

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO HEALTH & HOUSING COMMITTEE

Agenda Item No. 11

meeting date: THURSDAY, 1 SEPTEMBER 2016
title: CLITHEROE CEMETERY
submitted by: MARSHAL SCOTT, CHIEF EXECUTIVE
principal author: JUDITH PALIGA, CEMETERY AND GROUNDS MAINTENANCE OFFICER

1. PURPOSE

1.1 To inform elected members on the current cemetery provision and approval for the adoption of the revised Regulations Clitheroe cemetery.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – to acknowledge Clitheroe Cemetery as a quality open space amenity within Ribble Valley that meets the needs of residents and visitors.
- Corporate Priorities – to continue to be a well-managed council providing quality, efficient and effective services based on identified customer need.
- Other Considerations – to give elected members an understanding of how the cemetery works to provide a committed and dedicated cemetery service.

2. BACKGROUND

2.1 Ribble Valley Borough Council manages one cemetery site, Clitheroe Cemetery, and maintains four closed churchyards. It is the only public cemetery in Ribble Valley and was opened in 1861.

3. RECORDS

3.1 Records for the site are held at the council offices. These are in book format. Access to the cemetery records are through the cemetery officer.

3.2 In addition to the usual cemetery functions, a good deal of administrative effort is spent in conducting historical research.

4. CAPACITY

4.1 There are 6634 grave plots accounting for over 16,200 burials. The vast majority of grave plots (6364) have exclusive rights of burial. Burial rights are granted for 100 years. Clitheroe Cemetery covers a total of seven hectares with a further four set aside for future use. Based on past trends there is a capacity for an estimated 100 years however, this is all dependant on whether there is an increase in cremations.

5. SITE MAINTENANCE

5.1 All administration and grounds maintenance is carried out via Ribble Valley staff. The majority of the cemetery is categorised as a lawn cemetery. This means the graves are turfed or seeded at ground level up to the foundation stones. This ensures ease of maintenance and a neat tidy appearance. The woodland burial area is a return to nature in the true sense, with only minimal maintenance which creates a haven for wildlife and wild flowers. In the old section of the cemetery the areas are managed as wild flower meadows with just two cuts a year. As a council we have a duty to conserve biodiversity and by creating a wildflower meadow it generates pollen rich habitats for bees and insects.

6. ISSUES

6.1 Historically the cemetery has had a flooding problem as there is a culvert that runs along the bottom of the new section and under the old entrance to the rear of the Cemetery Lodge. However, this has been alleviated by remedial works to the culvert and a planting scheme of willow trees in the new entrance.

7. STAFFING AND TRAINING

7.1 The cemetery is managed the Cemetery and Grounds Maintenance Officer, this takes 40 per cent of her time. The grounds maintenance is carried out by in house staff who are dedicated and perform their work with sensitivity and appreciation of the site.

7.2 The Cemetery Officer holds a Diploma in Cemetery Law and Management and is a Member of The Institute of Cemetery and Crematorium Management (ICCM). All operatives engaged in cemetery activities have received information, instruction and training on safe systems of work including grave excavation and support, memorial safety, safe use of pesticides and protection of the public and mourners.

8. ADOPTION OF UPDATED CEMETERY REGULATIONS

8.1 Following the completion of the extension to Clitheroe Cemetery it is now necessary to update and amend the existing regulations to ensure that they continue to reflect current service standards and requirements. A copy of the revised Clitheroe Cemetery regulations is attached as an Appendix to this report.

8.2 The arboretum is now full and so this section of the regulations has been removed and replaced with a section on memorial trees, although there is limited room for additional memorial trees within Clitheroe Cemetery.

8.3 A full copy of the revised regulations will be issued to Funeral Directors and Stonemasons to assist in advising their clients. The revised regulations will also be placed on this council's website.

9. RISK ASSESSMENT

9.1 The approval of this report may have the following implications:

- Resources – none.
- Technical, Environmental and Legal – none
- Political and Reputation

10. **RECOMMENDED THAT COMMITTEE**

10.1 Note the report.

10.2 Approve the revised Cemetery Regulations.

JUDITH PALIGA
CEMETERY & GROUNDS
MAINTENANCE OFFICER

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS - None.

For further information please ask for Judith Paliga on 01200 414478 or Heather Coar on 01200 414466.



