

Atherstone Town Council



MEMORIAL REGULATIONS

Adopted: 22nd January 2025
Next Review: January 2028



**ATHERSTONE TOWN COUNCIL
MEMORIAL MASONS REGISTRATION SCHEME**

The scheme was drawn up in consultation with local stonemasons and the Friends of Atherstone Cemetery. Sources of information include:

- Association of Burial Authorities
- Confederation of Burial Authorities
- Institute of Cemetery and Crematoria Management
- National Association of Monumental Masons

The scheme was originally adopted at the Town Council meeting of 16th June 2004.

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1. REGISTRATION SCHEME INTRODUCTION;

In order to ensure the safe erection of memorials in the future, it is essential that burial authorities work in with Memorial Masons, providing a quality service to the public and to maintain high standards of workmanship.

All Memorial Masons who wish to carry out work in Atherstone Town Council Cemetery will be required to comply with the terms and conditions of this Registration Scheme (The Scheme). Failure to do so may result in their removal from the register.

The Scheme indicates the Council's commitment to the provision of high standards of memorial installation. It will however be made quite clear to members of the public that a Memorial Mason's inclusion in the scheme does not mean the work is either warranted or guaranteed by the Council.

The following procedures will be applied to all Memorial Masons registered to work in the Council's Cemeteries. These procedures contain the rules that will apply to Memorial Masons, together with the penalties, which may be applied if the rules are breached.

2. REGISTRATION REQUIREMENTS

Any Memorial Mason wishing to apply for registration under The Scheme must meet and demonstrably and prove the following requirements: -

a) **Insurance:**

Memorial Masons shall be required to have;

Public Liability insurance to the value of £3 million.

Employers Liability insurance to the value of £5 million.

b) **Self Employed Masons:**

A Memorial Mason who registers as "Self employed" will not be required to have Employers Liability insurance, however, a "Self employed" Memorial Mason will not be permitted to use any other person to assist in any work within any cemetery without Employers Liability.

The only persons who will be authorised to assist a "Self employed" Memorial Mason will be any other memorial mason who is Registered under the terms and conditions of the scheme.

c) **Sub Contractors:**

The only "Sub Contractors" who will be authorised to carry out work on behalf of a registered memorial mason must also be registered under the terms and conditions of the Memorial Masons Registration scheme.

d) **Experience and Qualification:**

Firms of Memorial Masons must be able to prove a minimum of five years experience and that all their staff are suitably qualified or are competent to carry out the necessary work within the Council's Cemeteries.

e) **Discipline and Workmanship:**

Each Memorial Mason will be required to sign a statement that they have not been barred from carrying out work in any other Cemetery within the previous two years.

An agreement will also be signed confirming that they will comply with all statutory requirements, Cemetery Regulations, the Memorial Registration Scheme requirements and the National Association of Memorial Masons (N.A.M.M) Code of Working Practices.

3. APPLICATION TO ERECT A MEMORIAL

All memorials to be installed in the Council's Cemeteries must first be approved by the Town Council. All applications will show full details of the memorial to be installed indicating the size of memorial, materials to be used the inscription and full installation details, including the method of fixing the memorial to the foundation. All work will be in accordance with the N.A.M.M Code of Working Practices. Upon approval permission to erect a memorial shall be issued.

4. ERECTION OF MEMORIAL

Permission from the Town Council must be granted before any erection takes place.

The memorial shall be installed as indicated on the Application to Erect a Memorial Form (the application). No variation to the details on the application form will be permitted. All work undertaken on site will also be in accordance with the details submitted on the application.

All memorials must be fixed to land forming the plot of the owner of the exclusive right of burial.

5. INSPECTION OF MEMORIAL WORK

All work carried out by the Memorial Mason can be inspected at any time. If work is considered to be unacceptable, for whatever reason, the Town Council will instruct the Memorial Mason to bring the memorial up to the required standard, as per the application.

6. WORKMANSHIP GUARANTEES AND INSURANCE

All work shall be covered by a workmanship guarantee that will guarantee against complaints of poor standards of workmanship from either the Town Council or the owner of the exclusive right of burial for a period of 10 years. This guarantee shall be issued to the owner of the Exclusive Right of Burial, a copy supplied to the Town Council, and shall be without to his or her Common Law rights or remedies. Advice shall be provided to the owner of the Exclusive Right of Burial on the prejudice insurance of memorials against accidental damage, or acts of theft or vandalism.

7. TENDERING

From time to time the Authority may request that tenders be submitted for a range of memorial work including inspection, repair, removal or the replacement of a memorial. All Memorial Masons shall be placed on a select tendering list for such works. Quotations shall be sought from three Memorial Masons on each occasion and, should more than three Memorial Masons be registered, the select list will be operated in strict rotation.

8. PENALTIES

The following penalty system will be in place to ensure the necessary compliance with the Memorial Masons Registration Scheme.

