

Report to the Executive



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PORTFOLIO	Leisure
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Memorial Safety in Burnley and Padiham Public Cemeteries

PURPOSE

1. To report the outcome of the investigation by Environment and Housing Scrutiny Committee into the options, costs and timescale for the permanent making-safe of memorials in Burnley and Padiham public cemeteries.

RECOMMENDATION

2. The Environment and Housing Scrutiny Committee recommends the Executive to:
 - a. Adopt the proposed policy for dealing with unsafe memorials.
 - b. Approve the proposed methods for permanently making safe memorials on Burnley's cemeteries.

REASONS FOR RECOMMENDATION

3. The proposed policy for dealing with unsafe memorials will ensure that the Council fulfils its obligation to maintain the cemeteries in a safe condition whilst being sensitive to the needs of the bereaved and minimising the costs to the council tax-payer.

SUMMARY OF KEY POINTS

Background

4. The report to Policy Board in June 2007 recommended that the Environment and Housing Scrutiny Committee should give consideration to the options and costs of permanently making safe memorials in Burnley's cemeteries.
5. Members of Environment and Housing Scrutiny Committee subsequently visited Burnley cemetery to examine the different types of memorials and the methods that are being used to make them safe.
6. On 18th March 2008 the Environment and Housing Scrutiny Committee considered and

approved a report, which proposed a policy outlining how grave owners could be helped to make their memorials safe and recommended the methods that the Council should use to make memorials permanently safe in circumstances where no owner can be identified to take responsibility. The proposed policy on unsafe memorials is outlined below:

7. **Proposed Policy on Unsafe Memorials**

- 1. The Council will allow grave owners a period of 3 years following the initial inspection to re-fix memorials before it takes action to make them safe and will issue public notices of the intention to commence remedial work on each plot one year before the work starts.**

This will enable as many owners as possible to meet the costs of making safe themselves and enable the Council to demonstrate that it has acted reasonably by giving sufficient time before making memorials permanently safe. The temporary make-safes that are being fitted by the Council are expected to be serviceable for 5 years.

- 2. The Council will provide advice to grave owners to help them arrange repairs.**

Advice in the form of updated leaflets, information on the Council's website and face to face assistance at the Cemetery Office will help grave owners make arrangements to re-fix memorials. The Council will also seek to negotiate a schedule of charges with local memorial masons that are registered to work in Burnley's cemeteries and provide this information to grave owners.

- 3. The Council will provide assistance to help grave owners who are on low incomes to meet the cost of repairing unsafe memorials.**

A report by the Local Government Ombudsmen (2006) commended the practice of Councils that establish hardship funds to assist grave owners who cannot afford to meet some or all of the repair costs. It is proposed that the Council should provide assistance to grave owners who are eligible for Housing Benefit and/or Council Tax Benefit by contributing the labour cost of re-fixing memorials to the approved standard (estimated at £57 per memorial), and the owner should contribute £50 to cover the cost of the materials. This compares with estimated costs of between £34 and £76 that the Council would incur to make safe by burial 1/3rd into the ground (see para 4. below).

- 4. Memorials that are not repaired by owners will be made safe by the Council**

If, after the three-year period has elapsed, a memorial has not been re-fixed to NAMM standards the Council will use the powers that it has under the Local Authorities Cemeteries Order (1977) to make it safe or to remove it from the cemetery. In all cases a charge will be placed on the grave in the event that there is a further burial against which costs can be recovered. The labour costs of making safe will be between £34 and £76 per memorial depending on the size of the memorial and the method of making safe.

Recommended Methods for Making Safe

8. The Environment and Housing Scrutiny Committee considered the alternative methods the Council could use to make memorials permanently safe and recommends the following methods, determined by the type and size of each memorial:

9. **Modern lawn type memorials**

These have been the most popular form of memorials for the last 40 – 50 years. They are smaller than traditional memorials, typically less than 900mm high, but are the type of memorial most likely to fail due to the method of construction and nature of materials used.

