



Blockley Parish Council Memorial Specification Policy and Procedure MAY 2023

Minute ref: 15.06.23.10.11

1 Introduction

- 1.1 Blockley Parish Council is the burial authority for the Churchyard and Cemetery. As such, the Parish Council is responsible for granting rights to install or undertake work on tombstones.
- 1.2 The standards referred to in this guidance are:
 - The British Standard 8415 being the primary standard (At the time of writing, BS8415:2018 was the current standard as issued on the 31st of July 2018).
 - The BRAMM Blue Book and National Association of Memorial Masons Code of Working Practice being the appropriate industry codes of practice that inform the memorial mason how to achieve the requirement of the British Standard.
- 1.3 Responsibility for the overall safety (duty of care) within a burial ground lies with the burial authority, which has responsibilities under the Health and Safety at Work Act 1974 and the Occupiers Liability Act 1957 to ensure that, as far as reasonably practicable, their sites are maintained in a safe condition. This includes ensuring that anyone who enters the site to carry out work, such as a memorial mason, carries out such work in a safe manner and in such a way that others using the site will not be put at risk.

1.4

Whilst the responsibility for general safety lies with Blockley Parish Council there are specific responsibilities relating to memorials that lie with both the owner of the memorial and the memorial mason responsible for installing it. The owner of the memorial is responsible for maintaining the memorial in a good condition and should be properly informed, in writing, of their and other party's responsibilities. They should also be encouraged to insure the memorial, just as they do their household property. When it comes to ensuring the memorial is erected safely, they are not the experts, and this is identified in case law (*Brown v Cottrell* 1934). The expert is the memorial mason who erects the memorial and charges for his/her professional services.

- 1.5 Memorial masons are legally liable for the work they carry out and should ensure that memorials are erected safely and in accordance with current standards available within the industry (such as quality specifications like the Appropriate industry code of practice or similar). This responsibility is placed on masons in the Consumer Protection Act 1987, the Sale of Goods Act 1979 (amended

1994), the General Product Safety Regulations 2005 and the Directive on Liability for Defective Products (85/374/EEC). The latter was implemented in the UK in August 2003. If masons do not carry out

their work with due diligence, they could face severe financial penalties. Claims for poor workmanship can be made up to 6 years after the memorial has been installed. Should a Blockley

Parish Council identify a memorial that has become unstable due to non compliant installation within 6 years of installation the memorial mason must rectify the matter free of charge. Should dispute ensue on this matter it should be referred to the local Trading Standards office.

1.6 Blockley Parish Council will carry out regular inspections on their existing memorials. Where this inspection programme identifies unsafe memorials they have a responsibility to ensure such memorials are not a danger to visitors and employees in the cemetery. Where possible, they will contact the owner, advise them of the problem and ask them to make the memorial permanently safe, usually by having it refixed (unless the memorial was installed within the previous 6 years as

above). Obviously, if there is a clear defect with the way in which the memorial was installed then the owner may have some redress through the memorial mason who originally installed it.

1.7 Blockley Parish Council will make any memorial found to be unsafe permanently safe within 18 months. In the interim it must be made temporarily safe.

1.8 Where the ground has been consecrated in accordance with the rites of the Church of England the Church, through the local diocesan Consistory Court, has jurisdiction over such ground. A faculty has to be obtained from the church diocese giving permission to carry out inspection and making safe work and the church may wish to place their own restrictions on such work. This will be taken

into account by Blockley Parish Council. It is suggested that all parties co-operate to ensure work is carried out to comply with current health and safety legislation. Where a faculty is not forthcoming a Blockley Parish Council may have little option than to fence off the consecrated areas to prevent access and refer all enquiries to the relevant diocese.

2 Scope and Application

2.1 This policy will apply to tombstones or associated structures of any description including headstones, crosses, monuments, tablets and inscriptions.

2.2 A person wishing to install a tombstone, undertake work on an existing facility or include an additional inscription, must complete an application form for approval by:

- Churchyard – the Church Minister
- Cemetery – the Clerk to the Parish Council

2.3 The application must include full details of type, material, colour, dimensions and inscription, including any intention to use a border, crest or motif. In addition, payment of the fee prescribed in the scale of charges must accompany the application.

3 Standard Design

- 3.1 Tombstones for the Churchyard and Lower Cemetery must follow standards defined by the Diocesan Authority.
- 3.2 Tombstones for the Upper Cemetery should generally follow the Churchyard standards but some flexibility may be allowed in respect of white marble, black or grey granite if other graves in the immediate vicinity are similar. In all cases, the preference will be for non-polished material and decisions will include reference to other graves and the overall appearance of the cemetery.
- 3.3 Materials - memorials should be made of natural and unpolished stone with no reflecting finish, or of hardwood. Local stone, or stone similar in colour or texture is recommended and the following materials may be used:
 - ☐ Forest of Dean Sandstone, Serena
 - ☐ Cotswold Limestone eg. Guiting or Cutsdean
 - ☐ York, Derbyshire, Verde Ardesie ("Savernake Green") or Cheshire Sandstones eg. Hopton Wood or Woodkirk
 - ☐ Orton Scar, Hornton, Portland, Purbeck, Blue Lias
 - ☐ English or Welsh Slate, Celtic
 - ☐ Nabresina
- 3.4 Design – In general, all designs should be fairly plain and simple, as low to the ground as possible, and capable of secure fixing to avoid maintenance. Inset gravestones or tablets are preferred, set into the grave at the level of surrounding ground. Recommended designs are;
 - ☐ Headstones – flat profile with square or oval top
 - ☐ Plaques, Tablets and Books – plain and flat
 - ☐ Crosses – simple cross
 - ☐ Vases – plain with low profile and broad base
- 3.5 Dimensions – headstones up to the following dimensions above ground may be used:
 - ☐ Height – 4' 0" (1200 mm)
 - ☐ Width – 3' 0" (900 mm)
 - ☐ Thickness – 6" (150 mm)
- 3.6 Inscriptions – should be limited to words cut into the stone and not of plastic or other applied lettering. Any border must be simple. No photographs or other images will be permitted.

4 Non-Standard Design

- 4.1 Deviation from the Standard Design will not normally be permitted, but any request for variation will be referred to:
 - ☐ Churchyard – Minister or PCC
 - ☐ Cemetery – Full Parish Council
- 4.2 In particular, the following will not be permitted:
 - ☐ Kerb surrounds or fences
 - ☐ Artistic motifs or images other than a recognised family, military or similar crest
 - ☐ Photographs or similar images

- Headstones with scrolls or hearts, or of concave, convex or split design
- Chippings (other than to replace existing chippings and of a matt, local stone, colour)

5 Installation

- 5.1 All memorials must be constructed and installed in accordance with the latest NAMM Code of Working Practice. This will include full compliance with pin dimensions and material, and the requirement for a substantial ground anchor.

6 Authorisation

- 6.1 Applications for installation or work on memorials within the Churchyard will be forwarded to the Minister for decision.
- 6.2 Applications for standard design memorials for the Cemetery may be approved by the Clerk to the Parish Council. For non-standard design, the Clerk will refer the application to the Council.