BISHOP'S STORTFORD TOWN COUNCIL

Grant of Exclusive Right of Burial – Bishop's Stortford 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, 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. However, Bishops Stortford Town Council will determine the number of burials (this includes cremated remains) permitted in the grave.

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 changes to memorials can be authorised without the permission of the holder of the Grant of Exclusive Right of Burial.

In accordance with the Local Authorities Cemeteries Order all grave rights are sold for a fixed period. The number of years the rights have been granted for is shown on your Grant of Exclusive Right of Burial. At the end of this period, you may apply to the council to extend those rights.

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, the documents that we will require from you are detailed in this leaflet.

If you wish to transfer the ownership during your lifetime you must complete a Form of Assignment and submit it to the Cemetery Administrator at Bishops Stortford Town 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 Cemetery Administrator at Bishops Stortford Town 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 Probate / Will
2. 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 Probate / Will
2. A Renunciation form(s) from each executor who is not taking ownership of the grave.

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 Death Certificate
2. A Statutory Declaration detailing the relationship of the person claiming the Grant of Right of Exclusive Burial to the deceased.
3. 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 Letters of Administration
2. 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 Death Certificate
2. A Statutory Declaration detailing the relationship of the person claiming the rights to the registered grave owner.
3. A Form of Renouncement from all other people who would be entitled to claim the Grant of Exclusive Right of Burial

Statutory Declarations must be witnessed by a Commissioner for Oaths or a magistrate.

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

The Cemetery Administrator, Bishops Stortford Town Council, Windhill Bishops Stortford Herts CM23 2ND. www.bishopsstortfordtc.gov.uk Tel: 01279 712148 or email cemetery.admin@bishopsstortfordtc.gov.uk

The Cemetery Administrator can prepare all the necessary documentation on your behalf. However, copies of the Statutory Declaration form and the form of Renouncement can be obtained from Bishops Stortford Town Council (contact details above). Please note that you should seek your own independent legal advice regarding your circumstances and the completing of the forms. You are responsible for ensuring that the correct form has been completed and all details contained in it are correct.

2026 – Fees until 31.03.27

Transferring Ownership of Deed from a deceased person = £140.00

Assigning Ownership of a Deed from a living person = £75.00

01.04.25