

# WITNEY TOWN COUNCIL

## LEISURE & RECREATION COMMITTEE

20<sup>TH</sup> MAY 2013

### FACILITIES MANAGER REPORT

#### ITEM 1 CEMETERY REVIEW – interim report

##### 1.1 Background

Officers are carrying out a review of cemeteries and their operational and administrative functions. This follows changes to regulations, and the subsequent training, feedback from cemetery users, a review of health & safety requirements, advice from the ICCM (Institute of Cemetery and Crematorium Management) and issues raised by contractors and WTC staff.

##### 1.2 Current position

###### Statutory changes

With regard to the changes in statutory regulations, officers have received updated training with assistance from the ICCM. This training raised numerous issues regarding the administration processes and recording of burials, and officers are working hard to make the changes required. The changes will take many months or longer to put into place. When a new DSO has been appointed officers will resume work on these changes, however some initial steps have been taken.

###### Information for the bereaved

The information regarding burials and cemetery regulations given to relatives requires considerable changes. Officers hope to produce a more informal leaflet, with colour photographs, which will include the options available to them and what they can expect. A second information sheet could contain the more detailed regulations and be made available online, at cemeteries and via the funeral directors.

Feedback from relatives often includes comments that they were not sure what they could have, and has led to some relatives making choices they later feel were not appropriate or regret, especially with regard to woodland and meadow burials. Officers also hope this will help clarify some very sensitive issues and questions relatives are often too distressed to ask about at the time of burial. The leaflet will be distributed to the funeral directors who pass on the Town Council regulations at present.

I have attached our current information sheet, which is passed on to the bereaved by the funeral directors for Councillors to consider.

###### Grave clearance

Officers received a number of complaints from cemetery visitors regarding the decorations and items on some graves at both cemeteries. Councillors will note from the information sheet WTC do state clearly what is appropriate. Councillors agreed a schedule of grave clearance work and letters were sent to plot holders early this year. Grave clearance began in April. There have been no issues or complaints regarding the requests to clear grave sites back within regulations, and officers have received a number of very positive comments from cemetery visitors about how nice the cemetery is looking.

The vast majority of graves were cleared and tidied by relatives and very few items have been taken in for storage by WTC. All graves on both cemeteries are now completed. The

grounds contractors' team have also passed on comments as it is much safer for them to carry out their duties and minimise potential damage to grave items and machinery.

#### Ashes plots garden creation

The ashes plots to the Windrush cemetery were another area where visitors wished to see improvements. Officers have now included a garden plot with every ashes plot with an "opt in" system. This allows relatives the ability to plant a small garden for each plot. If they do not wish to have a garden or cannot maintain a garden, WTC will cover the area with a weed membrane and shingle, to prevent weed and grass spreading to others plots, allowing relative to place pots or plastic flowers on the shingled area. Reserved but unused plots will be covered with a stone slab until in use. The work to these gardens has started and many plot holders are very happy to have a dedicated space for remembrance gardens. The rear of this area will also be curbed off, allowing a neat lawn edging to be easily maintained by the ground maintenance team and protect valuable items placed on plots from damage by machinery.

#### Columbarium and remembrance garden Windrush cemetery

Officers are also investigating the options of including an area for columbarium, or above ground ashes plots, to be included in the Windrush cemetery. The need for plots is higher than anticipated, we currently have only 3 ashes plots remaining at present, and alternative options are sought by relatives. An advantage of the above ground ashes plots are that they will utilise the large areas of the Windrush cemetery where burials and excavations are not permitted (assuming suitable permissions are granted). As the columbaria will be a raised feature, officers have arranged a planning consultation with the relevant officers to investigate the options further and find out more detailed information regarding the archaeological status of the site.

A further benefit of offering columbarium's is that they are generally leased to family's for shorter periods of time, and generate a small income for the Council to use maintaining cemeteries, whilst offering a very much more affordable option to families faced with a bereavement.