- Modern lawn type on concrete beams: These are currently being made safe using a simple metal clamp designed by the Council's Memorial Safety Team Leader. The clamp is bolted into the concrete beam and can be considered as a permanent solution.
- Modern lawn type on soil: Earlier lawn type memorials were installed directly onto soil at the head of the grave. Where owners are not willing to fix to NAMM it is recommended that the least cost method is to sink them upright 1/3rd into the ground. Most of the inscriptions will remain visible but memorials sunk into the ground will be lower than the majority.

10. **Conventional grave memorials with or without kerb sets**

The preferred and least-cost option for making these memorials safe is to bury 1/3rd into the ground and to remove any kerb sets from the cemetery for disposal. Where this is not possible the plinth will be removed from the cemetery for recycling and the memorial laid down flush, with the ground, inscription facing up.

11. **Large tablet type memorials (1.8 – 2.5m)**

The preferred option is to bury 1/3rd into the ground. However where foundations or vaulting of the grave prevent this method being used the memorial will be laid flat on the grave flush with the ground inscription facing up. Plinth stone to be removed from cemetery for recycling.

12. **Large monuments, crosses, etc.**

Following an engineers inspection, any that require immediate attention will be partially dismantled, stones stacked safely to allow a decision to be made about future reconstruction or removal.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

Financial Implications of Memorial Safety

13. The Bereavement Services revenue budget currently includes provision of £48,000 per year for the operation of a two-person Memorial Safety Team, which is assisted by other cemetery staff as their workload permits. There is a separate small budget for materials and equipment.
14. The report to the Environment and Housing Scrutiny Committee identified that an estimated 4,300 memorials will need to be made permanently safe of which it is estimated 900 will be re-fixed by owners/relatives and 3,400 will have to be made safe by the Council at an estimated cost of £183,000. This work can be completed by the existing memorial safety team over a 5-year period within the current revenue budget allocation. By placing a charge on each grave the costs of making safe can be recovered if there is

a further burial in the grave. It is estimated that 7% of costs could be recovered through these charges (£12,800).

15. It is estimated that a further 250 owners that can be traced would be on low incomes and will be eligible for assistance to re-fix their memorials at a labour cost of £14,250 over the next 5 years.

16. **Summary of the Estimated Costs of Making Safe Memorials**

Memorial Type	Method of making safe	Cost per memorial	Estimated Number	Est total to fix	Est Total Cost
Lawn Type	Sink by a third into ground Metal clamp	£33.86	2,053	1,232	£41,706
		already completed			
Lawn Type with Kerbs	Sink by third & bury kerbs	£53.09	823	741	£39,349
Kerbsets	Bury kerbs in grave	£16.54	244	244	£4,036
Large Memorials (1.5-1.8m)	Remove base & set third in ground Ground. Where this is not possible Lay down flush with the ground.	£76.00	1,050	1,050	£79,800
Monuments & Crosses	Dismantle	£120	150	150	£18,000
Various	Assistance to grave owners on low incomes				£14,250
				Less charges recovered	£12,800
Totals			4,321	3,417	£184,341

17. Capital funding may be required to enable the purchase of specialist lifting equipment. The Bereavement Service owns a manually operated lifting gantry, which is used to lift memorials. The methods outlined above for permanently making safe will require a significant number of memorials to be handled and there may be a need to seek future capital funding of up to £38,000 to purchase specialist lifting equipment more suitable for handling larger numbers of memorials. This would be subject to an application to the Council's capital programme.

POLICY IMPLICATIONS

18. The policy for dealing with unsafe memorials will ensure that the matter is handled in a sensitive manner whilst minimising the cost to the Burnley's council tax-payers.
19. The Council has a duty to maintain cemeteries in a safe condition and this policy will ensure that these obligations are met.

DETAILS OF CONSULTATION

Councillor Gordon Birtwistle, Leader of the Council
Mick Cartledge, Director of Community Services
Janis Murphy, Health and Safety Officer
Cameron Collinge, Bereavement Services Manager
Howard Hamilton-Smith, Principal Finance Officer

BACKGROUND PAPERS

1. Report to Policy Board June 2007
2. Visit by Environment and Housing Scrutiny Committee 21st November 2007
3. Report to Environment and Housing Scrutiny Committee 18th March 2008
4. Files held at Cemetery Offices, 93 Rossendale Road, Burnley.