

## EAST AYRSHIRE COUNCIL .

### COMMUNITY SERVICES COMMITTEE -7TH FEBRUARY 2001

#### CEMETERY SAFETY

##### Report by Director of Community Services

### 1. PURPOSE OF REPORT

- 1.1 To seek approval for the introduction of memorial safety inspections throughout East Ayrshire Council's cemeteries and churchyards.

### 2. BACKGROUND

- 2.1 The safety of memorials in cemeteries and churchyards has received little attention until a recent death of a child in a cemetery in Harrogate, England.
- 2.2 Other fatal injuries in England during the 1990's, along with other serious accidents throughout Britain have led to Burial Associations and other professional bodies identifying and setting up memorial inspection programmes for both new and existing memorials.

### 3. CONSIDERATIONS

- 3.1 East Ayrshire Council is responsible for a wide range of cemeteries and churchyards. It is estimated that there approximately 50,000 headstones either standing, part standing or flat on the ground. Whilst the owners of the memorials are responsible for their condition the Council is responsible for the Health and Safety of all persons in its cemeteries and must take appropriate action to ensure safe conditions exist. It is therefore essential that the Council implement a programme of inspection for all memorial headstones throughout the area.
- 3.2 Outdoor Amenities officers will work .with colleagues and trade representatives to ensure that all procedures adopted by this Council are to standards accepted by the Health & Safety Executive and relevant professional bodies.
- 3.3 Every effort will be made to contact the owners of unsafe headstones prior to any remedial work being carried out. However if the owners cannot be contacted the Council may have to take immediate action to make a dangerous headstone safe.
- 3.4 Immediate action to make safe any dangerous headstone or stones, may include the following:
- (i) Rope off area around stone or part/whole of cemetery
  - (ii) Stake and tie headstone.

- (iii) Inform all of danger by signs placed around the cemetery
- (iv) Lay flat.

3.5 Further consultation needs to take place on other issues relating to the ongoing management of memorials and the financial and legal implications these may have for the Authority.

3.6 It is expected that the full programme/survey of all sites could take approximately 5 years to complete. However an initial inspection of all cemeteries/churchyards, could be completed within a year, to determine the most dangerous stones.

#### **4. FINANCIAL IMPLICATIONS**

4.1 Outdoor Amenities Section's Officers are at present working with colleagues in Homes and Technical Services to set up a programme of inspection and recording new and existing memorial stones. The cost of this work will require to be met from existing budgets.

#### **5. POLICY/LEGAL IMPLICATIONS.**

5.1 Issues surrounding the Health and Safety of visitors and Council staff are covered by the following legislation and by the East Ayrshire Council Cemetery Management Rules.

- (i) Civic Government Scotland Act 1982.
- (ii) Health & Safety at Work Act 1974
- (iii) Management of Health and Safety at Work Regulations 1999.

#### **6. CONCLUSIONS**

6.1 Recent incidents have highlighted several issues regarding safety in cemeteries including the Council's responsibilities for Health and Safety .The introduction of a inspection programme for memorials will be the first step towards addressing these issues.

#### **7. RECOMMENDATIONS**

7.1 The Committee is asked to approve the following:-

- (i) The Director of Community Services should implement a memorial survey/inspection programme, in all East Ayrshire cemeteries and churchyards; and
- (ii) Future reports should be presented to this committee to include a programme of inspection, along with resource implications.

William Stafford  
Director of Community Services

WS/RMc/RA  
10th January 2001

### **LIST OF BACKGROUND PAPERS**

1. I.B.C.A. Journal (Winter 2000)
2. N.A.M.M. Code of Practice (March 2000)

Any person wishing to inspect the background papers listed above should telephone 01563 554066 and ask for Bob McCulloch, Outdoor Amenities Manager.

Implementation Officer [john.griffiths@east-avrshire.gov.uk](mailto:john.griffiths@east-avrshire.gov.uk)

**AGENDA**