As referred to earlier in my report a number of relatives who have chosen woodland or meadow plots, later feel they wish to have a marker or plants to mark graves. Officers would like to suggest incorporating a remembrance garden into the columbarium area design, offering leasable planting beds to relatives who wish to tend a small area in remembrance of a relative. Many current plot holders have expressed great interest in having and managing a small remembrance garden at the cemetery and officers have had some initial garden designs drawn up which include easily accessible plots and DDA compliant plots for those with restricted mobility. These will be discussed with planning and further details will be reported back to the committee once more is understood about what is appropriate to build in the Windrush cemetery.

#### Memorial benches

There are a great many memorial benches at the cemetery at present, perhaps more than in keeping with the area and we have stopped taking further orders for now. Memorial benches, although initially purchased by the relatives, are fitted at a financial loss by WTC and the on-going repair and maintenance costs also fall to the Council. It is recommended that a set free is agreed by the Council for the installation costs of £150, and the cost of maintaining these budgeted for at £30 per bench per year.

### Memorial Stability project

The Health and Safety executive requires authorities to implement a planned regime of inspection, recording and repair for all memorials within it open and closed churchyards. No such plan is in place at WTC.

The HSE guidance suggests:

- Develop local knowledge of the different types of memorial currently installed in the burial ground to identify designs, historical importance and public footfall.
- Make an overall assessment of the risks associated with these types of memorials to assist prioritisation of more detailed inspections.
- adopt an inspection methodology for assessing the risk, if any, presented by each memorial, which might include:
  - visual check for obvious signs that a memorial is likely to be unstable
  - a hand test to help confirm the visual check - without the need for special tools or equipment
- Arrangements for more detailed inspections of particular memorials where the initial inspection identifies significant risk, for example by a specialist structural engineer or memorial mason.
- Take appropriate action to manage any significant risks identified

Again following advice from the ICCM and the HSE a contractor has been sought to carry out the extensive memorial stability testing required throughout our cemeteries. The project will start at the Windrush cemetery, where we have a number of damaged and unstable memorials, car damage to memorials and collapsed memorials. The work will take several months to complete given the amount of headstones we need to inspect record and risk asses. A management plan with then be drawn up as suggested by the HSE so WTC can start a schedule of works to memorials and trace owners of memorials. The stability testing costs will come from existing budgets, however it may not cover the whole project and officers will keep the committee update on the project and its costs.

Repairs information guidance from the HSE:

Families will still own the memorial stones and burial ground operators will need to contact them to make any repairs necessary, only taking immediate action if there is imminent risk of serious injury due to the state of the memorial. Where temporary measures need to be taken to make memorials safe, operators are advised to take steps to make permanent repairs as soon as possible.

### Memorial masons registration requirement

Another effective response to the Health and Safety Executives requirements regarding memorial stability is to require memorial masons to register with a recognised scheme. WTC current have an in house scheme which effectively means that officers need to ensure the guidelines are followed, police and enforce the requirements, check insurance liabilities, risk assessments and method statements. This is impracticable and leaves the Council fully exposed to the risks.

A registration scheme such as BRAMM would ensure the following on behalf of the Council:

- To establish a recognised uniform standard of workmanship to meet the requirements of BS 8415 in all burial grounds throughout the UK.
- To ensure all Businesses, Fixers and Burial Authorities on the BRAMM Register follow the current health and safety guidelines to protect both the public and their employees.

- To ensure that BRAMM businesses give a guarantee of the stability of their memorial.
- To ensure the Scheme will be effectively policed ensuring that acceptable standards of fixing are maintained.
- To encourage on-going training and education within the memorial masonry industry.
- To promote a closer working relationship between Memorial Masons and Burial Authorities.

We have had a number of memorials which fall outside the current regulations installed within WTC cemeteries in recent years. Our in house scheme offers us no ability to take action. In these cases if the masons had been registered with a scheme, BRAMM would have taken action to have to work inspected and enforce a course of action. Installing a memorial or additional items without approval of the cemeteries officer would be considered gross misconduct and a penalty would be enforced. The BRAMM board is made up of memorial masons as well as cemetery managers.

