



Congresbury Parish Council

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Guidance Note on Ownership and Transfer of Exclusive Rights of Burial

Deeds of Grant of Exclusive Rights of Burial in Congresbury Parish Burial Ground are issued on payment of the applicable fee for a period of 90 years, which can be renewed on expiry.

The Deed of Grant gives the purchaser the automatic right of burial within the plot and their written authorisation is required for any other burial or activity regarding the plot e.g. the installation of a memorial or addition of an inscription to a memorial.

When the registered owner of a plot is deceased and buried therein, ownership of the plot for the remaining term of the lease forms part of the estate of the deceased and should be transferred in accordance with the wishes of the deceased.

Transfer of ownership is essential to ensure that activities such as memorial inscriptions are carried out lawfully. Transfer can be carried out in 3 ways:

1. Form of Assent of Executor or Administrator

To be completed by the Executor/Administrator if the estate is required to go through probate and there is an independent Executor or Administrator appointed to deal with the distribution of the estate.

2. Statutory Declaration

To be completed by the heir(s) to the estate when the above does not apply and signed in the presence of a magistrate or commissioner for oaths (Note: many law firms have a solicitor, who is licensed as a Commissioner for Oaths)

3. Assignment of Right of Burial

During the lifetime of a registered owner, rights may be transferred by the registered owner by means of a form of Assignment of Right of Burial. This form requires to be signed by the owner in the presence of 2 witnesses.

Copies of these forms are available from the Parish Council Office or can be downloaded from the Parish Council website.

