

Edinburgh Council submission of 21

December 2022

PE1941/S: Stop the destruction of headstones within community cemeteries

Edinburgh Background

The Council currently owns 43 cemeteries in the city, most of which the Council took over responsibility for from their original owners, for example the Church of Scotland. In this scenario the Council would be reliant on records which it received from the original owner. There are over 56,000 memorials across the 43 cemeteries

It is recognised by the City of Edinburgh Council that 'making safe' is an emotive issue, especially for families and bereaved persons, but as cemeteries are public spaces the Council has a duty of care towards its employees, the public and in particular anyone visiting a grave. The Council also has duties under the Health and Safety at Work etc Act 1974 which it must discharge.

Current guidance for local authorities can be found here <https://www.gov.scot/publications/burial-ground-memorial-safety-guidance-scotlands-local-authorities/>. Similar guidance exists for England and Wales.

Inspection Programme

The City of Edinburgh Council has been inspecting memorials and monuments in burial grounds and churchyard since 2002. Prior to that date no programme of systematic safety inspections was in place.

Over 6,500 memorials have been made safe by laying flat on the burial plot. It must be stressed that the majority of these were made safe in the five year period immediately after the inspection programme began in 2002.

At the start of the inspection program, the Council ran a publicity campaign in local media, held public meetings, and installed signage in its cemeteries to inform the public about the process. Additionally, letters were sent to the last known addresses of the 6,500 lair owners. This address is recorded in burial and sales books, but if lair owners change

address they do not have to inform the Council. Over 99% of these letters are returned unopened.

In view of the large percentage of letters returned unopened the Council's practice is that where the date of burial is less than 10 years before the date of the inspection, the Council will endeavour to contact the lair owner to inform them of the action being taken.

Inspection process

Memorial stability failure can occur due to a wide range of conditions, including changes in ground conditions, original workmanship, tree growth, vandalism, failure of foundations, or failure of materials.

The design of some memorials can lead to them being unstable if not mechanically fixed. Any deviation from being upright can lead to the memorial becoming severely unstable. The Council has made safe a range of sizes of memorials, from over 6m in height to 450mm - even a small memorial of this size can weigh as much as 75kg, which could cause severe injury if it falls over onto a person.

The inspection process involves gradually applying pressure of up to 25kg. If the memorial fails the test, it is made safe by lying it on the burial plot at an angle so that the inscription plate can be read.

Current position

In 2007 the Council introduced new requirements requiring all memorials being erected thereafter to be mechanically fixed to a foundation. No new memorial erected under this new system has yet failed the stability test.

All cemeteries have signage warning the public about the stability of memorials, and that if a memorial is required to be repaired a registered memorial mason must carry out the work.

Currently the Council inspects between 12,000 and 15,000 memorials per year, and the number of memorials that are made safe annually is now on average between 40 and 100 each year.