Officers took advice on this issue and it was suggested that all the stonemasons WTC use should be required to sign up to BRAMM scheme. Many Authorities already have this in place, and it has been suggested by Officers of these authorities to offer a 12 month compliance window for masons to have an opportunity register and allow them time to improve any procedures, policy and documentation so registration is accepted.

#### Health & safety Audit

A health & safety audit of WTC is currently on-going. The cemeteries have been visited and officers will report back to the committee on the findings.

Preliminary work carried out by officers prior to the audit has highlighted training needs, and some risk assessments have been created and revised accordingly. Again the ICCM have offered officers valuable support regarding the training and risk assessments. WTC cemeteries will be hosting (at no cost) training for parishes in June. The purpose of this training is to assess and see in working practice the use of grave shuttering and create a method statement appropriate to our very difficult conditions. We hope to continue to work with other authorities and host training as a no cost option to improve our working practices. Councillors are welcome to attend these sessions and gain first-hand experience of the challenges the Windrush site poses to workers.

#### Tower Hill vehicle access

WTC currently have a policy which states that no vehicles have access to either Windrush or Tower hill cemetery. Both cemeteries have car parking adjacent to the cemeteries available. The policy has been in place a number of years, and is well signposted at the cemeteries by the entrance gates. However over the years the gates to the Tower hill cemetery have been left unlocked by contractors and town council staff and visitors to the cemetery have been driving into the cemetery and parking at grave sides to visit.

Officers receive a great a many telephone calls each week regarding cemeteries and a number of complaints, some of which understandably come from relatives who are very upset and emotional. The complaints received, (regarding car access) include:

- Unmarked graves being driven over by vehicles.
- Damage to headstones by cars
- Loud music played from cars by visiting relatives grave side
- Cars driving at high speed
- Cars driving on the footpaths.

Often visitors to the cemetery do not realise cars have access and naturally assume that damage has therefore been caused by negligent town council staff or contractors and seek compensation.

One call came from a lady who called in after finding cars had parked and used the area as a passing place which was her husband's grave, leaving several 5 inch trenches which subsequently filled with water. She was very distressed as her husband's grave is unmarked as she is unable to purchase a memorial at this time. It took her and her daughter some time to find the grave and they were very distressed once they had located it to find the damage. She naturally assumed that our staff had caused this damage. These calls can also be distressing for officers to receive as relatives are very angry and it is difficult for officers to resolve or offer an immediate solution.

Complaints have also been received from the grounds maintenance team and our own staff regarding safety in the cemetery, especially cars driving across footpath, due to the lack of road provision, driving at speed and blocking works and contractor vehicles. Some staff and contractors have been verbally abused when they have asked certain drivers to slow down in the cemetery.

The site is only able to cope with a one way traffic flow on very narrow tarmac paths. Passing places are not provided and where cars park to visit gravesides, they block all access for works, contractor and funeral vehicles. This results in cars trying to pass each other and causing damage and ruts in the ground and grave sites as described.

Following these complaints and as part of the review of cemeteries and the health & safety audit, officers reinstated the policy to allow access by appointment only, except on Saturday mornings, where we have recently started opening for mobility access, as agreed by Councillors last year. Notices explaining this were placed on the gates 3 weeks prior to the appointment system being reinstated. At present if visitors wish to drive a car into the cemetery they must arrange an appointment, and Town Council staff open the cemetery for them.

Since early April, (6 weeks when compiling this report), 13 people have requested appointments to visit the cemetery by car. No visits have been refused and all have gained access when they requested. A few of these visits (possibly 5 people) were one off requests due to the requirements for clearing graves, and it allowed them to load up cars with the items to be removed.