Ribble Valley
Borough Council

www.ribblevalley.gov.uk

CLITHEROE CEMETERY REGULATIONS

JULY 2016

1. INTRODUCTION AND INTERPRETATION

- 1.1 Clitheroe Cemetery is the only burial area in the Ribble Valley, which is owned by Ribble Valley Borough Council. The Cemetery provides for traditional burials, woodland burials and the burial of cremated remains.
- 1.2 The Council's aim is "*to provide high quality cemetery services which display dignity and respect for peoples' needs and sustain a well maintained and safe environment.*"
- 1.3 The Cemetery is controlled and administered by the Council under the Local Government Act 1972 and the Local Authorities' Cemeteries Order 1977, as amended.
- 1.4 Article 3 of the LACO empowers the Council, to do "*all such things as they consider necessary or desirable for the proper management, regulation or control of a cemetery.*" The Council has therefore made these Clitheroe Cemetery Regulations under the above powers in order to ensure the proper management, regulation and control of the Cemetery.

2. CONDITIONS

- 2.1 The Cemetery will be open to the public between 7.30 am and sunset every day of the year. The Cemetery will be closed 30 minutes following sunset and opened at 7.30 am.
- 2.2 The Council reserves the right to close the Cemetery at any time without notice and, in particular, to close the Cemetery (except to relatives and friends) on the occasion of any funeral.
- 2.3 Unless authorised by the Council, it shall be an offence, for a person to enter or remain in the Cemetery at any hour when the Cemetery is closed to the public.
- 2.4 Children under ten years of age shall not be admitted to the Cemetery except in the charge of a responsible adult.
- 2.5 All persons entering the Cemetery shall be under the control of the Cemetery Officer or other authorised officer of the Council, and shall conduct themselves accordingly.
- 2.6 No person shall:
 - create any disturbance in the Cemetery;
 - commit any nuisance in the Cemetery;
 - interfere with any burial, taking place in the Cemetery;
 - interfere with any grave or vault, any tombstone or other memorial, or any flowers or plants on any such matter; and/or
 - play any game or sport in the Cemetery.

- 2.7 Vehicles must not be driven, and bicycles shall not be ridden, faster than walking pace in the Cemetery. The use of skateboards, roller blades and scooters is not be permitted in the Cemetery.
- 2.8 No inebriated or riotous person or persons shall be allowed in the Cemetery.
- 2.9 No smoking shall be permitted in the vicinity of the grave whilst a funeral service is in progress. Any used cigarettes must be disposed of in the bins provided within the Cemetery.
- 2.10 No person shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever or solicit orders for the same, within the Cemetery without the express permission, in writing, of the Council.
- 2.11 All visitors to the Cemetery must keep on the footpaths or roads except whilst visiting a grave and behave in a quiet and orderly manner.
- 2.12 Dogs must always be on a lead in the cemetery and it is an offence not to clear up after a dog has fouled.
- 2.13 No person shall sit, stand or climb upon or over any gate, wall, fence or building, or any gravestone/tablet or other property of or in the Cemetery.

3. NEED FOR AUTHORISATION

- 3.1 All burials, scattering and interment of cremated remains and installation or additional inscriptions to memorials must be approved by the Cemetery Officer.

4. INTERMENTS

- 4.1 Unless otherwise indicated, the Regulations in this section apply equally to burials in the Lawn Cemetery and Woodland Burial Site. The Regulations applicable only to the Lawn Cemetery, Arboretum, and/or Woodland Burial Site are set out below in sections 7, 8, and 9 respectively.

Notice and documentation

- 4.2 Subject to Regulation 4.3 below, notice of interment must be given to the Cemetery Officer using the **Notice of Interment Form** between the hours of 9.00 am and 5.00 pm at least **two clear working days** (i.e. excluding Saturdays, Sundays and Bank holidays) before the proposed interment (the "**Notice of Interment**").
- 4.3 Where the interment is to be in a vault or brick grave, the Notice of Interment must be given to the Cemetery Officer between the hours of 9.00 am and 5.00 pm at least **four clear working days** (i.e. excluding Saturdays, Sundays and Bank holidays) before the proposed interment.

- 4.4 The **Notice of Interment Form** must be properly completed and contain an accurate coffin size to include handles and fittings.
- 4.5 The Council will not accept responsibility for:
- any consequences arising from the loss and/or delay of any notice, order or other document sent by post;
 - the accuracy of the details contained in the Notice of Interment; and/or
 - verbal arrangements.
- 4.6 Before the cortege proceeds to the graveside the following must be given to the Cemetery Officer or other authorised Officer of the Council:
- in the case of a burial, a Registrar's Certificate of Registration of Death, an Order of the Coroner or where applicable, a Certificate of No Liability to Register;
 - in the case of interment of cremated remains, a certificate for burial purposes issued by the Cremation Authority; and/or
 - in the case of a Grant, the Grant or the written consent of the owner of the Grant.

