

# **Environment Select Committee**

## **The Management of Memorials**



**October 2007**

Environment Select Committee  
Stockton-on-Tees Borough Council  
Municipal Buildings  
Church Road  
Stockton-on-Tees  
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## Contents

<b><u>SELECT COMMITTEE – MEMBERSHIP</u></b> .....	<b>4</b>
<b>Foreword</b> .....	<b>5</b>
<b>Original Brief</b> .....	<b>6</b>
<b>1.0 Executive Summary</b> .....	<b>7</b>
<b>2.0 Introduction</b> .....	<b>13</b>
<b>3.0 Background</b> .....	<b>13</b>
<b>4.0 Evidence/Findings</b> .....	<b>19</b>
<b>5.0 Conclusion</b> .....	<b>41</b>
<b>6.0 Recommendations</b> .....	<b>41</b>
<b>Appendix 1 – Management Structure of Cemeteries within Stockton</b>	
<b>Appendix 2 – Description of Cemeteries and Existing Memorials</b>	
<b>Appendix 3 – “Closed” Churchyards transferred to Stockton Borough Council</b>	
<b>Appendix 4 – Consultation Responses from Cemetery Users</b>	
<b>Appendix 5 – Summary of Viewpoint Focus Groups</b>	
<b>Appendix 6 – Feedback from Elderly Citizens Panel</b>	
<b>Appendix 7 – Feedback from Funeral Directors and Memorial Masons</b>	

## **SELECT COMMITTEE – MEMBERSHIP**

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## ACKNOWLEDGEMENTS

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## Foreword

The committee was acutely aware of the sensitivity of the issues involved in this scrutiny review and was very conscious of the importance of balancing the requirements of health and safety within our cemeteries with the needs of people to commemorate their family and friends in a meaningful way. As we took evidence from the different groups of people involved in the installation, care and maintenance of memorials we realised that there are different opinions within each group as well as in the general public on what is appropriate and how the Council's policy should be framed and implemented.

We hope that the recommendations detailed in the report will offer a way forward to make our cemeteries safe, welcoming, peaceful and attractive places of remembrance while at the same time being safe places of work for Council staff, funeral directors, masons and other contractors.

The level of direct public consultation in this review would not have been possible without the support of officers who spent time in cemeteries asking people's opinions. The committee is very grateful to those officers and to all the members of the public who took the time to contribute.

**Councillor Mrs Maureen Rigg**  
**Chair – Environment Select Committee**



## Original Brief

### 1. Which of our strategic corporate objectives does this topic address?

Provide attractive and safe parks, open spaces and cemeteries.

### 2. What are the main issues?

#### *Legal Issues*

Statutory Requirements

Ownership of memorials

#### *Existing Memorials*

Inspection Programme – Responsibilities, Public Relations

Removal/ replacement of memorials

Grave digging and maintenance

Ombudsman report and ICCM response

#### *New Memorials*

Legal right to erect a memorial

Types, range of choice, fixing methods

Inspections/ spot checks

#### *Unauthorised memorials*

Definitions, implications, possible solutions

#### *Registration of Memorial Masons*

#### *Rules and Regulations*

#### *Operational Impact of any policy changes*

Effect on maintenance, grave excavation, administration

### 3. The Thematic Select Committee's overall aim/ objectives in doing this work is:

To ensure that cemeteries and closed churchyards meet health and safety requirements and establish appropriate guidelines on the erection of new memorials

### 4. The possible outputs/outcomes are:

To ensure that Council cemeteries and closed churchyards are safe places to visit.  
An up to date policy on new memorials which can be enforced.

### 5. What specific value can scrutiny add to this topic?

Detailed consideration of the issues and views of Stockton Residents. Reconciling different stakeholder views.

### 6. Who will the panel be trying to influence as part of their work?

Funeral directors, memorial masons, public, Cabinet, Council

## 1.0 Executive Summary

### Memorial Safety

- 1.1 Since Victorian times memorials have been erected at the head of graves. Through years of neglect and lack of planning regulations, numbers of burial grounds have become potentially dangerous places. Surveys have shown that as many as one in ten monuments in the average cemetery can be in an immediately dangerous condition and on the verge of collapse.
- 1.2 Burial grounds are both a work place and public place. Nationally, there have been cases where workers and visitors have been injured and three deaths have been caused by falling headstones in recent years. Those with responsibility for burial grounds have a duty of care to ensure the safety of employees, contractors and visitors.
- 1.3 Burial authorities have the power and the duty to draw up and enforce rules and regulations about what can happen on their land. This can have an important impact on safety both immediate and long-term.
- 1.4 Planning and layout is one aspect for regulations; the behaviour of grant owners/proprietors, visitors, employees and contractors another. While families are responsible for the upkeep and safety of the memorial upon their family grave, it is the Council's duty to ensure that its cemeteries are safe for visitors and staff.
- 1.5 The Health and Safety Executive (HSE) has recognised the risk to the safety of visitors and employees working in cemeteries from unstable memorials. Under HSE guidelines, Burial Authorities are required to survey and test each memorial within its cemeteries at least every five years, to ensure that the potential danger from unstable memorials is minimised.
- 1.6 Agreed National Guidelines for memorial testing have been drawn up in association with the National Association of Memorial Masons (NAMM) and the Institute of Cemetery and Crematorium Management (ICCM). These guidelines require that memorials are able to accept a pressure of 35Kg (equivalent to roughly 5½ stones).
- 1.7 The Council recognised memorial testing as a high priority and made the following additions to the medium term financial plan through its budget setting process.

<i>2007/08</i>	<i>2008/09</i>	<i>2009/10</i>	<i>Later years</i>
200,000	100,000	100,000	100,000 ongoing

- 1.8 The Council is working in partnership with Memsafe Limited to carry out a comprehensive programme of safety testing using a hand-held safety tester, which accurately measures the force applied; if a memorial cannot accept a pressure of 35Kg, the tester also records the pressure it was able to accept.
- 1.9 Prior to the commencement of the safety-testing programme, several surveys were conducted within the five Borough Cemeteries to prioritise the individual

sections in terms of risk to visitors. The final order for inspections was drawn up taking into account the number and type of memorials within each section, the age and condition of memorials and the number of visitors to each section.

- 1.10 Full details of the policies and procedures, risk assessments and the final order of inspections were submitted to the Committee. The first round of inspections/ repairs was expected to take one year with ongoing checks to be funded from revenue budgets.
- 1.11 At the time of the review, safety testing was underway at Durham Road Cemetery and the Committee received a demonstration of safety testing from Memsafe on site. The Committee were later advised that following the inspections 1149 memorials (80%) had failed and remedial action had been taken to make the memorials safe.
- 1.12 The Committee were satisfied with the programme for memorial testing in cemeteries and closed churchyards and that appropriate budgetary provision had been allocated to ensure that this essential work was undertaken. The Committee were mindful that following the first round of inspections there would be a need for ongoing checks and a five year rolling programme of inspection.
- 1.13 Whilst acknowledging that testing was first carried out at Durham Road because of the higher risks identified by the initial survey, the Committee were concerned about the high failure rate and felt that this reinforced the need for more stringent controls and regulations.
- 1.14 The Committee noted that the Council currently granted the Right of Burial and the Right to Erect a Memorial as one transaction and concluded that this should be separated with the Right to Erect a Memorial being granted for a maximum of 30 years in line with NAMM advice thereby ensuring that the Right to Erect a Memorial coincides with the NAMM Guarantee of Compliance. Options for five yearly renewals would give the Council the opportunity to check on the contact details of the grave owner.
- 1.15 The Committee noted that the Council did not currently require that a copy of the NAMM Guarantee of Compliance be forwarded to them as well as the grave owners and agreed that this should be required in future.
- 1.16 As part of the review, the Committee met with memorial masons in order to seek their views on the various issues. A number of memorial masons were in favour of increased supervision with the Council operating systems to check and sign off work and installations.
- 1.17 The Committee felt that persons responsible for the supervision of masons must be trained to understand the standards required and should carry out some random inspection of memorial mason's work.
- 1.18 The Committee concluded that there was need for an additional member of staff to be responsible for carrying out checks on memorial masons and to deal with enforcement issues (also 1.31).



- 1.19 Burial authorities should have standards of professional conduct for those who work in their burial grounds. These should be detailed within the rules and regulations for the burial authority. As memorials are a major element within the burial ground and there is evidence of poor standards of workmanship over the years, there should be some specific controls over the way they operate.
- 1.20 Stockton-on-Tees Borough Council operates an annual registration scheme. Originally developed in conjunction with the National Association of Memorial Masons and the Institute of Cemetery and Crematorium Management, the scheme is intended to ensure that memorial masons working in the Borough's Cemeteries have suitable technical expertise, adequate public liability insurance and will erect memorials in accordance with the Rules and Regulations of the cemetery and recognised safety and workmanship standards.
- 1.21 Whilst model registration schemes are available from such organisations as the ICCM, the British Register of Accredited Memorial Masons (BRAMM) is now available, a national scheme operated independently to improve safety standards and competency of memorial masons. Registration under BRAMM is free to Local Authorities and costs in the region of £250 for memorial masons to register. The Committee found that Middlesbrough Council require memorial masons to be BRAMM registered. Burial authorities should consider the use of masons, accredited under this scheme, that have been able to prove their ability to carry out installations to a high standard. The benefits to the Local Authority in requiring memorial masons to join BRAMM are that individual Councils will no longer need to administer their own registration schemes, assurance that BRAMM business have adequate insurance, a risk assessment and a current health and safety policy etc. and Councils can be assured that a BRAMM fixer has the skill and knowledge of the correct trade practices and procedures in order to erect a safe and stable memorial.
- 1.22 The Committee felt that there would be considerable benefits in requiring memorial masons to register with BRAMM as this would require the memorial mason to obtain a fixers licence, submit full risk assessments, current health and safety policies and evidence of insurance cover.
- 1.23 The Committee also concluded that memorial masons should be required to provide full construction details, provide a statement of compliance with the NAMM Code of Working Practice, to comply with a monitoring and disciplinary process and advise the Council when they would be undertaking work in any of the Council's cemeteries.

### **Memorial Policy**

- 1.24 The Committee received feedback from site visits and undertook consultation with Viewpoint focus groups, visitors to cemeteries, funeral directors and memorial masons. Following this, the Committee concluded that the current unauthorised practices of planting and placing of unauthorised items and kerbing/ edging on the full grave space presented a serious health and safety problem for those working in or visiting the Council's cemeteries, particularly in the lawned areas of cemeteries which had no pathways between rows of graves. The Committee were mindful of the comments received from funeral directors about the difficulties experienced in carrying coffins for burial and

the access problems for visitors with mobility problems, particularly those in wheelchairs. The Committee also acknowledged the impact of unauthorised memorials on the maintenance of cemetery grounds in terms of efficiency and also the quality of maintenance.

- 1.25 The Committee noted the differing views of the public and cemetery users in respect of the type of memorials that were considered appropriate in a cemetery. Notwithstanding the range of views, the Committee accepted that many families demonstrated the need to personalise and tend the graves of loved ones and felt that the Council should be sensitive to this.
- 1.26 Balancing the health and safety considerations and the evident need for bereaved families to personalise graves, the Committee concluded that the Council's cemetery regulations should be extended to allow personalisation by appropriate planting of an area at the head of the grave with detailed guidance being drawn up but not allowing any edging/ kerbing. The Committee also felt that restrictive regulations in respect of the type of memorials permitted within babies sections should be relaxed to allow greater choice.
- 1.27 The Committee noted the comments from funeral directors regarding the increase in requests for a second memorial to be permitted owing to the increase in cremations and concluded that the cemetery regulations should be revised to allow a small second memorial to be fixed at the head of a grave. The Committee also proposed that inscribed commemorative wall plaques be provided by Bereavement Services to allow bereaved families to commemorate the memory of a loved one.
- 1.28 The Committee felt that improvements to the reinstatement of graves following a burial might overcome the need for the bereaved family to undertake their own planting and tending of a grave. The Committee concluded that alternative methods should be explored and best practice adopted to enable improvements to the way graves are reinstated following a burial to reduce grave sinkage and improve memorial stability and the appearance of the grave immediately following an interment.
- 1.29 The Committee found that the condition of some of the cemeteries older kerb sets was extremely poor and unsightly and noted that Carlisle Cemetery has undertaken a successful removal programme since the 1950's thereby improving the appearance and safety of the cemetery.
- 1.30 The Committee concluded that a programme for the removal of kerb surrounds in traditional areas be developed starting first with the oldest graves and damaged or dangerous kerb sets following consultation and consideration of alternative uses for the old kerb sets.
- 1.31 The Committee felt that the revised regulations should be enforced in respect of all unauthorised memorials following an extensive publicity programme and giving grave owners a period of notice to remove unauthorised items. Unauthorised items to be labelled and stored for collection and that removal of unauthorised items be handled sensitively allowing a 3 month period following a burial and some flexibility around the time of significant dates.

The Committee therefore recommends:

***Memorial Safety***

- (1) That the Exclusive Right of Burial and Right to Erect a Memorial are granted separately.
- (2) That the Right to Erect a Memorial be granted for a maximum of 30 years to coincide with the NAMM Guarantee of Compliance with the option for renewal for periods of 5 years provided that the memorial meets appropriate safety standards; in cases where the Right to Erect a Memorial has already been approved for a longer period, the option for 5 year renewal be offered to the original Grantee after its expiry or to the next of kin where rights have been transferred.
- (3) That memorial masons be required to:
  - register with BRAMM (British Register of Accredited Memorial Masons) which requires the memorial mason to obtain a fixers licence, submit full risk assessments, current health and safety policy and evidence of insurance cover;
  - provide full construction details on application to erect a memorial;
  - provide a 30 year written guarantee for stability and safety of the memorial to Bereavement Services as well as the grave owners;
  - provide a statement of compliance with the NAMM Code of Working Practice;
  - to comply with a monitoring and disciplinary process
  - advise the Council's Bereavement Services Section when they will be undertaking work in any of the Council's cemeteries.
- (4) That a growth bid be submitted to enable the service to employ an additional member of staff to be responsible for carrying out checks on memorial masons and to deal with enforcement issues. The duties of this additional post to include responsibility for:
  - enforcing of the Council's policies and taking action in respect of unauthorised memorials;
  - inspecting memorials 28 days after fixing to ensure compliance with BS8415/ NAMM Code of Working Practice;
  - undertaking random checks of works;
  - assisting with a 5 year rolling safety inspection programme;
  - controlling entry into cemeteries to ensure that only authorised works are being undertaken and to seek to co-ordinate works around funeral times;
  - ensuring safety of visitors to cemeteries.

***Memorial Policy***

- (5) That the Council's Cemetery Regulations be revised to allow:
  - a small second memorial to be fixed at the head of the grave, providing that they are fixed in accordance with NAMM Code of

Working Practice and the overall size of the two memorials does not exceed the grave width;

- excluding the actual lawn heading, personalisation by appropriate planting of an area at the head of the grave no larger than 25% of the grassed area (i.e. approx 1'9"/ 53cms for lawn/traditional graves and 9"/23cms for graves within the cremated remains and babies garden areas) (detailed guidance to be drawn up but not allowing any type of edging/ kerbing);
  - restrictive regulations in respect of the type of memorials permitted within babies sections be relaxed to allow greater choice (provided that memorials are within specified size and fixed in accordance with the NAMM Code of Working Practice).
- (6) That inscribed commemorative memorial wall plaques and featured remembrance areas be provided by Bereavement Services to allow bereaved families to commemorate the memory of a loved one.
- (7) That a programme for removal of kerb surrounds in traditional areas be developed starting first with the oldest graves and those which have damaged or dangerous kerb sets as identified by the inspection programme, following detailed consultation and consideration of all the issues including alternative uses for the old kerb sets.

