



# The Unauthorised Memorials Dilemma

- What should you do about unauthorised memorials?
- What is being done to manage this issue in both the public and private sector
- Dealing with removing unauthorised memorials – protecting our staff

# 1.0 Introduction

Of all the issues we deal with in Bereavement services, nothing is more emotive than dealing with unauthorised memorials. It is an issue that affects us all.

We all understand that the burial of loved ones is a very sensitive subject, but the placement of unauthorised memorabilia creates a series of issues for all burial and cremation authorities including issues with enforcing regulations, grass cutting and grounds maintenance as well as health and safety issues.

Types of unauthorised memorabilia or changes made to the appearance of graves or to areas within crematoria grounds by relatives, have included: placing of curb edgings in lawn grave areas, solar lighting, flags, balloons, wind chimes, lanterns, soft toys, statues, photographs, football scarves, wooden crosses, windmills, plastic flowers, gnomes and even the deceased favourite cans of beer.

I heard one member of staff at a crematorium refer to these items as “grief tat”.

The removal of these items not only causes distress for relatives but can also lead to negative publicity and on occasion, staff to have to directly deal with angry and sometimes threatening relatives.

## 2.0 Policies and Approaches

### Policies on unauthorised memorabilia on graves/crematoria grounds

Most Bereavement authorities either have a specific policy on unauthorised memorabilia, or it is contained within their wider cemetery and crematorium management rules. The policy is typically issued with the purchase of an Exclusive Right of Burial. Also, a copy of the policy is usually available on the Council's website and in some cases also available in leaflet form and on noticeboards in cemetery/crematoria grounds. Unfortunately, many authorities have commented that these are "either ignored or not even read".

However, within the policies there are wide differences regarding what is and is not acceptable regarding memorabilia, i.e. which items were allowed and which items were considered unauthorised, for example:

- The use of solar lights have a mixed reception amongst local authorities.
- There were different approaches regarding whether there was a blanket ban on all memorabilia, or whether memorabilia was acceptable if it met certain criteria (e.g. as long as it was kept within the headstone border, as long as they don't encroach upon other grave spaces, that live planting is in suitable pots or containers, that memorabilia is kept in good repair by the owners)
- Whether personal planting of flowers was permitted (and whether they are required to be seasonal flowers)



However, in spite of these differences, most policies disallowed the use of kerbing, fencing and bordering on the grounds that it interfered with the ease of maintenance.

One local authority supplied APSE with a copy of its cemetery regulations and within them there was a 'statement of understanding' required to be signed by the applicant for a grave deed, confirming they have read and understood the regulations including the policy on unauthorised memorabilia. This approach allows the council to remove unauthorised items but, it is worth noting that not all unauthorised memorabilia is necessarily placed by the grave owner.

# Unauthorised memorials in cemetery lawn sections



# Unauthorised memorials in Crematoria gardens of remembrance



# Dealing with the persistent placing of unauthorised memorabilia

Local authorities have a variety of different approaches to the persistent placing of unauthorised memorabilia, with some being more lenient than others.

The process is typically:


- 1) Sending a letter to the grave owner informing them of their infringement of the cemetery's management rules, and giving them a set period of time for removing the items themselves (around 2 to 4 weeks)
- 2) If the items have not been removed within the given time period then the council will remove them and place them into storage on-site for a set period of time (around 1 and 3 months).
- 3) If the items have not been collected after the defined time period, then the items will be disposed of.

# Dealing with the persistent placing of unauthorised memorabilia

Variations to this approach include:

- The council removing the items immediately without notice
- A notice placed at the grave site detailing the offence in addition to the letter
- Enclosing a photograph of the offending items with the original letter






Interestingly, some local authorities reported instances where they do not take consistent action against the persistent placing of unauthorised memorabilia, choosing only to take action if they receive a complaint.

This lack of a consistent approach is often found in older cemeteries, where possibly fewer people visit and the problem is therefore rare. Also, several local authorities have sited that the leaving of memorabilia in older cemeteries has historically been accepted.

Comments from local authorities have included:

- “Very difficult to deal with unauthorised memorabilia particularly in the older parts of cemeteries where historically it has been turned a blind eye to. We have a new cemetery where we are a lot keener on enforcing and it seems to be working so far”
- “In new cemeteries where this issue does not exist i.e. allowing unauthorised memorabilia, when anything appears, the deed holder is written to and given a timescale to remove. If not removed staff will remove and place into storage for collection”




## Lack of political/senior management support to address unauthorised memorabilia

A lack of support by politicians and senior management is another common reason why the rules on unauthorised memorabilia are not consistently applied.

In my capacity of providing Interim Management I have seen this many times over the years. The issue is raised with the Head of Service who brings it to the attention of the Councillor. If there is an Election looming, the politicians are certainly more loathe to take a hard line approach.

Where a tougher stance is implemented, the staff find themselves in the firing line for applying the cemetery and crematorium regulations. If they decide to make a stand a complaint is then received by the Council about the rude or unhelpful member of staff. Where support is lacking and an authority take the easy way out, the member of staff then finds themselves facing possible disciplinary action for enforcing regulations.



## Lack of political/senior management support to address unauthorised memorabilia

Comments on this fact have included:

- “Unfortunately at the moment we do not do anything about persistent placing of unauthorised items. We did try to remove them once, but got no political support for this approach, so we just warn people now”
- “When we have asked grave owners to remove some of the unauthorised memorabilia the response is generally angry and defiant, and normally leads to councillors or senior managers getting involved who would prefer that we didn't take any action”



## Negative press attracted by enforcement of policy

During a recent interim assignment, we decided to place notices giving 30 days for families to remove unauthorised memorials. Before we knew where we were, the local press were informed and ran all sorts of sensationalist headlines.