Fees and Charges

- 4.7 All fees and charges must be paid at the Cemetery Officer at the time the Notice of Interment is given. The Fees and Charges may be paid, by cash, credit or debit cards, or by cheques made payable to "**Ribble Valley Borough Council**".
- 4.8 A copy of the fees and charges can be obtained from the Cemetery Officer or the Council's website.
- 4.9 The fees and charges for the interment and burial rights of non-residents of the Ribble Valley double those set out in the Scale.

Permitted Times for Burials

- 4.10 Burials may take place on the following days at the following times:

Mondays to Thursdays (except Christmas day and other bank holidays):	Burials may take place between the hours of 9.00 am and 3.00 pm
Fridays (except Christmas day, Good Friday and bank holidays):	Burials may take place between the hours of 9.00 am and 2.00 pm
Saturday mornings:	Burials may take place between 9.00 am and 12 noon but will incur

	the Saturday surcharge fee which is set out on the scale.
Saturday afternoons, Sundays, Good Friday, Christmas Day and other Bank Holidays.	Burials are not permitted

- 4.11 The time arranged for the burial shall be that at which the funeral cortege is due to arrive at the Cemetery.
- 4.12 Funeral Directors are required to give 2 clear working days notice to the Council whenever they have a funeral to conduct, which is likely to be attended by in excess of 30 people.
- 4.13 The Council reserves the right to close the cemetery (except to relatives and friends) on the occasion of any funeral.

Graves

- 4.14 Graves must be not less than the following depths:

For one body:	4'6" (137.16 cm)
For two bodies (where permitted):	6'0" (182.88 cm)
For three bodies (where permitted):	7'6" (228.6cm)

- 4.15 Not less than 6" (15.2 cm) of earth shall be left between each coffin and not less than 3' (91.44 cm) of earth shall be left between the last coffin and the level of the ground.
- 4.16 In the case of Public Graves, only one body shall be buried in a grave at one time.
- 4.17 Grave spaces shall be used in rotation as directed by the council.
- 4.18 Only persons approved by the council are permitted to prepare graves within the cemetery. During the preparation of the grave, soil may be kept on the adjacent plot(s) and removed upon interment.
- 4.19 All coffins should be made of wood, other perishable material, or other container approved by the Cemetery Officer. They must also comply with any conditions that may, from time to time, be required by the council.

5. EXCLUSIVE RIGHT OF BURIAL

5.1 A Grant provides the owner of the Grant the right to:

- be buried in the grave specified within the Grant (where space is available);
- authorise other burials in that grave (where space is available), or the interment of cremated remains in that grave;
- erect or place a memorial on that grave subject to these regulations; and/or
- have additional inscriptions placed on a memorial subject to these Regulations.

5.2 For the avoidance of doubt, please note that the Grant does not provide ownership of the land.

5.3 A Grant is made subject to the following terms and conditions:

- the position of the grave shall be agreed with the Council;
- all plots will be turfed flat for easy maintenance;
- no grave surrounds will be allowed at the Cemetery;
- the plot may be used for a period of 100 years only and at the expiry of that period, all the rights of the Grantee (i.e. the person purchasing the rights of burial) will cease. Under no circumstances will a Grant be made for a period exceeding 100 years;

5.4 A Grant may be transferred on the death of the registered owner to the person or persons entitled to it. The Council will need to satisfy itself that the person or persons wishing to take up the ownership are entitled to do so by the production of a grant or probate or letters of administration. If these legal documents have not been applied for or issued, the Council may accept a statutory declaration from the nearest surviving relative of the registered owner of the Grant.

5.5 Where the written consent of the registered owner of the Grant, or other reasonable evidence of ownership cannot be produced, the Council will require to be indemnified against any action arising as a result of permitting the interment and the applicant must make a Statutory Declaration at their own expense.

5.6 A person to whom any Grant is assigned or transmitted should notify the Council of the assignment or transmission as soon as possible in writing. The reassignment or transfer of a Grant will only be accepted upon presentation of an appropriate and original, legal document.

6. MEMORIALS AND OTHER COMMEMORATIVE FEATURES

6.1 Unless otherwise indicated, the Regulations in the section apply equally to burials in the **Lawn Cemetery** and in the **Woodland Burial Site**.