#### *Unauthorised Memorials*

- (8) That an extensive publicity programme be developed for elected Members, officers and the public to raise awareness of the Council's policies including road show events and leaflets and that copies of the most up to date leaflets are distributed to all elected Members for reference.
- (9) That the Council's regulations be enforced in respect of all unauthorised memorials following the extensive publicity programme and after giving grave owners a period of notice to remove unauthorised items from graves.
- (10) That unauthorised items be removed from graves, labelled and stored for collection and that removal of unauthorised items be handled sensitively allowing a 3 month period following a burial and some flexibility around the time of significant dates.

#### *Operational Issues*

- (11) That alternative methods are explored and best practice adopted to enable improvements to the way graves are reinstated following a burial to reduce grave sinkage and improve memorial stability and the appearance of the grave immediately following an interment.
- (12) That planting schemes are investigated, where concrete plinths are not used to improve the aesthetics of the lawn headings and prevent soil erosion.

## **2.0 Introduction**

2.1 The report presents Cabinet with the findings of the scrutiny review into the management of memorials in the Council's cemeteries undertaken by the Environment Select Committee between June and October 2007. The topic formed the second phase of a review of the Council's Cemeteries and Memorials – the first phase having concluded an investigation into the future development of cemeteries. The review was identified as it was felt that there was a need to ensure that the Council was providing a safe environment for everyone visiting the Council's cemeteries and to ensure that the Council's policies were up to date and enforceable.

2.2 During the course of the review, the committee received written and oral evidence from Council Officers, funeral directors and memorial masons and received a background report from the service, this included:

- extracts from relevant legislation
- Harrogate Borough Council's Ombudsman's report
- Stockton Borough Council's Memorial Inspection Programme
- Stockton Borough Council's Cemetery Rules and Regulations
- NAMM Code of Working Practice

2.3 Other activities included:

- A press briefing and press release at the start of the review
- a site visit to Durham Road Cemetery including a demonstration of memorial testing
- a site visit to Carlisle Cemetery
- Viewpoint Focus Groups
- Attendance at a meeting of the Elderly Citizen's Liaison Panel
- Consultation with cemetery users
- Consultation with faith groups and churches with graveyards
- All Members Survey
- Comparison of Stockton's rules and regulations with other neighbouring councils
- Analysis of complaints letters

## **3.0 Background**

3.1 Since Victorian times memorials have been erected at the head of graves. Through years of neglect and lack of planning regulations, numbers of burial grounds have become potentially dangerous places. Surveys have shown that as many as one in ten monuments in the average cemetery can be in an immediately dangerous condition and on the verge of collapse.

3.2 Burial grounds are both a work place and public place. Nationally, workers and visitors have been injured and three deaths have been caused by falling headstones in recent years. Those with responsibility for burial grounds have a duty of care to ensure the safety of employees, contractors and visitors.

## Areas of Responsibility

3.3 Responsibility for safe conditions in cemeteries, graveyards or churchyards rests upon three parties. These can be identified as:

- The purchaser/owner of the memorial (the proprietor)

The condition and inherent safety of the memorial during its entire lifespan are, legally, the responsibility of the proprietor although sometimes owners (or successors) are difficult to trace.

- The mason/erector of the memorial

They have a duty of professional care to do this in a workmanlike manner and in accordance with standards set by the landowner.

- The landowner or occupiers of the land

The landowner may be a burial authority or in the case of a churchyard – the ecclesiastical authority. Responsibility for the overall safety within a burial ground lies with the burial authority. A burial authority should carry out regular inspections on their memorials, at least once every 5 years. Where they identify unsafe memorials through this inspection programme they have a responsibility to ensure such memorials are not a danger to visitors and employees in the burial ground. Where possible, they should contact the owner, advise them of the problem and ask them to make the memorial permanently safe.

## Liability

3.4 In the event of a claim, the ‘occupier’ is probably an organisation, but within that may be found an individual whose duty it is to manage the place so that it is reasonably safe.

3.5 Government proposals to introduce a new offence of corporate killing, and others to deal with death caused by recklessness or gross carelessness are urging local and church authorities to focus attention on burial grounds.

3.6 This does not mean that town clerks, executives and incumbents could be sent to prison every time there is an accident; the law will protect those in authority who have acted reasonably. But by raising the threat, businesses, including burial authorities, are given a further incentive to ensure that they have safety systems in place, and that responsibility for them is more clearly assigned.

- 3.7 Cemeteries, churchyards and burial grounds are both a place of work and a public place. Health and Safety issues apply to both the workforce and visitors.
- 3.8 The fact that a churchyard has been closed for burials by Order of Council does not affect the liability of the occupier to the visitor. However, if a parish council or other local authority has taken over maintenance of the 'closed' churchyard, the local authority assumes many of the liabilities of an occupier.
- 3.9 While regulations and administrative procedures may vary between local authority and the Church of England, the requirements for Health and Safety apply equally in all burial grounds. Failure to deal with dangerous memorials could leave the burial authority or PCC exposed to a claim in negligence or breach of duty of care under the Occupiers Liability Acts, or the Health and Safety at Work Act.

### Controls and Regulations

- 3.10 Burial authorities have the power and the duty to draw up and enforce rules and regulations about what can happen on their land. This can have an important impact on safety both immediate and long-term.
- 3.11 Planning and layout is one aspect for regulations; the behaviour of grant owners/proprietors, visitors, employees and contractors another.

### Modern Memorial Structure

- 3.12 The most common style of memorial erected in Britain during the last century has been the plate and plinth model known as a 'lawn' memorial and Professor John Knapton's (Newcastle University's Head of Structural Engineering) concern was the "totally non-engineered" design of these memorials. The average 0.84m (2ft 9in) high marble or granite plate is usually adequately secured with dowel bars or bolts to the rectangular 300mm (1ft) wide plinth. However, the two-section structure is simply placed over often disturbed ground with little or no bond between it and a shallow concrete foundation pad beneath.



- 3.13 Memorials assembled from two or more parts will be more unstable than those made from one part. The joints are vulnerable to moisture penetration resulting in freeze and thaw stresses that fracture the bond. This can happen after a matter of months but may be delayed by high quality workmanship. The quality of workmanship cannot be observed after the memorial has been assembled.
- 3.14 A one-piece memorial, with one third of its length buried and tamped into the ground, provides a more secure in-depth foundation of a type utilised for more than 300 years in British burial grounds; many examples are still standing securely.



### **The Exclusive Right of Burial and Right to Erect a Memorial**

- 3.15 When a grave is 'purchased', the land that the grave occupies remains in the ownership of the Burial Authority.
- 3.16 The Burial Authority grants a lease on the exclusive Right of Burial and Right to Erect a Memorial for a predetermined duration, which may not, by law, exceed 100 years. Rights that have been granted 'in perpetuity' are also governed by the 100 year rule, which has been applied retrospectively to apply to all graves for which the exclusive Right of Burial and Right to Erect a Memorial have been granted. There is an increasing trend for Burial Authorities to Grant the two Rights separately, reducing the duration of the lease on the Right to Erect a Memorial to no more than 30 years which is the length of time correctly fitted new memorials are expected to remain safe.



Renewal of the lease on the Right to Erect a Memorial may then carry the condition that the memorial is repaired or refurbished as necessary to ensure safety for a further 30 years. Many memorial masons will also offer a workmanship guarantee for the same duration.

- 3.17 Stockton-on-Tees Borough Council currently offers both of these Rights for the same duration as a single transaction, but they may be granted separately and for different durations.
- 3.18 The granting of Rights by the Burial Authority is a legal process, so the person or persons taking out the lease, the Grantee(s), receive a legal document, the Deed of Grant.

### **The Grantee**

- 3.19 The Grantee of the exclusive Right of Burial has the legal entitlement to say who is buried in the grave and, if the grave is suitable, to be buried in it after his or her death.
- 3.20 The Grantee of the Right to Erect a Memorial is also legally entitled to control the style and wording of any memorial placed upon it, provided it falls within the provisions of the cemetery rules and regulations and subject to the approval of the Bereavement Services Officer. There is, however, no assumption in law that he or she is entitled to be commemorated with an inscription upon an existing memorial, or to have a memorial erected upon the grave space.
- 3.21 Where there are two or more Grantees for a single grave, each has equal entitlement and responsibilities.
- 3.22 The Local Authorities Cemeteries Order of 1977 Section 10(6) provides that *"No body shall be buried, or cremated remains interred or scattered, in or over any grave or vault in which an exclusive Right of Burial for the time being subsists except by, or with the consent in writing of the owner of the Right"*.
- 3.23 Administrative systems for arranging a burial in one of the Borough's Cemeteries require that the Grantee signs a Notice of Interment to confirm that the details provided by the funeral director regarding the funeral booking are correct and that he or she consents to the burial taking place. Where there is more than one Grantee, each must give consent to the burial by signing the Notice of Interment.
- 3.24 Where the Grantee is deceased, and is to be buried in the grave, an additional form on the reverse of the Notice of Interment is signed by the applicant, stating that the Grantee is to be interred and requesting information regarding legally transferring the Exclusive Right of Burial and Right to Erect a Memorial into new ownership.
- 3.25 Where a burial of someone other than the Grantee is requested, and that person has been predeceased by the Grantee, it is necessary to legally transfer the Rights to the grave into the ownership of one or more legally entitled person, so that written permission for the burial may be obtained.

- 3.26 For memorial applications, it is again necessary to obtain the written permission of the Grantee before works may take place, however, where the Grantee is deceased, the lease on the Right to Erect a Memorial must be legally transferred before works can be authorised. There is no legal assumption that the deceased Grantee has any entitlement to be commemorated upon a memorial.

### **Transferring the Exclusive Right of Burial and Right to Erect a Memorial**

- 3.27 A living Grantee may transfer ownership of the lease on the exclusive Right of Burial and Right to Erect a Memorial at any time to another person by way of the legal process known as an Assignment.
- 3.28 Where there were multiple Grantees and the sole remaining Grantee dies, the lease is classed as part of his or her estate only.
- 3.29 If the deceased Grantee made a Will, the lease on the exclusive Right of Burial and Right to Erect a Memorial is classed as part of the residuary estate. If a Grant of Probate has been obtained in respect of the estate, the executor/executrix is assumed to be the interim owner of the lease and may, upon production of the original Grant of Probate and the completion of a Form of Assent, transfer the ownership of the lease to another person the Will of the deceased Grantee. Alternatively, a Statutory Declaration may be sworn outlining the particulars of the grave leased by the Grantee and who is to become the owner of the lease.
- 3.30 If the deceased Grantee did not leave a Will, the administrator of the estate is classed as the interim owner of the lease on the exclusive Right of Burial and Right to Erect a Memorial and may, upon production of the original Grant of Letters of Administration and completion of a Form of Assent, transfer ownership of the lease to another person or a statutory Declaration may be sworn outlining the particulars of the grave leased by the Grantee and who is the lawful next of kin and therefore entitled to take ownership of the lease.

## **4.0 Evidence/Findings**

### **MEMORIAL SAFETY**

#### **Design, Construction and Installation**

##### **Memorial Design**

- 4.1 Until recent years memorials had not been designed to withstand a specific design force, this has now been addressed with industry standard specifications such as the NAMM Code of Working Practice and BS 8415. All memorials should be installed to such a specification. It is recommended that all memorial masons use recognised specifications such as the NAMM Code of Practice as the minimum specification for the installation of memorials and ensure installed memorials meet specific design performance standards, as will be provided in the British Standard (BS 8415). All burial authorities should insist on such standards of installation.
- 4.2 Burial authorities should give consideration to the safe design of memorials. Designs can be very varied, there should be no problem allowing any memorial made of suitable materials, including stone, wood or stainless steel, even glass inserts have been used successfully and safely on memorials. Memorials up to a height of 1.5m are perfectly acceptable if installed correctly. The main criteria are that these memorials are using inherently safe materials, that they are designed to comply with BS 8415 and that they are installed in such a way that they will remain safe for at least 30 years, provided they are not de-stabilised by a third party.
- 4.3 All burial authorities should encourage owners of memorials to have them maintained on a regular basis following installation and should advise all owners that their memorials will be subject to a minimum five-yearly inspection.

##### **Memorial Construction and Installation**

- 4.4 Burial authorities should insist that memorial masons use an industry recognised standard specification, such as the NAMM Code of Practice, every time a memorial is fixed, or re-fixed into the burial ground. This will ensure that all new memorials are installed to a suitable standard and any memorials that are removed for any reason, such as a further interment in the grave or for a new inscription, are also re-fixed to a suitably high standard. Wherever possible owners should be advised of the re-fixing of a memorial to improved standards and should be offered the same guarantee as a new memorial. Burial authorities should also obtain testing certificates from the manufacturers/installers to prove that memorials and any component ground anchor and lock-down systems have been designed to meet BS 8415.

##### **Burial Ground Design**

- 4.5 When designing new burial grounds due attention should be paid to the need to ensure the stability of memorials once memorials are introduced into the burial ground. For example, in lawned sections, back to back memorials are

advisable and guidance should be followed in respect of plot sizes and foundations.

- 4.6 Excavation and backfilling of all graves should be carried out by trained staff using a quality specification. Guidance is available in the ICCM Code of Safe Working Practice or similar.

### **Inspection and Making Safe**

- 4.7 There is no single method of inspection, however, there is a methodology that should be followed to build in a large degree of consistency into the process. The basic principles of this method are as follows and should only be used by personnel that have received suitable training in accordance with this guidance. All memorials should receive:

- a visual inspection
- a physical hand test for memorials up to 2.5 metres
- a confirmatory mechanical force measuring test using suitably calibrated force measuring equipment for all memorials up to, but not exceeding 1.5 metres.

- 4.8 The inspection process is carried out in two distinctive phases. The first phase of the inspection process is the initial inspection. The initial inspection is aimed at obtaining the necessary information that is critical to identifying the safety of the memorial and, therefore, whether the memorial is an immediate danger to the public.

- 4.9 An immediate danger must first be defined. A memorial that is an 'immediate danger' to the public is one that fails the testing procedure and will not withstand a force approximating 350 Newtons (circa 35kg). The memorial only fails if, as a result of the continuing application of 350 Newtons (circa 35kg) or less, the memorial would continue to move and eventually fall to the ground.

- 4.10 The initial inspection gathers simple facts that address whether the memorials pose an 'immediate danger' to the public. Burial authorities should be aware that it would be reasonable to carry out the initial inspection over a number of years, particularly where the authority has a high number of burial grounds and memorials to inspect. The obligation to maintain safe sites has been in place since the Health and Safety at Work Act 1974 and advice on the inspection of memorials has been available since 2000. Anyone inspecting the safety of the site would now expect to see considerable progress made on the initial inspection and any burial authorities who may be only considering starting the process should be looking to complete their initial inspection work within 12 to 18 months.

