



**Westbourne**  
Parish Council

**Westbourne Parish Council  
Memorial safety policy  
Closed Churchyard, St John the Baptist Church**

## **1. Introduction**

- 1.1 Westbourne Parish Council is committed to ensuring the safety of anyone visiting or working in the closed churchyard and will make certain that all reasonably practicable measures are taken to provide this.
- 1.2 The Council's memorial safety inspection procedure is based on national guidance and signifies good practice on the expected standard of risk management of memorials in all types of burial grounds. The guidance sets out a risk-based approach to help authorities develop a proportionate approach to managing the risk associated with memorials.
- 1.3 This procedure has been written specifically for the closed churchyard at St John the Baptist Church in Westbourne which is maintained by Westbourne Parish Council. The freeholder of the land is St John the Baptist Church in Westbourne. The churchyard was closed by Order in Council in 1859. Given the date of the closure of the churchyard, it is likely that Exclusive Right of Burial agreements will no longer be valid or in place. Every attempt will still be made to communicate with any holders.
- 1.4 The aim of the procedure is to formalise the systems in place to control the risk from memorials to employees, contractors and members of the public to whom the Council has a general duty of care.
- 1.5 Responsibilities are set out in various legislation covering burial grounds, including the Local Authorities' Cemeteries Order 1977 (LACO). The Council also has general responsibilities as set out in the Health and Safety at Work Act 1974 (HSWA74) and associated regulations such as the Management of Health and Safety at Work Regulations 1999.
- 1.6 This policy will be reviewed every two years; or at the committee meeting immediately following any incident involving a memorial or accident that occurs.

## **2. Pre-inspection preparation**

- 2.1 Westbourne Parish Council, or its chosen contractor, will prepare a method statement prior to the commencement of any safety testing.

- 2.2 The Council will ensure that only authorised and competent personnel shall carry out the inspections. As such, personnel will be required to read and adhere to this policy.
- 2.3 All memorial safety inspections will be carried out by a minimum of two operatives who will work as a team unless risk assessment determines that it is safe for one operative to work alone. Operatives will recognise when specialist assistance is required, for example, where the memorial is complex or large (over 1.5 meters in height).
- 2.4 At least one member of the inspection team will be a competent person (competence can be described as the combination of training, skills, experience and knowledge that a person has and their ability to apply them to perform a task safely).
- 2.5 Personal protective equipment shall be worn by all members of the inspection team. This will include a high visibility vest, hard hat and foot protection.
- 2.6 A risk assessment for the safety of those carrying out the inspections will be completed and kept on file.
- 2.7 If the Council employs a suitably qualified contractor to carry out the inspections, a copy of the company's public liability insurance will be lodged with the Council.
- 2.8 All memorial inspections will be recorded on the inspection form (Appendix 1). Records of the inspections will be held indefinitely. It is acceptable for those records to be held electronically on the condition that the information is regularly backed up.

### **3. Inspection process**

- 3.1 Inspections of all levels of risk will be carried out on a minimum frequency of once every five years.
- 3.2 Any memorial showing early signs of instability will be monitored every twelve months.

### **4. Inspection process**

4.1 The inspection process will comprise the following:

- Risk assessment
- Communication and Notice of Intent
- Visual checks
- Physical test
- Classifying the memorial
- Actions for classified memorials

4.2 Risk assessment:

An initial risk assessment will be carried out as per the Five Step approach to risk assessment set out by the Health and Safety Executive in the UK. This will identify where there is greater risk to those visiting or working in the cemetery and allow for the prioritisation of the memorials requiring immediate examination.

Items considered in the risk assessment include:

- Location to footpaths
- Frequency of use
- Duration of use
- Types of activity adjacent

#### 4.3 Communication and Notice of Intent:

The Council is aware that the testing of memorials is a sensitive issue and will endeavour to ensure that adequate and regular communication is maintained with the general public.

