

# Transfer of Grave Ownership - Form 1

Exclusive Rights of Burial

Transfer of Deed Title for Grave \_\_\_\_\_ in \_\_\_\_\_ Cemetery

Application Submitted: \_\_\_\_\_

All sections within the form must be completed. The Cemetery Office will aim to fulfil any requests within one month of receiving all relevant forms and supporting documentation.

**This application form may be submitted electronically.**

***Any subsequent paperwork will need to be signed before a solicitor and a hardcopy returned to the office***

***Original Documents are required to support your application***

A non-refundable administration fee will be payable with this application. We recommend that you speak to all relevant Executors and Next of Kin before you submit a payment.

Please indicate if a transfer needs to be completed quickly to allow the reopening of the grave

Date of Funeral \_\_\_\_\_

Reason \_\_\_\_\_

\_\_\_\_\_



# INFORMATION REQUEST TO TRANSFER OWNERSHIP WHERE THE LATE REGISTERED OWNER FOR A GRAVE IS DECEASED:

The transfer of ownership is a legal process to determine who has the correct entitlement to a grave once the grave owner is deceased. This responsibility will usually fall to the Executors/Administrators of an estate. In the case that no certified will or probate is produced, this will be the next of kin. Please read the letter and guidance notes with this form before completing ALL the sections below.

There is a non refundable administration fee payable to carry out the transfer. All applications must be completed and forms returned within 1 year after which any pending applications will be closed.

Grave No:	Grant:
Cemetery:	Current Owner

## Proposed Owner :

*Please include Title*

Address:

Post Code:

Tel No(s).

Email Address:

Relationship to Owner

Signed:

Date:

## Rights and Responsibilities of a Grave Owner

Nuneaton and Bedworth Council retains ownership of the land at all times. We will accept **ONE** grave owner. All other Executors/Next of Kin with equal rights will be required to renounce their rights. The person who is registered as the owner of the Exclusive Rights of Burial to a grave has certain rights and responsibilities for the leased period.

### You have the right to:

- Be buried in the grave if space is available –Including cremated remains
- Authorise future burials in the grave where space is available or for the interment or scattering of cremated remains
- Place an inscribed memorial on the grave or give permission for an additional inscription to be added. (A new owner is established when the current grave owner has recently been interred in the plot to allow their inscription to be added to the headstone.)

### You are responsible for:

- Providing consent and signing paperwork for all future interments
- Ensuring the memorial is in a safe condition and pay for repairs required should the council deem the memorial as unsafe
- Notifying the council of any change of address so we may contact you at the end of a burial lease term, memorial lease term or other matters relating to your grave.
- To abide and adhere to all Cemetery Regulations including Memorial Regulations as required by the council

**Please note before completing this form :**

- You will need to declare all Joint Executors and in the absence of a certified copy of a Will any family who have equal rights to the grave. Use page 3 to name all those who are renouncing their rights
- All persons declared on this form who receive Statutory and Renunciation forms will be required to take the forms to a solicitor and swear an oath that the information provided is the truth. All forms must be returned to the Cemetery Office to complete the process.
- Where a family dispute occurs and consents are withheld, the ownership cannot be transferred by the council. In this instance no further burials or memorials will be allowed. The various next of kin reaching an agreement between themselves can only resolve this. We ask that families discuss the transfer before submitting an application to avoid disappointment
- All applications must be resolved within 1 year of submission after payment has been received. We will close any pending applications if a transfer has not been achieved.

