

ANGUS COUNCIL

ENVIRONMENTAL AND LEISURE SERVICES COMMITTEE – 29 APRIL 2004

THE DEVELOPMENT OF THE BURIAL GROUND HEADSTONE STABILISATION AND
MANAGEMENT PLAN IN ANGUS

REPORT BY DIRECTOR OF LEISURE SERVICES AND DIRECTOR OF PROPERTY
SERVICES

ABSTRACT

To advise members on the overall plan developed for the Headstone Stabilisation and Management Plan in Angus

1. RECOMMENDATION(S)

It is recommended that the committee agree to:-

- i. the method of management of the repair and restoration of memorials is based upon a policy of making headstones safe as the priority, followed by repair and restoration as resources allow, and to proceed with the Burial Ground Headstone stabilisation programme within the available resources
- ii. approve the bid for Supplementary Funding to the sum of £15,000 from Property Renewal and Repair fund.
- iii. remit to the Director of Leisure Services to continue with the programme of inspection and to fully document the inspection procedure for memorials and report back to committee on an annual basis the progress and revised cost estimates.
- iv. remit to the Director of Leisure Services to review and revise the existing Management Rules and procedures for burial grounds, to ensure future erection of memorials are to the required standard and that costs of headstone repairs can be recovered from lair holders.

2. BACKGROUND AND CURRENT POSITION

Over the last 3 years the Council has actively invested some £95,000 into the stabilisation of headstones in the 72 Burial Grounds for which it has responsibility. This is to ensure that the Burial Ground itself is a safe environment for visitors and council employees alike. However, in almost every burial ground the unstable condition of some memorials may be potentially dangerous and thereby pose a risk. In recent years, the toppling of unstable headstones in the UK has caused a number of well publicised accidents, some fatal, to members of the public. As a result, the Health & Safety Executive (HSE) has made it clear that all local authorities require a suitable inspection programme for memorials and the associated removal of any identified risk. This is a legal requirement under the Health & Safety at Work Act 1974.

It is now generally accepted by the HSE and professional associations that the inspection cycles should be over a maximum period of 5 years.

Since 1999, Leisure Services has implemented a general safety audit of all 72 burial grounds on an annual basis and identified a number of memorials posing an immediate danger to the public. Expenditure to date has primarily been used to make safe these headstones. However, when systematic detailed inspection has taken place, as required by the HSE, of all memorials in the Burial Grounds, then this reveals a larger problem.

It was clear that we needed to quantify this problem, establish the potential cost and the time required to survey every headstone in Angus within a 5-year programme. Over the past year a pilot survey of Newmonthill Cemetery, Forfar was undertaken as it possesses a wide range of memorials, is surrounded by housing and has a history of vandalism to headstones. This survey took 122 man-hours and revealed that of 5,488 headstones in the cemetery 3,408 had no defects, 1517 had some minor defects and 563 headstones (10%) had defects serious enough to warrant repair or to be made safe as soon as possible. 200 hundred of the most hazardous headstones have subsequently been repaired. If The remaining 363 headstones were fully repaired and restored the cost would total £38,000 based on require repair at an estimated average cost of £105 per headstone, totalling £38,000 of work outstanding. The survey highlighted that the substantial majority of headstones requiring repair are well over 50 years old and that whilst the Lair Holder is responsible for the safety of the headstone it is now extremely difficult to trace the current owners. It may in the future be possible to recover the cost of repairs if the lair holder comes forward at the time of a further interment being undertaken in the lair. However, the responsibility does rest with the Council to comply with Health & Safety requirements and to minimise the risk.

The pilot study has shown that the department has the manpower to complete the inspection programme on a 5-year cycle to survey the 41,500 headstones in the 72 Burial Grounds. If Forfar is used as a typical example 10% of memorials are in need of repair at an average cost of some £105 per headstone. However to date 12,500 headstones have been inspected and logged, and made safe or repaired. This leaves 29,000 to be inspected over the next 4 years of which it is estimated that 10% will require repair and restoration. This would amount to an estimated cost of £304,000 if full repair and restoration was progressed,.

The Council is required to take a number of actions both in the short and medium term. In the short term, the department has carried out work to make safe the remaining headstones in Forfar Cemetery. The Grounds Operations Division has completed this work by digging in headstones that cannot be repaired by other means so they remain upright, by cordoning off headstones, or dismantling and laying flat until such time as funds are available to repair and re-erect the Headstone. Headstones have so far been made safe without the requirement to lay flat.

Leisure Services are currently able to allocate a budget of £30,000 per annum for Headstone Stabilisation. This annual level of funding is estimated at present to be sufficient to enable primarily grounds operations staff to make all stones identified in the annual inspection programme safe. Finance available after the inspection and making safe will be used to fully repair appropriate headstones through employment of specialist contractors.

The other short-term measure required is the provision of safety signs at each entrance to churchyards and cemeteries, these should:

- Inform members of the public and Lair Holders that an inspection repairs programme is underway
- Advise that inspections are taking place to comply with current legislation
- Warn the public of potential dangers of memorials
- Advise the public who to contact with any queries or concerns

169 signs are required to be placed at each access to the 72 burial grounds. This is estimated to cost £15,000.

It is proposed that Leisure Services submit a bid to the Repairs & Renewal programme for 2004-2005, in order to provide the signage. The bid in future years will be made to complete the full repairs.

Given the range of short-term direct actions as part of any Headstone Management Strategy it is proposed to review the existing Rules and Regulations for Burial Grounds and procedures to proactively ensure that this situation is minimised in future, as outlined below:

1. The responsibility for the maintenance of the memorial is the responsibility of the lair holder. In practice this has primarily fallen to the Council because headstones most

likely to be in need of repair tend to be the older stones (Victorian) and the owner cannot now be traced. It is important that an early revision of the Management Rules and Regulations take place to ensure that a more proactive role is taken in ensuring that we have a contact address for the owner, that any repairs which result from the 5 year inspections can be charged to the lair holder if they do not arrange for the work to be undertaken themselves and that they will not be able to use the lair for interment purposes until such time as any outstanding debts are cleared.

2. The pilot exercise in Forfar identified a few problems with modern memorials of certain designs and the council should consider its requirements in terms of standard for the erection of headstones. This could be implemented through the management rules and linked to the standards of the National Association of Memorial Masons Code of Working Practice.

Finally, it is clear that the extent of the problem can only be estimated on the basis of the pilot exercise and the result of ongoing inspections may alter the situation. It is proposed that this report is reviewed, updated and reported to committee annually.

3. FINANCIAL IMPLICATIONS

The Council is required under the Health & Safety At Work Act to resolve any unstable memorials, which present a sufficient risk to the public or workers at present. Whilst it is estimated that the Council will require an estimated £304,000 to repair and restore the remaining headstones, the Council's policy will be based on making headstones safe using the department's workforce and existing £30,000 revenue budget for 2004/05. This is currently estimated on an annual basis as sufficient to meet the safety obligations of the 5year cyclical inspection regime. However, the £15,000 one-off cost required for signage cannot be contained within the Leisure Service's revenue budget for 2004/05.

It is, therefore, necessary for supplementary funding to be made available from the Property and Renewal Fund for 2004/05 to carry out the necessary signage works at an estimated cost of £15,000.

4. HUMAN RIGHTS IMPLICATIONS

There are no Human Rights Implications associated with this report.

5. CONSULTATION

The Chief Executive, Director of Finance, Director of Law & Administration and the Personnel Services Manager have been consulted in the preparation of this report.

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BACKGROUND PAPERS

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) , were relied on to any material extent in preparing this report.