

TESTING THE SAFETY OF MEMORIALS IN HAVERING CEMETERIES

Why is memorial safety testing taking place?

All cemeteries are required by the Health and Safety Executive to carry out inspections of cemetery memorials following numerous accidents and unfortunately some deaths. This work started in Upminster, Romford, Rainham and Hornchurch cemeteries in 2005 and we continue to test memorials in a planned programme.

Dangerous memorials have actually killed six people in the UK since 1996, and injured many more. We have a range of memorials in our cemeteries, some are over 140 years old and some are very large. However, even small memorial stones can be dangerous, particularly to children, if they fall over. Memorials can fail safety testing because the fixing can become weak over time, or because they were not built strongly in the first place.

The law states that Councils must test their memorials for safety, and to make safe any that are dangerous. If we do not do this, the Health and Safety Executive has the power to close the cemetery and ban all visits and burials until the cemetery is safe.

How do we test the safety of the memorial?

Memorials should be able to withstand 35kg of pressure. New memorials must conform to the British Standard BS8415. This will usually mean that the memorial must be installed to NAMM (National Association of Memorial Masons) standards. Memorial repairs should also meet the same standards.

When we test the memorial, we do not use any machinery, our trained staff check by hand, using minimum force, to see if there is any movement. We then keep a record of the inspection result so that we can continue to test memorials within a planned programme.

What happens if the memorial is found to be safe?

We will update our record and re-inspect the memorial in five years' time.

What happens if the memorial is found to be unsafe?

If it is the first time the memorial has been found to be unsafe then we will update our record and write to you, the registered owner of the grave. We will ask you to arrange to have the memorial repaired within six months. If it is not repaired within this time, we are required to make take action to make it safe.

If we are aware that the owner is deceased, then we will place a yellow warning triangle on the memorial to warn visitors to the cemetery. This also alerts any family members who may visit the grave whom we hope will contact us. If the memorial is an immediate risk then we are required to lay the memorial down and tag with a yellow warning triangle.

If the memorial has been found to be unsafe in the past, and we know that the owner is now deceased, then we will be required to make the memorial safe. This could be that we lay the memorial flat, but as this can be a possible trip hazard, we may dig the area around the memorial and place the memorial upright within the soil, ensuring it is secure. The memorial will be tagged.

Who can make the memorial safe?

By law, you must use a qualified stonemason who is registered with the National Association of Memorial Masons (NAMM) or the British Register of Accredited Memorial Masons (BRAMM). Please ask us for a list of stonemasons who belong to either of these associations, are insured, and work regularly in our cemeteries, however, you can choose any stonemason, as long as they are registered. The stonemason will ask you, the owner, to sign a form to give them permission to carry out any work on the memorial which will be sent to us for processing. This is important as without the completion of this form we will not be able to issue the stonemason with a permit to work in our cemeteries. There is no fee for this permit providing you are only having the memorial made safe and not making any other changes.

Who will pay the cost of repair?

The safety of the memorial is the responsibility of the owner, and as such, the owner is responsible for paying any costs to repair the memorial.

Where memorials have been installed for only a short period of time, grave owners may wish to claim under the Sale of Goods Act if the stonemason has not installed the memorial correctly. In fact, there is a court judgement that all memorials should remain safe for a period of 30 years although 6 years is required under the NAMM code of practice.

Can I transfer the ownership of the grave?

If you wish to transfer a grave that is owned by you, you can either put your request in writing to us or use one of our Assignment forms.

If the owner is deceased, the grave forms part of their estate and so the transfer of ownership is determined on an individual basis. This is because we need to know if there was a Will, or if Probate was granted because we look to the Executors of the estate to make a decision. Where there is no formal document, we can transfer the ownership to the next of kin in the form of a Statutory Declaration. There is a fee to transfer ownership, which is based on whether the new owner is a resident of Havering or not.

What if I move while I own the grave?

It is important that you tell us if you move or change your telephone number in case we need to contact you about the grave or the memorial.

Exclusive Right of Burial

If you own the Exclusive Right of Burial it means that you are the only one who can decide who is laid to rest in the grave, and you are the only person who can authorise a stonemason to erect a memorial, add an inscription or fix an existing memorial. You also have the right to be laid to rest in the grave. You can also extend the lease to top it back up to 50 years. If you wish to do this, please contact us and we will be happy to help you.