Stage 1

Any breach of the above rules will result in a first written warning, issued to the Memorial Mason concerned. This written warning will remain on record for a period of twelve months. If no further breach of the rules occurs during this period, the warning shall be removed from the records.

Stage 2

If during the course of the twelve-month period there is a further breach of the rules a second written warning will then be issued. This will remain on record for a period of two years. Once again, if no breach of the rules occurs during this time, the warning will be removed from the records.

Stage 3

If during the course of the two years following a second written warning, there is a further breach of the rules, the Memorial Mason concerned will be forbidden to carry out any work within the Council's Cemeteries for a period of twelve months.

Stage 4

If a Memorial Mason, who has returned from a period of exclusion, breaches the rules in any way during twelve months following his return, he shall be banned from carrying out any work within the Council's Cemeteries. An application to return to The Scheme may be made to the Cemetery Manager following a minimum period of two years.

Dependant on the seriousness of the breach of rules, the Town Council will retain the right to miss any stage of the penalty procedure. Going directly to the next stage. For instance, if the first breach of any rule is serious enough the Memorial Mason involved may immediately receive a final warning that will remain on record for a period of two years. More serious breaches will be considered as gross misconduct and may result in an immediate ban from the Council's Cemeteries.

9. GROSS MISCONDUCT

Certain circumstances shall be considered as gross misconduct, which will result in the Memorial Mason being immediately banned from the Council's Cemeteries for a period of two years.

The following are examples of situations that will be considered as gross misconduct. This is not an exhaustive list, and the Town Council will make a final decision on gross misconduct:

1. Installation of a Memorial, which is not approved.
2. Refusal to correct any error.
3. Installation not as per the application form.
4. Abusive or aggressive behaviour to staff or public.

10. APPEALS

Any Memorial Mason unhappy with a decision taken against them will be entitled to appeal against the decision by placing his appeal in writing addressed to the Clerk to the Town Council. A hearing will then be arranged in order that the appeal may be determined.

11. RULES & STANDARDS INTRODUCTION

In order to control standards of workmanship and health & safety practices, the Council requires that all Memorial Masons undertaking work in its cemeteries shall be vetted to confirm that they are suitable for inclusion on its registration scheme.

The registration procedures are intended to:

- a) Protect the interests of memorial owners in respect of unsatisfactory workmanship.
- b) Standardise the quality of fabrication and installation.
- c) Ensure memorial masons comply with the Councils Management of the Health and Safety Regulations.
- d) Introduce minimum levels of public liability & employers insurance cover to be held by memorial masons.

12. TO GAIN A PERMIT

- a) Prior to any work commencing all new memorials and adjustments to existing memorials must be approved by the Town Council. On payment of the relevant fee, permission will be issued to allow entry to the Council's grounds to undertake the works specified. The letter granting permission should be available for inspection at all times and if no record is produced by the Memorial Mason they shall be asked to leave the cemetery grounds, and shall do so.
- b) All measurements shall be taken from the surrounding ground level where the stone is to be laid. All works shall be clearly identified on the submitted drawing design, with materials and workmanship indicated. All materials and workmanship shall be in accordance with the relevant British Standards.
- c) All memorials shall be designed to withstand a minimum pull/push force of 75g exerted at its apex. (This is a proof force. Fixing methods shall be tested to a minimum of 100kg force) memorials shall be proportioned correctly to assist stability. Current testing procedures are to a 35g force.
- d) All memorials shall be erected, in such a manner as to ensure that, should they fall as a result of excessive force (over 70g) being applied, they can only fall slowly and in such a manner as will be very unlikely to cause an accident. The testing process will be carried out to a 35g test/ failure rate or in line with current regulations.
- e) Full grave memorials on the old sections and memorials on the lawn sections shall be laid level and all headstones shall be laid in line. Foundations to be placed so the surface is level with the surrounding ground, raises can only be used with permission.
- f) All applications forwarded to the Town Council shall be signed by both the grave owner and the Memorial Mason, with a drawing of each element of the proposed memorial, indicating fixing materials positions and dimensions and the inscription.

13. ACCESS & NOTIFICATION

- a) Entry to the cemeteries will only be permitted between 8 am to 5 p.m. Monday to Friday in the summer and 8am to 4pm in the winter. No works are to be undertaken on Saturdays or Sundays or during burials.
- b) Prior notification of the intended day of any installation work will be required.

