

## Slindon Parish Council -- Memorial Tree and Bench Policy



### Scope of the policy

- 1.1. When loved ones die, their friends and relatives will often want to commemorate their life with a lasting memorial in the form of a tree or bench.
- 1.2. This policy sets out how we approve memorial benches and trees, who is responsible for their upkeep, what is expected from the donor and the Council and what happens to the memorial when the bench/tree reaches the end of its life.
- 1.3. The Council will always endeavour to be respectful, sympathetic and fair towards those donating trees and benches, balancing the needs of users and to maintain the high quality of its open spaces.

### What is covered by the policy

- 2.1. The policy covers any memorial bench, seat or tree placed on Parish Council owned or maintained land and is relevant to anyone who has commissioned or is thinking of commissioning a memorial tree or bench.
- 2.2. It applies to land leased to the Parish Council and also where it acts as the sole managing trustee, namely the Slindon Recreation Ground.

### Legal framework

- 3.1. The planting of trees or installation of benches on land as memorials, is a private arrangement with the friends and relatives commissioning the memorial. Where benches seek to be placed on the public highway, the donor must seek permission from the local highways authority, West Sussex County Council.
- 3.2. Generally-speaking, planting trees and 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 assist due to these reasons.
- 3.3. When the Council agrees to install a bench or plant a tree, they are bought by the friends and family and donated to the Council. The tree or 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.

#### Determining requests

- 4.1. Enquiries for a memorial bench or tree should be made by email to the Clerk. The Council will determine the requests.
- 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/managed property only. 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.
- 4.3. Only trees and benches suitable, in-keeping with their immediate surroundings and benches of a robust design will be considered.
- 4.4. The exact location of the tree or bench will be agreed between the donor and the Council.
- 4.5. 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.
- 4.6. Memorial benches and trees will only be considered from people who can demonstrate a close tie with the person being commemorated. 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.
- 4.7. No scattering of ashes of humans or pets at any site will be permitted.

#### Plaques

- 5.1. 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

- 6.1. 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.
- 6.2. The Council accepts no liability for replacing a bench or tree at the end of its useful life. When a bench or tree has been disposed of, the commemoration will automatically cease. In the

event that the Council installs a new bench or tree at the same location, it reserves the right to agree a commemoration with a new donor.

The Parish Council's decision is final.