- 4.11 Once the initial inspection is complete then burial authorities can move on to the ongoing inspection programme. All memorials should be inspected at least every five years. Following the initial inspection there will be a high number of re-inspections that need to be undertaken to comply with the burial authority's programme and to ensure further deterioration is not taking place. On this second phase much fuller details of each memorial can be taken.

Each authority must determine the amount of information required dependant on the type of burial grounds they are responsible for, the resources available to them and the level of service being provided.

### **Inspection Records**

- 4.12 Every memorial must be inspected and a record maintained of the inspection. The initial inspection to identify the immediate dangers to the public does not exempt the authority from maintaining a record of every memorial inspected.
- 4.13 It is recommended that there be three simple classifications of the priority of action. This ensures records are easily maintained and will, therefore be properly utilised. The priorities suggested are:
- Priority 1 (red) - Immediate action is required to make the memorial safe or to stop the public accessing the memorial. This could be the permanent removal of the hazard or the temporary making safe of the hazard.
  - Priority 2 (amber) – The memorial is not an immediate danger to the public but is not fully stable and will, therefore, need to be monitored every 12 months to assess any further deterioration of the memorial.
  - Priority 3 (green) – The memorial is perfectly stable and will only need to be inspected in 5 years time.
- 4.14 Some care should be taken dependant on the results of the inspection. It is easy to apply a consistent rule and ignore additional risks. Risk assessment is central to all memorial safety work, this includes the allocation of priorities to memorials. If large numbers of memorials have been found to be unsafe in any particular section and there is an underlying concern that, for instance, dowels have not been used on such memorials, then there is reason to place even memorials that are considered as entirely safe, on an annual inspection.
- 4.15 Of course a great deal of information can be gathered on the memorial once the ongoing inspection commences. Burial authorities should aim to complete the inspection of 20% of the total number of memorials each year, in addition to all of the priority 2 annual inspections. A great deal of more detailed information can be gathered on the ongoing inspections should the burial authority so wish.
- 4.16 The maintenance of electronic records is recommended to simplify the maintenance of re-inspection records and allow such records to be manipulated as required by grouping records in different ways, e.g. by masons in alphabetical order, or by priority action order.

### **Stockton Borough Council Memorial Safety Inspections**

- 4.17 While families are responsible for the upkeep and safety of the memorial upon their family grave, it is the Council's duty to ensure that its cemeteries are safe for visitors and staff.

- 4.18 The Health and Safety Executive (HSE) has recognised the risk to the safety of visitors and employees working in cemeteries from unstable memorials. Under HSE guidelines, Burial Authorities are required to survey and test each memorial within its cemeteries at least every five years, to ensure that the potential danger from unstable memorials is minimised.
- 4.19 Agreed National Guidelines for memorial testing have been drawn up in association with the National Association of Memorial Masons (NAMM) and the Institute of Cemetery and Crematorium Management (ICCM). These guidelines require that memorials are able to accept a pressure of 35Kg (equivalent to roughly 5½ stones).
- 4.20 The Council recognised memorial testing as a high priority and made the following additions to the medium term financial plan through its budget setting process.

<i>2007/08</i>	<i>2008/09</i>	<i>2009/10</i>	<i>Later years</i>
200,000	100,000	100,00	100,000

- 4.21 The Council is working in partnership with Memsafe Limited to carry out a comprehensive programme of safety testing using a hand-held safety tester, which accurately measures the force applied; if a memorial cannot accept a pressure of 35Kg, the tester also records the pressure it was able to accept.
- 4.22 Prior to the commencement of the safety-testing programme, several surveys were conducted within the five Borough Cemeteries to prioritise the individual sections in terms of risk to visitors. The final order for inspections was drawn up taking into account the number and type of memorials within each section, the age and condition of memorials and the number of visitors to each section.
- 4.23 Full details of the policies and procedures, risk assessments and the final order of inspections were submitted to the Committee. The first round of inspections/ repairs were expected to take one year with ongoing checks to be funded from revenue budgets.
- 4.24 At the time of the review, safety testing was underway at Durham Road Cemetery and the Committee were able to received a demonstration of safety testing from Memsafe on site. The Committee were later advised that following the inspections 1149 memorials (80%) had failed and remedial action had been taken to make the memorials safe.
- 4.25 The Committee were satisfied with the programme for memorial testing in cemeteries and closed churchyards and that appropriate budgetary provision had been allocated to ensure that this essential work was undertaken. The Committee were mindful that following the first round of inspections there would be a need for ongoing checks and a five year rolling programme of inspection. The Committee commended officers for the sensitive way that the inspection programme had been handled which had resulted in no adverse publicity for the Council.**

- 4.26 Whilst acknowledging that testing was first carried out at Durham Road because of the higher risks identified by the initial survey, the Committee were concerned about the high failure rate and felt that this reinforced the need for more stringent controls and regulations. This is explained in more detail below.**

### **Memorial Rights, Guarantees and Insurances**

- 4.27 Where a grave deed is issued, most burial authorities within the UK issue one single deed for a grave. This deed is normally the exclusive right of burial giving the owner the exclusive right of burial in the grave **and** generally implying the right to erect a memorial.
- 4.28 The majority of English/Welsh burial authorities issue their rights for a 50 - 75 year period. Many town and parish councils issue them for as long as 100 years. Scottish and Northern Irish authorities still issue their rights in perpetuity, whilst churches generally often do not sell the exclusive right of burial. Very few burial authorities have any maintenance clauses referring to the inspection of memorials. This is an unsatisfactory situation given that the longest possible guarantee of safety likely to be given by the memorial masons is 30 years and most are only willing to give 10 years, however there is now a guarantee of conformity available but even this does not ensure stability of the memorial outside of 30 years. If the person who erected the memorial is unable to guarantee its safety for any longer, and there is no ongoing maintenance programme, then it is unreasonable for the burial authority to be expected to accept the potential liability for that memorial should they be unable to contact the family.
- 4.29 If the term of the exclusive right of burial is greater than 30 yrs then consideration should be given to splitting the exclusive right of burial from the deed for the right to erect a memorial the later being issued for a maximum of 30 years. Compliance with the NAMM Code should ensure at least 30 years stability and the memorial mason should issue a guarantee of compliance to the grave owner, a copy of which will be maintained on file. If contact is lost with the family during this time and the memorial becomes unsafe, it will be due to non-compliance with the NAMM Code and the authority will be able to contact the memorial mason direct.
- 4.30 The Committee noted that the Council currently granted the Right of Burial and the Right to Erect a Memorial as one transaction and concluded that this should be separated with the Right to Erect a Memorial being granted for a maximum of 30 years in line with NAMM advice thereby ensuring that the Right to Erect a Memorial coincides with the NAMM Guarantee of Compliance. Options for five yearly renewals would give the Council the opportunity to check on the contact details of the grave owner.**
- 4.31 Burial authorities should not permit a memorial to be erected without a guarantee of conformity being issued to the grave owner and a copy being lodged with the authority. Memorial masons confident in their workmanship will issue these and may even enter into a maintenance arrangement with the owner. If the memorial becomes unsafe at any time the authority can check the work, if it does not comply with the NAMM Code current at the time of installation then the memorial masons will be liable.

- 4.32 Any guarantees that are issued should cover all elements contained in the NAMM Code. It is important that joints are guaranteed to withstand 350 Newtons (circa 35kg) of force during the inspection process. Any joints that are broken on inspection should be the mason's responsibility to repair. This will encourage bolting systems/resin fixing as the predominant methods of fixing jointed memorials. It should be noted once again that the installation of monolith memorials would avoid this problem, it being the most reliable type of memorial available.
- 4.33 The Committee noted that the Council did not currently require that a copy of the NAMM Guarantee of Compliance be forwarded to them as well as the grave owners and agreed that this should be required in future.**
- 4.34 The right to erect a memorial should contain advice that the memorial will be inspected every five years, for which a charge will be payable to the burial authority. This would normally be included in the initial charge for the right to erect. A charge will assist in obtaining ongoing funding for the inspection process. Should the memorial be found to be unsafe at that time, the family will be advised and the memorial mason will be required to repair the memorial to approved standards (currently the NAMM Code), unless the memorial has been de-stabilised by a third party. Should the memorial be found to be unsafe after the right to erect has expired then the burial authority will be free to deal with the memorial in whatever way they see reasonable, including the removal of the memorial if necessary. These terms should be contained within a separate deed for the right to erect a memorial.
- 4.35 It is recommended that burial authorities carry out their own inspections or arrange for their own independent inspection of the memorials. Arrangements that rely on local memorial masons to carry out their own inspections and issue certificates of safety contain too many management difficulties to make this a practical option.
- 4.36 Where independent inspectors are used, a suitable specification should be prepared and due consideration should be given to the resulting make safe work. Supervisors of such work should receive training to ensure they understand the implications of the process.
- 4.37 As part of the review, the Committee met with memorial masons in order to seek their views on the various issues. A number of memorial masons were in favour of increased supervision with the Council operating systems to check and sign off work and installations.
- 4.38 The Committee agreed that it was important that memorial masons were properly supervised. In particular, persons responsible for the supervision of masons must be trained to understand the standards required and should carry out some random inspection of memorial mason's work. There is no need for administrative systems and supervision to be over complicated or overbearing. Simple systems and random inspections should be sufficient to provide the necessary control.



**4.39 The Committee concluded that there was need for an additional member of staff to be responsible for carrying out checks on memorial masons and to deal with enforcement issues (dealt with later in this report). The duties of this post to include:**

- inspecting memorials 28 days after fixing to ensure compliance with BS8415/ NAMM Code of Working Practice;
- undertaking random checks of works;
- assisting with the 5 year rolling inspection programme;
- controlling entry into cemeteries to ensure that only authorised works are being undertaken and to seek to co-ordinate work around funeral times;
- ensuring the safety of visitors to the cemetery.

#### **Registration of Memorial Masons**

4.40 Burial authorities should have standards of professional conduct for those who work in their burial grounds. These should be detailed within the rules and regulations for the burial authority. As memorials are a major element within the burial ground and there is evidence of poor standards of workmanship over the years, there should be some specific controls over the way they operate.

4.41 It is recommended that burial authorities have some sort of memorial mason registration scheme. The registration scheme is effectively a contract between the masons and the burial authority. The authority advises the masons that they will register them as accredited masons on the basis that they comply with a few basic conditions. These conditions are as follows. The mason must:

- Have satisfactory and proven experience.
- Comply with the NAMM Code of Working Practice or equivalent.
- Provide full construction details on application to erect a memorial.
- Provide risk assessments and safe methods of working.
- Provide public liability insurance, to a minimum of £5m.
- Provide grave owners with a workmanship guarantee for their memorial (10 – 30 years). Copy to be provided for burial ground records. It is advised that burial authorities should aim at guarantees of 30 years where this is possible.
- Provide grave owners with memorial insurance or get them to sign an indemnity notice. Copy provided for burial ground records.
- Agree to work within a permit scheme and advise the authority when they will be fixing. This allows the authority to ensure that permission has been given and allows random supervision if required.
- Agree to comply with a disciplinary process.

4.42 Stockton-on-Tees Borough Council operates an annual registration scheme. Originally developed in conjunction with the National Association of Memorial Masons (NAMM) and the Institute of Cemetery and Crematorium Management (ICCM), the scheme is intended to ensure that memorial

masons working in the Borough's Cemeteries have suitable technical expertise, adequate public liability insurance and will erect memorials in accordance with the Rules and Regulations of the cemetery and recognised safety and workmanship standards.

4.43 Taking place between June and August each year, the scheme requires that memorial masons produce:

- Proof that the business or individual holds public liability insurance for a sum of no less than £5million.
- A signed statement that the business or individual has not been barred from carrying out memorial works in any other cemetery in the previous two years.
- Written confirmation that the business or individual will comply with all statutory requirements in respect of the memorial industry and the Authority's Rules and Regulations in respect of cemeteries.
- Written confirmation that all memorials shall be erected in accordance with the NAMM Code of Working Practise and shall incorporate an appropriate NAMM approved ground anchor system or other comparable anchoring device.

4.44 As part of the review, memorial masons commented that they felt that the current registration scheme that the Council operated was appropriate.

4.45 Whilst model registration schemes are available from such organisations as the ICCM and the CBA, the British Register of Accredited Memorial Masons is now available, a national scheme operated independently to improve safety standards and competency of memorial masons. Registration under BRAMM is free to Local Authorities and costs in the region of £250 for memorial masons to register. The Committee found that Middlesbrough require memorial masons to be BRAMM registered. Burial authorities should consider the use of masons, accredited under this scheme, that have been able to prove their ability to carry out installations to a high standard. The benefits to the Local Authority in requiring memorial masons to join BRAMM are that individual Councils will no longer need to administer their own registration schemes, assurance that BRAMM business have adequate insurance, a risk assessment and a current health and safety policy etc. and Councils can be assured that a BRAMM fixer has the skill and knowledge of the correct trade practices and procedures in order to erect a safe and stable memorial.

**4.46 The Committee felt that there would be considerable benefits in requiring memorial masons to register with BRAMM as this would require the memorial mason to obtain a fixers licence, submit full risk assessments, current health and safety policies and evidence of insurance cover.**

**4.47 The Committee also concluded that memorial masons should be required to provide full construction details, provide a statement of compliance with the NAMM Code of Working Practice, to comply with a monitoring and disciplinary process and advise the Council when they would be undertaking work in any of the Council's cemeteries.**

## MEMORIAL POLICY

### Available Memorials

4.48 A wide range of memorials is available, varying in size, type of stone, colour, design and the purpose for which it is intended.

4.49 In general, memorials fall into one of the following categories:

- **Lawn** - Modern lawn type memorials consist of a plate, the upright section, a base upon which the plate sits, and a foundation. The National Association of Memorial Masons have published guidelines for the fixing of lawn memorials as shown below.
- **Monolith** - Monolith memorials consist of a plate only, which is secured below ground. Traditionally, monolith memorials were installed to a depth of around one third of its overall height, with the ground alone providing support. Monolith memorials have been placed in churchyards and cemeteries for over 300 years, the effectiveness of the fixing method being evident by the number of large, heavy memorials within older cemeteries that have remained stable and secure for many years. Modern monolith memorials are fixed according to NAMM's guidelines.
- **Recumbent Tablet** - The recumbent tablet can either be in the form of a uniform plate upon an angled rest, or otherwise is sculpted to give the appearance of an open book, the inscriptions appearing as wording upon its pages.

This design of this particular type of memorial has not traditionally been intrinsically linked with stability, being rather top-heavy and precariously balanced. Improved fixing methods, however, have brought about an improvement in the stability of this type of memorial.

- **Tablet/Plaque** - A wide range of plaque memorials is available, their size depending upon the wording of the inscription and the intended position of the plaque. Plaques can be as small as 6ins (15cm) x 12ins (30cm), or may be large enough to cover the entire surface of the grave space.

Once installed, plaque memorials present little risk to the safety of visitors, most being placed flat upon the grave space and sunk slightly below the level of the ground surrounding it.

