

**MINUTES OF THE MEETING OF THE
BURIAL GROUNDS AND GARDENS OF REMEMBRANCE COMMITTEE
HELD ON 24th NOVEMBER 2009 AT 6.00 p.m. AT HARTLEY LIBRARY.**

Present : Cllr A Barnett
Cllr Mrs J Burns
Cllr R Coates
Cllr J Gaywood
Cllr Mrs A Oxtoby (Chairman)
Cllr J Minns
Cllr B Ramsay

In attendance : Mrs J Hoad (Clerk)
Cllr D Graeme
7 members of the public

A visual inspection of the Burial Ground, Gardens of Remembrance and Closed Church Yard had been undertaken by Members of the Committee at 9.00 a.m. on 24th November 2009.

1. Apologies for absence

There were no apologies.

2. Declarations of Interests

Cllr R Coates declared a personal interest under minute items 7 (a), 7 (b) and 7 (c) in respect of matters relating to the new Garden of Remembrance, as his wife's parents were interred in the new Garden of Remembrance.

Cllr B Ramsay declared a personal interest under minute item 5 (b) in respect of the memorial application for the late Angelina Hall, as he was neighbour of the applicant.

3. Minutes of the last meeting

RESOLVED: That, the minutes of the meeting of the Burial Ground and Gardens of Remembrance Committee held on 29th September 2009 be approved and signed by the Chairman as a correct record, subject to the following correction: Cllr Coates be recorded as present at the meeting.

4. Financial Report

The Committee examined a financial report indicating the current net position of the Burial Grounds and Gardens of Remembrance Committee as at 18th November 2009.

RESOLVED: That, the financial report, attached as appendix 1 to these minutes, be noted.

5. Burial Ground

(a) The Committee considered matters arising from the visual inspection undertaken before the meeting. It was reported that a total of eight fence panels, including a number of fence posts, had been renewed due to damage sustained during the recent period of bad weather.

RESOLVED: That,

- (1) enquiries be made about the reinstatement of memorial for the late M M Pain (grave no. 433) which had been removed from the grave and laid down at the edge of the burial ground;
- (2) arrangements be made for the damaged timber cross on grave no. 72 to be removed and the plaque put into safe storage, or for the plaque to be fitted onto a salvaged timber cross;
- (3) a meeting be arranged with Mr Munday to show him which graves require turfing, as discussed by Members of the Committee during the visual inspection;
- (4) Mr Munday be asked to cut back the heather on the grave of the late Bessie and William Baldock grave no. 120;
- (5) the Clerk's actions to make arrangements for the replacement of eight fence panels, including new fence posts where required, be confirmed, and
- (6) the owner/s of the grave of the late Carol Elizabeth Dawdry grave no 386 be asked to remove the adornments placed next to the grave.

(b) The Committee considered notes of a meeting with the family of the late Angelina Hall on 17th November 2009 in respect of an application to erect a memorial. The Committee had been provided with a copy of letter dated 28th October 2009 from the applicant.

The meeting was adjourned at 6.15 p.m. to allow Mr Shipston to address the Committee.

Mr Shipston explained his reasons for seeking the Council's permission to place a photo plaque on the memorial of the late Angelina Hall. He felt that that the rule prohibiting the fitting of photo plaques to memorials in Hartley Burial Ground contravened race relation legislation and was therefore unlawful.

The meeting resumed at 6.20 p.m.

The Committee was advised that legal advice was being sought.

RESOLVED: That, consideration of the application to erect a memorial in Hartley Burial Ground for the late Angelina Hall be deferred pending legal advice.

(c) The Committee considered an application to erect a memorial in memory of the late Ellen Katie Bober.

RESOLVED: That, the application to erect a memorial in memory of the late Ellen Katie Bober be approved.

(d) The Committee considered various options, including costings, regarding the repair or replacement of the main entrance gate to Hartley Burial Ground. The Committee considered the gate could benefit from the application of stain.

RESOLVED: That, the quotation for the sum of £84.65 from T D Munday to repair the slamming gate with a new post and gate latch and refurbish the gate be approved.

6. Garden of Remembrance

(a) The Committee considered matters arising from the visual inspection undertaken before the meeting.

RESOLVED: That, arrangements be made for the paving slabs in the Garden of Remembrance and the plinths to be cleaned by means of a jet pressure washer.

(b) The Committee felt that the lavender border running along the edge of the Garden of Remembrance was in poor condition and should be replaced.

RESOLVED: That, arrangements be made for the purchase and planting of 30 new lavender plants at a cost of £23.80 plus delivery and labour, to replace the existing lavender plants in the Garden of Remembrance.

(c) The Committee considered the application to replace the bronze plaque in the memory of the late Joseph John Goodson in the Garden of Remembrance on a like for like basis.

