



Grant of Exclusive Right of Burial – West Rainton Cemetery

What is a Grant of Exclusive Right of Burial?

When a grave is 'purchased' this refers to the purchasing of the exclusive right of burial in the grave space and not the purchase of the land itself. This means that you do not own the land but have the exclusive right, during the period stated in the Grant of Exclusive Right of Burial (99 years), to say who can be buried in the grave.

Also, provided that you do not, during your lifetime, assign the right to another person and provided that the period stated in the Grant of Exclusive Right of Burial has not expired, you can choose to be buried in the grave yourself.

A Grant of Exclusive Right of Burial will be issued to the grave owner. This should be kept in a safe place, as it will be required should there be a further burial in the grave at some time in the future. No burials or installation of memorials can be authorised without the permission of the holder of the Grant of Exclusive Right of Burial.

Please advise us if you change your address. This is important to enable us to keep our records up to date.

Transferring a Grant of Exclusive Right of Burial

If you wish to you can transfer those rights to another person. If you wish to transfer the ownership during your lifetime you must complete a Form of Assignment and submit it to the Parish Clerk at West Rainton & Leamside Parish Council.

Documents required to transfer a Grant of Exclusive Right of Burial when the owner has died

The following sections describe the information required by the Parish Clerk at West Rainton & Leamside Parish Council to enable us to properly process transfers of grave ownership.

References to Wills in this leaflet are references to Wills recognised as valid by the laws in England and Wales.

If the Deceased Owner Left a Will

If the deceased owner left a Will stating who the Grant of Exclusive Right of Burial should be passed to and you are that person, we will require:

1. The Grant of Exclusive Right of Burial
2. The Grant of Probate / Will

3. An Assent from the Executor(s) of the will giving the Grant of Exclusive right to you.

If the deceased owner left a Will and did not state who the Grant of Exclusive Right of Burial should be passed to we will require:

1. The Grant of Exclusive Right of Burial
2. The Grant of Probate / Will 3.

A Renunciation form from each person named as a beneficiary in the will.

If the deceased owner left a Will of insufficient value to merit applications to be made for Grant of Probate and you claim the exclusive right of burial, we will require:

1. The Grant of Exclusive Right of Burial
2. The Death Certificate
3. A Statutory Declaration detailing the relationship of the person claiming the Grant of Right of Exclusive Burial to the deceased.
4. A form of Renouncement from all other people who would be entitled to claim the Grant of Exclusive Right of Burial

When there is no Will If the owner dies without leaving a Will we will require:

1. The Grant of Exclusive Rights to Burial
2. The Grant of Letters of Administration
3. An Assent from the Administrators(s) giving the Grant of Exclusive Right of Burial to you.

If the estate is of insufficient value to merit application for Letters of Administration we will require:

1. The Grant of Exclusive Right of Burial
2. The Death Certificate
3. A Statutory Declaration detailing the relationship of the person claiming the rights to the registered grave owner witnessed by a Commissioner for Oaths or a magistrate.

This information attempts to answer the most commonly asked questions by members of the public. However, if your circumstances are not described or you have any questions regarding the contents please do not hesitate to contact us at:

The Parish Clerk, West Rainton & Leamside Parish Council

Tel: 07368964142 (please leave a message if no answer)

Email clerk@westraintonandleamsidepc.gov.uk