Three months prior to any memorials being inspected, or as soon as reasonably practicable, the Council will

- Ensure notices are displayed within the cemetery grounds. These will give details of the forthcoming inspections, advise the public of the potential dangers of memorials, provide contact details for the public should they have any queries or concerns and, where necessary, fulfil any other obligations under existing health and safety legislation. (Appendix 2).
- Ensure public notices are displayed in the village: These will give details of the forthcoming inspections and provide contact details for the public should they have any queries or concerns. Notices shall be posted on the Council's noticeboards, website and social media, and a public notice placed in the local village magazine. A list of frequently asked questions (Appendix 5) will be available on the website.

#### 4.4 Visual checks:

Memorials will undergo an initial visual check to identify if there are obvious defects or signs of instability. Operatives will look for:

- Damaged or eroded bonding
- Movement of parts of a memorial from its original position
- Kerb stones breaking apart
- Undermined or unstable foundations
- Leaning memorials, particularly if there is evidence of recent movement
- Evidence of structural damage or disturbance (e.g. cracks)
- The presence of vegetation, which may cause cracks to widen

If a defect or unstable memorial is observed, such memorials will then be subject to a physical test. (Commonwealth War Graves will only undergo a visual check;

any observable defects will be reported immediately to the War Graves Commission).

#### 4.5 Physical test:

If a memorial does not pass a visual check, it will be subject to a physical check. Prior to any physical test, a safety assessment will take place as follows:

- An overall visual inspection of all memorials for the purpose of assessing signs of instability and as part of the overall risk assessment process. A structural engineer will inspect memorials in excess of 1500mm in height.
- A physical hand test of memorials between 625mm and 1500mm in height to assess any lateral movement following the visual inspection.
- Memorials below 625mm in height should be assessed to establish whether there is any benefit in applying any force to the memorial.

Physical testing will only take place when there is no risk to other persons and will be done using a hand test. Force testing equipment will only be used in the case of dispute.

The procedure for carrying out a hand test is as follows:

- The inspection operative will stand to one side of the memorial and apply a firm but steady pressure in different directions to determine to what degree, if any, the headstone is loose.
- A gentle pressure/force should be gradually increased until a force of approximately 25kg is applied. This force should be exerted in one direction, away from the body and should be repeated from the back of the memorial. Other physical hand tests from the sides of the memorial may also be required on certain designs. The force should be applied at the apex of the memorial or a high up the memorial as can comfortably be reached.

#### 4.6 Classifying the memorial

At the completion of the testing process the operative will identify memorials in one of three categories:

**Category 1:** Stable and not dangerous in any way; to be reassessed in five years

**Category 2:** Requires immediate attention to make safe by stabilising with a stake and banding

**Category 3:** Requires immediate attention to make safe by laying down the memorial within the grave space.

#### 4.7 Actions for classified memorials

Having considered the guidance and industry standards and the various options available, the Council will apply the following approach to the assessed memorials:

**Category 1 memorials:** No action required. To be reassessed in five years.

**Category 2 memorials:** The following action will be taken immediately:

- A safety notice (Appendix 3) will be placed on the memorial to warn of the unstable condition of the memorial.
- The memorial will be braced with a stake and banded.
- If the holder of the Exclusive Right of Burial (EROB) can be identified, a Category 2 letter (Appendix 4) will be sent within seven working days. The letter will request the memorial repair is carried out within twelve weeks. Any repair carried out to the memorial will be at the cost to the EROB holder and must be carried out by a NAMM or BRAMM-registered memorial mason in accordance with BS8415. The holder of the EROB will inform the council when the work will be taking place and the finished work will be inspected by the council's memorial inspector.
- If records do not exist, or the holder of the EROB does not contact the council within the twelve-week period, it will be treated as a Category 3 memorial.

