



Whalley Wiswell & Barrow Cemetery

**INFORMATION
&
CEMETERY RULES**

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Whalley Wiswell & Barrow Cemetery

Whalley, Wiswell & Barrow Cemetery is in a lovely, secluded area hidden away between the villages of Whalley and Barrow, creating a peaceful setting for our charming burial ground. The cemetery services provide for traditional burials, woodland burial of ashes and the scattering of cremated remains.

Located on Clitheroe Road, Whalley and owned jointly by Whalley, Wiswell and Barrow Parish Councils is managed by the Whalley, Wiswell and Barrow Joint Burial Committee a sub-committee of Whalley Parish Council. The committee is governed by the Local Authorities Cemeteries Order 1977 as amended by the Local Authorities' (Amendment) Order 1986 and such other regulations as may be made by the Secretary of State for the Home Office.

Lawn Cemetery & Path Side Plots

The main area of the burial ground is lawn and given to grave plots. There are two distinct separate areas. One side is for the Roman Catholic faith, the other for Church of England and other faiths. Path side plots edging the lawn section on the Church of England side are for the interment of ashes as are those under the hedgerow at the Roman Catholic side. Grave plots can contain up to two interments and up to four caskets for interment of ashes.

The cemetery grounds are maintained by our Groundsman who regularly attends to care for the burial ground.

Woodland Area

There is a woodland area, exclusively for the interment of ashes, which offers a truly beautiful alternative to a traditional burial ground setting. Bounded by a stream, plots are set amongst trees, providing the perfect setting in which to remember your loved ones.

Woodland burial plots can provide for up to four caskets.

Paths have been laid so that it can be easily navigated and there are benches to just sit and contemplate. This area is left mostly wild, with only minimal interference, to encourage the natural habitat.

Memorials

All memorials and inscriptions must be applied for and approved by the cemetery.

Reserve a Plot

You can reserve a grave plot for future use by applying to the cemetery and making the appropriate fee. Grave plots are allocated and an Exclusive Rights of Burial Grant will then be issued as proof of ownership.

Funeral Arrangements

You can choose your own form of burial service. It is your decision as to whether you have a religious service, a service personal to the deceased or the bereaved's own wishes or have no

service at all.

If you select to use a funeral director, they will make all the arrangements with the Registrar for the funeral. For other arrangements, the Registrar will deal with all the paperwork and organise the interment at the cemetery.

Visiting the Burial Ground

The Cemetery is open between 7.30 am to sunset. All we ask is that children are accompanied, and dogs must be ALWAYS kept on a lead and cleared up after where necessary.

There is no car park but there is a turning circle and entrance area, although these may have to be kept clear if there is a burial in progress.

There is unrestricted parking on the main road.

Fees

Whalley Wiswell & Barrow Cemetery offers Parish Rates to residents of Whalley, Wiswell & Barrow and Standard Rates to residents outside of these Parishes. Fees are available upon request.

Exclusive Rights of Burial

When you purchase a grave at Whalley, Wiswell & Barrow Cemetery, you have the Exclusive Rights of Burial for a specific period: Fifty years for a coffin or casket grave and cremation remains grave.

The ownership of the grave and the cemetery land remains with us.

Exclusive Right of Burial Grant will be issued to the named person reserving the plot or stated on our interment form.

Only the Registered Owner(s) has the right to allow a burial to take place in the grave.

No memorial may be placed on the grave without the written permission of the grave owner during the period of the Exclusive Right of Burial.

If you are the Registered Owner of the Exclusive Right of Burial Grant, you have the automatic right to be buried in the grave. You may also allow others to be buried in the grave (space permitting).

Ownership of the Exclusive Right of Burial is very important.

Ownership can be transferred either during the owner's lifetime or after their death.

A fee is payable for the interment at the time of burial and a fee is also payable for the installation of a memorial.

The Exclusive Right of burial may be extended within six months of the end of the Grant for a further term of twenty-five years; please contact the Cemetery for details.

The Council's records contain the details of the registered grave owners. However, it is important that the grave owners keep their Exclusive Rights of Burial document safe.