6.2 The following will not be permitted:

- turfed mounds;
- kerbs, surrounds or flat body stones of any description;
- hewing or dressing of stones (other than the cutting of additional inscriptions);

6.3 Floral tributes may be put on a grave and remain there until they become faded. The Council will then remove them.

7. LAWN CEMETERY

Memorials

7.1 An application form supplied by the council must be completed and submitted to the Cemetery Officer, approved and the appropriate fees paid before the memorial is erected. Once approved a permit allowing work to take place will then be issued.

7.2 The council reserves the right to remove any headstone or other memorial stone erected without the approval of the council. The Council may recover the costs incurred in removing the memorial, as a simple contract debt in any court of competent jurisdiction.

7.3 The Council must be informed of the removal of any memorial from the Cemetery.

7.4 The owners of vaults and graves are required to keep all monuments and memorials in good repair and in a safe condition. In default of this regulation the council may remove the memorial at their discretion or after six months notice in writing to the owner, may execute any necessary work and recharge the owner with the costs incurred.

7.5 Memorials should not exceed 4' in height (measured from ground level) and include all plinths.

7.6 Headstones may only be erected by registered memorial masons and erected to the National Association of Memorial Masons standard.

7.7 The section and number of the grave shall be cut in every memorial.

7.8 All headstones and other memorial stones will be erected and remain at the owners sole risk and the council shall not be held responsible for any damage that may occur. In this respect it is recommended that the owner adequately insure any memorial, headstone and/or vase.

7.9 No glass memorials/items will be allowed in the cemetery. All memorialisation including the headstone must be incorporated within the foundation stone area. Any items placed outside this area may be removed by the council after 28 days written notice being given to the grave owner.

- 7.10 All materials for graves, vaults or headstones must be conveyed into the Cemetery under the direction and supervision of the Cemetery Officer or other authorised officer of the Council, in such a way as to avoid damage to the grounds and walks. All refuse, soil, rubbish and materials must also be removed in a like manner. All masons must provide themselves with all tools and other implements for fixing purposes.
- 7.11 The Council reserves the right to refuse permission for any memorial or inscription which it considers to be unsuitable or inappropriate.
- 7.12 Plot X has the headstone foundations (beams) already installed and the price of these plots reflects this.

8. MEMORIAL TREES

- 8.1 A tree, with or without an inscribed plaque, may be ordered and purchased through the Council. The variety of tree, type of inscription label, positioning and planting of the tree shall be determined and undertaken by the Council.
- 8.2 A fee will be payable for the supply and maintenance of the tree.
- 8.3 Ashes may be interred at the base of the tree providing the plot has been purchased.
- 8.4 All details regarding Commemorative trees can be obtained from the Council's Countryside Officer whose details are set out in Regulation 11 below.

9. THE WOODLAND BURIAL SITE

- 9.1 It should be noted that woodland burials are not appropriate for those who expect a neat and tidy grave with a traditional headstone. The overall purpose of these burials is to create a sustainable woodland area.
- 9.2 The Woodland Burial Site will be managed for the development of the woodland and the benefit of wildlife. Grass cutting will be minimal and weed control will only take place when serious noxious weeds develop.
- 9.3 Personalised memorials of any kind are not permitted in the Woodland Burial Site.
- 9.4 Following interment, and after sufficient time for settlement, grass and wildflower seeds will be sown.
- 9.5 The site of each grave will be allocated by the Cemetery Officer who will maintain and hold an accurate plan showing the exact location of each grave.
- 9.6 All graves will be single depth, and therefore only one interment will be allowed in each grave.

- 9.7 Scattering or interring of cremated remains on an existing grave will be permitted subject to the approval of the Cemetery Officer.
- 9.8 Burials may take place in a biodegradable (cardboard) coffin, or other acceptable container approved by the Cemetery Officer. Standard chipboard coffins will be allowed, but solid wooden coffins must be proved to have been made from managed tree forests.

10. EXHUMATION

- 10.1 No person shall exhume or cause to be exhumed an interred body or cremated remains except on the order of a Coroner, Court of Summary Jurisdiction or a Chief Constable.

11. GENERAL

- 11.1 The Council reserves the right to amend any of the forgoing Regulations and to deal with any circumstances or contingency not provided for as necessary.
- 11.2 The Cemetery Office is situated on Level D:

Address:	Ribble Valley Borough Council, Church Walk, Clitheroe, Lancashire, BB7 2RA
Tel:	01200 414478
Fax:	01200 414487
Email:	Judith.Paliga@ribblevalley.gov.uk

The Countryside Officer can be contacted as follows:

Address:	Ribble Valley Borough Council, Church Walk, Clitheroe, Lancashire, BB7 2RA
Tel:	01200 414505
Fax:	01200 414488
Email:	dave.hewitt@ribblevalley.gov.uk