, under The Local Authorities' Cemeteries Order ("LACO"), to maintain both the Churchyard (now it is a closed churchyard) and the Burial ground, in good order.
8. **NPC** will do all that is reasonably practicable to ensure that visitors and those working in burial grounds are not exposed to risks to their health and safety.
9. The approach to managing memorial safety set out in the LACO guidance involves the periodic assessment of memorials as part of a planned exercise, or when anything has changed, for example a programme of major work or repair to the burial ground environment. It is for **NPC** to decide on the frequency of this assessment. Where action is necessary following this assessment, measures to control any risks should be proportionate to the level of risk.

Managing the safety of Burial Ground Memorials within Newnham Parish.

10. **NPC** are grateful to Alison Fearey (who used to live in the village) who, in 2005/6 as part of her Masters degree, carried out a site survey of the main Churchyard to identify and chart the exact position and type of each memorial noting the various designs and materials of individual memorials, and groups of memorials, their historical and social importance. The survey includes a copy of the positions of memorials in the northern section of the Churchyard (located behind the village hall) which was surveyed in 1994.
11. **NPC** maintain a site plan of the Burial Ground which also charts the positions of memorials. This is continually updated bearing in mind that the Burial Ground is and will be used for many years to come.
12. **NPC** have adopted an inspection methodology for assessing the risk of each memorial.
13. In the first instance a visual check is undertaken for obvious signs that a memorial is likely to be unstable.
14. Where a visual check suggests no stability defects, a hand test is then undertaken to help confirm that assessment or identify stability problems. This test involves no tools or equipment and is intended to provide support to the visual checks.
15. More detailed inspections of particular memorials by a specialist structural engineer or memorial mason may be required after the initial inspection identifies significant risk when a visual check reveals defects outside the experience and knowledge of the person carrying out the check, or where a memorial has historical significance for example.
16. Occasionally there may be memorials that have serious structural faults but which **NPC** decides not to remove having regard to their aesthetic or heritage value. Again, specific assessments for each memorial and specific management measures may be required in these cases.
17. **NPC** maintain records of the inspection and results, noting in particular those memorials where action is necessary, or likely to be necessary in future.
18. **NPC** encourage people to report damage to or concerns about memorials and to trigger checks following potentially damaging activities, e.g. work by the utilities providers in the vicinity of memorials.
19. **NPC** will set out these procedures and the timescales used for contacting relatives or other memorial owners where this is necessary.

Risk Assessment

20. **NPC** will follow the **Five Step Approach** suggested by the Health and Safety Executive for their risk assessment.

Step 1: Identify the hazard – e.g. a potentially unstable memorial.

Step 2: Identify who might be harmed and how – these might be employees, contractors, volunteers or visiting members of the public who may be struck by a falling memorial.

Step 3: Evaluate the risk of a memorial falling and harming someone, and decide on the precautions needed to control this risk.

Step 4: Record the significant findings of the risk assessment and take steps to implement the precautions needed.

Step 5: Review the risk assessment periodically to see if anything has changed and update it if necessary.

21. NPC's Risk Assessment will be an on-going management process.

22. Memorials alongside or within a short distance of paths, are more likely to present a risk to visitors than those which are less accessible. Memorials of well-known people, or memorials widely appreciated for their architecture or aesthetic qualities are also more likely to attract visitors. Less frequented areas may attract anti-social behaviour, or may need greater maintenance as relatives are no longer tending memorials. Memorials situated on sloping or uneven ground, may present an increased risk. Multi-part memorials, which depend on bonding of their parts for stability, can present a risk where the joint has failed. Some memorials might also be made of material which more readily erodes and becomes unsafe. It may therefore be appropriate to examine these memorials in advance of others. On the other hand the risk of joint failure is absent in monolithic monuments, and memorials with a broad base are less likely to fall than those with a relatively narrow base..

Inspection of memorials.

23. NPC use a visual inspection in assessing the risk of a memorial falling. It takes little time, uses simple common sense and judgment, and yet acts as an effective early warning system to help **NPC** prioritise memorials that need more detailed inspection.

24. Problems to look out for include damaged or eroding bonding, movement of parts of a memorial from its original position, Kerb stones breaking apart, undermined or unstable foundations, leaning memorials – particular if there is evidence of recent movement, evidence of structural damage or disturbance (e.g. cracks) and the presence of vegetation which may cause cracks etc to widen.

