

## MARLOW TOWN COUNCIL

### MINUTES OF THE CEMETERY SUB COMMITTEE MEETING HELD AT 6.00PM ON TUESDAY 10<sup>TH</sup> OCTOBER 2006 IN THE TOWN COUNCIL OFFICE, COURT GARDEN, MARLOW

<b>Present</b>	<b>Town Mayor</b>	Cllr R J Scott – Ex-Officio
	<b>Councillors</b>	I M Coleman Mrs B M Lowe R Wilson
	<b>Town Clerk</b>	Mr H B Bellairs
	<b>Deputy Clerk</b>	Mrs K E Joy
	<b>Technical Supervisor</b>	Mr P J Boulton

#### **CEM01.06** ELECTION OF CHAIRMAN

The Town Clerk called for nominations for the office of Chairman and the following nomination was made:

Cllr R Wilson

Nominated by Cllr R J Scott  
Seconded by Cllr I M Coleman

Agreed.

#### **RESOLVED:**

THAT CLLR R WILSON BE ELECTED CHAIRMAN TO THE CEMETERY SUB  
COMMITTEE FOR THE MAYORAL YEAR 2006/07

#### **CEM02.06** APOLOGIES

Apologies for absence were received from Cllr Mrs J M Coleridge.

#### **CEM03.06** DECLARATIONS OF INTEREST

There were no declarations of interest.

#### **CEM04.06** TOPPLE TESTING

The Town Clerk had circulated a full report regarding topple testing and the current Town Council procedure for dealing with headstones that were deemed unsafe. This report was circulated to all members of the Town Council and is reproduced below for information purposes:-

Following a recent case detailed in the Local Council Review it had been highlighted that burial authorities should not necessarily lay down headstones at risk but should make great efforts to find the owners to take action. In addition burial authorities were required to take action to secure headstones at risk.

There was conflict, to some extent, in that health and safety and the burial authority (Marlow Town Council) duty of care must apply at all times within the cemetery. This applies not only to members of the public, contractors and similar working in a cemetery but also Town Council staff.

The current procedure for dealing with headstones that are considered to be unsafe was as follows:-

- The cemetery Superintendent together with general services assistant regularly check headstones and monuments (h/m) that are considered to be unsafe or are leaning at an angle
- This two man operation involves gently rocking the h/m to establish the level and angle of movement
- If there is any risk established that the headstone/monument could topple or fall it is very carefully laid down on the ground immediately
- A written and photographic record is kept h/m and attempts to contact the last known owner are made
- If the last known owner is contactable they are asked to make arrangements to re-secure the h/m in a safe and upright position
- If the Town Council is unable to trace an owner the h/m is left in the horizontal position and records kept

The Town Council officers were very conscious that laying a h/m on the ground could be distressing to any owner / relative / visitor. However, the overriding concern was the safety of all concerned.

There have been recorded injuries and deaths as a result of falling h/m on the public.

This had generally occurred where people, including children, kneeling down have placed a hand on the h/m to help themselves up and the h/m has fallen on them.

The Town Council now had a very strict procedure for the fixing of h/m's onto the base section. This arose out of advice from the National Association of Memorial Masons.

Your officers felt that the current procedure in place was the right one to be adopted. It was discussed some time ago, verbally, with the Association of Burial Authorities who did not demure from the procedures the Town Council were undertaking.

Members attention was drawn to the recent Barrow in Furness Borough Council case regarding issues of corporate manslaughter. It had been held for some time that organisations can be held accountable for corporate manslaughter. It was essential that health and safety practices were put in place in the cemetery and maintained as it was important to protect the health and safety, as has been said earlier, of any

individual within the cemetery for whatever reason. The officers reported that the action undertaken was part of the Risk Management process.

Members agreed that the current procedure be approved.

**RESOLVED:**

THAT THE CURRENT TOWN COUNCIL PROCEDURES AS DETAILED IN THE REPORT BE APPROVED

**CEM05.06** REVIEW OF CEMETERY FEES

With reference to minute M54.05 members were asked to review the cemetery fees for the year beginning 1<sup>st</sup> January 2007.

Members were advised that at present, income was falling under the projected estimate for the year 2006/7. A 5% increase was recommended and a schedule detailing current fees together with the proposed increase was circulated to all members prior to the meeting. Members agreed the increase and that all amounts should be rounded up to the nearest pound.

**RESOLVED:**

THAT MEMBERS APPROVED A 5% INCREASE TO THE CEMETERY FEES FOR THE YEAR COMMENCING 01.01.07

**CEM06.06** DATE AND TIME OF NEXT MEETING

**To be agreed when necessary.**

**Chairman**.....

**Date**.....