14. WORK ON THE CEMETERY SITE

- a) Installation work can be inspected at any time by a Town Council representative to check compliance with the approved design and alignment. Should there be any deviation to the application form the Memorial Mason shall be instructed to amend accordingly and shall do so.
- b) The section and number of the grave must be etched clearly onto the reverse of the headstone base. A code relating to the firm supplying or erecting the memorial may be etched into the reverse of the headstone base, to be no lamer than 20 mm.
- c) Upon completion of work, all waste shall be removed and the ground cleaned and made good to its original condition.
- d) Memorial Masons shall ensure that all re-fixing of memorials due to second inscription or for any other reason for its removal shall be re-erected to the conditions of the Registration scheme a second application submission is also required.
- e) Where there is a need to remove an existing memorial, the Memorial Mason must ensure that all materials and headstones are taken away from the site until such time as the headstone can be re-erected.
- f) The Council may lay down or remove any memorial which has been placed within the cemetery without the required permission.
- g) The Council may lay down or remove any memorial which has in the Council's opinion, based on professional advice taken, become dangerous or unsightly. All efforts will be made to contact the owner.
- h) Soliciting for work of any kind in the cemetery is forbidden

15. HEALTH AND SAFETY

- a) Under the Management of the Health and Safety at Work Regulations the Council has a responsibility for the safety procedures undertaken in all cemeteries in their control. The cemetery staff as representatives of the Council, has a duty to ensure all works at each site adhere to safe working practices.
- b) All council employees and visiting contractors/tradesmen must ensure that appropriate protective clothing and footwear are worn during all risk-related operations. All Memorial Masons are obliged to ensure that all their operatives comply with the Councils' standards of Health and Safety, during their time spent within the cemetery grounds.

16. ENTRY OR RE-ENTRY INTO THE SCHEME

On entry or re-entry to the Registration Scheme, the Memorial Mason will be required to provide two references from either Local Authorities or Cemetery Managers acquainted with the work of the Memorial Mason.

17. MEMORIAL FIXINGS AND STONE QUALITY

- a) All memorials must be made of natural quarried stone only.
- b) No memorial shall be erected before 26 weeks of the date of interment except in the case of a) ash plots and b) kerb sets. Kerb sets shall not be erected within one calendar year from the date of interment.

- c) In keeping with the requirements of the National Association of Memorial Masons the following standards shall be required:

The memorial plate shall be fixed to the base with two solid stainless steel or fully galvanised dowels galvanised to B5729 (1971).

Length of dowels: these shall be 25mm of dowel length per 300mm of memorial plate height in both plate and base, with a minimum of 50mm in both plate and base when the plate is less than 600mm in height.

Dowel holes: Dowel holes in the memorial plate can be up to 6mm larger in diameter than the dowel. Dowel holes in the base can be to a maximum of 12mm larger in diameter than the dowel. For dowels larger than 12mm in diameter the dowel hole can be double the size of the dowel if really necessary.

Joggles will not be permitted.

Kerb surrounds: Single grave spaces: A kerb surround shall be fixed on a suitable one-piece foundation that allows for a projection of at least 25mm.

Kerbs and posts shall be fixed securely, with either stainless steel or fullygalvanised dowels (Galvanised to BS 729 (1971) or cramps. The dowels shall be 75mm in length x 10mm in diameter.

18. FULL GRAVE MEMORIALS OR HEADSTONE AND KERB MEMORIALS:

The installation of full grave memorials requires special design considerations and may require ground anchors. All details of the foundations shall be submitted for approval.

19. TABLETS, PLAQUES AND OPEN BOOKS

- a) Recumbent tablets shall always be fixed on adequate foundations with a maximum 10-degree slant from the horizontal.
- b) Memorials supported by rests (books, tablets etc) shall have the rests doweled both to the memorial and to the base.
- c) Dowels between bases and rests shall be 12mm in diameter and shall project 50mm into both the base and the rests.
- d) Dowels between books/tablets and rests shall be a minimum of 6mm in diameter and shall project a minimum of 25mm into both the book and rests.
- e) The dowel holes shall be drilled midway on the inclined face of the tick rests. Where the memorial is on raised rests, the lip shall be at right angles to the slope of the rest and deep enough to support the memorials weight.
- f) Where support rests are used a 'V groove or channel shall also be cut into the surface of the base into which the bottom edge of the book can fit. This groove or channel shall be of sufficient depth as to prevent any forward movement of the book.

20. DISMANTLING

When a memorial has to be dismantled or removed, either for an additional inscription or other work, great care shall be taken to minimise the risk of damage to it and any other adjacent memorial. The Memorial Mason will be responsible for any such damages.

Any changes to the Registration scheme which are regarded as necessary to ensure the objectives and standards of the scheme are maintained can be implemented with immediate effect.

21. ASH PLOTS

Due to the size of the plot and the size of the headstone there is a requirement for all memorials to be fixed with a ground anchor to the NAMM standard.

22. RAILINGS AND FENCES

No railings or fences of any kind will be permitted around grave spaces

23. MEMORIAL WALL – ASHES SCATTERING AREA

A Remembrance Wall with seating is situated at the rear of the Ashes Scattering Lawns. Memorial plaques of uniform design may be ordered through the Town Council Office, (see scale of Cemetery Fees for the current rate). Plaques will be sold for a one off fee. No renewal fee will be applied. If the plaque falls into disrepair it will be replaced with the same style of plaque and wording at the expense of Atherstone Town Council. Charges will cover the cost of the plaque, inscription and fixing costs. A sample is available on request. Only one plaque per scattering is permitted.