25. Some memorials will require specialist assessment, and the location and frequency of visitors to these locations will help **NPC** determine the timing of that specialist inspection. It is not normally appropriate to use a hand test to confirm stability of these memorials.

26. Where memorials (that do not require a specialist assessment) have visible signs of damage or defects such as joint or component failure, a hand test is used to determine stability of the memorial and which can save on unnecessary work. The location and frequency of visitors to these memorials will help **NPC** determine the timing of the hand test e.g. more frequently visited parts of the burial ground should be prioritised for an early hand test. This can often be done straight away at the time of the visual inspection. Where memorials (that do not require a

specialist assessment) have no sign of defects, a hand test may not be necessary but can still be used to confirm that the memorial is stable. These tests should be treated as a lower priority to the hand tests of memorials that have signs of instability – though they may, of course, be undertaken at the same time as the visual inspection. Once again it makes sense to do the hand test of memorials in locations that are more frequently visited as a higher priority than the memorial in less frequented locations.

27. The hand check can be carried out by standing to one side of the memorial and applying a firm but steady pressure in different directions to determine to what degree if any the headstone is loose. If some instability is detected following the hand test, a judgment must be made as to whether this movement is limited, or whether there is sufficient movement for the memorial to present a high risk to people's health and safety.

28. Visual and hand checks will be carried out by a person appointed by **NPC** but those inspecting memorials may not have specialist knowledge or training and need to be mindful of, and consider, the risks to their own health and safety. Hand testing is appropriate for many memorials, such as the modern lawn type, as well as smaller stepped designs or tiered crosses. Much larger, heavier memorials, such as older columns or obelisk types, may require an assessment by a specialist engineer or competent memorial mason.

29. NPC have adopted the Peterborough Diocesan Registry Practice Direction 2012/01 which recommends an annual check of the stability of gravestones and other memorials. The Practice Direction is attached

Deciding on precautions.

29. Any precautions taken must be proportionate to the risk of people suffering harm.

30. In most cases the actual level of risk from an unstable memorial will be very low such that **NPC** may place a 'warning sign' near to – or in some instances on – a memorial alerting visitors to the potential danger until repair has been arranged.

31. If the circumstances make this impractical, for example there is the potential for confusion as to which memorial any warning refers to, then **NPC** may decide that a memorial may need to be cordoned off until it is made safe.

32. A memorial may be so unstable there is an imminent risk of it toppling. In a very few cases where this could result in serious injury, then NPC may take immediate steps as may be necessary to reduce the risk e.g. restricting access or laying the memorial flat.

33. In cases where temporary measures have been taken to make a memorial safe, **NPC** will take steps to effect permanent repairs as soon as possible.

Dealing with "unsafe" memorials

34. NPC are aware of the potential for upset and distress amongst mourners and the bereaved if steps are taken to deal with “unsafe” memorials without having contacted and or consulted with memorial owners.

35. Where a memorial has been deemed at immediate risk and work needs to be undertaken, **NPC** will issue clear information which will be posted in the Churchyard and in the Burial Grounds. The Churchwardens will also be notified. Notices will be placed on or near to these memorials, giving the **NPC** clerk’s contact details and the period within which contact can be made.

36. In all cases, where the grave owner is known, **NPC** will notify them to give them the opportunity to repair the memorial (as it their responsibility). **NPC** will take such steps as it considers reasonable to contact grave owners (or other family members) where a grave owner is not known, or their current whereabouts are unknown, so that they have the opportunity to repair the memorial. **NPC** will also contact the Churchwarden’s for their assistance in contacting grave owners (or other family members).

37. NPC may also display notices at entrances to the burial ground concerned and in other prominent places within it. Given the infrequency of individual visitor’s other communication channels might include the **NPC** website (www.newnham-parish.org.uk) and ‘The Link’ magazine.

37. In consultation with the grave owner, steps will then be taken to make the gravestone or memorial safe.

38. Where it has not been possible to contact the grave owner, **NPC** will take such steps as it considers reasonable to make the gravestone or memorial safe.

Keeping records.

39. NPC will keep records to show that proper checks were made and those who might be affected were identified.

NPC considers that this guidance sets out a risk-based, sensible and sensitive approach to managing the health and safety risks arising from those memorials within Newnham Parish.

Reviewed and adopted: 6 July 2020