Occasionally, tablets and plaques are fitted with a slight slope, to allow greater visibility and to allow rainwater to drain easily. This may be accomplished either by building up a cement foundation at the head of the tablet, or in cases where the elevation is to be greater than 10 degrees, the tablet should be fitted as detailed below, using either a natural stone or pre-cast concrete block to raise the tablet from the foundation.

- **Vase** - The vase type memorial will not usually exceed 12ins (30cm) in height and so, other than the risk of tripping, pose little block into which

danger to cemetery users. Vase memorials consist of a stone a flower holder is set, with the inscription carved into the vertical face.

They are available with or without a matching stone base, which is usually slightly larger than the base area of the block itself. The vase block may be dowelled to the base, but generally, it will be installed by cementing the base to either a continuous pre-cast concrete memorial beam, or to a suitable foundation stone.

- **Kerbsets** - have traditionally been used to demark the boundary of the grave space on three sides with a large plate at the head of the grave and the area enclosed by the kerb often covered by decorative chippings. The traditional fixing method was to use dowels to join the sections of the kerbset and the plate together, often on minimally engineered foundations. In certain cases to prevent movement of the kerbset, the entire grave space was covered with a concrete foundation, leading to difficulties when a further interment was requested. NAMM currently recommends that kerbsets are fitted onto a one piece pre-cast concrete or reinforced foundation that surrounds the grave space, but leaves the area used for burial uncovered.

## Rules and Regulations

- 4.50 Burial authorities must have rules and regulations to control their burial grounds, however they should be seen as fair and equitable at all times. They must be easily understood by all who read them and not too complicated. Every rule or regulation should be able to be justified if questioned.
- 4.51 It is important that all the issues highlighted are brought together through the management rules and regulations. This will form the backbone of the burial authority's drive for memorial safety on their sites and should receive the full support of their governing bodies, whether they are councillors, directors or parishioners.
- 4.52 As part of the improved communication process these rules and regulations should be issued to all funeral directors, memorial masons, clergy and other bereavement organisations to improve the information available to such persons and therefore to the public.
- 4.53 Management rules and regulations for burial grounds have tended to remain static over the years and it is now important that this ceases to be the case. Rules and regulations should be provided in such formats that are able to be amended and re-issued as circumstances change through the years.

## Stockton Borough Council - Permitted Memorials

- 4.54 The Rules and Regulations in respect of the Borough Cemeteries currently permit a single memorial upon any one grave.

#### 4.55 *Lawn Graves*

The memorial placed upon a lawn grave currently must not exceed 3ft (90cm) in height and 3ft (90cm) in width. The stone should be a minimum thickness of 3ins (7.5cm) and a maximum of 5ins (12.5cm).

Most new memorials are similar to that shown to the right, although the shape, design and type of stone may vary.

Additional vase blocks may be attached to the base, providing that this does not increase the overall footprint of the memorial.



Memorial vases as described in 23.3 below may be placed upon lawn graves as an alternative to the lawn type memorial shown.

#### 4.56 *Traditional Graves*

As with lawn graves, The memorial placed upon a lawn grave currently must not exceed 3ft (90cm) in height and 3ft (90cm) in width. The stone should be a minimum thickness of 3ins (7.5cm) and a maximum of 5ins (12.5cm). Additional vase blocks may be attached to the base as with lawn memorials, and again, a single memorial vase may be placed as an alternative to the traditional headstone.

The whole of the grave space may also be planted with suitable shrubs, flowers and plants.

#### 4.57 *Cremated Remains Gardens*



Memorial vases must be 10ins (25cm) in height, 12ins (30cm) in width and 6ins (15cm) in depth.

The vase must be attached to a base measuring 14ins (35cm) x 8ins (20cm) x 2ins (5cm)

Vases placed in cremated remains gardens will be similar to that shown to the left, although colour and finish may vary.

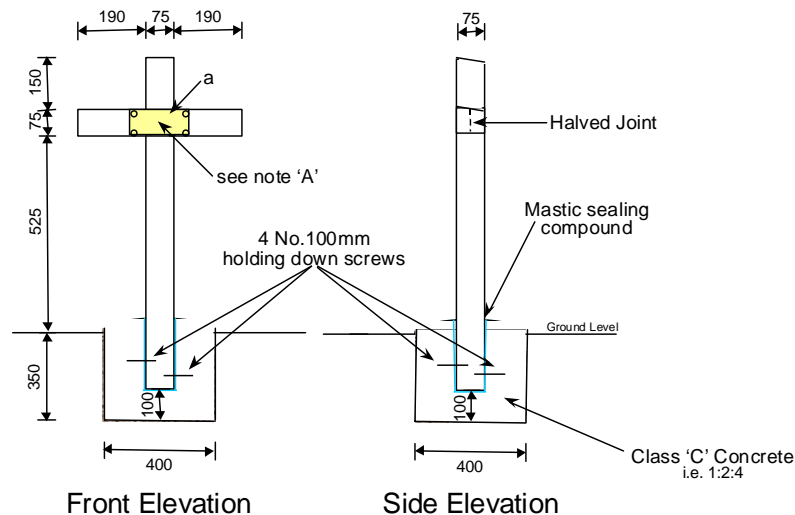
A vase of this variety may be placed upon lawn and traditional graves as an alternative to a headstone.

#### 4.58 *Babies Burial Gardens*

Memorials placed in the babies burial gardens must not exceed 6ins (15cm) in height, 1ft 6ins (45cm) in width and 8ins (20cm) in depth.

#### 4.59 Wooden Crosses

Instead of the traditional headstone type memorial and the vase block alternative, wooden crosses may be placed upon lawn and traditional graves as per the specification shown below:



#### **NOTE A**

200 x 75mm inscription plate of suitable durable material approved by the Bereavement Services Officer and secured by 4 No. 20mm countersunk brass screws.

a = 4 No. 65mm countersunk brass screws.

#### NOTES

1. Dimensions shown are in millimetres (mm)
2. Only solid Teak or Oak to be used.
3. Unibond adhesive to be applied to joints in addition to brass screws.
4. Two coats of clear polyurethane varnish to be applied to all exposed timber

#### **Communication**

- 4.60 Good communication is essential to ensure the successful management of memorial safety. Often the bereaved are not seen by the burial authorities until all the important decisions with regard to burial section and memorial have already been decided. These are decided with the funeral directors and memorials masons, before the family arrives at the graveside. This is often the first time that a burial authority will have direct contact with the family.

- 4.61 To ensure the bereaved understand their responsibilities with regard to choice and safety, it is essential that good quality information is provided to the funeral directors, the memorial masons, the clergy and all other regularly involved in the arrangement of funerals. It is also important that all these people actually co-ordinate with each other to ensure that the best possible service is provided to the bereaved, particularly as the service is fragmented between so many.
- 4.62 The burial authority should provide interesting leaflets on the subject and ensure that regular liaison meetings take place with all the parties involved in the provision of the service, allowing an exchange of views and objectives for the provision of the service.
- 4.63 As the funeral directors and memorial masons will act as agents for the Council in the sale of grave space and memorial rights, taking a joint approach improves the chance of good information reaching the bereaved so that they will be able to make an informed choice.

### **Feedback from Funeral Directors and Memorial Masons on the Type and Style of Memorials**

- 4.64 As part of the review, a meeting was held with Funeral Directors and Memorial Masons. Written comments were also received from those unable to attend the meeting. A summary of the comments made at the meeting and written comments are attached at Appendix 6.

A summary of the key points is set out below:

- One funeral director suggested no restriction on materials as long as the specified size was observed
- One memorial mason commented that all memorials should be in natural stone
- One memorial mason requested an extension of width to 3'6" to allow a wider range of memorials
- The Council should allow kerbsets in the older parts of the cemetery. Could consider a small kerbset at the head of the grave (although this would need removable foundations for future interments)
- One memorial mason commented that the plinths provided for the erection of memorials in Billingham were superior to those being provided at Thornaby
- The Council should consider permitting a small second memorial (e.g. Bible or plaque). This was being requested more regularly owing to the increase in cremations

### **Unauthorised Memorials**

- 4.65 Items classed as unauthorised memorials fall into two broad categories:
- Memorials permissible under the provisions of the Rules and Regulations in respect of the Borough Cemeteries placed contrary to the Memorial Application Process and without the approval of the Bereavement Services Officer.

- Items placed upon grave spaces in contravention of the Rules and Regulations in respect of the Borough Cemeteries, generally inadequately secured DIY memorialisation placed upon the whole of the grave space.
- 4.66 Incidences of the first category of unauthorised memorials are uncommon, since the type of memorial desired by the majority of families require the involvement of a memorial mason, who would be reluctant to act in contravention of the Authority's Annual Registration Scheme and the Memorial Application Process because of the risk of being barred from carrying out future works within the Borough Cemeteries.
- 4.67 Smaller memorials, such as 12" x 12" vase blocks, which would be acceptable under the provisions of the Rules and Regulations, however, are becoming readily available from florists and garden centres and are becoming a more common sight within the Borough Cemeteries.
- 4.68 The second category of unauthorised memorials covers an extremely wide range of items, plastic, wooden and metal fences, concrete lawn edging, windmills, garden gnomes and ornaments, solar lights, cobbles, decorative chippings/gravel, photographs, soft toys, paving slabs and wind chimes to name but a few.

### **Operational Issues**

- 4.69 Where additional memorialisation is placed upon grave spaces, the burial and grounds maintenance processes can be adversely affected. Where a funeral is due to take place, items upon the grave must first be removed and stored safely, which decreases the efficiency of the excavation process. Even where the funeral is to take place in a grave where such items are not present, access to the grave can be hindered by the presence of items upon nearby graves, again having a detrimental effect upon the efficiency of the excavation process.
- 4.70 The same is true for routine maintenance of graves. Lawn graves are intended to have a neat appearance, and to be maintained by the Council as a lawn. The presence of items upon grave spaces prevents access to the section by grass cutters, which means that the section must either be neglected or the grass cut using strimmers instead of grass cutters. This increases the time it takes to maintain the section considerably and interferes with the quality of the maintenance on adjacent graves. Over time, the soil replaced in the grave following a funeral settles and the grave must be topped up with additional soil. Items placed upon graves can again hinder the process of transporting soil to the grave, and if items are present upon the grave to be topped up, they must be removed before works can commence. This again reduces the efficiency of the process.
- 4.71 Upon the arrival of a funeral party, access can again be restricted by the presence of these items, with the space available for the party to witness the committal also greatly reduced. The presence of items on nearby graves can also make the act of lowering a coffin into a grave more difficult.



## Safety and Access Issues

- 4.72 The range of possible risks arising from the placement of additional items upon grave spaces is nearly as wide as the style of item and type of material from which they are made.
- 4.73 The most evident risk is that of tripping on additional items and applies to staff and visitors alike; this is particularly problematic during funerals where coffin bearers' field of vision is limited and individuals are burdened by additional weight and lack of manoeuvrability and where space is restricted by the combination of unauthorised memorials and the funeral party itself.
- 4.74 This risk is compounded by the potential to sustain further injury, should one trip and fall onto other items placed on graves, particularly where objects are brittle, sharp or pointed.
- 4.75 There is also the additional risk that the safe operation of equipment may be hindered. Since access for grass cutters is impeded, the use of strimmers to cut grass carries the increased risk that gravel, decorative chippings or shards of brittle materials may be propelled into the air by moving parts, further increasing the risk of injury to bystanders.
- 4.76 As part of the consultation for the review, funeral directors expressed strong concerns regarding the potential tripping hazard caused by ornaments and edgings pointing out that it is only a matter of time before a coffin bearer trips whilst carrying a coffin to a grave. Memorial Masons also explained that unauthorised memorials can double the distance that heavy stones have to be carried.
- 4.77 Whilst the vast majority of cemetery users who completed questionnaires as part of the review had not experienced difficulties in moving about the cemetery, six people commented that they had experienced problems. It is important to note that because of the absence of paths/ walkways in the lawned section two people with mobility restrictions (e.g. wheelchair user) could not gain access because of the unauthorised memorials placed on graves.

## Antisocial Behaviour

- 4.78 The presence of unauthorised memorialisation upon graves can also act as a catalyst for antisocial behaviour. The additional items placed upon grave spaces attracts attention to the grave; this is especially true during the hours of darkness where graves have had solar garden lights and lanterns placed upon them.
- 4.79 The majority of these items are either loosely pushed into the surface of the grave or are not secured in any way, making them highly portable.

- 4.80 The more desirable items left upon grave spaces, which have even included alcohol, cigarettes and money as well as the more usual solar lights and ornamental objects, may be easily removed from grave spaces either as an act of theft or mischief; either motivation resulting in additional distress to families.
- 4.81 There is an increased risk of vandalism within cemeteries where such items are placed upon grave spaces; many items are fragile and can therefore be easily smashed or otherwise broken, while others, such as unsecured granite vase blocks and cobbles may be used as missiles or convenient tools with which to damage both authorised and unauthorised memorials and other assets within the cemetery, such as benches, buildings and water troughs. Although we have not had any reports of such activity, many of the unsecured items could also cause serious injury if used as a weapon in an attack on a visitor to the cemetery.

### **Aesthetic Issues**

- 4.82 While the act of placing additional items upon grave spaces can serve as a valuable stage in the bereavement journey and, depending upon personal taste, improve the appearance of an individual grave following a funeral, it is evident that the overall appearance of a cemetery can suffer detrimental effects.
- 4.83 The presence of items alone can result in an objectionable appearance, however, combined with the hindrance to grave maintenance such obstacles cause, the overall impression can be that of an unkempt, uncared for cemetery.
- 4.84 Over time, a large number of families visit the grave of a loved one less frequently: research by the Cemeteries Research Group at the University of York suggests that many families discontinue visits to a family grave after around 10 years.
- 4.85 With less frequent visits, the appearance of the grave and items placed upon it can further deteriorate. Since maintenance by the cemetery staff can be severely impaired by items, the visitors to many such graves compensate by trimming any grass within artificial grave surrounds by hand; less frequent visits therefore result in grass becoming longer and the grave can start to look neglected.

- 4.86 The nature of the materials used in the production of these items can also affect the appearance of the grave in the longer term; plastics can fade or become discoloured and eventually become brittle and snap easily, while many of the metal items rust. These factors can again result in an unkempt, even neglected appearance.



#### **Reasons for placing unauthorised memorials**

- 4.87 In cases where items are placed as an alternative to a traditional memorial, there may be financial considerations that lead to the decision to place items, such as the cost of a lawn type memorial or the cemetery fees payable. Where traditional memorials are placed without permission, factors could include the desire to place a type of memorial that is currently not permitted under the provisions of the Rules and Regulations or an oversight or administrative error on the part of the memorial mason.
- 4.88 The latter is easily remedied by contacting the memorial mason concerned, who may simply have believed that he or she was in possession of the Memorial Permit before carrying out the works, although this would seem to highlight a vulnerability of the Memorial Application Process. The former, however, is more difficult to address, as such memorials are often installed outside of the normal working hours of the cemeteries staff by memorial masons from other areas; generally, there are no indications of the identity of the mason, and because their business is located in another part of the country, should their identity be discovered, it is unlikely that any action taken by the Authority would affect their core business.