**Category 3 memorials:** The following action will be taken immediately:

- A safety notice (Appendix 4) will be placed on the memorial to warn of the immediate hazard.
- The memorial will be carefully laid flat within the grave space with the inscription visible. Larger memorials may be dismantled to remove the danger.
- Photographs of the memorial will be taken at the time of the inspection and following the memorial being laid down. All photographs will be retained with the inspection records.
- If the holder of the Exclusive Right of Burial can be identified, a Category 3 letter (Appendix 6) will be sent within seven working days. The letter will request the memorial repair is carried out within twelve weeks. Any repair carried out will be at the cost to the EROB holder and must be carried out by a NAMM or BRAMM-registered memorial mason in accordance with BS8415. The holder of the EROB will inform the council when the work will be taking place and the finished work will be inspected by the council's memorial inspector.
- If records do not exist, or the holder of the EROB does not contact the council within the twelve-week period, and no repair is arranged for the memorial, the memorial will remain laid flat until such time as the holder of the Exclusive Right of Burial contacts the council. If necessary, a transfer of the Exclusive Right of Burial will need to take place to enable the repair to go ahead.

It may be necessary to cordon off part of the cemetery to employees and public. In this case signage and information notices will be posted to give cautionary warning of the hazards will be present.

#### 4.8 Post inspection process

All work to repair or replace a memorial must be carried out by a NAMM or BRAMM-registered monumental mason and must be installed to BS8415. A guarantee of conformity will be issued to the holder of the Exclusive Right of Burial by the mason, and a copy of this must be lodged with the council.

The Council will keep a list of local, qualified and registered, monumental masons and this will be available from the Council Offices upon request. This list will be reviewed and updated annually.

**Memorials inspection log sheet**

| Plot no | Cat 1 | Cat 2 | Cat 3 | Action required | Photo | Date | Action taken    |              |           | Signed and dated |
|---------|-------|-------|-------|-----------------|-------|------|-----------------|--------------|-----------|------------------|
|         |       |       |       |                 |       |      | Notice attached | Cordoned off | Laid down |                  |
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**Westbourne**  
Parish Council

**Please note that Westbourne Parish Council's ongoing safety programme involves the inspection of all memorials at the:**

**Closed Churchyard, St John the Baptist Church, Westbourne**

**Week commencing 27 November 2023**  
(Weather permitting)

**Any memorial that has not met the health and safety requirements will be provided with a notice and temporary support. The Parish Council will undertake works to make any memorials safe and will try to contact the holders of the exclusive right of burial if records exist.**

For your own safety, and that of all visitors to the cemetery, **DO NOT** attempt to test memorials yourself. Any work to repair memorials must be undertaken by a qualified monumental mason.

We appreciate your assistance and co-operation in ensuring this cemetery is a safe place for everyone to visit.

If you have any questions or concerns regarding a memorial, or this notice, please contact **Westbourne Parish Council on 07775 654 483 or [clerk@westbourne-pc.gov.uk](mailto:clerk@westbourne-pc.gov.uk)**





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## **IMPORTANT SAFETY NOTICE**

This memorial has been found to be unsafe during a safety inspection and test. It requires urgent attention to prevent injury to cemetery visitors.

If you are the holder of the Exclusive Right of Burial for this grave, please contact Westbourne Parish Council as a matter of urgency for further information, and to advise of your intentions to make safe.

For your own safety, and that of all visitors to the cemetery, **DO NOT** attempt to test memorials yourself. Any work to repair memorials must be undertaken by a qualified, registered, monumental mason.

**ALL MEMORIALS REMAIN THE RESPONSIBILITY OF THE OWNER TO KEEP IN GOOD SAFE ORDER.**

We appreciate your assistance and co-operation in ensuring this cemetery is a safe place for everyone to visit.

If you have any questions or concerns regarding this memorial or notice, please contact **Westbourne Parish Council on 07775 654 483** or [clerk@westbourne-pc.gov.uk](mailto:clerk@westbourne-pc.gov.uk)

## Appendix 4



*Address for correspondence:*  
PO Box 143  
Emsworth  
Hampshire PO10 9DX

07775654483  
clerk@westbourne-pc.gov.uk

[DATE]

[ADDRESS]

Dear [NAME]

**Memorial Safety Programme in the closed churchyard, St John the Baptist Church, Westbourne.**

**Grave Space:** [GRAVE SPACE NUMBER]

The Council has recently undertaken a series of memorial inspections as part of its on-going memorial safety programme. The programme is designed to ensure the safety of everyone who visits, or works, in the cemetery and it is not the intention of the council to cause any unnecessary distress or upset.

