

Memorial Rules and Guidance

1. Application for permit to place Memorial upon a grave

- A. No Memorial is to be installed in the Cemetery unless a permit has been granted for the same by Newport Parish Council.

It is essential for Newport Parish Council to manage Memorials placed within the Cemetery.

- B. An application for a permit to carry out Memorial works may be made by the owner of the Exclusive Right of Burial or Right of Burial;

This ensures the correct person is applying for the memorial works.

- C. The permit application form must be completed fully and include a detailed plan of the proposed Memorial including the dimensions of the same, and details of the proposed fixing method. An application will only be processed upon receipt of the correct fee.

This ensures our staff can ensure the proposed memorial is within the regulations and will be fixed to an approved industry standard.

- D. The permit application must clearly state the section of the Cemetery in which the grave is situated together with the grave number.

This ensures the Memorial is going on the correct grave and the proper person is authorised to instruct the work.

- E. All such permit applications are to be submitted to the Newport Burial Clerk. Once checked, and, if agreed by Newport Parish Council, a permit to carry out works will be granted. A site check of the authorised works will then be carried out by staff of Newport Parish Council as soon as reasonably practicable.

This allows for Cemetery staff to undertake checks on site to ensure the person fixing the memorial is authorised to do so. Once the works have been carried out in accordance with the granted permit and site inspection, ongoing compliance with Cemetery regulations is required. Only authorized professionals or council staff may perform further interventions regarding the memorial.

2. Fixing of Memorials

- A. No works are permitted to be carried out on any grave space except by:

- a Monumental Mason who is accredited to the British Registration of Approved Monumental Masons Scheme ("BRAMM") or an equivalent scheme or;
- by staff of Newport Parish Council (and such works may include any works associated with memorial safety inspections and the subsequent temporary making safe of any Memorial)
- Basic cleaning/washing down and non specialist cleaning of a Memorial may be undertaken by any person.

To promote high standards and protect consumers we only allow those registered to the approved national scheme to undertake any works on memorials in our Cemetery. Approved masons have the necessary skills to ensure that any memorial they fix or repair will be able to pass a future stability

test.

- B. All Memorials (including Memorials being re-fixed after a burial has taken place and those found to be unsafe after Memorial testing has taken place) are to be fixed in line with BS8415 : 2018 the nationally recognised standard for fixing memorials. This states the minimum requirements for the fixing of Memorials. All costs for this work must be met by the person to whom a permit to place the Memorial was given on his or her heir.

To ensure all Memorials are safe they must be fixed to the recognised approved standards of the day.

- C. The upkeep and maintenance of any Memorial within the Cemetery remains the responsibility of the person to whom a permit to place the Memorial was given.

All Memorials remain in the ownership and are the responsibility of the grave owner or person taking over responsibility after the grave owner is deceased.

- D. Any Memorial being fixed or re-fixed must have the grave section and number clearly displayed on its base along with the identification of the memorial mason fixing the memorial.

This helps to ensure the memorial is being placed on the correct grave space and allows staff at Newport Cemetery to contact a memorial mason should there be any issues with the installation. It also allows memorial masons to subtly display the quality of their workmanship for other visitors.

3. Operational Times for Memorial Works

The erection of, cutting of inscriptions on, or professional cleaning of, Memorials shall be carried out in daylight hours Monday to Friday.

Works can only be undertaken during normal operational hours to ensure safety within the site.

4. Stability Guarantee Period

All Memorials installed in the Cemetery from the date of installation must be subject to a 'Guarantee of Conformity' granted by the mason who installed the Memorial. Such a guarantee is given to confirm that the Memorial has been fixed to the best standard set by NAMM at the date of fixing and should last for a minimum of 30 years. If at any point during the life of the Memorial it becomes loose or unstable and this cannot be attributed to ground conditions or disturbance, the mason should, under the terms of the said guarantee, refix the Memorial to the original standard at no cost to the grave owner or the Council.

This is a standard guarantee that must be given to any person arranging a Memorial in any site.

5. Memorial Safety Testing

- A. Any memorial purchased and erected on a grave space is owned by the registered grave owner and it is that person or persons who are

ultimately responsible for its upkeep and maintenance.

Historically there have been a number of accidents in cemetery around the UK, some of which have resulted in fatalities, due to memorials being unsafe. Whilst the memorials are the responsibility of the registered grave owner Newport Cemetery have a responsibility for ensuring that its sites are safe for both staff to work in and for the public to visit.