- 4.89 The wide range of items placed upon grave spaces that would not be permissible under the provisions of the Rules and Regulations could be attributed to a similarly wide range of factors, such as the relaxation of traditional, reserved values and increased cultural acceptance of public expression of emotion.
- 4.90 Many families may find comfort in the act of tending the grave of a loved on, and the placement of items is an expression of the depth of feeling that relatives have toward the deceased.
- 4.91 It must also be considered, however, that the placement of items could be owing to a shortfall in the services offered by the Authority. Under the provisions of the Rules and Regulations, only one memorial is permitted upon any grave space, and although traditional graves may be planted, lawn graves do not provide for any additional memorialisation, other than a small flowerbed at the head of the grave. It is also possible that the bereaved feel that routine grave maintenance does not meet their expectations, and so by personalising their family grave, they feel that the appearance of the grave space is improved.

#### **Views of the Public and Cemetery Users**

- 4.92 The opinions of visitors to cemeteries in which additional memorialisation has been placed are divided; many see tending a grave and personalising it through the placement of these items as a valuable aid to coping with grief and as a tribute to their loved one, while others take great offence to the placement of items that they consider objectionable and wholly inappropriate in the cemetery environment. Feedback from the consultation confirmed that public views are divided. A summary of the consultation activity which was undertaken as part of the review is set out below:

#### *Consultation with Cemetery Users*

- 4.93 Posters were placed in all of the Council's cemeteries publicising the review and there were consultation stands in Durham Road, Oxbridge and Thornaby Cemeteries at different times of the day (including a Sunday morning at Durham Road). The consultation took the form of a questionnaire seeking the views of cemetery users which could either be completed at the cemetery or returned in a pre paid envelope. The majority of responses received were from people visiting Durham Road Cemetery. 51 questionnaires were completed/ returned. Full details of all the responses received are attached at Appendix 3.
- 4.94 Whilst it is difficult to group responses into different categories owing to the wide range of views expressed, a crude summary seems to suggest that 23 respondents were in favour of a full scale relaxation of the Council's policy (although six in this category felt that there should be some restrictions), 11 were in favour of partial relaxation (e.g. smaller area at the headstone for planting etc.) and 14 were in support of the Council's current policy. Six respondents reported difficulties in moving around the cemeteries owing to obstructions (two with mobility restrictions e.g. wheelchair user).

### *Viewpoint Discussion Groups and Elderly Citizen's Panel*

- 4.95 There are attached at Appendices 4 and 5 and highlight the divide in public opinion.

### *Letters from the Public*

- 4.96 At the start of the review press briefings were held and a press release was issued. As a result there were several articles publicising the review in local newspapers. Three letters were received from local residents objecting to the ornaments, edgings etc and two residents were asking for relaxation of the rules (one seeking permission to install a small kerb set and another asking for a 4' headstone in the traditional part of a cemetery).

### *Analysis of Complaints Letters*

- 4.97 From the first quarter of 2005/06, 17 out of 39 complaints related to unauthorised memorials (three of which were enquiries about placing memorials on graves which are currently not permitted).

### *Members' Survey*

- 4.98 19 responses were received. In general, Members favoured some relaxation with common sense restrictions with more information and guidance to cemetery users.

### **Feedback from Funeral Directors and Memorial Masons on Unauthorised Memorials**

- 4.99 As part of the review, a meeting was held with Funeral Directors and Memorial Masons. Written comments were also received from those unable to attend the meeting. A summary of the comments made at the meeting and written comments are attached at Appendix 6.

- 4.100 A summary of the key points is set out below:

- The Council has not been taking action in respect of unauthorised memorials and now the situation has become a "free for all"
- There is a serious tripping hazard caused by planting, ornaments and DIY kerbsets. It is only a matter of time before coffin bearers trip whilst carrying a coffin
- Unauthorised memorials can double the distance that memorial masons have to carry heavy stones
- Some funeral directors are reluctant to give out too much information as the Council is not enforcing its own rules
- There is a need to improve the publicity of the rules. An on site superintendent may help in controlling the problem
- Some items which are being placed on graves are inappropriate but it is difficult to draw the line – perhaps a 2' area at the headstone for personalisation would be acceptable

## Feedback from Churches

- 4.101 Churches with graveyards were asked for their experiences and views in relation to the Council's policy and its enforcement.
- 4.102 The Diocese of Durham commented that the Council's policy was broadly in line with churchyard rules and was broadly appropriate.
- 4.103 Two other letters were received from individual churches. One church supported the Council's current policy which was much in line with their approach. They also commented that, in practice, they were turning a blind eye to planting etc but acknowledge that their problems may not be to the same extent as in some cemeteries. They felt that there was no easy solution to the problem and commented that the issue was whether to stop excesses or accept them and make provision for them. They commented that they would welcome a place in the graveyard/ cemetery for floral tributes to be placed irrespective of where a loved one was interred.
- 4.104 Another church stressed the importance of clear guidelines whilst being sensitive to more informal statements of affection. They did not allow kerbs or planting in the graveyard and had asked twice for the removal of unauthorised items. They feel that the Council should continue with restrictions on kerbs and planting but perhaps be more open about type of memorial and stone although the Council has to be quite clear in the end that unauthorised memorials will be removed.

## Site Visit to Carlisle Cemetery

- 4.105 The Committee Chair and support officers visited Carlisle Cemetery which has previously won cemetery of the year award and was runner up in this year's competition.

Key points from the visit are summarised below:

- Kerbsets were removed from the old graves beginning in the 1950's and those areas are now lawned. Some of the stones were used to line the banks of the stream in the cemetery
- Unauthorised memorabilia is generally left for about one year and dealt with by talking to families and persuading them to remove them after that time although this is not seen as a big problem
- If memorials start to encroach on the lawned space, a letter is sent to the contact person explaining the impact on maintenance and asking them to remove the articles within two months. After that time, the items are removed into a store, labelled with the grave details and a letter sent telling the person where to ask for it back. Usually people don't ask for the items back and there has been very little bad publicity for this policy
- Grave reinstatement was similar to Stockton's approach but Carlisle put the turf back on it immediately and generally see little settlement. There was a comment that some teams were better than others and therefore some graves settle more than others
- Random checks were carried out on memorial masons as they fitted headstones

## Memorial Policy – Findings and Conclusions

- 4.106 Taking into account all the evidence received throughout the review, the Committee concluded that the current unauthorised practices of planting and placing of unauthorised items and kerbing/ edging on the full grave space presented a serious health and safety problem for those working in or visiting the Council's cemeteries, particularly in the lawned areas of cemeteries which had no pathways between rows of graves. The Committee were mindful of the comments received from funeral directors about the difficulties experienced in carrying coffins for burial and the access problems for visitors with mobility problems, particularly those in wheelchairs. The Committee also acknowledged the impact of unauthorised memorials on the maintenance of cemetery grounds in terms of efficiency and also the quality of maintenance.
- 4.107 The Committee noted the differing views of the public and cemetery users in respect of the type of memorials that were considered appropriate in a cemetery. Notwithstanding the range of views, the Committee accepted that many families felt the need to personalise and tend the graves of loved ones and felt that the Council should be sensitive to this.
- 4.108 Balancing the health and safety considerations and the evident need for bereaved families to personalise graves, the Committee concluded that the Council's cemetery regulations should be extended to allow personalisation by appropriate planting of an area at the head of the grave no larger than 25% of the grassed area with detailed guidance being drawn up but not allowing any edging/ kerbing. The Committee also felt that restrictive regulations in respect of the type of memorials permitted within babies sections be relaxed to allow greater choice.**
- 4.109 The Committee noted the comments from funeral directors regarding the increase in requests for a second memorial to be permitted owing to the increase in cremations **and concluded that the cemetery regulations should be revised to allow a small second memorial to be fixed at the head of a grave provided that they are fixed in accordance with the NAMM Code of Working Practice. The Committee also proposed that inscribed commemorative wall plaques be provided by Bereavement Services to allow bereaved families to commemorate the memory of a loved one.**
- 4.110 The Committee felt that improvements to the reinstatement of graves following a burial might overcome the need for the bereaved family to undertake their own planting and tending of a grave. **The Committee concluded that alternative methods should be explored and best practice adopted to enable improvements the way graves are reinstated following a burial to reduce grave sinkage and improve memorial stability and the appearance of the grave immediately following an interment.**
- 4.111 The Committee also felt that improvements to planting schemes should be investigated to improve the appearance of lawn headings and prevent soil erosion.**

- 4.112 The Committee found that the condition of some of the cemeteries older kerb sets was extremely poor and unsightly and noted that Carlisle Cemetery has undertaken a successful removal programme since the 1950's thereby improving the appearance and safety of the cemetery.
- 4.113 The Committee concluded that a programme for the removal of kerb surrounds in traditional areas be developed starting first with the oldest graves and damaged or dangerous kerb sets following consultation and consideration of alternative uses for the old kerb sets.**
- 4.114 The Committee concluded that the revised regulations should be enforced in respect of all unauthorised memorials following an extensive publicity programme and giving grave owners a period of notice to remove unauthorised items. Unauthorised items to be labelled and stored for collection and that removal of unauthorised items be handled sensitively allowing a 3 month period following a burial and some flexibility around the time of significant dates.**



## 5.0 Conclusion

- 5.1 The Committee was satisfied with the programme for memorial testing in cemeteries and closed churchyards and that appropriate budgetary provision had been allocated to ensure that this essential work was undertaken. However, the Committee felt that there was a need for more stringent controls and regulations and proposed a number of measures bringing the granting of the Right to Erect a Memorial in line with NAMM Guarantee of Compliance and introducing additional obligations and supervision in respect of the work of memorial masons including a requirement for memorial masons to register with the British Register of Accredited Memorial Masons.
- 5.2 Balancing the health and safety considerations, access issues and the evident need for bereaved families to personalise graves, the Committee concluded that the Council's cemetery regulations should be extended to allow personalisation by appropriate planting of an area at the head of the grave, the option for a small second memorial and a relaxation on the type of memorials permitted within the babies sections.
- 5.3 The Committee concluded that the revised regulations should be enforced in respect of all unauthorised memorials following an extensive publicity programme and giving grave owners a period of notice to remove unauthorised items.
- 5.4 Improvements to the reinstatement of graves following interment were also proposed as well as more choice in respect of commemorative wall plaques and remembrance areas and a programme for the removal of old and damaged kerb surrounds.
- 5.5 The Committee concluded that there was a need for an additional member of staff to be responsible for carrying out checks on memorial masons and enforcement of the Council's policies and taking action in respect of unauthorised memorials.

## 6.0 Recommendations

### *Memorial Safety*

- (1) That the Exclusive Right of Burial and Right to Erect a Memorial are granted separately.
- (2) That the Right to Erect a Memorial be granted for a maximum of 30 years to coincide with the NAMM Guarantee of Compliance with the option for renewal for periods of 5 years provided that the memorial meets appropriate safety standards; in cases where the Right to Erect a Memorial has already been approved for a longer period, the option for 5 year renewal be offered to the original Grantee after its expiry or to the next of kin where rights have been transferred.

- (3) That memorial masons be required to:
- register with BRAMM (British Register of Accredited Memorial Masons) which requires the memorial mason to obtain a fixers licence, submit full risk assessments, current health and safety policy and evidence of insurance cover;
  - provide full construction details on application to erect a memorial;
  - provide a 30 year written guarantee for stability and safety of the memorial to Bereavement Services as well as the grave owners;
  - provide a statement of compliance with the NAMM Code of Working Practice;
  - to comply with a monitoring and disciplinary process
  - advise the Council's Bereavement Services Section when they will be undertaking work in any of the Council's cemeteries.
- (4) That a growth bid be submitted to enable the service to employ an additional member of staff to be responsible for carrying out checks on memorial masons and to deal with enforcement issues. The duties of this additional post to include responsibility for:
- enforcing of the Council's policies and taking action in respect of unauthorised memorials;
  - inspecting memorials 28 days after fixing to ensure compliance with BS8415/ NAMM Code of Working Practice;
  - undertaking random checks of works;
  - assisting with a 5 year rolling safety inspection programme;
  - controlling entry into cemeteries to ensure that only authorised works are being undertaken and to seek to co-ordinate works around funeral times;
  - ensuring safety of visitors to cemeteries.

#### *Memorial Policy*

- (5) That the Council's Cemetery Regulations be revised to allow:
- a small second memorial to be fixed at the head of the grave, providing that they are fixed in accordance with NAMM Code of Working Practice and the overall size of the two memorials does not exceed the grave width;
  - excluding the actual lawn heading, personalisation by appropriate planting of an area at the head of the grave no larger than 25% of the grassed area (i.e. approx 1'9"/ 53cms for lawn/traditional graves and 9"/23cms for graves within the cremated remains and babies garden areas) (detailed guidance to be drawn up but not allowing any type of edging/ kerbing);
  - restrictive regulations in respect of the type of memorials permitted within babies sections be relaxed to allow greater choice (provided that memorials are within specified size and fixed in accordance with the NAMM Code of Working Practice).
- (6) That inscribed commemorative memorial wall plaques and featured remembrance areas be provided by Bereavement Services to allow bereaved families to commemorate the memory of a loved one.

- (7) That a programme for removal of kerb surrounds in traditional areas be developed starting first with the oldest graves and those which have damaged or dangerous kerb sets as identified by the inspection programme, following detailed consultation and consideration of all the issues including alternative uses for the old kerb sets.

*Unauthorised Memorials*

- (8) That an extensive publicity programme be developed for elected Members, officers and the public to raise awareness of the Council's policies including road show events and leaflets and that copies of the most up to date leaflets are distributed to all elected Members for reference.
- (9) That the Council's regulations be enforced in respect of all unauthorised memorials following the extensive publicity programme and after giving grave owners a period of notice to remove unauthorised items from graves.
- (10) That unauthorised items be removed from graves, labelled and stored for collection and that removal of unauthorised items be handled sensitively allowing a 3 month period following a burial and some flexibility around the time of significant dates.