**You can make payment by Cheque made payable to NBBC or by Debit Card.**

Please contact the Cemetery Officer on 02476 376 357 during office hours or alternatively on 02476 376 376 to make a payment by Debit Card with an advisor. Please quote **CREM PURC** before payment. **The advisor will provide a receipt reference**

**Receipt Reference** \_\_\_\_\_

**Grave Transfer Check List:**

Please contact the office for further advice if required

Is the current Grave Owner now deceased? <i>Please provide a Death Certificate</i>	Yes	No
Did the current Owner leave a Will? <i>Please provide a certified copy</i>		
Has Probate or Letters of Administration been granted? <i>Please provide a sealed copy of Probate/Administration letters</i>		
Are you named as the Executor in the Will? <i>Please provide a certified Will &amp; name any joint Executors who will renounce their rights to the grave Please include their full details on page 3.</i>		
Are you the Current Owners immediate Next of Kin? <i>Please declare all members of families with equal rights i.e. children, siblings, parents, grandchildren etc. Birth, Death and Marriage certificates will be required as documentary proof. Please see guidance attached.</i>		

Turn to Page 3 to list those who are renouncing their rights to

Grave \_\_\_\_\_ in \_\_\_\_\_ Cemetery.

Office Use

**NAME OF ALL PERSONS RENOUNCING THEIR RIGHTS WITH EQUAL INTERESTS  
TO GRAVE \_\_\_\_\_ IN \_\_\_\_\_ CEMETERY**

I have read the guidance provided regarding the Rights and Responsibilities' of a grave owner and understand the obligations which will need to be fulfilled for future interments and memorial consents. I agree that Nuneaton and Bedworth Borough Council will only carry out the transfer if all paperwork is submitted to the Cemeteries Office and the council are satisfied with any enquiries made during this application. All persons who have a right to the grave have been declared below.

Signature \_\_\_\_\_(Proposed Owner)      Date \_\_\_\_\_

Please use additional sheets if required. Joint Executors or Next of Kin who are relinquishing there rights must be named here.

<b>Name 1</b> <i>Please include Title</i>
Address:
Post Code:
Tel No(s).
Email Address:
Relationship to current owner:
<b>Name 2</b> <i>Please include Title</i>
Address:
Post Code:
Tel No(s).
Email Address:
Relationship to current owner:

<b>Name 3</b> <i>Please include Title</i>
Address:
Post Code:
Tel No(s).
Email Address:
Relationship to current owner:
<b>Name 4</b> <i>Please include Title</i>
Address:
Post Code:
Tel No(s).
Email Address:
Relationship to current owner:

<b>Office use only – Renunciations</b>			
Person	1	2	3
Date Returned			4

**Office Use Only:**

Payment Ref	Payment Date / Type
Statutory Declaration/ Form of Assent Sent	Statutory Declaration/ Form of Assent received
Number of Renunciations / Sent	Dates Renunciations forms all received:
Epilog Update:	Deed Issued:

**Proofs Requested/ Copied**

Proofs	Copied

**Office Use Only**

# Grave Transfer Guidance Flowchart

The following flowchart should support you to complete the form.

