



BISHOPSTEIGNTON PARISH COUNCIL

MEMORIAL ASSETS POLICY

1 INTRODUCTION

1.1 When a loved one is lost a tree or bench is a not only a way honour their memory but provides a beautiful and functional improvement to the local environment. Bishopsteignton Parish Council (BPC) supports the needs and principles of allowing memorial benches/seats/trees with plaques to be installed within the parish and is mindful that these assets are enjoyed by a wide range of people.

BPC will ensure the provision and future care/maintenance of these assets is managed and regulated for the mutual benefit of all.

BPC will always endeavour to be respectful, sympathetic and fair towards those donating benches and trees; to balance the needs of facility users; and to maintain the high quality of its open spaces.

1.2 The policy covers any memorial bench, tree or other lasting item (excluding memorials around graves) placed on BPC-owned or controlled property/land and is relevant to anyone who has commissioned or is thinking of commissioning a memorial bench or tree.

BPC property includes: Bishopsteignton Parish Cemetery on Lindridge Road, The Lawns Recreation Ground, The Village Green, playgrounds at The Lawns & Cockhaven Close, and various smaller green spaces such as Radway Hill garden, Wallis Grove garden, Newton Road junction of Cockhaven Road.

1.3 BPC is unable to agree to the interment or scattering of ashes/cremated remains at public open spaces within the parish.

1.4 BPC does not accept applications for memorials for pets.

1.5 The number of memorial benches and trees permitted shall not detract from the prime recreational purpose of the property/land. Therefore, the size and location of the property/land shall limit the number of benches/trees permitted. The Council reserves the right to refuse applications on this basis.

1.6 It is the intention that the policy only covers broad common issues and is not meant to be exhaustive. The content of this policy will be reviewed regularly and revised as necessary to meet changing circumstances.

2 BENCHES

2.1 TERMS & CONDITIONS OF DONATION

- a. Memorial benches will only be considered from people who can demonstrate a close tie with the person being commemorated. BPC reserves the right to refuse a memorial bench should it have any grounds to believe the application to be contrary to the wishes of the commemorated person's next of kin.

- b. Applications to replace an existing bench (with a new bench) on public land within the Parish must be made in writing to the clerk using Memorial Bench Application Form, copy available online or from the Clerk. The application will be reviewed by the clerk who shall, upon preliminary approval, liaise with the applicant to finalise details of the bench & plaque specification, costs, payment, supply and installation.
 - c. Applications to install a bench in a new location on public land within the Parish must be made in writing to the clerk using form MBApp.v02. The application shall be reviewed by the BPC Asset Management Committee or the full Council; whichever meets soonest. Should approval of an alternative authorities be required, such as DCC Highways, this shall be sought by the clerk. Upon approval of BPC/alternative authority the clerk shall liaise with the applicant to finalise details of the bench & plaque specification, cost, payment, supply and installation.
 - d. The Council will attempt to accommodate the wishes of applicants at all times - However, memorial benches will be positioned to maximise the benefit and development of the surrounding area.
 - e. Under the Crime and Disorder Act 1998, BPC must consider the effect of its decisions on crime and disorder. It may deem a location unsuitable if it may attract antisocial behaviour.
- 2.2
- a. BPC promotes the use of eco-friendly, recycled, durable plastic benches as detailed in the application form MBApp.v02. Alternative benches maybe considered by the Asset Management Committee in special circumstances who reserve the right to decline an application if the bench quality or design is not deemed suitable.
 - b. The donation for a new recycled plastic bench, as detailed in the application form MBApp.v02, is £600 or £700 (depending on its length). This covers the purchase and delivery of the bench and toward installation. There is an additional fee for a plaque and inscription as detailed on form MBApp.v02.
 - c. If an alternative bench model is approved this will be ordered by BPC. The applicant's donation shall cover the cost of the bench, plaque, specific fixings and delivery charge plus a 25% surcharge added to cover installation and future maintenance.
All donations are exclusive of VAT.
 - d. No bench shall be ordered until BPC are in receipt of the full payment and completed application form from the donor/applicant.
 - e. In order to maintain a consistency of appearance and quality the installation of all benches shall be managed and paid for by BPC.
 - f. No additional mementoes shall be permitted on or around the bench, without prior permission.

3 BENCHES: MAINTENANCE

- 3.1 The new bench shall be listed on the Asset Register of BPC and insured as such. Benches shall remain the property of BPC; the principal of donations mean sponsorship/provision not ownership. Legal ownership of a donated bench remains with BPC therefore all future

maintenance cost will be met by BPC and the donor does not retain any right to determine future management of the asset.

- 3.2 A condition survey of each bench within the Parish will be conducted by a representative appointed by the clerk and/or Asset Management Committee Chairman. This will occur every 2 years; or sooner if deemed necessary by the clerk or a members of BPC.
- 3.3 BPC shall endeavour to maintain a memorial bench in its original chosen location for as long as possible. However, it reserves the right to re-site any bench should the position no longer be deemed suitable or the land be required for alternative use.
- 3.4 If a bench within the Parish is damaged beyond economical repair it shall be removed by BPC. In this instance the clerk will inform the original donor who may decide to replace the bench in accordance with item 2.2. However, if a replacement is not required by the original donor the location will become available for another applicant.

Neither the donor nor any third party shall be permitted to undertake any maintenance of the memorial bench without the permission of BPC. Maintenance of the bench will remain the responsibility of BPC. This will include any preservation, treatment, and repair work.

BPC accepts no liability for replacing a memorial bench at the end of its useful life. When a bench has been disposed of, the commemoration will automatically cease. In the event that BPC installs a new bench at the same location, it reserves the right to agree a commemoration with a new donor.

- 3.5 BPC shall maintain a record of each donation. The record shall contain all pertinent information including the donor's name and contact details. This information is held in accordance with BPC Privacy & Data Retention Policy, and the General Data Protection Regulations and Data Protection Act 2020.

4 MEMORIAL TREES

- 4.1 The provision of memorial trees and associated commemorative plaques can be accommodated subject to the agreement of tree type and location by the Council.
- 4.2 Only native trees suitable to thrive and in-keeping to the immediate surrounds, will be considered. Details of suitable tree species can be provided on application. The applicant will be required to pay the Council for the tree, the fee will include a reserve to ensure the new tree is watered thoroughly across the first 2 years since planting, to ensure survival.
- 4.3 Planting will usually only be permitted between late autumn and early spring, in line with the tree-planting season. Trees will normally be planted by a Council appointed, qualified contractor. However, donors are welcome to be present at the tree planting and carry out a small ceremony if they wish.
- 4.4 Commemorative plaques can be placed next to a memorial tree, subject to agreeing a size, wording and specification with the Clerk. Preparation of the plaque, installation and cost to be organised. No plaque may be affixed to a tree itself. The plaques are subject to patination from the weather and will be restored as and when other work is carried out to the bench. Plaques may be subjected to vandalism. Any replacement costs will need to be met by the donor.

- 4.5 No additional mementoes shall be permitted on or around the tree without prior permission.
- 4.6 Ownership of the tree will transfer to the Council at the time of installation. The Council will maintain the tree in line with the current maintenance regime. If a tree requires to be removed due to safety reasons or due to disease the Council will make every effort to inform the owner.
- 4.7 In the two-year period after a memorial tree has been planted, the Town Council will commit to providing a similar replacement should the original tree get damaged or vandalised. Following that initial two-year period, the Council accepts no replacement liability for damage to the plaque or the tree from vandals or third parties. The cost of any necessary replacement is then the responsibility of the original applicant.