- B. Memorial Fixing. All memorials over 24.5 inches (625 mm) in height must be fixed to, and fully compliant, with the current British Standard (BS8415). This also extends to ANY memorial over 24.5" (625 mm) that is being re- fixed following an interment or removal for any other reason.
- C. The key requirements are that memorials must be fixed to an approved and suitable foundation and must be further secured using an approved locking or anchoring system.
- D. Note that any refixing or repair works to memorials must be completed by a BRAMM (or other equivalent scheme) registered memorial mason. Temporary works to make memorials safe and remove the risk of danger will be undertaken by trained Newport Cemetery staff.
- E. Memorial Inspections. All memorials over 24" in height in all cemetery will be inspected by trained staff at least once during a rolling 5 year period to assess there safety. This will be done through both a visual assessment and a basic hand test to determine if there is movement in the memorial and to what extent.

The individual undertaking the assessment will make the decision on the memorials overall safety based on a dynamic risk assessment for which they have been trained.

- F. Once inspected each memorial will fall into one of three categories, detailed as follows:

Category 1 – Memorial is unsafe and poses a risk and will require immediate attention to make safe and/or protect from the public.

Category 2 – Memorial is safe but there are minor concerns and it should be reassessed in 12 months' time to ensure it has not deteriorated further.

Category 3 – Memorial is Safe and should be re-inspected in 5 years as part of the next round of inspections or as part of any other check that may occur, for example when checking memorials around a planned burial ahead of excavation of the grave.

The Council has a legal obligation to ensure all of its Sites are safe to both visit and work in. In order to be satisfied that this is the case it is essential that Newport Parish Council carry out regular inspections of Memorials in the Sites in a bid to avoid injury or death to any of its staff or visitors.

- G. Staff undertaking the inspections will record the details of every memorial and an assessment of its safety using the categories above. These details will be recorded onto the Newport Cemetery administration system. The details will include:

- Date of Inspection

- Grave Identification (Section and Number)
- Category of Memorial (1, 2 or 3)
- Details of any Actions Taken

H. Actions Post Inspection

Should a Memorial be identified as a Category 1 and fail the inspection staff will need to take immediate action to make that memorial temporarily safe or cordon it off until permanent repairs can be made by the grave owner. These actions will be based on a number of factors and the best solution will be administered by the memorial inspection team based on their assessment of the memorial and the surrounding area. These actions may include:

- Laying the memorial flat – In most cases this will invariably be where a memorial can be laid down on or within an existing kerb set so as not to cause a new trip hazard. A warning sign will be placed near to the memorial.
- Staked and Banded – The memorial will be fastened tight to a wooden post which will act as a temporary support. The banding will also hold a warning notice. The stake and band will be re-inspected every 12 months to ensure neither have deteriorated.
- Monolith Conversion – This involves digging out a depth roughly one third of the overall height of the memorial from the last joint in order that it can be sunk in to the ground and made safe. The memorial will have a suitable material wrapped around the part under the ground and a memorial warning notice will be added to the grave. Due to foundations it may be necessary for the memorial to be moved slightly forward into the grave space to avoid existing foundations.
- Cordoned Off – In some cases it may be necessary to cordon off a particular memorial or an area containing a number of memorials due to their safety. Warning signs will be attached to any cordon placed around a memorial or group of memorials.
- Removal – In extreme cases it may be necessary to remove a memorial from the grave and place into storage if none of the above options are suitable.

All of the above are regarded as 'Temporary Fixes' and should not be seen as a permanent solution to deal with an unsafe memorial and are intended to reduce or remove the risk of a memorial causing harm or damage to someone. Prior to taking any of the actions above the memorial details will be recorded to confirm any existing damage or issues.

- I. Very large memorials, those over 8' (2.5M) will be visually assessed and if any concerns are recorded the memorial will be cordoned off and if it is safe and possible to do so Newport Cemetery staff will carry out works to ensure the memorials are safe. If Newport Cemetery staff are not able to make the memorial safe arrangements will be made for a specialist contractor to undertake an inspection and provide a detailed

report including costs and options to make safe.

J. Informing Grave Owners

Newport Parish Council will endeavour to contact the grave owner where any action has been taken due to a memorial failing a safety inspection.

Correspondence will only be sent providing that the grave owner is not recorded as being in the grave or if it is apparent that the registered address no longer exists. For any memorials over 50 years of age no correspondence will be sent but a notice will be left on the grave space for a period of not less than 12 months.

Newport Cemetery will make every effort to contact grave owners, however if the grave owner is deceased or the last burial was over 50 years ago in our experience it is unlikely that any response will be received therefore no correspondence will be sent.

- K. In the event of any memorial failing an inspection that has been installed within the previous 6 years we will contact the memorial mason directly to request repairs be made to ensure the memorial is fully compliant with BS8415.