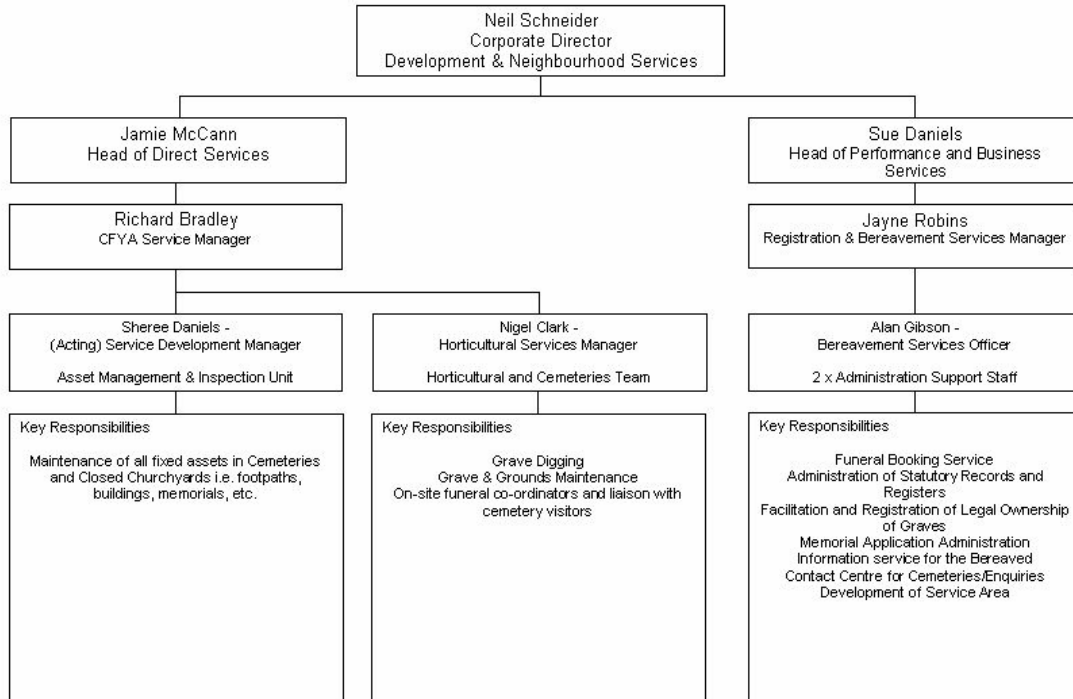
*Operational Issues*

- (11) That alternative methods are explored and best practice adopted to enable improvements to the way graves are reinstated following a burial to reduce grave sinkage and improve memorial stability and the appearance of the grave immediately following an interment.
- (12) That planting schemes are investigated, where concrete plinths are not used to improve the aesthetics of the lawn headings and prevent soil erosion.

Appendix 1

Management Structure of Cemeteries in Stockton-on-Tees

The Management of Cemeteries in Stockton-on-Tees



Three separate teams are responsible for the management of the cemeteries, each dedicated to its own specialist area.

Care For Your Area (CFYA) holds the responsibility for the maintenance, repair and safety of the physical assets of cemeteries and closed churchyards. Physical assets are classed as pathways, buildings, walls, buildings and street furniture (other than dedicated benches).

The Horticultural Services Section is responsible for the operational aspect of the burial service (preparing and reinstating graves), grave maintenance and the general grounds maintenance of the cemeteries. The section also operates a mobile excavation service within churchyards as required.

The Registration/Bereavement Services Section offers a wide range of services, those most pertinent to Cemeteries being the registration of Deaths, the administration of the burial service, administration of statutory records and registers, facilitation and registration of grave ownership, memorial application administration and acts as a contact and information centre for general enquiries and those relating specifically to the Borough's Cemeteries.

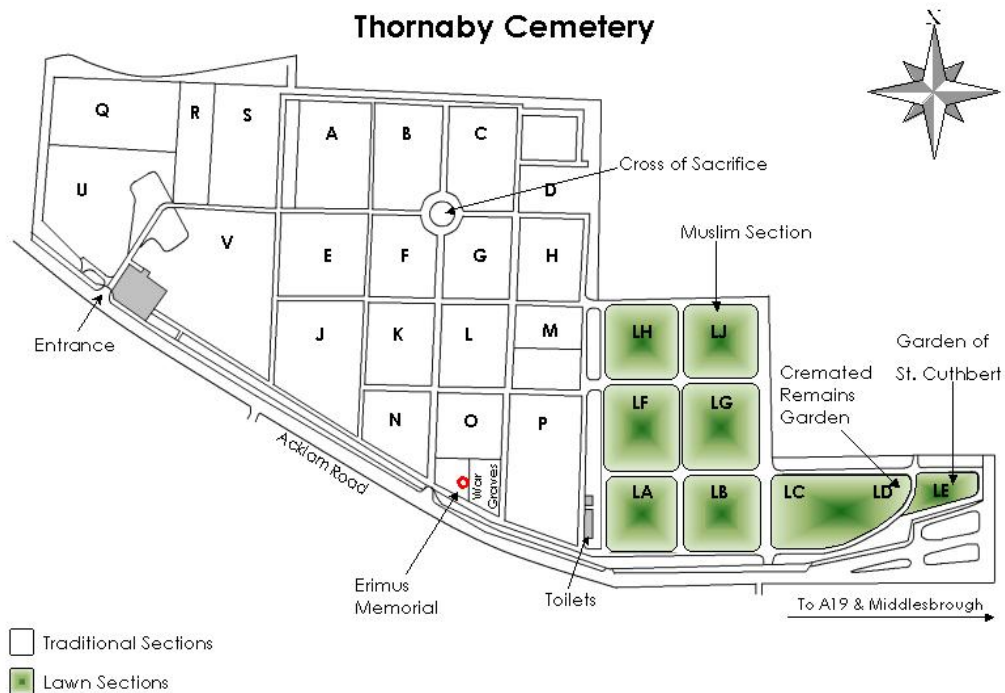
Appendix 2

**Description of Cemeteries & Existing Memorials**

**Thornaby Cemetery**

Thornaby Cemetery, which is located on Acklam Road, Thornaby, was opened in 1869 and occupies an area of around 21.66 hectares (53.54 acres). There is currently an area of 9.3 hectares (23 acres) within the cemetery that is undeveloped; it is proposed that this area shall be used to extend lawn grave sections and to create a woodland burial area.

Based upon figures for 1999 to 2006, Thornaby Cemetery accommodates an average of 47 burials in new graves and 41 burials in re-open graves each year.



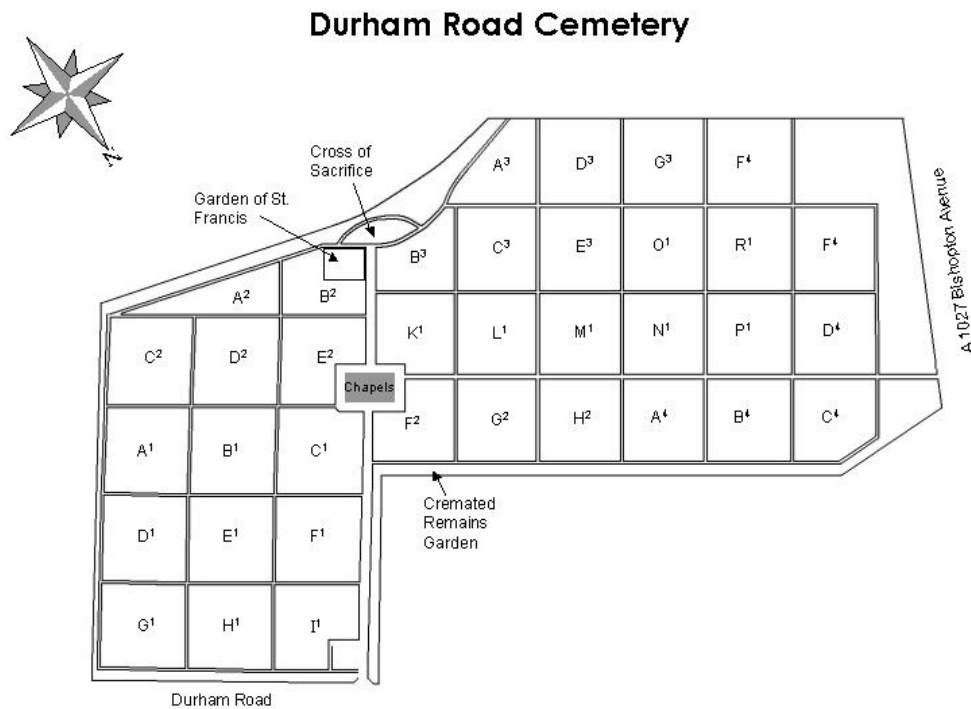
Memorial Count (Based on 2005/06 Figures)

THORNABY CEMETERY					
SECTION	MEMORIALS	SECTION	MEMORIALS	SECTION	MEMORIALS
LA	487	D	0	O (War Graves)	85
LB	468	E	69	P	199
LC	411	F	83	Q	50
LD	237	G	211	R	40
LF	415	H	245	S	50
LG	38	J	123	T	21
LH		K	129	U	108
LJ	31	L	189	V	159
A	150	M	261	St. Cuthbert	15
B	248	N	98	Cr. Remains Gdn.	77
C	290	O	165		
				TOTAL	5152

## Durham Road Cemetery

The land for Durham Road Cemetery was acquired by Council on the 22 October 1891 and was opened for burials in 1894. The main entrance to the cemetery can be found on Durham Road, Stockton, with a secondary entrance off Bishopton Avenue, Stockton. The burial site currently covers an area of 8.553 hectares (21.14 acres).

Durham Road Cemetery accommodates an average of 74 burials in new graves and 67 burials in re-open graves each year (average values 1999 to 2006).



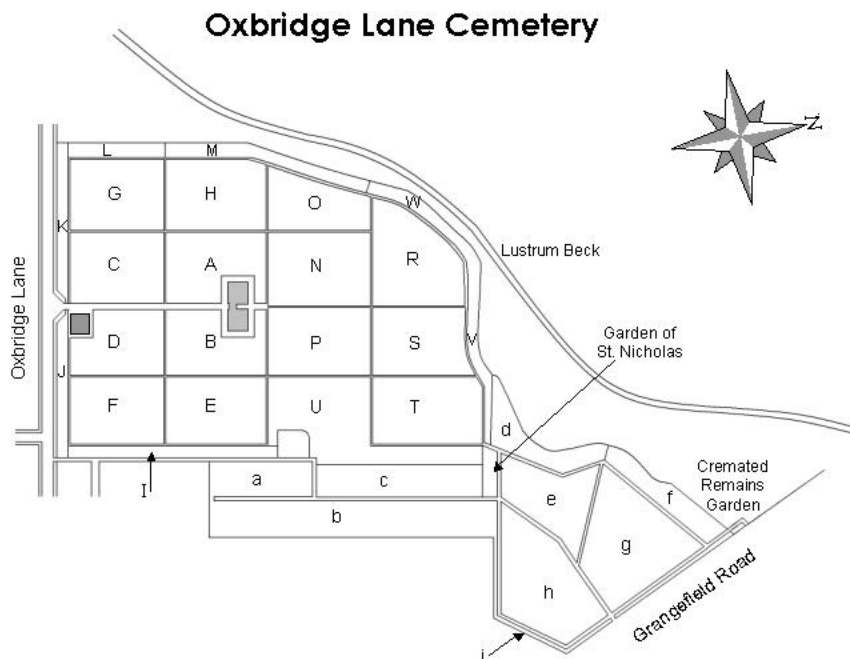
Memorial Count (Based on 2005/06 Figures)

DURHAM ROAD CEMETERY					
SECTION	MEMORIALS	SECTION	MEMORIALS	SECTION	MEMORIALS
A <sup>1</sup>	81	D <sup>3</sup>	81	H <sup>2</sup>	357
A <sup>2</sup>	37	D <sup>4</sup>	374	I <sup>1</sup>	245
A <sup>3</sup>	60	E <sup>1</sup>	79	K <sup>1</sup>	355
A <sup>4</sup>	426	E <sup>2</sup>	237	L <sup>1</sup>	98
B <sup>1</sup>	72	E <sup>3</sup>	168	M <sup>1</sup>	140
B <sup>2</sup>	149	E <sup>4</sup>		N <sup>1</sup>	136
B <sup>3</sup>	195	F <sup>1</sup>	333	O <sup>1</sup>	160
B <sup>4</sup>	447	F <sup>2</sup>	352	P <sup>1</sup>	334
C <sup>1</sup>	246	F <sup>4</sup>	419	R <sup>1</sup>	283
C <sup>2</sup>	74	G <sup>1</sup>	71	St. Francis	37
C <sup>3</sup>	70	G <sup>2</sup>	174	Cr. Remains - A	10
C <sup>4</sup>	---	G <sup>3</sup>	303	Cr. Remains - B	38
D <sup>1</sup>	68	H <sup>1</sup>	75		
D <sup>2</sup>	119			TOTAL	6749

### Oxbridge Lane Cemetery

Oxbridge Lane Cemetery is divided into 'old' and 'extension'; the old part of the cemetery was acquired by the Council on 23 July 1869 and opened for burials in 1871. Further parcels of land were acquired between 1925 and 1928, resulting in the extension to the cemetery being opened in 1929.

The cemetery accommodates an average of 17 burials in new graves and 28 burials in re-open graves each year (based upon figures for 1999 to 2006).



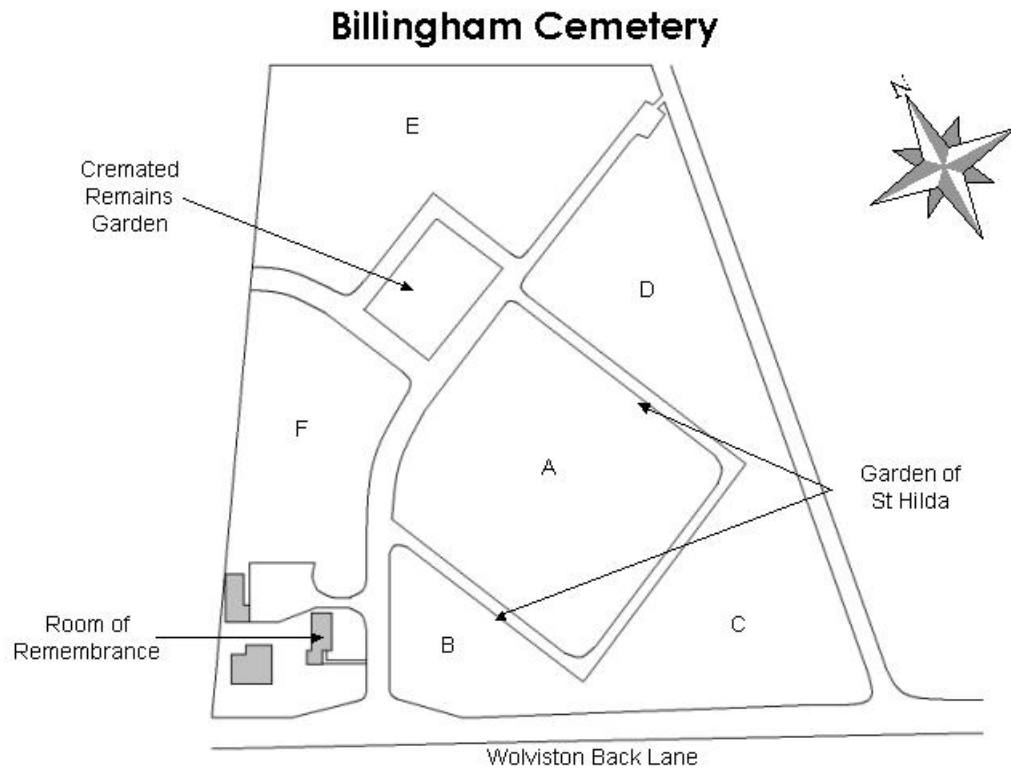
Memorial Count (Based on 2005/06 Figures)

OXBRIDGE LANE CEMETERY					
SECTION	MEMORIALS	SECTION	MEMORIALS	SECTION	MEMORIALS
A <sup>old</sup>	407	N <sup>old</sup>	123	D <sup>ext</sup>	142
B <sup>old</sup>	416	O <sup>old</sup>	35	E <sup>ext</sup>	396
C <sup>old</sup>	379	P <sup>old</sup>	94	F <sup>ext</sup>	157
D <sup>old</sup>	353	R <sup>old</sup>	108	G <sup>ext</sup>	775
E <sup>old</sup>	161	S <sup>old</sup>	82	H <sup>ext</sup>	465
F <sup>old</sup>	151	T <sup>old</sup>	97	I <sup>ext</sup>	78
G <sup>old</sup>	127	U <sup>old</sup>	135	Jewish	83
H <sup>old</sup>	68	V <sup>old</sup>	3	Moslem	28
I <sup>old</sup>	221	W <sup>old</sup>	4	St. Nicholas	44
J <sup>old</sup>	61	A <sup>ext</sup>	231	Cr. Remains Gdn.	35
K <sup>old</sup>	44	B <sup>ext</sup>	503		
L-M <sup>old</sup>	24	C <sup>ext</sup>	306		
				TOTAL	6336

## Billingham Cemetery

Land for the creation of Billingham Cemetery was acquired by the Council from Imperial Chemical Industries on 15 September 1966; the cemetery opened for burials in 1969.