The Council issues this document when the grave is first purchased and should be produced for each burial.

Possession of the Deed does not in itself signify ownership of the Exclusive Right.

When do you need to transfer ownership of the Exclusive Right of Burial?

In the following circumstances transfer of the ownership will be required:

- ✿ The registered owner decided to assign the grave to someone else
- ✿ An application is made for a burial in the grave but the registered owner is previously deceased
- ✿ An application to place a memorial/additional inscription on the grave is made but the registered owner is previously deceased
- ✿ If the registered owner has recently died. This makes future arrangements easier if there is a living registered owner

For details on grant transfers please contact the Cemetery for further details.

CEMETERY RULES

1. INTRODUCTION AND DEFINITIONS

- 1.1 Whalley, Wiswell and Barrow Cemetery, Clitheroe Road, Whalley, BB7 9AD ("the Cemetery") is owned jointly by Whalley, Wiswell and Barrow Parish Councils and managed by the Whalley, Wiswell and Barrow Joint Burial Committee ("the Committee") a sub-committee of Whalley Parish Council. Day to day administration is delegated to the Registrar/Clerk ("the Registrar/Clerk").
The Cemetery services provide for traditional burials, woodland burial of ashes and the scattering of cremated remains.
- 1.2 The Committee'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 managed by the WWBJBC Committee and administered by the Registrar/Clerk under the Local Government Act 1972 and the Local Authorities' Cemeteries Order 1977 ("LACO") as amended.
- 1.4 Article 3 of LACO empowers the Committee, to do *"all such things as they consider necessary or desirable for the proper management, regulation or control of a cemetery."*
- 1.5 The "Headstone" is the actual memorial stone.
- 1.6 The "Plinth" is the stone base on which the Headstone stands, this may comprise one or more levels.
- 1.7 The "Owner" is the person whose name appears on the Burial/Memorial Grant, or any heirs or successors.

2. CONDITIONS

- 2.1 The Cemetery will be open to the public between 7.30am and sunset every day of the year.
- 2.2 The Committee reserves the right to close the Cemetery at any time without notice.
- 2.3 Children under twelve years of age shall not be admitted to the Cemetery except in the charge of a responsible adult.
- 2.4 All persons entering the Cemetery shall conform to these rules and shall conduct themselves accordingly.
- 2.5 No person shall:
 - create any disturbance in the Cemetery
 - commit any nuisance in the Cemetery
 - interfere with any burial/interment, taking place in the Cemetery
 - interfere with any grave plot or Headstone, or any flowers or plants
 - play any game or sport in the Cemetery
 - consume alcohol in the Cemetery
 - smoke within the vicinity of a grave plot whilst a funeral service is in progress
- 2.6 Visitors are advised not to use a Headstone as an aid to standing as this is a major cause of damage.

- 2.7 Dogs must ALWAYS be kept on a lead in the Cemetery Grounds, and it is an offence not to clear up after a dog has fouled.
- 2.8 No person shall sit stand or climb upon, any gate, wall, fence, or any Headstone, or other property of, or in, the Cemetery.
- 2.9 Visitors or persons attending funerals shall not interfere with any contractor whilst performing their duties, nor employ them to undertake any private work whatsoever within the Cemetery.

3. AUTHORISATION

- 3.1 All burials, scattering and interment of cremated remains and installation or additional inscriptions to a Headstone must first be approved by the Registrar/Clerk.

4. MEMORIALS AND OTHER COMMEMORATIVE FEATURES

- 4.1 The Cemetery consists of five areas:

- (a) Lawn Cemetery
- (b) Pathside Plots
- (c) Woodland Plots
- (d) Hedgerow Plots
- (e) Memorial Garden

(PLEASE CONSULT THE LIST OF "PERMITTED FEATURES" BELOW FOR EACH AREA)

- 4.2 The rules in Permitted Features apply equally to all areas within the Cemetery.

- 4.3 The following will **not** be permitted:

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

- 4.4 Floral tributes may be placed on a grave plot and remain there until they become faded. The Committee will then remove them at their discretion.

