

## **Hazlemere Parish Council Memorial Maintenance Policy**

The Memorial Maintenance Policy was adopted by Full Council at its Meeting held on 1 December 2015.

The policy has no specific legal status, but sets out standards of good practice for Hazlemere Parish Council to meet their legal obligations and duty of care.

It may be possible to cause a memorial to move, but that does not mean that it is liable to fall, or, if it does, to cause serious injury. Some memorials will be held upright by ground anchors. Other memorials may be loose, but by virtue of their size, location or lack of nearby traffic they may be unlikely to cause serious injury if they were to fall or to give way under pressure.

It is, however, important to distinguish between the hazard and the risk. A hazard is anything that may cause harm; the risk is the chance, high or low, that somebody could be harmed by a hazard, together with an indication of how serious the harm could be. Whereas an unstable memorial could present a hazard with potential to cause injury, the risk assessment would consider all relevant local factors and balance the probability of imminent failure or collapse of the memorial against the likelihood of someone being in close vicinity at the time, and the likely severity of any injury that may be caused. This should not be over-complicated and in a public place such as a burial ground a subjective but balanced judgement will need to be made about the people likely to be at risk of injury. The mere fact that a passer-by may be present in a burial ground does not mean necessarily that they are at risk of harm from an unstable memorial in that burial ground.

The purpose of the hand test is to ascertain whether there is any movement in a memorial which otherwise seems to be secure, not whether the memorial, or its fixings, can withstand any particular level of pressure. Where movement is detected, sufficient pressure may, with care, be applied to ascertain whether the memorial locks on any ground anchor. The hand test should only be used as part of the overall assessment of risk.

Guidance recommends that pressure measuring devices should not be used routinely. This is because such devices will not usually add anything to an assessment made by a hand test that a memorial is not fixed securely. There are also doubts about the reliability of the results when used with the wide range of memorials that exist, with a consequent tendency to overestimate the risk. Use of such equipment can also divert attention away from the risk assessment which considers not only the whether a memorial is at risk of falling but other factors that contribute to the significant risk of serious injury including size, location, visitor traffic etc.

The guidance recommends a risk assessment process that is proportionate to the risk of serious injury occurring. Records show that the number of incidents involving a loose memorial is very low. Burial ground operators should therefore expect to identify only very few memorials which need to be made safe at a particular time.

If memorials do not present a significant risk of causing serious injury, there is no need, for health and safety purposes, for immediate action to be taken to make them safe. If they have

not been installed in accordance with relevant industry standards that may be an entirely separate contractual matter for the owner and/or the stone mason.

The guidance recommends that stakes should not be used routinely to support loose memorials. This is because they can be unsightly, and the process of staking can present a risk of harm and can damage the memorial if installed without proper care. Routine use of stakes can also divert attention away from the need to consider the risk presented by a memorial. In some cases, stakes have come to be seen as a cheap, permanent or semi-permanent, solution rather than a temporary measure pending repair or restoration.

The repair of a dangerous memorial will depend on the facts and of course this applies only to memorials that are truly dangerous. Many memorials may have been installed before the introduction of modern standards, which should not normally be applied retrospectively. This needs to take this into account and ensure their assessment is suitable and appropriate to the age, design and construction of these memorials and does not overestimate the danger present.

In the rare circumstances where a memorial is considered truly dangerous there might be a number of causes. The memorial may have been poorly installed, it may have been neglected by the owner and deteriorated over time, or it may have been damaged by the cemetery staff or contractors. Hazlemere Parish Council will ensure that dangerous memorials are repaired promptly and this will need to be weighed against the time it may take to contact or establish the identity of memorial owners.

Memorials should be assessed annually in the winter by the Warden and Chairman of Open Spaces Committee by undertaking a relevant Risk Assessment. In doing so, they will need to take account of the findings of their risk assessments and local factors which may suggest that an assessment should be made more or less frequently.

**To be Reviewed: November 2015**

October 2015