There were then sub headings about what the Council are doing with “your” items. Underneath the online article there were hundreds of comments, most of which slated the Council as being a bunch of unfeeling jobsworths.

When a member of the public spoke up that regulations should be enforced, they were similarly abused with outrageous personal comments.

# Negative press attracted by enforcement of policy

Local authority officers have shed some interesting views on enforcing the removal of unauthorised memorabilia:

- "I think unless a firm line is taken by the whole hierarchy within the authority, the rules are implemented without exception and everyone is aware and willing to accept that there will be some negative feedback and publicity resulting from this, then nothing is going to happen to change the situation."
- "We have recently tried to enforce the rules by sending a letter which gives the grave owner 28 days to remove the items. This has however caused unrest and the Council received a petition of several thousand signatures requiring the rules to be reviewed."

# How the private sector deal with unauthorised memorials

Much of my career has been spent in the private sector. In my experience, there tends to be a more no-nonsense approach taken to unauthorised memorials.

I approached 2 of the large private crematoria companies for comment on their current policies. These came back as follows:

Response 1:

“We do not currently have a single garden/memorial policy for memorials & unauthorised items, all of our sites do however have local agreements.

These have worked well for us together with many of our sites being relatively new which makes it easier. The documents are a stage process. The potential plot owner is advised of the basic garden rules and specifically about their type of memorial. This is on the Order Form which they complete and sign. Once the memorial is in place the owner will then receive a Memorial Agreement which again stipulates the basic garden rules on the reverse of the document. They also receive a full copy of the rules and regulations.

When visiting the garden we have a sign strategically placed next to the taps/bin so everyone can see it that again states the basic rules.

There is no way a plot owner can deny being aware of the basic rules and regs and to-date this seems to work well.”

# How the private sector deal with unauthorised memorials

Response 2:

“We don’t have a policy on any removals of ‘unauthorised tributes’.

We rely upon our memorial consultants to let people know that we do not allow breakables such as glass and ceramics which get broken following frost and are dangerous to our groundsmen. We also don’t encourage balloons or wind chimes but they do inevitably appear. We sometimes run a clearance but very carefully and by engaging with customers. A one to one approach is by far the best way to do this.

We all need to remember that people need to personalise their space, it’s what they buy into in our opinion.”

## 3.0 Issues for authorities caused by unauthorised memorabilia

The placement of unauthorised memorabilia causes a number of issues for local authorities who are already under tight budget constraints

### **Maintenance**

Unauthorised memorabilia can make cemetery/crematoria maintenance difficult, and this has been highlighted more than once by local authority who have responded to network queries in the past.

I personally thought the following response was spot on:

"The persistent placing of unauthorised memorabilia is burdensome on the cemetery staff who have to deal with clearing the memorabilia and subsequent complaints. However, the alternative of allowing it or ignoring it is not manageable and would have a detrimental impact on the presentation of the cemetery and increase maintenance problems and costs"





## **Health and safety**

Local authorities have often identified a potential risk of tripping for coffin bearers during funerals at lawn cemeteries, due to the possibility of the ever increasing number of objects that are being placed outside of the accepted grave boundaries.

There is also a health and safety concern for masons, as the presence of unauthorised memorabilia will increase the distance that heavy stones have to be carried.

One regular comment regarding memorabilia has been that:

- "The grounds staff cannot use strimming machines against this type of material as it will shatter then become a hazard to other visitors particularly those people that kneel on the grass."

## **Staff time dedicated to dealing with the issue**

There is also the issue of staff time being dedicated to dealing with unauthorised memorabilia in terms of dealing with complaints from adjacent grave owners, writing letters in order to contact offending grave owners, collecting and storing items, increased unnecessary time spent on maintenance (as a result of the presence of these items), and in some cases dealing with challenges from the media, councillors and senior managers.



## **Safety of members of staff**

One of the knock on effects of enforcing regulations are threats made to members of staff. One authority responded to APSE as follows:


*“Due to recent incidents where grave owners completely disregarded any memorial rules and regulations and threats are made to staff safety when we try to enforce them, I am looking into alternatives to try and reduce tensions in the future”.*

## 4.0 APSE Comment

APSE issued some recommendations on this following a consultation which read:

APSE would recommend considering the following approaches in the management of unauthorised memorabilia:

- Make sure that any changes to policies are subject to appropriate consultations and agreed with residents, users of the cemetery and local councillors
- Create a designated area for memorials and memorabilia, where possible, so that those who wish to place them in cemeteries/crematoria have a managed area to leave them in
- Offer appropriate and affordable memorial services directly from the council, this allows for control over the types of memorials and ensures residents have options in how they'd like their loved ones to be remembered (this may include memorial wall plaques, trees, benches, memorial roses, etc.)

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- Include a 'statement of understanding' that is required to be completed as part of the purchase of an Exclusive Right of Burial, so relatives are aware of what is considered acceptable regarding memorabilia (although obviously this would not prevent the placement of unauthorised memorabilia by anyone other than the grave owner)
  - Make your policy available in a variety of formats (web pages, leaflets, noticeboards)
  - Apply the rules **consistently** across the local authority without exception if you want to have an equitable approach to unauthorised memorabilia.
  - Finally, accept that there is likely to be some amount of negative press directed at the council for enforcing the removal of unauthorised memorabilia.