

Report on	Cemetery Memorial Safety Programme Update
Date of Meeting	10 th September 2019
Reporting Officer	Terry Scullion, Head of Property Services
Contact Officer	Eunan Murray, Grounds & Cemeteries Manager

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	This report is to update members on Council's Memorial Safety programme in Council's Cemeteries.
2.0	Background
2.1	<p>Members have been previously advised of the ongoing work in aligning the administration of burials in how it's delivered to the public. This includes:</p> <ul style="list-style-type: none"> • Creating a common set of rules and regulations in a policy for Council's operational cemeteries following stakeholder engagement; • Establishing maintenance agreements for grass cutting in eight historic cemeteries not owned by Council, and • Implementing a Memorial Safety Programme.
2.2	<p>In relation to Memorial Safety, Council are bound by legislation to ensure that its burial grounds are safe places to work and visit. Managing Memorial Safety is therefore an essential part of controlling the risks to health and safety. Whilst council has overall responsibility of the operational cemeteries, including risk from unstable memorials, however they do not own the memorials. The owner of the memorial is the Deed Holder (grave owner with exclusive right of burial) or their successor in title.</p>
3.0	Main Report
3.1	<p><u>Unstable Memorials</u></p> <p>If Council find a memorial to be unstable a letter will be issued to the Deed holder at their last known address within 10 days of the inspection. This letter will inform the owner that their memorial has been found to be unstable, and detail the action needed to be taken by the memorial owners to make the memorial safe. See appendix 1 for an illustration of what action is taken, depending on the stability of the memorial. This will continue for a three month period to address the problem.</p>

	<p>If after three months have passed and a response hasn't been received from the grave owner, or an acceptable timebound plan of action to remedy the unstable memorial, Cemetery staff will the necessary steps to make safe the memorial, subject to resource availability.</p> <p>Wherever possible the memorial or its components will be left in the grave space in a way where by full repair of the memorial to BS 8415 is possible by a competent memorial mason. This action will involve any of the following.</p> <ul style="list-style-type: none"> • Removing the memorial from its foundation and partially sinking it into the ground at the head of the grave at least 25% of the memorial will be below ground, or • Laying the memorial flat in the grave space. <p>If Council receive a request to reopen the grave for a burial, were a permanent repair is pending, this must carried out by the Deed holder first.</p>
3.2	<p><u>Unsafe Memorials</u></p> <p>When a memorial poses a significant or immediate risk, such as likely collapse in a way that could lead to serious injury, Council will take one or more of the following actions:</p> <ul style="list-style-type: none"> • It may temporarily make safe the memorial using a staking and banding structural support method or fence it off. It will put up a safety notice to tell people that the memorial is unsafe and the action to be taken by the grave owner or their heir(s) will be displayed on or near to the memorial. • The memorial will be partially buried into the ground at the head of the grave. • Memorials will be laid flat if there is no other practical way of making them safe. • It will try to contact the owner of the grave as soon as possible to agree a repair time frame. <p>If council find a large number of memorials aren't safe within a section of burial ground, it may fence off the whole area. Signs will be displayed to inform visitors of the danger and provide contact details for further information.</p> <p>Where a memorial is thought to have historical or social significance, Council will do its best to consult with the relevant conservation or heritage association before any remedial works are carried out.</p>
3.3	<p><u>Unauthorised Memorials</u></p> <p>Where Council find a memorial to be unauthorised, that is has been erected without permission, or where no fees have been paid.</p> <ul style="list-style-type: none"> • Council will send a letter to the Deed holder at their last known address within 10 days of the unauthorised memorial being discovered. Council will

	<p>ask for an application for retrospective permission, and will charge an administration fee for this process.</p> <ul style="list-style-type: none"> • If after a further three months has passed, if it still hasn't received and approved valid application, cemetery staff will remove the memorial. <p>If council haven't been able to contact the owner of a grave with an unauthorised memorial on it and subsequently someone wants to open the grave for a burial or to bury cremated remains, any outstanding fees owed to council must be paid before a burial can take place in line with the application process to erect a memorial.</p>
3.4	<p><u>Communication</u></p> <p>Given the sensitive nature of the programme, a specific communications plan has been developed which aims to:</p> <ul style="list-style-type: none"> • Create awareness and build understanding of the safety check programme among those who own or visit the graves of loved ones in Council-maintained cemeteries. • Ensure key stakeholders (e.g. funeral directors, memorial masons, churches) are aware of the safety check programme and able to manage and/or signpost enquiries. • Ensure a proactive, open, empathetic process which minimises any distress for those who may be affected. <p>A programme of memorial safety inspection has been ongoing across Council cemeteries. However its visibility and impact will intensive in Council's five operational cemeteries, and old burial grounds from November 2019.</p>
3.5	
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial: Further roll out of the Memorial Safety Inspection Programme is subject to a current funding request from reserves. A limited budget is available in year for training the operatives on Memorial Safety however additional funds will need to be secured for specialist equipment and external expertise.</p>
	<p>Human: Staff time in the administration of burials, cemetery inspections including training of operatives, and managing third party contractors working in the cemeteries.</p> <p>Other client service support through Council's Marketing and Communications team to help implement the Communication Plan associated with the Programme.</p>
	<p>Risk Management: There have been approximately nine deaths in the UK since 2004 and serious injuries caused by unsafe memorials.</p>

	As the burial authority in control of cemeteries, we are bound by the conditions of the Public Health (Ireland) Act 1878 Part III; Burial Grounds Regulations (Northern Ireland) 1992 Part II No. 5; Local Authorities Cemeteries Order 1977, and we have a legal duty under the Health and Safety at Work Order (NI) 1978; and Management of Health and Safety at Work Regulations (NI) 2000 to ensure that our burial grounds are safe places to work and visit.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None.
	Rural Needs Implications: None.
5.0	Recommendation(s)
5.1	Members are requested to note the content of the report.
6.0	Documents Attached & References
6.1	Appendix 1 - Memorial Safety Inspection Illustrations