



Memorial Tree and Bench Policy

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 tree or bench which not only honours their memory but provides a beautiful and functional improvement to the local environment and the community.

1.2 This policy sets out how we approve memorial benches and trees; who is responsible for their upkeep; and what is expected from the donor and the Council. The Council will always endeavour to be respectful, sympathetic, and fair towards those donating trees and benches; to balance the needs of facility users; and to maintain the high quality of its open spaces.

WHAT AND WHO IS COVERED BY THE POLICY

2.1 The policy covers any memorial bench, tree, or other lasting item placed on Bishops Waltham Parish Council-owned land or property and is relevant to anyone who has commissioned or is thinking of commissioning a memorial tree or bench.

2.2 For the purpose of this document anyone who requests a memorial bench or tree is referred to as 'the donor'.

LEGAL FRAMEWORK

3.1 The planting of trees or installation of benches on land as memorials, is a private arrangement between the friends and relatives commissioning the memorial, and the landowner. As such, the Council can only approve memorials on Parish Council-owned land.

3.2 Generally-speaking, installing trees and benches will not be subject to planning permission, restrictive covenants, or other restrictions. However, there may be cases where the 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 or tree, the cost of the bench or tree is borne by the Donor. The tree or bench is 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 the Donor to the Council. The request shall then be brought for consideration before the appropriate Committee. These requests will be considered on a case by case basis. Requests may not be able to be fulfilled if the location is unsuitable due to the risk of vandalism, antisocial behaviour, over-population of trees or benches, or any other material factors.

4.2 The Council will endeavour to accommodate any reasonable requests for the planting of memorial trees or installation of memorial benches on Council-owned property only.

4.3 Only trees and benches suitable, in-keeping to the immediate surrounds, and benches of a robust design will be used.

4.4 The Council will approve the style and make of bench in advance. To ensure the health and safety of the public the Council will only approve of high quality / durable benches

4.5 The Council will supply a list of preferable trees and may also suggest an appropriate location. The size and type of tree will be agreed on in advance of planting.

4.4 The exact location of the tree or bench will be agreed with Council staff. It is the Donor's responsibility to ensure that the location is well-communicated to the Council and confirmed in writing, by letter or email, with an accompanying sketch if needed.

4.5 Memorial benches and trees will only be considered from people that can demonstrate a close tie with the person being commemorated and a local link to the parish. The Council reserves the right to refuse a memorial bench or tree should it have any grounds to believe it would be contrary to the wishes of the commemorated person's next of kin or the memorialisation cause offence to the wider community. The Council reserves the right to refuse a memorial bench or tree for other reasons. The reasons will be supplied to the applicant if requested.

Costs

4.6 The cost of the tree or bench and any installation costs will be borne by the Donor.

Commissioning

4.7 Tree planting will usually only be permitted between late autumn and early spring, in line with the tree-planting season.

4.8 Trees can be planted by donors after approval has been given by the council. A member of the Council staff will mark the site with a stake to ensure that it is planted in the pre-agreed place.

4.9 Donors can request that the tree is planted by a Parish Council contractor or staff, however we reserve the right to invoice the donor on a time cost basis for the time taken to complete this by any member of the Council staff. Donors are welcome to be present at the tree planting and carry out a small ceremony if they wish.



4.10 No scattering of ashes of humans or pets at any site either at the time or a later date will be permitted.

Plaques

4.11 Commemorative plaques can be affixed to a memorial bench, or placed next to a memorial tree, subject to agreeing a size, wording, and specification with the Council. No plaque may be affixed to a tree itself.

Maintenance

4.12 Donors should also be aware that benches or young trees in public areas may be subject to vandalism, and the Council will not be held responsible for any costs in replacing them.

4.13 The Council shall endeavour to maintain and care for a memorial tree and bench for as long as possible. However, it reserves the right to re-site or remove any tree or bench that it deems to be unsafe, unrepairable, or other reasons. A replacement tree or bench maybe considered at the cost of the donor should they wish to at that time.

4.14 Whilst the council understand that this can be a sensitive time for Donors, we also need to consider the impact of the wider community and the environment. Therefore, no placing of flowers or other objects at memorials will be permitted, except with the permission of the Council.

4.15 The donor shall not be permitted to undertake any maintenance of the memorial tree or bench without the permission of the Council.

4.16 The council would welcome the Donors participation in watering a memorial tree in the initial stages to ensure it has the best chance of survival.

Memorial Duration

4.17 The Council cannot guarantee a length of time a bench or tree can remain in situ. Whilst the Council will do its best to preserve a memorial tree and/or bench for as long as possible there will come a time when these reach the end of their lifespan. Once a tree or bench is deemed unfit and in order to protect the health and safety of the public it will be removed. If the Donor is still local, (or can be contacted) they will be offered the opportunity to replace an existing memorial bench or tree with a new replacement at that time. This replacement cost would be borne by the Donor.

Document History		
Status	Date	Version
Originally adopted by FP&R	2 nd July 2024 (Approved by PC 9.7.24)	1.0
Review Date	2027 or otherwise when necessary to do so	