Whilst the Council is responsible for ensuring general safety within the cemetery, the owner of a memorial is responsible for ensuring it is maintained and in good condition. During the recent inspection it was noted that the memorial on grave space [INSET GRAVE SPACE NUMBER HERE], for which you hold the Exclusive Right of Burial, is unstable and in need of immediate remedial work. A temporary support and notice have been placed on your memorial in order to protect it and ensure the safety of anyone visiting the area.

Please could I ask you to arrange for a NAMM or BRAMM-registered monumental mason to carry out the repair within twelve weeks of receipt of this letter? A list of local, registered masons is held by the Parish Clerk. May I also ask you to contact the Parish Council on 07775 654 483 or clerk@westbourne-pc.gov.uk to advise of your action. Please note: all repairs must be carried out by a registered monumental mason to BS8415 and a copy of the guarantee of conformity lodged with the Council on completion of the work.

We thank you for your help in this matter. If you have any questions, please do not hesitate to contact the Parish Council.

Yours sincerely  
[OFFICER'S NAME]  
[OFFICER'S TITLE]

Example

**Memorial safety: Frequently asked questions**

**Why are we carrying out memorial/headstone safety checks?**

Safety inspections and tests are required to ensure our cemetery is a safe place for visitors and for employees working in them. Sadly, over the past few years there have been several incidents in other cemeteries around the country where unstable memorials have fallen over onto people, including children, resulting in both fatalities and serious injuries. The Health and Safety Executive, who encourage, regulate and enforce workplace safety in the UK (HSE), are interested in Memorial Safety and have issued notifications to Local Authorities insisting that they have policies and procedures in place to ensure the stability of memorials. Westbourne Parish Council has a responsibility for the safety of all visitors to the cemeteries and those working in them.

**Who is responsible for my memorial's repair and condition?**

The holder of the Exclusive Right of Burial for the grave is responsible for keeping the memorial repaired and in a safe condition. However, the Council has the obligation of making this cemetery safe and will use reasonable means to ensure the safety of those working in or visiting it. A warning notice will be attached to any memorial if it is found to be in an unsafe condition and the holder of the Exclusive Right of Burial contacted to arrange a permanent repair with a qualified, registered, monumental mason.

**What is done during the safety test and inspection?**

Each memorial will be given a visual check to assess its condition. It will then be given a push test (steady, gentle pressure applied to the top of the memorial) to check its stability. The results of the test are logged and recorded. This safety check is carried out by officers of the council or its chosen contractors.

**What if the memorial fails the test?**

As the cemetery is a public place, the council has a duty of care to make sure an unstable memorial is made safe immediately. Depending on the level of danger posed by unstable memorials, it will either be temporarily made safe and a warning notice will be applied to the memorial or, in the case of an immediate, high-risk hazard, the memorial will be laid flat and a warning notice applied to the memorial. In both cases, the council will then contact the holders of the Exclusive Right of Burial for the grave to inform them.

**Why have I not been contacted regarding the temporary support/band and/or cautionary notice that has been applied to my memorial?**

It is the council's priority to make safe any unstable memorial found during the inspection. We want the cemetery to be a safe place to visit and work. As soon as possible following the inspection, we will write to the holder of the Exclusive Right of Burial using the address we have on our records. If we have not contacted you it may be because we do not have your current address. Please contact the Parish

Council on 07775 654 483 or email [clerk@westbourne-pc.gov.uk](mailto:clerk@westbourne-pc.gov.uk) to check or update your contact details.

**Will my memorial undergo tests in the future?**

Yes. The council will carry out these tests