5. LAWN CEMETERY

Memorials

- 5.1 An application form supplied by the Registrar/Clerk must be completed and submitted, approved and the appropriate fees paid before a Headstone is erected.
- 5.2 The Registrar/Clerk reserves the right to appoint a Mason to remove any Headstone erected, subject to the approval of the Committee. The Committee may recover from the Owner, any reasonable costs incurred in removing the Headstone, as a simple contract debt in any court of competent jurisdiction.

- 5.3 The Registrar/Clerk must be informed (prior to) the removal of any Headstone from the Cemetery by the appointed Mason and/or Owner.
- 5.4 The Owner(s) of a grave plot is/are required to keep a Headstone in good repair and in a safe condition. In default of this rule, the Committee may remove the Headstone at their discretion.
- 5.5 A Headstone must not exceed 107cm (42.126 inches) in height (measured from ground level) and include plinths and base. A Headstone must be of either stone or granite.
- 5.6 A Headstone must be erected by registered memorial masons and erected in accordance with BRAMM standards.
- 5.7 A Headstone will remain the Owner's sole risk and the Committee shall not be held responsible for any damage that may occur. In this regard it is recommended that an Owner adequately insures their Headstone.
- 5.8 Glass items will not be allowed in the Cemetery. A Headstone must be incorporated within the foundation stone area (beam). Any items placed outside this area will be removed by the Registrar/Clerk/Members of the Committee after 28 days written notice being given to the Owner.
- 5.9 All materials for a Headstone must be conveyed into the Cemetery in such a manner as to avoid damage to the grounds and walkways. All refuse, soil, rubbish and materials must be removed in a like manner. Masons must provide themselves with all tools and other implements for fixing purposes and must provide details of adequate public liability insurance to the Registrar/Clerk prior to the erection/removal of a Headstone.
- 5.10 The Registrar/Clerk reserves the right to refuse permission for any Headstone or inscription which they consider to be unsuitable or inappropriate.
- 5.11 The Lawn Cemetery has the Headstone foundation (beams) already installed and the price of a grave plot reflects this.
- 5.12 All Headstones, (including the Plinth), will be inspected in accordance with the guidance issued by the Institute of Cemetery and Crematorium Management (ICCM) Management of Memorials 2012 (as amended).

6. PATHSIDE PLOTS

- 6.1 Pathside plots are for ashes burials which are topped with a Headstone having a flat profile. The erection of a Headstone is to be approved by the Registrar/Clerk.

7. WOODLAND PLOTS

- 7.1 Woodland plots are not appropriate for those who expect a neat and tidy site with a traditional Headstone. The overall purpose of woodland plots is to create a sustainable woodland area.
- 7.2 The woodland plots 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.

- 7.3 The site of each woodland plot will be allocated by the Registrar/Clerk who will maintain a location plan of each woodland plot. The plot sites are dictated by the suitability of the ground.
- 7.4 Scattering or interring of cremated remains on an existing woodland plot will be permitted subject to payment of the relevant fee and approval of the Registrar/Clerk.

8. HEDGEROW PLOTS

- 8.1 Are for ashes burials when the Headstone is not of a flat profile.

9. "ADOPT A TREE" MEMORIAL PLAQUES

- 9.1 Memorial plaques should be no larger than 12" by 9" and of a style and material to be approved by the Registrar/Clerk.

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 Committee reserves the right to amend any of the foregoing rules and to deal with any circumstances or contingencies not provided for as and when necessary.

- 11.2 The Registrar/Clerk can be contacted as follows:

Email: registrar@wwbjbc.org.uk

Tel: 07968 388843

Correspondence Address: The Clerk, Whalley, Wiswell & Barrow Cemetery,
27 Waddow Grove, Waddington, Clitheroe BB7 3JL

12. MEMORIAL PERMITTED FEATURES

The following applies to ALL burial areas:

1. Artificial flowers are permitted but faded or inappropriate artificial flowers be removed at the discretion of the Registrar/Clerk. Christmas wreaths are also permitted but these should be removed after two months of the occasion.
2. No fences, barriers, edging stones, netting or other type of boundary or protective coverings may be erected or placed on any of the grave plots.
3. Due to its dangerous nature, glass (in any form), is not permitted in any area of the Cemetery whatsoever.