The stability guarantee of a memorial is the responsibility of the memorial mason and they may provide a longer guarantee period, 6 years is the standard legal period that must be covered by the installation.

L. Grave Owners Responsibilities

The registered grave owner has a responsibility to ensure the memorial is made safe through being properly re-fixed to the current BS8415 standard and works must be undertaken by a qualified and BRAMM (British Register of Accredited Memorial Masons) registered Memorial Mason (or equivalent). *Do it yourself repairs by families will not be permitted, memorials must be fixed to the current best standard of the day by a licensed memorial fixer. All costs associated with organising a memorial to be repaired, including the reversal of any works undertaken by Newport Cemetery staff, remain the responsibility of the grave owner.*

- M. Should grave owners fail to take any action within a reasonable time period then Newport Parish Council will look to apply a semi-permanent solution to the memorial, this will involve either laying the memorial flat or sinking the memorial into the ground (monolith conversion) or other suitable action.

Newport Cemetery need to maintain all of its sites to a high standard and will always try to avoid taking any action that may impact on the general grounds maintenance of sites.

- N. Grave owners are strongly advised to organise and take out their own Insurance cover against any accidental damage that may occur to the memorial.

The Council cannot be held liable for any damage to a memorial that is caused by any factors outside of our control such as damage due to storms that may

cause falling debris and recommend that any insurance covers damage of this type. Your own insurance company may be able to assist, alternatively discuss options with your chosen memorial mason.

6. Memorial Types

The following types of Memorials are permitted in the Cemetery subject to compliance with the dimensions as stated.

- a) Headstone
- b) Vase
- c) Flat Memorial Tablet
- d) Wooden Cross

Headstones

Headstones are permissible on any grave space

Any headstone must not exceed 4' 6" in height or 2'6" in width including the base and must have a depth of between a minimum of 4" and a maximum of 12" (in the majority of its construction)

To ensure safety within the Cemetery and ensure they do not encroach onto other graves it is essential to prescribe a maximum size for new memorials.

Vase

This type of Memorial is permissible on any grave space.

A memorial vase must measure no more than 1'6" in length x 12" wide. Its maximum height should be no more than 12".

To ensure safety within the Cemetery and ensure they do not encroach onto other graves it is essential to prescribe a maximum size for new memorials.

Memorial vases are to be must be firmly fixed upon the grave space.

On any Lawn Graves vases must be placed at the head of the grave only.

Flat Memorial Tablet

Flat Memorial Tablets are permissible on any grave space. Maximum dimensions are 18" x 18".

On Lawn Graves flat memorial tablets must be placed at the head of the grave only.

Wooden Cross

Wooden crosses are permissible.

Temporary Grave Marker

Temporary grave markers are permissible on any grave space for a period of

no more than 12 months

7. Materials

Memorials made of any type of natural material is permissible in the Cemetery provided that it complies with the approved BS8415 fixing standard and is fixed to the grave by a registered BRAMM fixer.

This allows for more freedom of choice for the bereaved.

Wooden crosses must be fitted securely into the ground but do not have to be secured to a national approved method.

Wooden Crosses do not pose the same sort of danger as other traditional memorials.

8. Unauthorised Memorials

Should any unauthorised items be placed on or around any grave or any Memorial put in place contravene the Rules the grave will be photographed, the unauthorised items shall be removed and placed into storage by 'Newport Cemetery staff for a period of up to 1 month, after which they may be destroyed. No notice will be given the owner of the Exclusive Right of Burial.

The Council, in its capacity as a burial authority, is legally entitled to recover the cost it may incur in removing any unauthorised tombstone or other Memorial from the person to whose order the tombstone or Memorial was placed or within two years from the placing of the tombstone or memorial, from the personal representative of such a person.

All memorials installed within the Cemetery must be approved by the Burial Clerk by the granting of a permit. If any memorials are erected outside of the Rules or without proper permission, they may be removed and destroyed.

9. Memorial Liabilities and Insurance

Any memorial placed on a grave space remains the property of the owner(s) of the Exclusive Right of Burial. The owner is therefore responsible for ensuring the memorial remains in a safe condition.

The Authority can take no responsibility for any damage, accidental or otherwise, to any memorial within its cemetery. Therefore, any person arranging for the installation of a memorial must consider appropriate insurance that will cover repair or replacement of a memorial should it become damaged in the future.

It has to be understood that memorials are exposed to all types of weather and maintenance at the site. Memorial Masons will fix to the best standards of the day however future occurrences such as bad weather may result in memorials becoming damaged or destroyed beyond repair. Your memorial mason will be able to advise of insurance options available to you.