RESOLVED: That, the application to replace the bronze plaque in memory of the late Joseph John Goodson in the Garden of Remembrance on a like for like basis be approved and that no fee be charged in respect of the application.

7. New Garden of Remembrance

(a) The Committee considered matters arising from the visual inspection undertaken before the meeting.

RESOLVED: That, arrangements be made for the lower branches to be cut from the tree located in the corner of the new Garden of Remembrance.

(b) The Committee considered a quotation in respect of a new noticeboard.

RESOLVED: That, the quotation for the sum of £95.00 from Mr G Glidewell to supply and install a new A3 size lectern style noticeboard next the new Garden of Remembrance be accepted.

(c) The Committee considered an e mail dated 4th November 2009 in response to the Council's request to remove potted plants, memorial vases from the plinth in the new Garden of Remembrance. The correspondent felt that the Council's request was unreasonable. The Committee considered that it was unfair on other mourners to allow more permanent memorials to be placed on the plinth due to its limited space. Furthermore the Committee felt that the suggestion of allowing a small vase to be placed next to the memorial plaque would limit the amount of space between plots which the Committee had envisaged could be used for future interments.

RESOLVED: That, e mail dated 4th November 2009 be noted.

8. Closed Church Yard

There were no matters arising from the visual inspection undertaken before the meeting.

9. Memorial Safety Programme and Testing Policy

(a) The Committee considered a report on quotations received, as set out below, from consultants to inspect and test the memorials in Hartley Burial Ground in accordance with the Council's Memorial Safety Programme and Testing Policy approved on 11th May 2009. The Committee noted satisfactory references had been obtained for Memsafe Ltd.

| Consultant | Public Liability | Employers Liability | Professional Indemnity | Quotation sum |
|-------------------------------|------------------|---------------------|------------------------|------------------|
| Memsafe Ltd | £10 million | £10 million | If requested | £580.15 plus VAT |
| Cemetery Development Services | £ 5 million | £10 million | £1 million | £710.00 plus VAT |

| | | | | |
|---------------------------------|-------------|-------------|-------------|--|
| Dunn & Co | £ 5 million | £ 2 million | £ 1 million | £1,030 (no VAT) |
| Independent Memorial Inspection | £ 5 million | £ 5 million | £250,000 | £3.50 per memorial plus VAT £1,139.07 incl VAT (283 memorials) |

RESOLVED: That, subject to confirmation that Memsafe Ltd would provide professional indemnity insurance, the quotation for the sum of £580.15 plus VAT from Memsafe Ltd to inspect and test the memorials in Hartley Burial Ground in accordance with the Council's adopted Memorial Safety Programme and Testing Policy be accepted.

(b) The Committee considered a report on how the memorial owners should be informed of the Council's intentions to inspect and test the memorials in Hartley Burial Ground.

RESOLVED: That,

- (1) the draft letter to memorial owners, as set out in appendix 2 to these minutes, be approved;
- (2) the draft press release, as set out in appendix 3 to these minutes, be approved and arrangements be made for the approved press release to be placed in two consecutive editions of the Town and Country Post,
- (3) a notice informing of the Council's intention to inspect and test the memorials be placed at the entrance to Hartley Burial Ground;
- (4) an article informing of the Council's intention to inspect and test the memorials at Hartley Burial Ground be placed in the December 2009 edition of the Council's newsletter and on the Council's website;
- (5) a permanent notice showing contact details be placed on the Council's notice board at the entrance to Hartley Burial Ground;
- (6) the consultant appointed to inspect and test the memorials be contacted to establish whether they would be willing to assist at a open morning to demonstrate the methods to be followed during the inspection and testing process;
- (7) the correspondence sent to Reverend Fletcher and Father Alex advising of the Council's intention to inspect and test the memorials in Hartley Burial Ground be noted and that no response had been received.

10. New Burial Ground

(a) The Committee considered a verbal quotation for the sum of £190 plus from Independent Woodland Management to replace the dead beech plants in the new hedge at the new Burial Ground, estimated to be 20% of the total planted in Spring of 2008

RESOLVED: That, the quotation for the sum of £190 plus VAT from Independent Woodland Management to beat up the new beech hedge in the new Burial Ground be accepted.

(b) The Committee examined a proposed schedule of works, as set out below, to establish the new Burial Ground. The Committee felt the footpaths should be laid out during works, but not surfaced until such time as the Burial Ground was ready to be brought into use.

- (1) Early spring. Plough and harrow entire area
- (2) Use a stone burying machine to create a fine stone free surface.
- (3) Level ground surface in particular the burial ground area
- (4) Allow to “green up” during summer then spray with a suitable herbicide
- (5) Lightly harrow to provide a tilth ready for the grass sowing

It was reported that four contractors had expressed an interest in undertaking the above works, including the hard landscaping.

