



COWBRIDGE (ANCIENT BOROUGH) with
LLANBLETHIAN TOWN COUNCIL
CYNGOR TREF
Y BONTFAEN (Bwrdeistref Hynafol) gyda
LLANFLEIDDAN

The Limes Cemetery Report

To: The Leisure & Amenities Committee

From: Town Clerk Cathy Kennedy

Date: Tuesday, 9 January 2024 at 7pm

Reason for Report:

To address concerns regarding a statutory declaration form and an ongoing dispute between brothers.

Background:

Following the death of individuals holding the Grant of Exclusive Right to a plot, legal protocols mandate the transfer of rights to a next of kin before any additional burials in the plot or the installation of a memorial stone can proceed.

In February 2023, officers were contacted by a stone mason acting on behalf of son number 1 who wished to organise a memorial stone for this deceased father who has been laid to rest in the Limes Cemetery. The stone mason informed officers that the original Grant of Exclusive Right deed had been mislaid. In such instances, legal procedures dictate the completion of a statutory declaration form to facilitate the transfer of grave rights. Subsequently, the stone mason submitted a completed and solicitor-signed form on behalf of son number 1. On receipt of the form, the necessary paperwork was completed and the deed transferred to son number 1.

On 7 September 2023, a funeral director acting on behalf of son number 2 contacted officers to request confirmation regarding the deed's transfer to son number 1, this was confirmed.

On 3 November 2023, son number 2 contacted officers claiming executorship of the will, asserting his right to the Grant of Exclusive Right Deed. I responded to son number 2 on 7 November 2023, explaining if he wished to challenge the statutory

declaration form provided by son number 1, this would need to be legal challenged by son number 2.

On 22 November 2023, I received a letter from son number 2's legal representatives requesting a copy of the completed Statutory Declaration Form, which I promptly provided.

On 21 December 2023, son number 2's legal representatives responded to enquire if the Grant of Exclusive Right Deed would be transferred to son number 2 upon receipt of a completed Statutory Declaration Form. I clarified that, as a transfer had already been made to son number 1, that this would have to be legally challenged by son number 2.

Financial Implications:

Possible legal expenses.

Summary:

The council's insurance/legal providers have been notified, and I am currently awaiting a response from son number 2's legal representatives.