

ADVICE AND INFORMATION FOR OWNERS OF A GRANT OF EXCLUSIVE RIGHTS OF BURIAL AT RHOSLLANNERCHRUGOG CEMETERY

The Ownership of a Grant of Exclusive Rights of Burial within a grave plot not only conveys certain rights upon the owner but also imposes a number of responsibilities.

These notes briefly describe the ownership rights and responsibilities for your information. Should you require further clarification of the points raised or any additional information about Cemetery matters, please contact the Clerk (contact detail at end) who will be pleased to assist.

BURIAL RIGHTS

The Grant of Exclusive Rights of Burial within a grave plot does not convey any ownership of the land itself. The ownership of the Cemetery land, including the grave surface, remains with the Community Council.

The Grant is in the form of a written deed (the grave deeds), issued by the Community Council on payment of the required fee. The period of the Grant lasts for 99 years, and, during that period, the person registered with the Community Council as being owner of the Grant has sole right to decide who may be interred in the grave plot. At the end of 99 years, unless the Rights have been renewed by the Grant owner, the Burial Rights cease to exist.

The Exclusive Right of Burial also includes the Right to Erect a Memorial, of a design and method of construction approved by the Community Council and installed on the grave plot.

It is important to retain the Deed in a secure place, as it is the only legal document held by the owner confirming their entitlement to the Burial and Memorial Rights. It is also important to notify the Community Council of any change of address.

At the time of purchase, the Grant will be registered with the Community Council in the name of the person given on the Interment form. Contrary to what many people believe the possession of the grave deed does not in itself convey entitlement to the Burial Rights of the grave plot. In order for a transfer of ownership to be recognised by the Community Council the possessor will need to prove legal entitlement to the Grant:-

> Where a former letter of Assignment, signed by the former registered owner, has passed the ownership of the grant to the deed possessor

> Where the original owner of the grave rights has died, the person holding the Deed document has inherited the estate of the deceased and is therefore legally entitled to claim ownership of the Grant

> If the estate of the original owner has been divided amongst surviving heirs, (for example, if the deceased left no will), each of the heirs will have equal claim to the ownership of the Grant. In such circumstances, the person wishing to be registered as the new owner will need to provide written proof that the other legal claimants agreed to relinquish their entitlement to claim ownership of the Grant.

Exclusive Rights of Burial may be purchased for up to 3 normal interments within the grave plot. However, even when the grave plot is full with respect to normal burials, it may still be used for the interment of cremated remains thereafter. Burial Rights for a Cremated Remains plot are for 2 interments of cremated remains.

GRAVE MAINTENANCE

Since the early 1970's, all new burial areas within the Cemetery have been laid out in what is known as the 'Lawn' Section. Using this system, the Community Council is able to gain easy access to all graves within the burial section, thus allowing more effective maintenance of grave surfaces at lower cost to the residents of the Community and also simplifying the excavation of graves.

In order to allow for the ease of access, grave owners are permitted to place any memorial artefacts, flower containers or memorial slabs on the base on which the headstone is placed with 2 vases incorporated within the headstone, thus preserving the remainder of the grave surface free from obstructions. Flower containers should not be made of glass or porcelain, as these materials will often crack due to water freezing during periods of zero temperature. Similarly, plastic materials become brittle in sunlight.

In the period following a burial the grave surface will be subject to sinkage due to soil settlement. The initial settlement lasts 4-6 months, during which time the surface will be topped-up by cemetery staff as required. Once the initial settlement has taken place, the surface will be grassed over. Over the future years the grave will continue to settle and may require re-surfacing from time to time by the Cemetery staff. In the non-lawn areas of the Cemetery, where masonry surrounds have been installed (curb stones with enclosed grave surfaces) these must be the responsibility of the grave owner to maintain.

MEMORIALS

Grant owners are entitled to apply for permission to have a permanent memorial erected upon a grave plot. Normally, the application will be completed and submitted, on behalf of the Grant owner, by the memorial mason or stone craftsman contracted by the owner to carry out the work.

There are no restrictions upon design of a memorial other than considerations of public safety and the prevention of offence to cemetery visitors. The most popular form of memorial is a 'headstone' i.e. an upright memorial stone placed at the head of a grave. Other forms, such as a 'book' stone plaque or masonry vase, are also popular.

If a burial is to take place the Grant owner will need to ensure that any memorials are re-moved prior to the