Some visits have been requested when funerals have been taking place; in these circumstances visitors without an appointment system would have simply visited the cemetery: or where WTC staff were in attendance, asked to leave to avoid unnecessary disruption to the funeral taking place. With the appointment system we can save them this trip and ensure the privacy of relatives for funerals is respected without disruption. There have been occasions where cars have driven into the cemetery during funerals as the gates are left unlocked for the funeral cortege.

Since the reinstatement of the policy WTC have received 3 complaints from relatives who do not wish to make appointments to visit the cemetery. Councillor may be aware that one complainant has also voiced their comments in the Witney Gazette and written to Councillors regarding the change.

When reinstating the policy regarding access both the Facilities manager and the Town Clerk talked to other authorities and Town Clerks regarding vehicle access and it was felt that allowing vehicles access to grave sides was rare. Officers have contacted a number of authorities regarding their own policies on access to cemeteries and the following are the findings of a pole carried out since receiving the complaints and contact by the Councillor who received a complaint.

Aylesbury Town, Rugby Borough, Broxborough and North Hertfordshire Councils all stated that they do not allow vehicle access in their cemeteries. They also commented that Blue Badge holders were only permitted following funeral cortege (Aylesbury) and that most had bollard systems in place to protect unauthorised access.

Those that responded who do allow access included larger Councils, Cheltenham, Chichester, Bedford, Bournemouth and Banbury councils all offered car access (except during funerals) as well as wide tarmac roads, grave side parking areas and passing places. One cemetery covered over 40 acres and offered numerous facilities, and most offered grave side parking spaces or internal parking to the cemetery.

Since reinstating the policy officers have received many positive comments from visitors to the cemetery as well as its appearance.

Contractors have also reported safer and more practical working arrangements on the site and commented "I would like to make the comment that the vehicle restriction in Tower Hill Cemetery has made it a much safer environment for us, the ground contractors to work at. Also, the request for people to move vases etc back to the headstones of the graves has made it easier for us to carry out the grass cutting and the general appearance of the cemeteries is a lot tidier also the risk of damage has been greatly reduced."

The current appointment system is working well and is not difficult for Town Council staff to administer. 2 Saturdays per month the cemetery gates are left unlocked as per the decision of the Council last year.

Should Councillors wish to revise the policy regarding vehicle access officers would like the following considered if cars are to be given unrestricted access:

The cemetery roads were not designed for the amount of cars on a regular basis and a budget should be set aside for road widening (where appropriate) or the inclusion of passing places if possible. The provision of funds to repair roads and pot holes. Damage caused to grave stones could be provided as well as provision of a gritting budget for the winter months to ensure the area is safer for cars and visitors.

Some areas of the cemetery are unmarked however they do contain grave sites. These areas have been used to park cars. Officers would like to see these areas marked with appropriate signage so visitors are aware of unmarked grave sites, regardless of policy regarding car access.

The installation of new notice boards, highlighting the current regulations of the cemetery. It would also be an ideal area to provide the revised burial information leaflets and photographic examples of grave sites, as well as updates on when workers cut the grass which relatives find useful.

If Councillors wish to retain the current policy but allow access to those with mobility issues without using the appointment system, the main access gate could be moved forward some 10 feet allowing safer self-access to the gate. Keys could be issued to the 13 current and any further relatives with mobility issues who wish to drive into the cemetery. The cost for this would be approx. £400 to move the gate and £70 for a padlock and keys.

### 1.3 Recommendations

- The revision of information given to relatives to include Councillor feedback and the production of colour leaflets for relatives regarding the choices they have within the cemeteries.
- The siting costs of £150 per memorial bench is agreed and a continued budget of £30 per bench per year for maintenance.
- That the number of benches be limited to practicable number within the Windrush cemetery.
- That the stability project be noted and future budgets agreed for continued works and repairs be agreed.
- That the requirement of masons used by WTC to register with the BRAMM scheme be agreed and a 12 month period given to masons to comply.

FACILITIES MANAGER