4. For the safety and enjoyment of all visitors to the Cemetery, the Committee requests that all visitors and Owners observe the instructions and rules as set out herein. The Committee reserves the right to remove any item deemed unsafe, unsightly, or inappropriate or not in accordance with the above. These items will be moved to the bin area near the main gates, where they can be reclaimed by an Owner.

13. LAWN CEMETERY

1. The grave plots within this area are of a grassed nature. To keep this area maintained, no objects, other than those listed below, are allowed to be placed on the grassed area or surrounding the grave plot.

- a) One metal or plastic spiked flower holder is permitted directly at each side of the base of the Headstone, in the grass, but not at the front.
- b) Porcelain and fragile items, other than glass, may be placed on the plinth but **must be** firmly fixed.
- c) The planting of naturalised spring flowering bulbs is allowed along the length of the grave. However, these will be mowed after flowering.
- d) Planters, tubs, vases, and ornaments of a non-breakable nature are permitted **on the plinth** at the front of the Headstone only.
- e) A further non-breakable plant trough is permitted in front of the Headstone, (on the grass), but not sunk into the ground. To make maintenance easier, this must be oblong, no longer than the Headstone width and no wider than 200mm (8”).

2. The following items are **NOT** permitted:

- a) Spiked solar lights are not acceptable due to their fragile nature and dangerous parts.
- b) The planting of other flowers, bushes, shrubs, or trees directly into the ground and the Committee reserves the right to remove them.
- c) No items of any kind are permitted at the rear of a Headstone.

14. PATHSIDE PLOTS

1. As these Headstones have a flat profile and, in order not to encroach on, or overshadow an adjoining Headstone, the following **must be observed**:

- a) Any item placed on the Headstone **must** be no larger, in circumference, than the Headstone itself.
- b) Any ornaments, flowers, potted plants and shrubs should be no higher than 300mm (12”) maximum and should be in keeping with the surrounding area.
- c) Spiked flower holders are not permitted.
- d) Porcelain and fragile items, other than glass, may be placed on the Headstone but must be firmly fixed.

15. WOODLAND PLOTS

1. Woodland plots should be in keeping with the area i.e., natural. However, the planting of extra shrubs/trees is strictly forbidden unless authorised by the Registrar/Clerk.

2. Wild-flowers and/or bulbs relevant to the area may be planted but must not be of an invasive spreading type, if in any doubt please contact the Registrar/Clerk for approval.

3. For the safety of visitors and maintenance staff the following are not permitted:

- a) Spiked metal or plastic flower holders
- b) Porcelain or other breakable objects such as vases or ornaments

16. HEDGEROW PLOTS

1. Spiked metal or plastic flower holders are permitted in the hedgerow plots but must not encroach on surrounding hedgerow plots, or grave plots.

2. The following are not permitted in the hedgerow area:

- a) Porcelain or other breakable objects such as loose vases or ornaments
- b) The planting of trees, shrubs, or plants

17. "ADOPT A TREE" MEMORIAL PLAQUES

1. Adopt a Tree memorial plaques should be no larger than 31cms (12") by 23cms (9") and of a style and material to be approved by the Registrar/Clerk.

2. The immediate tree area should be kept natural with no vases or embellishments such as stones, ornaments, solar lights, or windmills etc. The planting of additional shrubs or trees is strictly forbidden unless authorised by the Registrar/Clerk.

3. Wildflowers may be planted but must not be of an invasive spreading type. Naturalised bulbs are also acceptable. If in any doubt, please contact the Registrar/Clerk for approval.

Email : registrar@wwbjcc.org.uk

18. MEMORIAL SAFETY POLICY RESPONSIBILITY AND LIABILITY

1. Under the Health and Safety at Work Act and the Occupiers Liability Act 1957, Whalley, Wiswell and Barrow Joint Burial Committee ("the Committee") has a responsibility (as far as reasonably practicable), to ensure Whalley, Wiswell and Barrow Cemetery, situated at Clitheroe Road, Whalley, BB7 9AD ("the Cemetery") is maintained in a safe condition, which includes (inter alia) the identification and control of hazards from unsafe/unstable memorials.

