

# Memorial Tree and Bench Policy

Reviewed November 2021

Recreation & Amenities Committee (minute R292)

## 1. INTRODUCTION

- 1.1 Hedge End Town Council (HETC) recognises the wish of some residents to remember loved ones with a memorial bench or tree. We are happy to consider requests, but it is important to remember that public land is enjoyed by a wide range of users and residents. When siting memorial trees and benches, HETC will always take into account existing benches, trees, geographical features and soils conditions before accepting a donation. It is also important to remember that once donated, the trees and benches become the property of HETC.

## 2. POLICY SCOPE

- 2.1 This policy has been produced with the following guiding principles:
- To be respectful and sympathetic to those seeking to install a memorial
  - To be clear and easily understood by residents and users of public land
  - This policy applies to all land under the Town Councils ownership or management, regardless of location including its parks, allotments, cemeteries, woodlands and open spaces.
  - Whilst this policy is as comprehensive as possible, it does not cover every situation. Situations that occur outside of this policy's scope will be dealt with on a case-by-case basis at the Councils discretion.
  - The Town Council reserve the right to refuse any Memorial Bench application which it deems unsuitable. The decision of the Town Council will be final.
  - Memorial trees/ benches and their installation are purchased by way of a monetary donation to the Council.
  - Memorial trees/ benches will not be ordered until the full donation has been received.

## 3. LEGISLATION

- 3.1 There is no legislative requirement for the provision of public or memorial benches although it is accepted that they provide a useful and valued public

amenity. The provision and management of all seats and benches on all public open spaces owned or managed by the Council is the responsibility of the Town Council.

#### **4. MEMORIAL BENCHES**

- 4.1 All applications for a memorial bench should be made in writing to the Town Council.
- 4.2 The council will always try to accommodate the wishes of applicants, however only sites which do not already have a sufficient number of benches will be considered.
- 4.3 All inscriptions must be approved by the Town Council prior to installation. The Town Council reserve the right to refuse any inscription that is deemed offensive or inappropriate.
- 4.4 Whilst every effort will be made to accommodate the applicants wishes, the final design and bench location are at the discretion of the council. Designs will be the same or similar to those already in the locality.
- 4.5 The council do not accept responsibility for any damage or loss that may occur if a memorial is damaged, vandalised or stolen.
- 4.6 The council reserves the right to remove a memorial bench at any time. If this is within 10 years of installation, the council will contact the applicant (provided that contact details are up to date) and attempt to relocate the bench to a suitable location.
- 4.7 No additional mementoes, e.g. statues, flowers, wreaths, vases, etc. will be permitted on or around the bench. The council reserves the right to remove and dispose of any such items.
- 4.8 Scattering of cremated remains and burial of urns with cremated remains is not permitted at any time.
- 4.9 Only maintenance work authorised by the Town council will be permitted.
- 4.10 Memorial plaques must not be removed or inscriptions amended without the written approval of the Town Council
- 4.11 The council will undertake regular assessment of all benches and reserves the right to remove any bench that is no longer considered safe and fit for purpose. In this event, the council will attempt to contact the named person(s) on the enquiry form. The donor will be asked to collect the inscribed plaque within 4 weeks. If contact cannot be made plaques will also be disposed of within 8 weeks
- 4.12 The council will keep a record of donors and their contact details in accordance with the General Data Protection Regulations. It is the responsibility of the donor to provide the council with updated details in

writing. Failure to do so could lead to plaques or benches being removed without notice to the donor

## **5. MEMORIAL TREES**

- 5.1 All applications for memorial trees should be made in writing to the to the Town Council.
- 5.2 The council will always try to accommodate the wishes of applicants, however as trees are dynamic living organisms, they need specific conditions to thrive and survive, therefore the final planting location will be entirely at the Town Councils discretion.
- 5.3 Tree species will be selected taking into account the wishes of the applicant, existing trees in the area, the trees final expected size, soil conditions and geography of the area. Wherever possible the Town Council will offer a choice of species suitable for the location.
- 5.4 Tree species availability and price can vary significantly, therefore the price agreed when the donation is paid will be honoured by the Town Council unless supplier costs increase significantly between receipt and ordering.
- 5.5 Trees will always be sourced from reputable growers/ suppliers and be of a high standard.
- 5.6 Trees will generally be planted between November and March, as this is widely recognised as the best time to establish newly planted trees.
- 5.7 Trees will be planted with a suitable sized stake/ stakes, at the correct depth, and top dressed with a good layer of mulch. A suitable stem guard will be added if the area is prone to deer or rabbits.
- 5.8 Whilst every effort will be made to maintain newly planted trees, the council cannot be held accountable for trees that do not establish or die.
- 5.9 In most instances, a single memorial plaque on a post may be placed in the ground to the front of the tree. All inscriptions must be approved by the Town Council prior to installation. The Town Council reserve the right to refuse any inscription that is deemed offensive or inappropriate.
- 5.10 The council do not accept responsibility for any damage or loss that may occur if a memorial plaque is damaged, vandalised or stolen. Memorial plaques must not be removed, or inscriptions amended without the written approval of the Town Council.
- 5.11 The Council retains the right to re-site a plaque should this become necessary.
- 5.12 No additional mementoes, e.g. statues, flowers, wreaths, vases, etc. will be permitted on or around the tree. The council reserves the right to remove and dispose of any such items.

- 5.13 Once a tree has been planted it is expected that it will remain for perpetuity, however, the council reserve the right to remove the tree for a variety of reasons including safety (in line with HETC Tree Policy), disease, mortality, changing environment, changes to infrastructure and common law nuisance.
- 5.14 The scattering of cremated remains and burial of urns with cremated remains is not permitted at any time.
- 5.15 Memorial Trees will be recorded on a register kept by the Town Council.
- 5.16 The council will keep a record of donors and their contact details in accordance with the General Data Protection Regulations. It is the responsibility of the donor to provide the council with updated details in writing. Failure to do so could lead to plaques or trees being removed without notice to the donor.