



BARTON-LE-CLAY PARISH COUNCIL

MEMORIAL TESTING & MEMORIAL INSTALLATION POLICY

1. Introduction

- 1.1 This is the policy for the management of memorials and memorial stability testing within the Burial Ground, Church Road and the closed Churchyard of St Nicholas Church which are maintained by Barton-le-Clay Parish Council. It is intended to act as a point of reference for the public, Councillors, contractors and Council employees to provide a clear, consistent and structured approach to memorial management and testing.
- 1.2 Barton-le-Clay Parish Council is responsible for the Health and Safety in the Burial Ground and Churchyard under the Health and Safety at Work Act 1974 and the Occupiers Liability Act 1957 to ensure that, as far as reasonably practicable, both sites are maintained in a safe condition.
- 1.3 In order to comply with the Health and Safety at Work Act 1974, Barton-le-Clay Parish Council intend to undertake memorial stability testing every 5 years to ensure that the Burial Ground and Churchyard are safe places for staff, contractors, volunteers and visitors.
- 1.4 The owner of a memorial is responsible for maintaining the memorial in a good condition for the duration of the Deed, which is 99 years from date of purchase in most cases. It is acknowledged that within the Churchyard, in some cases there are no identifiable owners, and some memorials hold historical or aesthetic value.
- 1.5 This Policy is not exhaustive and is subject to change. It will be reviewed regularly and updated as necessary.

2. Memorial testing

- 2.1 Barton-le-Clay Parish Council will ensure that inspections are carried out by a qualified contractor. Memorial stability testing will be carried out every five years, and the guidance set out by the Ministry of Justice (*Managing the Safety of Burial Grounds Memorial, practical advice for dealing with unstable memorials*) and BSI Standards Publication ref 8415:2018 (*memorial within Burial Grounds and Memorial Sites*) will be followed.
- 2.2 The independent inspector will be asked to provide a copy of their Public Liability Certificate, and Risk Assessment and any other relevant qualification certificates in advance.
- 2.3 A site plan will be provided to the contractor in advance and all findings will be recorded.

- 2.4 Testing will initially consist of a visual inspection to ensure that the memorial is safe to test. A hand load test will be performed to establish the stability of the memorial.
- 2.5 If significant movement is noted on application of the load, then the memorial will be considered unsafe and be recorded accordingly.
- 2.6 If the memorial is severely unstable and considered an imminent risk of failure, immediate steps will be taken to reduce the risk. The Council is empowered under the provision of the Local Authority Cemeteries Order 1977 (Article 6(1)) to take immediate action to make safe dangerous memorials. This may involve placing a cordon around the memorial or laying the memorial down.
- 2.7 A warning sign will be displayed on any memorial which is found to be unsafe.
- 2.8 A photograph of each unsafe memorial will be taken.
- 2.9 Should a concern be raised regarding a memorial's safety, outside of the routine five yearly testing; a visual inspection will take place initially and the Parish Council will then arrange for a stone mason to attend site to inspect the memorial. It may be necessary to place a cordon around the memorial until a stone mason has completed their inspection.
- 2.10 A record of the inspection and any subsequent work carried out will be held by the Parish Council for any future communication with grave owners.

3. Actions to be taken

- 3.1 Every effort will be made to locate family members, using the Burial Ground and Churchyard records.
- 3.2 Details of unsafe memorials will be shared on the Parish Councils website, notice boards and on social media. The information may also be included on the Parish Councils Newsletter.
- 3.3 In addition to the unsafe notices, placed by the inspector, the Parish Council will display a notice at each of the failed memorials, asking the owner or next of kin to contact the Parish Office to discuss the work which must be carried out.

4. Grave Ownership and Refixing

- 4.1 The Parish Council recognise that there are memorials within St Nicholas Churchyard that are ancient and may not have a living owner or next of kin.
- 4.2 Memorials within the Garden of Rest section of St Nicholas Churchyard are privately owned and are the responsibility of the owner/person who arranged the memorial/next of kin.
- 4.3 All memorials within the Parish Council owned Burial Ground are the responsibility of the registered owner or next of kin for the duration of the deed which is 99 years in most cases. The owner/next of kin will have the opportunity to extend the deed at the expiration, should they wish. Should the deed not be renewed at the end of the term, the ownership will revert to the Parish Council.

- 4.4 The Parish Council has no obligation to refix private or ancient memorials and reserve the right to lay down a memorial which is deemed unsafe, should the owner/next of kin fail to arrange for the memorial to be repaired or next of kin cannot be found. The Parish Council further reserve the right to remove a memorial, should it be necessary.
- 4.5 The Parish Council may consider meeting the cost to refix an ancient memorial to preserve its history.
- 4.6 The Parish Council will contact the registered owner and ask them to have the memorial made safe/repaired by a BRAMM/NAMM registered stone mason.
- 4.7 Should it not be possible to contact the grave owner or a family member, the Parish Council will consider, after a reasonable period of time, whether the memorial should be removed or laid down. A record of the cost to lay down, remove and storage of memorial will be kept, and any cost will be recovered from the family, wherever possible.
- 4.8 It is important that grave owners advise the Parish Office if their contact details have changed since the grave was purchased. Similarly where the grave owner has passed away, next of kin are asked to contact the Parish Council so that the records can be updated.
- 4.8 Permission will be sought from St Albans Diocese, in the form of a Faculty or Archdeacons Certificate, before work of any kind is carried out within the Churchyard, including the testing of memorials.
- 4.9 No work will be carried out within the Churchyard until the relevant permission has been issued by St Albans Diocese.

5. New Memorial Installations

- 5.1 All applications for a new memorial must be made to the Clerk to the Parish Council and no installation must go ahead before permission has been granted by the Parish Council.
- 5.2 The Burial Ground Rules and Regulations will be referred to for all memorial applications.
- 5.3 Any stone mason who works within either the Burial Ground or Churchyard should provide a copy of their NAMM/BRAMM certificate, Public Liability Insurance certificate and Risk Assessment.
- 5.4 Stonemasons must ensure that all memorials are erected safely and in accordance with the current standards – British Standard 8415, the National Association of Memorial Masons (NAMM) code of working practice or British Register of Accredited Memorial Masons (BRAMM). 5.4

6. Review Process

- 6.1 This Policy will be reviewed by the Burial Grounds Committee bi-annually before being submitted to the Council for adoption.