Based upon figures for 1999 to 2006, Billingham Cemetery accommodates an average of 39 burials in new graves and 24 burials in re-open graves each year.



Memorial Count (Based on 2005/06 Figures)

<b>BILLINGHAM CEMETERY</b>					
SECTION	MEMORIALS	SECTION	MEMORIALS	SECTION	MEMORIALS
A	1130	D	190	St. Hilda	21
B	146	E	---	Cr. Remains Gdn.	42
C	---	F	---	TOTAL	1529

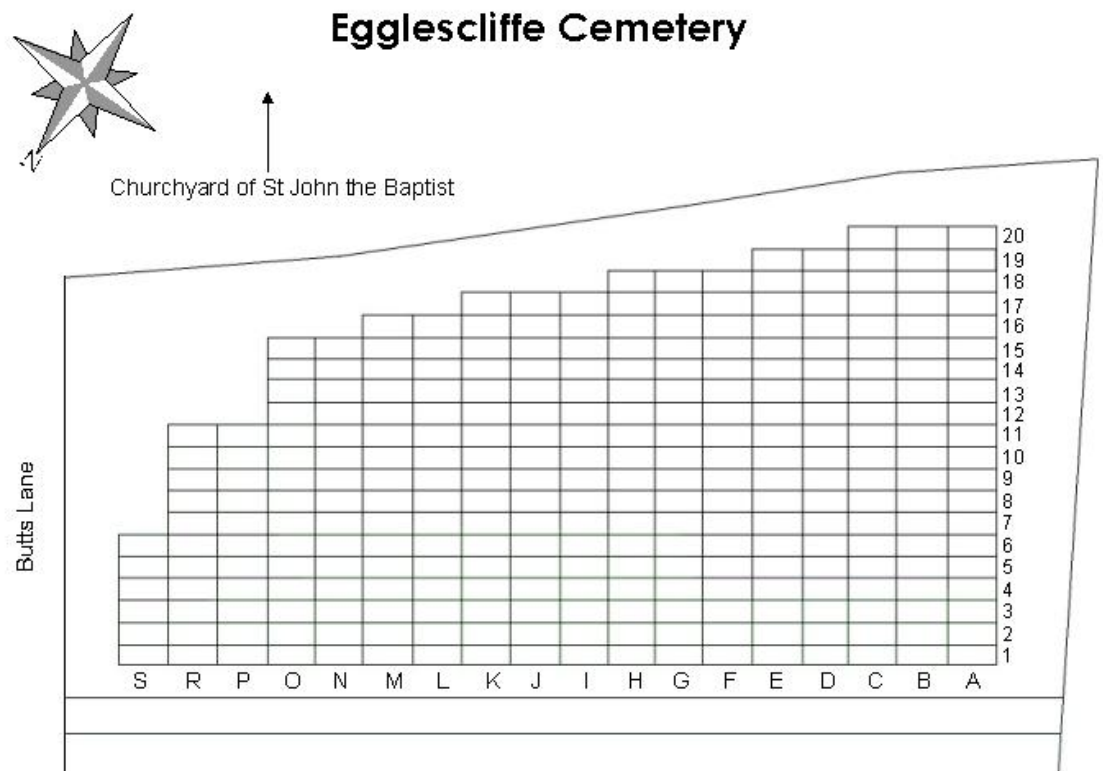


## Egglescliffe Cemetery

Egglescliffe Cemetery was originally under the jurisdiction of Egglescliffe Parish Council, with the Local Authority offering a grave digging service. The Council assumed control of the cemetery in June 1979, with legal confirmation being completed in May 1983.

The Cemetery occupies an area of approximately 0.1812 hectares (0.4478 acres), and as such, is by far the smallest of the Borough's Cemeteries. The main entrance to the cemetery is found on Butts Lane.

Between 1999 and 2006, the cemetery accommodated an average of 5 burials in new graves and 3 burials in re-open graves each year. There are now no new graves available within the cemetery.



Memorial Count (Based on 2005/06 Figures)

<b>EGGLESCLIFFE CEMETERY</b>			
SECTION	MEMORIALS	SECTION	MEMORIALS
N/A	198		
		TOTAL	198

Appendix 3

**'Closed' Churchyards transferred to Stockton Borough Council**

Name/Address	Status	Number of Memorials (Estimated)
Church of St. Mary * Darlington Road Long Newton Stockton-on-Tees TS21 1BX	Part Closed	145
Church of St. Cuthbert * Church Road Billingham TS23 1BW	Closed	1304
Church of St. Cuthbert * Church Lane Redmarshall Stockton-on-Tees TS21 1EP	Closed	140
Church of St. John the Baptist * Butts Lane Egglecliffe Stockton-on-Tees TS16 9BU	Closed	510
Church of St. Mary the Virgin * The Green Norton Stockton-on-Tees TS20 1EQ	Closed	1140
Church of St. Peter * West Hartlepool Road Wolviston Billingham TS22 5JZ	Part Closed	84
Holy Trinity – Ruins * Yarm Lane Stockton-on-Tees	Closed	16
Stockton Parish Church * High Street Stockton-on-Tees TS18 1SP	Closed	4 (40+ within border)
Churchyard of St. John * Haverton Hill Road, Billingham	Closed	445
Church of St. John * Morrison Street Stillington TS21 1JD	Open for Burial	N/A
Wynyard Park Chapel, St. James * Durham Road Thorpe Thewles	Open for Burial	N/A
Church of St. John * Elton TS21 1AG	Open for Burial	N/A
Church of St. Martin ** Forest Lane Kirklevington TS15 9LQ	Open for Burial	N/A

\* Diocese of Durham  
The Diocesan Office, Auckland Castle  
Bishop Auckland DL14 7QJ

\*\* Diocese of York  
Diocesan House, Aviator Court  
Clifton Moor, York YO30 4WJ

## Appendix 4

### Consultation Responses from Cemetery Users

Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/suggestions
1Yes	Kerbsets and planting in full grave space	Yes	Within reason. There should be some restrictions. No balloons or daft things as they attract vandals. Should stick to planting and flower pots.	No	As above	Yes	By letter	Railings to keep dogs out. Should straighten crooked graves. Would like to see the cemetery more uniform. Was better when there was a superintendent.
2Yes	Planting and mementoes in a 2ft headspace	Yes	No fencing. Should not cover whole grave space. Should keep to own area and not plant in between graves.	No	Its down to personal choice.	Yes	Notices on gates. Put in guidelines	Should be someone to keep in eye on cemetery. Not 24/7 but someone to patrol them all to act as a deterrent. Would like taps (its heavy to carry water if you haven't got a car). Drainage problems. Shouldn't have to pay for right to erect a memorial.
3Yes	Whatever they want.	Yes	Not OTT. As long as neat and tidy. Not tacky.	No	No comment	Yes	Written warnings.	
4No		Yes	Existing	No	My personal view is that there is no need for them.	Yes	No comment	
5No		Yes	Existing	Yes - One elderly man with difficulty walking had difficulty in reaching his wife's grave and became very upset.	Horrible. There should just be a headstone and a place for flowers. Space is very tight in the ashes garden! At first found it upsetting seeing all the	Yes	Write a letter. Give 4 weeks notice.	Should be regular patrol perhaps a superintendent.

Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/ suggestions
					ornaments.			
6Yes	Small area at the head of grave for planting and mementoes.	Yes	Should not be on full grave area.	No - because the grave is in the older section.	Some are tacky.	Yes	Letters to homes. Fines.	
7Yes	Planting and edging on full grave space. It finishes the grave off.	Yes	<u>Low</u> kerb edging. Should be tasteful.	No	Fine	Yes - should keep in own area	Letters to homes first.	Tidy and well kept cemetery. The Council should put one plant on graves that are not tended.
8Yes	Kerb sets - as long as they are done properly.	Yes	Should keep to grave area. No large bushes/ conifers esp rose buses and no planting in between graves.	Yes - rose bushes planted in between graves - caused scratches.	Fine	Yes	Write to them - remove them if necessary.	Should have a Friends Committee. Better security. Should have better fencing like Holy Trinity in Stockton. Interested in starting Pearly Gates Scheme.
9No		Yes	Existing	No	On the whole OK. Some things are tacky but each to their own.	Don't know. May be necessary for safety reasons.	Don't know.	Security a problem - this should be improved.
10Yes	Area in front of the headstone for planting, vase and mementoes.	Yes	Just at the head of the grave.	No	OK	Yes	Give a warning - at least 3 months. Further action later.	Need better security. Needs to be greater care with grass cutting - should replace items after cutting and pick up clumps of grass.
11Yes	Up to individual. Planting OK but not other items.	Yes	Keep to own grave space. Not OTT. Shouldn't be too big.	Yes	Its personal.	For health and safety reasons.	Not sure - tricky - send letters - ask them to come into the office.	Dog fouling a problem - should be more / better signs. Need tighter security.

Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/ suggestions
12Yes	Planting / placing items on graves	No	Should be able to do what you want on your plot.	No	OK			The only way the gardeners can keep cemetery nice in the limited time is to keep a lawned cemetery. Graves next to all the ornaments and kerbs do not always get cut because of access. I have had to cut my plot when people put flower pots all along the grave.
13No		Yes	Memorials that allow gardeners to cut grass to all graves.	Yes - causing obstruction going through the graves.	Memorial stones alright but no added kerbs.	Yes	People know when they buy the plot and receive the booklet what is allowed.	Should be a space for planting flowers at headstone. Cemetery always well kept and maintained - plenty of facilities.
14No		Yes	Existing	No	Individual choice - not always to my taste	OK as long as people maintain it - take action if being neglected	Letters	Write in the first instance - if nothing is done, cemetery officials should be able to remove items.
15No		Yes	Size	No	Should have people checking that memorials are not taken. More responsive security.	Yes		More security needed - lights have been pinched.
16Yes	Statues	Yes	Nothing tacky	No	Old graves left to degenerate.	No		Bins are disgusting, no proper facilities like enough benches, paving between grave lines. Water should be on a timer tap so have access to clean running water and if timed and

Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/ suggestions
17Yes		No	Small kerb set	No	OK. Some are too big	Yes	Write to families. Press. TV	kids switched on, it would time off after 1-2 minutes. Also dogs should be allowed. CCTV to stop kids doing damage. Community Wardens should pass through regularly. Dog walking should be allowed.
18No		Yes	Not allow it. Keep to restriction set.	No	Flowers are very nice on the headstones.	Yes	Should be told in a sensitive way - not send out letters to individuals.	Should have plain headstone with short grass. Have the flowers on headstone instead of grass.
19Yes	Hedging	No		No	Up to themselves	No		OK as it is. Place where peoples ideas vary. As long as it is tidy people should be allowed to put things on. Cemetery staff do a good job.
20Yes	Within reason. Pots / plants should be allowed.	Yes	Shouldn't overshadow other graves - not too much on the grave.	No	OK at the moment	No		More memorial benches - all located at the bottom at the moment. There should be place for other memorial things to be placed.
21Yes	Other pots. Nice boarder well looked after.	Yes	To a certain degree.	No	Don't like just plain grass. Lights a bit over the top. Memorials OK if maintained.	No		More benches at the bottom. More security. Staff always around.

Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/ suggestions
22No		Yes	No flags, windmills.	Yes - because of mud	Should be restrained.	Yes	Contact them personally and ask them not to put more on but don't ask them to remove.	
23Yes	Planting grave space - bulbs etc. Windmills for children - should be allowed to put some items on to remember loved ones.	Yes	Should be a limit. Shouldn't go outside of grave area.	No	Fine in the main.	No	Send a letter - should be sympathetic.	Sometimes people cant afford headstone so they want to put their own marker and memorials on.
24Yes	What people want	No		No	Fine			The cemetery is much tidier in the new end . More security is needed and fencing. Problems with vandalism.
25Yes	None are too bad	No	As long as on own grave space	No	OK		Only to keep tidy and make sure that they are not overflowing.	More CCTV cameras
26Yes	Small area in front of grave (around 2ft) for planting.	Yes	Not planting on full grave area	No	Fine	Yes	Letters on graves. Write to Dogs should be on home address. leads.	
27Yes	Planting. People feel the need to plant and place items on graves after a recent bereavement - after time it is likely that the graves would revert to being lawned.	Yes	No kerbsets/ fencing. Could consider having a smaller area at the head of graves for planting.	No	OK - up to individual	Yes	Difficult - would need to use persuasion	

Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/suggestions
28Yes	Up to them as long as they are looking after them.		Only if they are not being looked after should the Council intervene. 90% of grave owners are looking after the graves themselves. They look lovely as long as they are being looked after.	No - plenty of room to move.	OK - look nice	Yes	Write to home	Graves sink and don't get sorted out quickly enough so people do it themselves. More security is needed - dogs and vandals are the worst problems. If graves are being looked after, people should be left alone - 90% do it themselves and they look lovely.
29Yes			Existing	No	Over the top. Solar lights are creepy.	Yes	Write to them	Cemetery would look better/tidier if all the ornaments were removed. Security is a problem. Likes dedicated tree scheme.
30Yes	2ft at the head for planting, vases etc	Don't know		No	Don't like solar lights	Yes	Difficult	Security has improved
31Yes	Mostly ok, some go overboard	No	Have paid for the plot	No		Not as long as in good time (3 months)	Let them know	Shouldn't exercise dogs.
32Yes	Should allow kerbing in a 2ft area around the headstone. Don't want people walking on the graves	Yes	No lights - but don't want restrictions on kerbing etc on the gravespace	No -easy enough to get through	Don't approve of trees (conifers), lights, fake flowers		Point out the problems that can occur, implications of trees, roots	Problems of kerbing graves that then sink. Someone should tidy the graves and remove dead flowers.



Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/ suggestions
33		Yes		Yes - stopped going to see friend's grave due trouble getting through	Cant understand it. Keep it to a limit - couple of feet/ within reason	Yes	Letter, formal warning that action will be taken. Point out inconvenience for people and staff.	Vandalism. Problems since warden left the site. Cars on site, even driving on graves.
34					A lot of the graves are really lovely and looked after. I feel that the deceased person is someone's loved one and I feel that this is the way they can remember them dearly. If the grave is really looked after, I don't see it is a problem.			Has planted shrubs etc as a wind break. Have been removed by the Council or adjacent grave owners - not going to bother planting again. In general well tended cemetery.
35	Yes	As relatives request	No	No				I feel that relatives should be able to decide what they want as long as it is looked after and respected.
36	No			No		No		
37		Miniature gardens are an asset. Some of the graves are an asset to the cemetery.	No	Plants and flowers should always be allowed - makes the cemetery nicer for mourners and saves money for the Council.	No	The things put on graves are put on by relatives and their children and I think we have enough restrictions during our life and not carried on in their death. People put on what they can afford		The gardeners do a good job and I praise them other than the weed killer.

Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/ suggestions
					and should have no restrictions. If I have any restrictions, it should be on the use of weed killer as it kills the grass and spoils the look of it.			
38Yes	To a degree, tasteful acceptable memorials would help people of little or no faith to remember their loved ones and bring comfort to them.	Yes	To be able to remove items which do not comply with the Council policy in a sensitive manner.	No	People have different ways of grieving and it seems to be a comfort to those who express their sorrow in a variety of ways.	No		
39Yes		No		No	The cemeteries in Stockton over the last 20 years have never looked nicer thanks to the beautiful memorials and flowers that have been placed on the graves - Durham Road cemetery in particular.	No		The old graves should be cleaned up but how you do this is not for me to say.
40No		Yes	One memorial	No	Like the variety. Some modern ones can be gaudy and over the top. Prefer the older ones	Yes	Write to people pointing out rules. Succession of letters (don't know how many). Point out rules more stringently at the time of the funeral and what would happen if not	Very damp on occasions - difficult to walk through. Path towards beck very difficult to walk on a times - drainage problems on cemetery.

Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/ suggestions
41No		Yes	One per grave	No	Some memorials are so tacky	Yes	obeyed. Have a clear written policy placed in the cemetery so there are no doubts about what is allowed.	
42Yes	I feel that a little latitude should be allowed - poss photo. But not lanterns, balloons, windmills, toys, solar lights - some graves are OTT. Staff are restricted in their work by some of the paraphernalia.	Yes	They should conform to the rest of the cemetery. Would you put a red flower in the middle of a blue flower bed. No		See other comments	Yes - If health and safety is in question then action should be taken. Also if staff have problem doing their work.		I feel there should be a central car park. This would eliminate cars blocking the roadways and others driving on the grass. The one way system is very poorly indicated.
43Yes	I suppose it depends on the family's feelings, what they would like to put on their beloved ones grave and the age of the deceased - as long as you don't go overboard.	Yes	To put toys on a grave. Just to keep it simple, neat and tidy.	No	I think some people go too far. What they put on graves looks tacky. Nice and neat - keep it simple - make all the headstones the same - a simple cross not too high.	No		I think you should have a list of where you can see where people are buried near the entrance gates.
44Yes	Little ornaments, flowers and roses to make them look nice.	No		No	OK - people only put on to make them look nice. Children and grandchildren put little ornaments and flowers to show their thoughts of loved ones.	No		
45Yes	Plants, extra flower holders, lights, gravel,	No		No	There are many different memorials at the	No		Vandalism to benches seems to be on the

Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/ suggestions
	balloons, crosses, religious mementoes and images.				moment and I think all these memorials are personal to the people buried there and the people left behind. When you loose a person that is loved and endeared, it is a traumatic time for that person's family so the mementoes mean a lot to the people that place them there and may help them to get over their grief a little easier.			increase. Should leave people to place mementoes on graves and don't be so hard hearted about it. It is a very sad time when someone dies and these items on graves help to alleviate this.
46	Perhaps an allowance should be made on children's graves for a period after the burial as this would probably help the bereaved close family in their grief. As time goes by, most people do not constantly visit the graves so then perhaps the extra memorial would cease.	Yes		No		Yes	After a period of mourning a letter could be sent to the family concerned asking them please to reduce the amount of ornaments etc.	
47	No	Yes	Headstones only should be allowed. No edging stones etc so that the cemetery will look less "clarty" than it does at present and the rows of graves will look more organised and in alignment making it easier for the upkeep of the cemetery e.g. grasscutting	Yes - when taking my disabled mother who was wheelchair bound to visit relatives graves, we were unable to gain access with the wheelchair due to the fact that people had placed edging	The cemetery is becoming totally overrun with "nick nacks" etc on graves. It looks unsuitable in a lot of cases where people have gone too far and in my opinion is not what a cemetery should look like. It also causes a	Yes - Most definitely.	Owners of graves creating the big problem should be informed of a date by which all non compliance of terms and conditions eg	In the press Thornaby Cemetery is winning the Premiership awards - seems to be in the Premiership division - whereas Durham Road, the one I visit, seems to be in Division 1 or 2! Things, however, seem to be improving although

Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/ suggestions
48Yes	Lawn type graves, artificial kerbs across or around plinths. Small area where plants can be put - low growing	No	and digging by workmen.	stones around their graves - totally thoughtless about other peoples needs!	Health and Safety Issue when edging stones, fences etc are erected on graves - it could result in accidents by tripping or falling over. Although not everyone is in a position financially to purchase a stonemasons headstone, crosses and makeshift memorials should be of a certain size, material and type.  Placing of memorials, ornaments and plants are of comfort for the loss of their loved ones, they are only trying to make it a special place. Flowers, plants brighten up the area. There are a lot of people far away and near come and pay their respects and want it to look nice.	No - unless the Council are going to place new ones all over.	edgings should slowly. The problem be removed andwith these graves if this is not whose owners have carried out by gone way over the top the grave owneris what is causing the at the due date cemetery to look totally will be removed different to what most by the Council, peoples idea of what a labelled in bags place of rest should with grave look like or is that idea number and maybe old fashioned. stored in a Also worth mentioning depot for is that all the solar collection and lights, trinkets etc are the owner beingdrawing thieves, drunks informed of this etc into cemetery to steal these items to subsidise their habits and this is creating a problem for public safety.	Detailed comments supplied relating to: parking, maintenance and gardeners, rubbish bins and fresh water.
49Yes	Anything within reason	No		No - they would haveMy husband died this to be standing on the graves private place in the themselves would cemetery, of which I		No		To remove what people have put on their loved ones graves would be like desecrating their

Do you think the Councils policy should be extended?	If yes, what type of memorials should be allowed?	Do you feel that there should be restrictions on the type and number of memorials permitted?	If yes, what restrictions should be imposed?	Have you ever had difficulty moving about the cemetery because of the items placed on graves?	What are your thoughts on the type of memorials that people currently place on graves?	Do you think the Council should take action re unauthorised memorials?	What would be the most sensitive way for the Council to handle this?	Other comments/ suggestions
50	No	Yes		No	they! have paid for. I have my husbands now my children and I would like it (ie plants mementoes, cards for birthday/ christmas). These are out things to our loved ones and the cemetery (ie Council) should respect this. You could argue that they should be put up at home but my husbands body is there and to me and the children to be able to put cards, plants, kerbing stones and gravel or whatever they want. Everyone comments on Durham Road cemetery at the Sparks Bakery end. Is it a case on the Councils behalf that it is easier to have grass because they are too bone idle to get off their grass cutters.	Yes		graves.
51	Yes	Yes	One per plot	No	They seem to comply with regulations - should apply to all including the headstone facing retail park.	No		There should be seating areas in all parts of the cemetery. We recently buried our lovely Dad and tend grave often but there is nowhere to sit. If you are not allowing bench

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memorials then you would need to provide seating that you feel will not intervene health and safety.

51 forms were completed/ returned (including 10 forms completed by 2 people) giving a total of 61 respondents

Male 21  
 Female 40

Cof E 25  
 Catholic 18  
 Christian 4  
 Methodist 1  
 No faith 8

Age:  
 20s 2  
 30s 4  
 40s 15  
 50s 12  
 60s 10  
 70+ 14





## Appendix 5

### CEMETERIES AND MEMORIALS FOCUS GROUPS SUMMARY 19 & 20 FEBRUARY 2007

To gain the views of the general public in order to inform the scrutiny review of cemeteries and memorials, it was decided to hold focus groups consisting of adult Viewpoint Panel Members.

Three sessions were held. All sessions were facilitated by Judith Trainer. Jenny Elstob and Tanya Harrison also attended sessions.

A summary of the comments made at the sessions is set out below:

#### **Introduction - Experience of Visiting Cemeteries**

There was mixed response. Some of the group did not visit cemeteries at all; others had experience of visiting cemeteries to visit graves of family members. One member played in her local cemetery as a child and one visited cemeteries in relation to local history.

#### **Management of Memorials**

**What are your thoughts on the type of memorials that people place on graves? Do you think that the Council's current policy should be extended to allow other types of memorials?**

Views were sharply divided. Some people felt that there was too much inappropriate clutter and ornaments and that sometimes children's graves were "over the top" whilst there was an acceptance amongst most that there should be some relaxation on the rules regarding children's graves.

Some people felt that there should not be strict rules on what was permitted whilst others felt that the Council's policy was appropriate and should be enforced.

**What type of memorials do you feel are appropriate in a cemetery?**

Again, opinion was divided, some people felt that the current policy was appropriate and only headstones and flower vases (no teddies) should be permitted whilst others felt it should be up to the family who visit the graves.

Some people felt that the solar lights should not be permitted.

**Do you feel that there should be restrictions on the type and number of memorials permitted in cemeteries?**

Again, opinion was sharply divided, some felt that there should only be a headstone and vase permitted; others felt that people should be allowed to put what they want on the grave – "people have paid for the plots".

Most people felt that there should be restrictions and where there were restrictions, they should be enforced.

**What are your thoughts on the Council's policy in respect of lawned graves?**

Many supported the Council's policy and commented that lawned graves were easy to maintain.

Some panel members felt that there should be a way of defining each individual grave so they don't get walked on. Some commented that irregular grassed areas are maintained by the Council in other places so why should cemeteries be any different.

**What do you think would be the most sensitive way for the Council to control what is placed in cemeteries?**

Some felt that the rules should be made clear in advance and advised that if any unauthorised memorials were placed on the graves, they should be removed.

**Other Comments**

Where safety checks are being made on graves, they should only be laid down two at a time thereby minimising distress to visitors.

**Appendix 6**

**CEMETERIES AND MEMORIALS**

**ELDERLY CITIZENS LIAISON FORUM BRIEFING SESSION NOTES**

**Management of Memorials**

**What are your thoughts on the type of memorials that people place on graves?**

The current regulations of memorial types were acceptable, some of the decorations were not appropriate but the items placed on graves were the families form of remembrance and helped them in their grief and the authorities needed to consider this and be careful. It was the choice of the families and such things should not be dictated to by others.

Travellers decorated the graves of their loved ones with photographs and other items and their graves were always nice and colourful and were always well looked after unlike some other graves which had no items of remembrance and were not looked after. Members suggested that the focus should be more on those graves that were not looked after/maintained.

## Appendix 7

### Summary of Feedback from Funeral Directors/ Memorial Masons

#### **Do you think that the Council's policy should be extended to allow other types of memorials?**

Feel that Council should allow kerbsets especially in the older parts of the cemetery. More demand for traditional graves than ever. If kerbsets are installed correctly, this makes maintenance easier and keeps cemeteries more uniform. Darlington allow new kerbsets in the traditional section. A small kerb set could also be installed at the head of the grave although this would need to have removable foundations to allow for future interments if required.

Monoliths are fine until they need to be removed to add further inscriptions.

People are installing DIY kerbsets in lawned sections and the Council is turning a blind eye.

Should also be flexibility for people to place a second, smaller memorial onto a grave (e.g. a small Bible or plaque) for people to record the interment of cremated remains, for example, without the need for replacement of the original headstone which people often want to retain. This is being requested more frequently because of the increase in the number of cremations taking place.

One memorial mason suggested that the maximum width should be extended to 3'6" to allow for a wider range of memorials (ie headpiece with vases at either side)

#### **Do you feel that there should be restrictions on the type and number of memorials permitted in cemeteries?**

The biggest problem is in the lawned sections and the tripping hazard caused by unauthorised memorials and DIY kerbsets/ fencing. It is only a matter of time before coffin bearers trip whilst carrying a coffin for burial.

The Council should have put a stop to this practice straight away - now it is a "free for all".

Memorial Masons commented that they have turned away work because it would not be permitted but customers have found other masons to do the work anyway thereby penalising memorial masons who are upholding the rules. Some of the work that has been done could only have been carried out by a memorial mason.

One memorial mason felt that the only restriction should be that all memorials should be natural stone. A Funeral Director, however, suggested that there should be no restriction on the material used as long as the rules on size were observed.

**What information do you provide to bereaved families to explain the difference between traditional and lawn graves and what memorials are permitted in cemeteries?**

One Funeral Director commented that they only give the rules and regulations for the lawned graves. Another funeral director commented that they are reluctant to give out too much information as the Council is not enforcing its own rules. The brochures which are supplied can include memorials which would not be permitted in Stockton cemeteries as they are for other areas/parishes also.

The main problem is that clients are commenting that other people are able to put unauthorised memorials on graves.

**What are your thoughts on the type of unauthorised memorials that people currently place on graves?**

Feel that a second memorial would be acceptable. Some items are inappropriate – one funeral director referred to a mobile phone which had been placed on a grave.

Feel that small items can look messy and that if some items are permitted, it might be difficult to draw the line. However, as people like to do their own planting, perhaps a small area around the headstone could be permitted – around 2' would be adequate.

Have unauthorised memorials erected or placed in cemeteries presented health and safety problems to you when attending cemeteries for funerals?

It is only a matter of time before coffin bearers trip whilst carrying a coffin for burial. Cemetery staff are very helpful in redirecting funeral processions to avoid obstructions.

Memorial Masons commented that the obstructions can double the distance that heavy stones need to be carried to the grave side.

**What do you think would be the most sensitive way for the Council to control what is placed in cemeteries?**

Get it publicised in advance, place signs etc and send out the details at the time of interment. Make sure people are aware of any action to be taken well in advance. Other Councils do remove unauthorised memorials (Middlesbrough, Redcar and Cleveland).

Whatever the Council decides, it needs to stick to. Funeral Directors need to know that the Council will follow it through before they are prepared to stress the rules to customers otherwise it looks as though the funeral directors are giving out the wrong information and they will lose credibility.

The Council should explain the health and safety issues to help people understand why action is being taken.

One memorial mason suggested that an on site superintendent would be the best way of controlling the problem as a personal touch was considered best in any sensitive or delicate situation.

**What are your thoughts on the current registration scheme for memorial masons?**

The scheme is fine and is based on the code of practice. As long as all memorial masons are fixing to the required national standard, the current scheme is appropriate. Darlington also operate a similar scheme.

There should just be tried and trusted memorial masons allowed to fix in cemeteries.

Memorial masons felt that membership of the national association was not necessary as this was to the same code of practice and was not being policed anyway.

**What role do you think the Council should have in monitoring and inspecting the quality of the work of memorial masons?**

The Council should be checking and signing off the work. Middlesbrough wait a month and then test.

One memorial mason suggested that the Council should operate an appointments system and suggested that nothing should be fixed without a cemetery supervisor being in attendance. Other suggestions included spot checks and a trained superintendent to inspect works at any time.

**Any other comments?**

The plinths provided for the erection of memorials in Billingham are far superior to those currently being provided at Thornaby.