

# **SOUTH HUISH PARISH COUNCIL**



## **MEMORIAL BENCHES POLICY**

<b>Version ID</b>	<b>Description of change</b>	<b>Version sponsor</b>	<b>Policy Owner</b>	<b>Creation date</b>	<b>Approval date</b>	<b>Next review date</b>
0.1	Initial draft	Parish Clerk	SHPC	15/02/2020		May 2022

## **SCOPE OF THE POLICY**

- 1.1 When loved ones die, their friends and relatives will often want to commemorate them with a lasting memorial. Often this will be in the form of a bench which not only honours their memory but provides a beautiful and functional improvement to the local environment.
- 1.2 South Huish Parish Council is fortunate enough to have many fantastic views and beautiful scenery across the area. This policy sets out how we approve memorial benches; who is responsible for their upkeep; and what is expected from the donor and the Council.
- 1.3 The Council will always endeavour to be respectful, sympathetic, and fair towards those donating benches; to balance the needs of users; and to maintain the high quality expected of us.

## **WHAT AND WHO IS COVERED BY THE POLICY**

- 2.1 The policy covers any memorial bench, placed within the parish of South Huish and is relevant to anyone who has commissioned or is thinking of commissioning a memorial bench.
- 2.2 South Huish Parish Council areas for the siting of benches include:  
Woolman Point, Beacon Lane, Westward, Lantern Lodge, Cliff House, Sea Gardens, Donkey Path, Mouthwell, Post Office, Harbour Beach, Colonial House, St Clements Steps, Hope Cove Hotel (was Sun Bay Hotel), Bandstand, Bolt Tail Path, New Road and Beachcomber.

## **LEGAL FRAMEWORK**

- 3.1 The siting of benches on land as memorials, is a private arrangement between the friends and relatives commissioning the memorial, and the landowner. As such, the Parish Council can only approve memorials on Council-owned land or as part of a replacement program of old parish benches. The Council may support additional applications for benches placed on the public highway, but permission is required from the local highways authority, Devon County Council.
- 3.2 Generally speaking, installing benches will not be subject to planning permission, restrictive covenants, or other restrictions. However, there may be cases where the Parish Council is unable to install benches for such reasons.
- 3.3 Under the Crime and Disorder Act 1998, the Council must consider the effect of its decisions on crime and disorder. It may deem a location unsuitable if it may attract antisocial behaviour.
- 3.4 When the Council agrees to install a bench, it is bought by the friends and family and donated to the Council. The bench then becomes the property of the Council, and the donor does not retain any right to determine its future management. The Council will nevertheless endeavour to ensure it is properly maintained and cared for.

## **POLICY STATEMENT**

### **Determining requests**

- 4.1 Enquiries for a memorial bench or tree should be made by email to [clerk.southhuishpc@gmail.com](mailto:clerk.southhuishpc@gmail.com). The requests will be determined by the Councillors at the next full Parish Council meeting.
- 4.2 The Council will endeavour to accommodate any reasonable requests. Requests may not be able to be fulfilled if the location is suitable due to the risk of vandalism, antisocial behaviour, over-population of benches, or any other material factors.
- 4.3 Only benches suitable, in-keeping to the immediate surrounds, and benches of a robust design will be considered. The Council's preference is for recycled plastic benches as they are long lasting and easier to maintain. The Council will advise on suitable options but will endeavour to meet any specific requests.
- 4.4 The Council prefers plaques rather than engraved inscriptions.
- 4.5 The exact location of the bench will be agreed during a site visit with a member of the Council or the Parish Clerk. It is the donor's responsibility to ensure that the location (and orientation in the case of a bench) is well-communicated to the Council and confirmed in writing, by letter or email, with an accompanying sketch.
- 4.6 Where an existing bench is in poor condition, the Council and donor may agree to install a memorial bench in its place, the full cost of which shall be met by the donor as detailed below.
- 4.7 Memorial benches will only be considered from people that can demonstrate a close tie with the person being commemorated. The Council reserves the right to refuse a memorial bench should it have any grounds to believe it would be contrary to the wishes of the commemorated person's next of kin.

### **Costs**

- 4.8 The cost of the bench will include any plaques / inscription, delivery, and planting / installation costs (e.g. fixings, paving or base around the bench). All costs provided will be inclusive of VAT (as the Council is unable to reclaim VAT on these donations).
- 4.9 A further one-off surcharge of 20% will be added on top of the cost for the continuing and future maintenance of the bench.

### **Installing**

- 4.11 The arrangements for ordering and installing the bench or tree will usually be made directly by the Council, once a specification has been agreed with the donor, and once the financial donation has been made.
- 4.12 No scattering of ashes of humans or pets at any site will be permitted.

### **Plaques**

- 4.13 Commemorative plaques can be affixed to a memorial bench, subject to agreeing a size, wording, and specification with the Council.
- 4.14 Commemorative plaques may be affixed to existing benches, where there is no other visible sign of it being a memorial bench. The fee for this will be the cost of the plaque and installation, plus 50% of the estimated cost of a like-for-like replacement bench.

### **Maintenance**

- 4.15 The Council will only source high quality / durable benches and will endeavour to maintain and care for the memorial bench. However, it cannot guarantee their condition.
- 4.16 Donors should also be aware that benches in public areas may be subject to vandalism, and the Council will not be held responsible for any costs in replacing them.
- 4.17 The Council shall endeavour to maintain and care for a memorial bench for as long as possible. However, it reserves the right to re-site or remove any bench that it deems to be unsafe, unrepairable, or other reasons.
- 4.18 No placing of flowers or other objects at memorials will be permitted, except with the permission of the Council.
- 4.19 The donor shall not be permitted to undertake any maintenance of the memorial bench without the permission of the Council.