



## Working Together to Keep Our Cemetery Safe

We understand that discussions about memorials and safety can be highly sensitive. We want to reassure our community that maintaining the safety of Milton Road Cemetery is a task we approach with the utmost respect. This information explains why we are carrying out necessary safety inspections and what happens when a memorial is found to be unstable.

### 1. Our Responsibility to Keep Everyone Safe

As the council responsible for managing Milton Road Cemetery, we have a legal obligation and duty of care to ensure our Cemetery is safe for every visitor and employee. This requirement comes primarily from health and safety laws, like the Health and Safety at Work Act 1974.

### 2. Why We Are Checking the Memorials - Topple Testing

Our safety program involves regular inspections to identify memorials that could pose a danger.

- **How Often We Check:** All memorials taller than 625mm (about 2 feet) are inspected on a minimum five-yearly cycle.
- **The Simple Hand Test:** For most memorials, our primary check involves a simple hand test. Trained staff visually inspect the memorial for signs of cracking, leaning, or deterioration before any physical test.
- **Defining Unsafe:** A memorial is legally defined as dangerous or unstable only if it moves and continues to fall when a force of 25 Kilograms (55 pounds) or less is applied.
- **Mechanical Testing:** If a memorial between 625mm and 1.5 metres (about 5 feet) moves slightly during the hand test, but the results are unclear, we *may* use force measuring equipment to confirm if it resists the 25kg standard. If it resists this force, it is not an immediate danger but will require a follow-up inspection within two years.

### 3. Why have some memorials been laid flat?

When a memorial fails the topple test and is deemed unstable, we are legally required to take immediate action to significantly reduce or eliminate the risk. We must make the memorial temporarily safe right away, and permanently safe within 18 months.

Laying a memorial flat is one of the most common and effective ways to remove an immediate danger to the public. Our decision on how to make a memorial safe is carefully risk-assessed and designed to be proportional to the risk it poses.

It is important to understand that while laying a memorial flat is a necessary safety action, we recognise that an over-reliance on this method can attract criticism. We also note, that laying memorials flat can complicate grounds maintenance and increase trip hazards in areas without kerbs, so we consider all options carefully. Any memorials laid flat will be laid onto board, inscription side up. This allows us to still maintain the grave and surrounding area, whilst making it accessible for family members visiting and paying their respects.

#### **4. Who is responsible for repairing the memorial?**

Weston-super-Mare Town Council manage the overall safety of the grounds, but memorials are private property.

- **Owner's Responsibility:** The owner of the memorial is responsible for maintaining it in good condition.
- **Notification Process:** When a memorial is found to be unsafe, our top priority is to contact the owner (if traceable). We will advise the owner of the problem and ask them to arrange to have the memorial made permanently safe.
- **The Repair Experts:** That liability falls to the memorial mason who installed it. We ask owners to have the memorial refixed by a professional to an approved standard.
- **Our Limitation:** The council is only obliged to make the memorial safe; we are not obliged to spend public funds on repairing private property.
- **Untraceable Owners:** If we are unable to contact the owner after a memorial has been temporarily made safe, and 18 months have passed, we must then decide how to permanently deal with the memorial, which may include keeping it permanently laid flat.

#### **Our Commitment to Respect and Communication -**

Memorial safety is a highly sensitive issue. To ensure we handle this process with care, we are committed to maintaining the highest possible standard of communication with our community. We have written this document for publishing on our Website and have hard copies available upon request at Milton Road Cemetery. This is to ensure the public understands why and how this essential work is being carried out. **We aim to commence the next round of testing in January 2026.** The team will work on one section at a time, carried out in order to maintain the safety of all who work and visit the Cemetery.

We want to reiterate, we understand that discussions about memorials and safety can be highly sensitive and wish to reassure our community that maintaining the safety of Milton Road Cemetery is a task we approach with the utmost respect.

We ensure that all our grave digging and maintenance operations are carried out by trained staff in a way that will not destabilise nearby memorials.

For any questions or concerns please contact – [grounds@wsm-tc.gov.uk](mailto:grounds@wsm-tc.gov.uk)