

Ixworth & Ixworth Thorpe Parish Council

The Burial Authority for Ixworth Cemetery

The Deed of Grant of Exclusive Right of Burial

The Deed of Grant of Exclusive Right of Burial is an official document which confirms with the purchaser(s) their right to burial within a defined grave space within Ixworth Cemetery. There is a popular belief that the grave itself is purchased. In fact, only the rights of burial are purchased and not the land itself, which remains the property of the Burial Authority.

Ixworth & Ixworth Thorpe Parish Council issues new Deeds of Grant of Exclusive Right of 50 (fifty) years, allowing the purchase of extensions at the end of that period, at 10 year increments up to a maximum of 99 years. The charge for an extension will be the fee in force at the time of renewal. Renewing or extending the Deed of Grant of Exclusive Right is strongly recommended. However, with so many Exclusive Rights, the Council is not able to send reminders and it is the Deedholder's responsibility to contact the Council.

The Exclusive Rights of Burial would be for up to two normal interments within the grave or Cremated Remains plot. However, when the grave plot is full with respect to normal burials, it may still be utilised for the interment of cremated remains.

It is very important to retain the Deed in a secure place, as it is the only legal document held by the owner(s) confirming their entitlement to the burial and memorial rights.

Permission will be required from the Right Holder(s) for an interment application or memorial application. (see below if Right Owner is the deceased)

If the Deed is held by more than one person permission of all parties will be needed before any burial or memorial can be approved.

After the rights have lapsed, grave ownership reverts to the Council and the Council is at liberty to reuse or resell any space remaining.

Transfer of Deed of Grant of Exclusive Rights of Burial

If the owner, or one of the owners, of the Exclusive Rights dies, it is reasonably assumed that they gave permission to have themselves interred in the grave. After this, the Rights become part of their estate and may be left in a Will or assigned by their executors to someone else. If the Rights are not specifically mentioned in the Will, they will form part of the 'residue' of the Will, usually willed as 'and all my other worldly goods' at the end of the Will.

Whoever inherits the Rights will need to contact the Council and arrange for a transfer of ownership before the grave can be opened again. It is not possible to place a new monument or alter an existing one without the express permission of the owner (Exclusive Right Holder(s)).

In cases where the owner of the Rights died years ago and the family wish to reuse the grave, there is a need to legally transfer ownership. This may involve seeing copies of Will(s) and or Grants of Probate. If these documents are unavailable, there may be a need to make a Statutory Declaration in front of a Commissioner for Oaths, Solicitor or Magistrate. Although the Council can advise of the process and provide specimen paperwork, ownership is the family's responsibility, and the Council is unable to accept a booking for an interment or memorial installation unless ownership has been clearly established.

Exclusive Rights that are no longer required by the Exclusive Right Holder(s) may be surrendered to the Council at any time, by writing to the Council and returning any deed(s) held.

Change of Address for an Exclusive Right of Burial

Please write to Ixworth & Ixworth Thorpe Parish Council to change your address on your Deed of Grant, giving your old and new addresses.

The correct address of the Right Holder(s) is required in case the Council need to contact regarding any issue that may arise within the Cemetery.

With so many Exclusive Rights, the Council is not able to send letters to confirm the Right Holder is still at the address recorded with the Council. It is the Deedholder's responsibility to contact the Council.