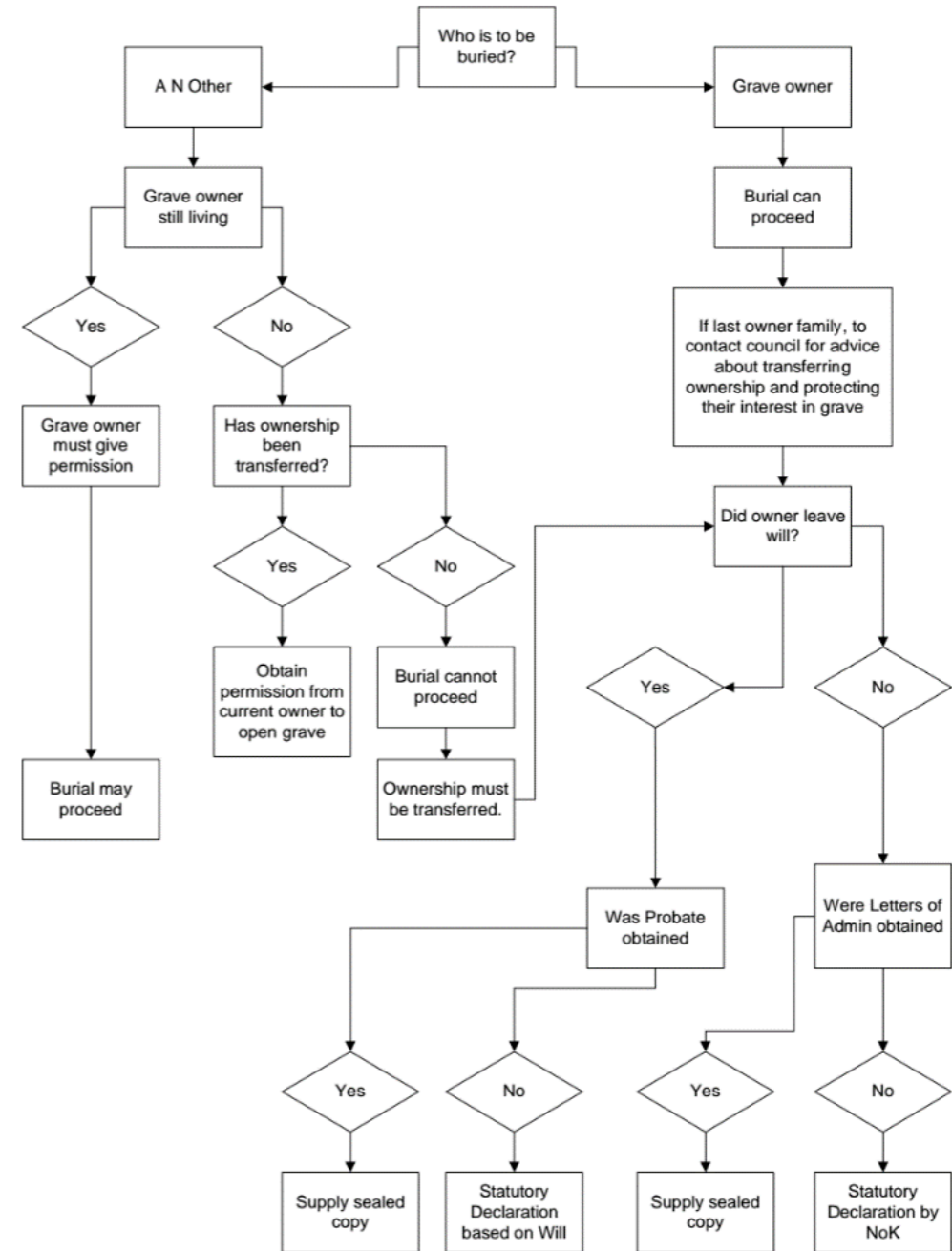
If you have any questions please contact:

Cemetery Office  
Town Hall  
Nuneaton  
CV11 5AA

Tel: 0247 6376 357

Email: [cemetery@nuneatonandbedworth.gov.uk](mailto:cemetery@nuneatonandbedworth.gov.uk)

Office hours: 9.00am – 12.00pm, Monday to Friday



# Next of Kin Guidance

The consent from the immediate next of kin of the grave owner will be required.

Where the next of kin is deceased, the consent of successive family members will be required.

The next of kin for the purposes of a transfer for the Exclusive Right of Burial are:

## Order of kinship is as follows:

1. Spouse or civil partner (see Civil Partnerships Act 2004)
2. All children and both parents
3. All brothers and sisters
4. All grandchildren and grandparents

## The following will not be regarded as next of kin:

1. Divorced spouse
2. Unmarried partner

**In instances where it may be difficult to obtain the necessary consents, please contact the Cemeteries Office before you complete and submit a payment**

Next of kin unable to give consent	Where the next of kin are unable to give their consent personally, for example, on account of frailty or illness, written confirmation to that effect should be provided by a suitable person such as their doctor.
Power of Attorney	Where someone acts on behalf of the next of kin by virtue of a Power of Attorney, or as a Deputy, granted for the purposes of managing their affairs, evidence of their status (including confirmation that the Power has been registered with the Public Guardian Office) should be provided with the application. Delegated powers for the purposes of managing financial affairs only will not normally suffice for our purposes
Missing next of kin	If no contact can be achieved, the transfer will not be possible