

**MEMORIAL SAFETY POLICY (UPDATE MAY 2014)**  
**REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY**  
**DIRECTION)**



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

**WARDS AFFECTED: PRIMARILY HINCKLEY, EARL SHILTON,**  
**BARWELL AND MARKFIELD ALSO AFFECTED**

---

1. PURPOSE OF REPORT

- 1.1 To seek approval from Executive to adopt the updated Memorial Safety Policy.

2. RECOMMENDATION

- 2.1 That Executive adopt the Memorial Safety Policy.
- 2.2 That Executive delegate implementation of the policy to the Head of Street Scene Services.

3. BACKGROUND TO THE REPORT

- 3.1 Members will recall that our policy for the safe management of memorials was adopted in August 2009 and follows Ministry of Justice guidance. Following the introduction of our revised policy there has been no adverse publicity and no complaints.
- 3.2 The policy has been reviewed and updated to reflect:-
- New guidance on testing (National Association of Memorial Masons)
  - Comments from the memorial masons who operate in our closed church yards.
  - The known occurrences of unsafe memorials (from the last 5 years testing).
- 3.3 The Councils adopted policy remains that we will carry out safety inspections on all memorials in burial grounds managed by the authority. Currently approximately 5300 memorials need to be inspected.
- 3.4 The successful management of memorial safety has resulted in a year on year reduction in the percentage of memorials found to be unsafe. For example fail rates at Earl Shilton Baptist Church in 2009 was 16.16% compared with 0% in 2013.
- 3.5 The likely incidence of unsafe memorials in the future will be lower given that
- all new memorials are now installed to industry standards,
  - all memorials found to be unsafe previously have now either been repaired or have been permanently made safe (either part buried or laid flat).
- 3.6 The Policy therefore recommends a reduction in the frequency of inspections from once every 5 years to once every 10 years for
- lower risk memorials

- sections / burial grounds where no memorials have failed the inspection on the previous 2 full inspections of the section / burial ground AND where the risk rating for the section / burial ground is less than 16. This will be reviewed annually.
- Annual site risk assessments will identify changes in ground conditions which would act as an alert to change inspection frequencies if necessary.

3.7 The number of memorials inspected each year has therefore reduced from approximately 3000 to 1000 as these risks have now been successfully managed and reduced.

3.8 Other than the reduction in the frequency of inspections the majority of the policy remains unchanged, and memorials found to be unsafe still continue to be dealt with in the same manner.

#### 4. FINANCIAL IMPLICATIONS [KP]

4.1 The cost of inspecting memorials is met by budgets for those hired and contracted staff used to conduct the work. The budget for this is set at £6,000 for 2014/2015. This has been reduced from £11,000 in 2012/2013 to reflect the reduction in the number of inspections conducted.

#### 5. LEGAL IMPLICATIONS [EP]

5.1 The Council must manage memorial safety in line with the Local Authority Cemeteries order 1977, the Health and Safety at Work act 1974, the Management of Health and Safety at Work Regulations 1999 and Occupiers Liability Act 1957. Should there be an accident then the Council needs to be able to demonstrate that we have done all that is reasonably practical to prevent incidents from occurring and that the relevant legislation has been complied with.

In terms of the expenditure of resources, the Local Government Act 1972 allows for local authority assistance in the upkeep of churchyards in which the inhabitants of the authority's area may be buried.

#### 6. CORPORATE PLAN IMPLICATIONS

6.1 The memorial safety programme contributes to improving our parks and green spaces by improving the safety and maintenance of memorials within Council maintained burial grounds.

#### 7. CONSULTATION

7.1 All memorial masons who work within our cemetery and churchyards have been consulted on the revised policy. The addition of the RQMF (register of Qualified Memorial Fixers) registration scheme was added as a result of this consultation.

#### 8. RISK IMPLICATIONS

8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

8.3 Due to the long term risk management approach of the policy no significant risks associated with this report / decisions were identified from this assessment:

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 The oldest memorials in Ashby Road cemetery are now over 150 years old and it is unlikely that owners of these memorials will be found. The Borough Council therefore has to act on behalf of the wider community to repair or make these memorials safe. Decisions are made based on the heritage value of the memorial, the amenity value of the memorials, and its visibility.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

---

Background papers: Memorial Safety Policy – May 2014 Update

Contact Officer: Caroline Roffey, Head of Street Scene Services  
Executive Member: Cllr Bill Crooks