2. Through this policy and its actions, the Committee will endeavour to balance the risk of injury from unsafe/unstable memorials along with the sensitivities of carrying out works in the Cemetery.

3. Whilst responsibility for general safety lies with the Committee, there are specific responsibilities relating to memorials that lie **with both the owner of a memorial and the memorial mason** responsible for installing it. **An owner is responsible for maintaining the memorial in good condition** and the Committee will inform an owner in writing, (providing the Committee can trace the owner), of their and other party's responsibilities.

4. Memorial masons are legally liable for the work they carry out and should ensure that memorials are erected safely and in accordance with current standards available within the industry. As the

Cemetery is a BRAMM registered site, **only BRAMM registered masons** will be allowed to erect, remove and/or repair memorials within the Cemetery.

5. Memorials erected will **remain an owner's sole risk** and the Committee shall not be held responsible for any damage and/or theft that may occur. **It is highly recommended an owner adequately insures their memorial.**

6. The Committee will carry out regular inspections on existing memorials at least once every five years.

19. PUBLICITY

The Committee will inform existing memorial owners of the Committee's proposals to carry out safety inspections. This will be carried out by publicising the proposals 28 days in advance of a formal inspection via the noticeboard within the Cemetery and on Whalley, Wiswell and Barrow's Parish Council websites.

20. MEMORIAL SAFETY INSPECTION

1. The Committee will appoint a qualified Memorial Safety Inspector ("the Inspector") who will risk assess and test memorials in accordance with guidance issued by the Institute of Cemetery and Crematorium Management, together with the Ministry of Justice Guidance, Managing the Safety of Burial Ground Memorials.

2. The inspection programme will involve three elements – (a) the initial inspection and testing of memorials, (b) immediate action to any memorials identified as unsafe, and (c) the repair of the unsafe/unstable memorials.

21. CLASSIFICATION OF MEMORIALS

Memorials will be classified within the Inspector's report as follows:

Category 1 – immediate action is required to make the memorial safe or to stop the public accessing the memorial. This will be by the laying down of a memorial.

Category 2 - the memorial is not an immediate danger to the public but is not fully stable and will, therefore, need to be monitored every 12 months to assess any further deterioration of the memorial.

Category 3 - the memorial is perfectly stable, or below 625mm in height and will only need to be inspected in five years' time.

22. MAKING MEMORIALS SAFE

The responsibility for maintaining a memorial in a safe condition is that of the grave owner, individual owners contacted following the identification of unsafe/unstable memorials will be offered the opportunity to rectify, (via BRAMM registered masons only), any identified problems.

CATEGORY 1

1. Where the Inspector classifies a memorial as Category 1, immediate action will be taken to significantly reduce or eliminate the risk. Such immediate action will be by the laying down of the memorial. This action is necessary to prevent a genuine hazard to health and safety. The Committee's duty to ensure the health, safety and welfare of employees or contractors working on behalf of the Committee and those visiting the burial ground will remain the Committee's highest priority.

2. Upon receipt of the Inspector's report, owners will be contacted in writing, (providing an owner can be traced), of what immediate action has been taken by the Committee. If no response is forthcoming from an owner within 28 days from the date of such notification, or where no owner can be traced, the Committee will take such further action as it deems necessary to permanently make the memorial safe and any costs incurred will be charged against the grave plot. Such costs must be discharged in full before any further dealings with the plot can take place.

CATEGORY 2

Following the identification of any memorial falling within Category 2, the Committee will inform the owner in writing (providing an owner can be traced) that the memorial is not an immediate danger to the public but is not fully stable and will, therefore, need to be inspected every 12 months to assess any further deterioration.

CATEGORY 3

The memorial is perfectly stable or below 625mm in height and will only need to be inspected in 5 years' time.

Contact: Office registrar@wwbjbc.org.uk