

OXFORD CITY COUNCIL
Executive Board – 4 April 2005

Report of: Leisure and Parks Business Manager
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Report Title: Memorial Inspection Programme for Oxford City Council

Ward: City-wide

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Key Decision: No

Lead Member: Mary Clarkson

Scrutiny Committee: Environment

RECOMMENDATIONS

This report updates the Executive Board on the position regarding the Council's responsibility to undertake memorial inspections in cemeteries and churchyards maintained by the Parks Section.

Executive Board is asked to:

- 1. Note the contents of this report;**
- 2. Agree to undertaking the memorial inspection programme in the manner outlined;**
- 3. Agree to securing unsafe memorials by staking**

1. Background

1.1 It is a legal requirement under the Health and Safety at Work Act 1974, that local authorities require a suitable safety inspection programme for their memorials.

1.2 Oxford City Council has reviewed its management arrangements for memorials, and has concluded that an inspection programme of all memorials must be introduced urgently.

1.3 Oxford City Council has not undertaken a memorial inspection programme in cemeteries, which it owns, or churchyards, which it has a duty to maintain.

1.4 The overall aim of this project is to establish the safety or otherwise of memorials, and where a memorial is unsafe, to implement a suitable method of securing those memorials to make them safe.

1.5 The inspections will be undertaken at the locations listed below:

Wolvercote Cemetery
Rosehill Cemetery
Headington Cemetery
Botley Cemetery
St. Andrews (Headington)
St. James (Cowley)
SS Mary and John (Cowley)
St Mary the Virgin (Iffley)
SS Mary the Virgin and Nicholas (Littlemore)
St. Mary Magdalen (Oxford)
St. Cross (Oxford)
St. Giles (Oxford)
St. Sepulchres (Walton St.)
Osney (Mile St.)

2. Preparation

2.1 Three specialist consultancies have submitted quotations based on estimates of the number of memorials. Two of the firms had been selected to undertake a presentation on the methods to be used in carrying out the inspection programme.

2.2 As a result of this selection process it has been decided that there is one preferred consultant that we are looking to appoint to carry out the survey.

2.3 The consultants were asked to outline the methodology they would use to undertake the inspection programme as part of the presentation and this process is outlined below.

3. Process

3.1 The memorial inspections will be undertaken in accordance with the Institute of Burial and Cremation Administration: 'The Management of Memorials'.

3.2 The programme of inspection will follow:

- a. Consultation with staff and Councillors and other stakeholders;
- b. Gaining faculty agreement from diocese (for consecrated land);
- c. Erection of information signs and press release;
- d. Initial visual inspection of all memorials;

- e. Detailed inspection using topple tester;
- f. Identify unsafe memorials and then make safe;
- g. Notify deed-holders of unsafe memorials;
- h. Implement a programme of fixing of memorials;
- i. Gathering and processing data in suitable format;
- j. Produce timetable for re-inspection of memorials

4. Issues

4.1 Before an inspection programme is undertaken Oxford City Council is obliged to gain a faculty, from the Diocesan Church, to undertake the inspection of consecrated land. The diocese may decide not to grant the faculty.

4.2 This uncertainty over the faculty could present the City Council with a major publicity and safety issue. Negotiations are ongoing between the Diocesan Church and the Council.

4.3 Considering the sensitive nature of cemeteries, the process of undertaking the memorial inspections needs to be carefully managed. Cemetery users should be made aware of the work that is being undertaken, the reasons behind the work, with points of contact for the public should they have questions which they need answering as to the manner/nature of the survey.

4.4 The inspection programme will highlight memorials that are unsafe and as a result these memorials will need to be made safe. Two options appear to be most acceptable for making memorials safe:

- a. Laying memorials flat on the ground
- b. Staking memorials upright using wooden stakes.

4.5 Based on the guidance of the consultants, the industry is moving away from laying memorials down, as a result of major adverse public reaction from around the country. The preferred method in the industry appears to be securing memorials using wooden stakes and ties.

4.6 Neither option is without its problems. Based on the advice gained to date, we recommend that the option of staking be adopted as the preferred method to be used in Oxford.

4.7 Once the memorial has been made safe the grave owner must be contacted by the Cemetery Manager informing them of the process that has taken place and that they should repair the memorial. It may prove to be

difficult to contact grave owners. Therefore a number of memorials may not be repaired.

4.8 The choice for the authority is to decide whether these memorials should be fixed at the authorities expense. It is not a legal obligation for the Council to undertake this process.

5. Current position

5.1 Having interviewed the consultants, we are at the point of appointing a consultant.

5.2 The consulted has given a prospective start date of March 2005.

6. Predicted outcomes

6.1 The programme is likely to take twelve weeks to complete the survey plus a similar timeframe to carry out the making safe of those unsafe memorials.

6.2 Fixing of memorials can be undertaken depending on Council Policy.

6.3 It is likely that we will receive an initial adverse reaction from the public. It is also likely that the character of some cemeteries will be altered, at least in the short term, as a result of the introduction of stakes around memorials.

6.4 The insurance and liability issues of the Council will be met.

7. Financial Position

7.1 The cost of the inspection programme will be £26K and added to that will be the cost of making safe memorials (using the staking method) depending on numbers found. It is estimated that this will cost £45K.

7.2 There has been £71K allocated from the Cemetery Service budget to undertake memorial inspections and also make safe memorials using the staking method. This budget has been allocated from budget year 2004/05 and will be required to be carried forward to budget year 2005/06 if it is agreed the work is to be undertaken.

7.3 The estimated cost to make safe memorials by using the alternative method of laying them down flat is £35K.

8. Recommendations

8.1 The Parks Service would recommend the following options be undertaken:

- a. Undertake memorial inspections in cemeteries and churchyards maintained by the Parks Section
- b. Agree to appoint a contractor to undertake the inspections

- c. Make safe unsafe memorials using the wooden stakes immediately after the inspection

This report has been seen and approved by:

Councillor Mary Clarkson – Local Environment Portfolio Holder
Lindsay Cane – Legal and Democratic Services
Emma Burson - Financial Services

There are no background papers