RESOLVED: That, discussions continue with contractors to seek advice on the best methods to be adopted to establish the new Burial Ground

11. Date of the next meeting

Tuesday 26th January 2010. *

The meeting closed at 7.05 p.m.

Signed:.....
Chairman

Date:.....

After the close of the meeting a member of the public raised concerns about unattended bonfires in the Burial Ground.

Note:

***The date of the next meeting has been amended to Tuesday 19th January 2010**

**Hartley Parish Council
 Summary of Receipts and Payment
 (as at 18th November 2009)
 Burial Grounds and Gardens of Remembrance**

| Title | Receipts | | Payments | | Net Position |
|----------------------|-----------------|-----------------|-----------------|-----------------|----------------------------------|
| | Estimated | Actual | Estimated | Actual | Underspend (+) /Overspend (-) |
| Grass cutting | | | 1,050.00 | 918.00 | 132.00 |
| General maintenance | | | 1500.00 | 652.17 | 847.83 |
| Maintenance contract | | | 1,750.00 | 1,107.50 | 642.50 |
| Spoil removal | | | 450.00 | 385.00 | 65.00 |
| Plinth | | | | | |
| Graves/interments | 1,260.00 | 670.00 | | | -590.00 |
| Interment of ashes | 960.00 | 590.00 | | | -370.00 |
| Memorials | 420.00 | 525.00 | | | 105.00 |
| Plaques | 540.00 | 545.00 | | | 5.00 |
| New B/G grass cut | | | 450.00 | | 450.00 |
| New B/G advance wks | | | 500.00 | 2,530.00 | -2,030.00 |
| All/St grass cut | | | 750.00 | 640.00 | 110.00 |
| All/St gen main | | | 200.00 | 25.00 | 175.00 |
| Health and Safety | | | 500.00 | | 500.00 |
| Lay by | | | | | |
| Blue Sacks | | | 50.00 | 87.36 | -37.36 |
| NET TOTAL | 3,180.00 | 2,330.00 | 7,200.00 | 6,345.03 | 4.97 |
| V.A.T. | | 0.00 | | 548.18 | |
| GROSS TOTAL | | 2,330.00 | | 6,893.21 | |

Draft letter to memorial owner/s

Hartley Burial Ground, Church Road, Hartley, Longfield, Kent

Hartley Parish Council is responsible for ensuring the health and safety of all persons using or visiting the Council's burial ground. There have, unfortunately, been instances elsewhere where people have been killed or seriously injured by memorials falling over onto them. Hartley Parish Council is naturally anxious to prevent such an occurrence here.

To this end Hartley Parish Council intends to engage the services of a consultant to inspect and test each of the memorials installed in Hartley Burial Ground. This work will commence on *****. A demonstration of the inspection and testing process will take place immediately before the work commences. The enclosed Memorial Safety Programme and Testing Policy sets out how the inspection and testing process will be carried out.

The responsibility for maintaining the memorial rests with the person or persons who have ownership of the grave. As the registered owner of the grave you will be advised if any defects are identified, you will be given 10 weeks to inform the Council how and when the defect will be rectified. All repairs to memorials must be undertaken by memorial masons registered with the British Register of Accredited Memorial Masons and in accordance with the National Association of Memorial Masons' Code of Practice and British Standard BS: 8415.

If you have any concerns or require any further information, please do not hesitate to contact the Parish Clerk at the above address.

Press release

Hartley Parish Council owns and manages Hartley Burial Ground which is located adjacent to All Saints Church in Church Road, Hartley. Burial authorities have a general duty of care to maintain their burial grounds in good order. In addition burial authorities may have duties under the health and safety legislation. In this respect Hartley Parish will do all that is reasonably practicable to ensure that visitors and those working in Hartley Burial Ground are not exposed to risks to their health and safety.

As part of this process Hartley Parish Council intends to assess and manage the risks imposed by memorials installed in the Burial Ground in order to provide assurance that the risks are low and that they are properly managed. In May 2009 Hartley Parish Council adopted a Memorial Safety Programme and Testing Policy which sets out how this will be achieved. The policy adopted by the Parish Council is risk based and proportionate to the management of risks associated with memorials in burial grounds. The adopted policy has been developed based on guidance issued by the Ministry of Justice. Copies of the Council's Memorial Safety Programme and Testing Policy and its Risk Assessments are available, on request, from the Hartley Parish Council Office in Hartley Library.

The Parish Council hopes the work will commence within the next few months. If any member of the public requires further advice, they should contact the Clerk to Hartley Parish Council at the following address:

Hartley Parish Council
The Parish Council Office
Hartley Library
Ash Road
Hartley
Longfield
Kent DA3 8EL

Tel no: 01474 709441

E mail: mail@hartleyparishcouncil.org.uk