

PADSTOW TOWN COUNCIL: 10 MAY 2022

AGENDA ITEM 10: MEMORIAL BENCH POLICY

1. Overview

- 1.1 Committee are asked to give consideration to recommending a new Memorial Bench Policy to Council for approval as appended to this cover report.
- 1.2 It is understood that by July 2022 the parish memorial benches will range between approximately 10 to 36 years old. Currently the Maintenance Team make repairs to benches, generally on an annual basis, replacing broken slats and repainting them as required. However due to a number of issues with historical records, it is unclear whether donors ever made a donation towards maintenance costs or for how long such repairs were intended to continue before becoming uneconomical.
- 1.3 Over the last few years a number of donors have come forward to replace their benches. For ease of maintenance and sustainability these replacements have been made out of a composite recycled material. The benches have been paid for by the donor but no fees were charged for the removal of the old bench or the team's time in installing the new one. Furthermore, no donations were received towards ongoing maintenance.

2. Policy Detail

- 2.1 The new policy aims to build on but replace the current memorial policy (appendix 2) and does not seek to change Committee's 2012 decision that "no further benches would be permitted in the parish". The new policy will however support current practices, define processes and pre-empt future issues by way of:
 - Setting clear and consistent procedures for dealing with gaps in donor records;
 - Providing clarity over the definition of maintenance and its timeframe;
 - Determining a clear and consistent procedure for identifying and dealing with the end of a bench's serviceable life;
 - Agreeing a process for dealing with the future issue of "spaces" as aging benches deteriorate; and
 - Introducing appropriate fees for works related to replacement benches.

3. Extent of Policy

- 3.1 The policy relates only to memorial benches, the majority of which are located in Stile Field or the cemetery. Historically the Town Council have also been responsible for some benches not technically on Town Council land. These are included in the new policy which seeks to "tidy" this grey area by ensuring that any future works have the recorded permission of the landowner.
- 3.2 The policy does not cover the benches which the Town Council maintains around the harbour, as these are not memorial benches. These will

continue to be repaired by the Maintenance Team and where replacements are necessary will be purchased in a composite recycled material.

3.3 Where it's considered there are exceptional circumstances then a request outside of the policy can be brought to Committee for consideration.

4. Recommendation

4.1 It is recommended that Committee recommend to council the adoption the new Memorial Bench Policy and note that suggestions for the fees and charges detailed in the policy will be brought to a meeting of either the Leisure, Tourism and Open Spaces Committee or the Full Council, whichever is first, for consideration and approval.



PADSTOW TOWN COUNCIL

Memorial Bench Policy

POLICY/PROTOCOL/PROCEDURE

Version		Comments	
Approval Date		Responsible Officer	Town Clerk
Committee	LTOS	Approval by	Full Council

VERSION HISTORY

Date	Version	Comments

REVIEW RECORD

Date Review initiated	Review undertaken by i.e. officer/ Cttee/Council	Summary of any recommended updates/changes to be made

Memorial Bench Policy

1. Scope

- 1.1 Padstow Town Council recognises that the provision of memorial benches in Padstow Parish provides a useful and valued public amenity to a wide range of people.
- 1.2 The purpose of this policy is to ensure a clear, consistent and sustainable approach is applied to the management of memorial benches for the mutual benefit of all. This policy will be reviewed regularly and the content revised as necessary to meet changing circumstances.
- 1.3 Authorised sites in the ownership of Padstow Town Council for placing of memorial benches have historically been Stile Field and Padstow Cemetery.
- 1.4 This policy will be applied to all memorial benches historically maintained by Padstow Town Council even where this includes benches on land not owned by the Town Council except in respect of paragraph 2.3. Further requests made under section in 4 relation to these benches will require the formal approval of the landowner.

2. Applications for New Memorial Benches

- 2.1 New applications for memorial benches will not be considered due to a lack of suitable space on Town Council land. The Council will not hold a waiting list of donors. This will ensure that if such applications are invited at a later date, there will be opportunity for donors to make dedications to future loved ones.
- 2.2 Requests for memorial benches on land within the Parish not owned by Padstow Town Council will require the permission of the relevant landowner and will not involve the Council in either permissions, maintenance or installation.
- 2.3 Should a "space" become available following the removal of an existing memorial bench, it will not automatically be made available for a new donation. The "space" will be considered at a meeting of the Leisure, Tourism and Open Spaces Committee on a case by case basis, and Committee will take into account the following factors in their decision making:
 - a) Location: Is the location a natural stopping point, does it enhance the areas seating provision;
 - b) Accessibility: Is access for installation and maintenance suitable now and in the longer term, can it be easily accessed and used by the general public;
 - c) Ambience: Do the number of memorial dedications compromise the enjoyment of the space for general recreational activities;
 - d) Vandalism: Have there been issues of crime and anti-social behaviour with the previous bench and/or surrounding location;

- e) Purpose: Is the proposed memorial dedicated to a resident or former resident of Padstow Parish, or a person with a demonstrable link of public interest.

3. Management Plan For Existing Wooden Memorial Benches

- 3.1 Padstow Town Council monitors and maintains a large number of wooden memorial benches that have been donated during the years 1985 (approx) to 2011 and placed on Town Council Land.
- 3.2 Padstow Town Council respects the significance that memorial benches hold for the loved ones of those they commemorate. This policy seeks to sympathetically address ongoing maintenance which has become either onerous or which is no longer economical, whilst navigating issues with historical records during the associated timespan.
- 3.3 It is accepted that a wooden memorial bench could be expected to have a serviceable lifespan of 10 years. By July 2022, existing wooden memorial benches will range between approx 10 and 36 years old. It is reasonable to assume that by this date donations (if any) made towards the upkeep and maintenance of these benches will have been spent.
- 3.4 From Monday 4 July 2022, Padstow Town Council will cease its ongoing maintenance of wooden memorial benches, including the painting, varnishing and repairing thereof, as it is no longer considered economically viable to do so. They will be kept fit for purpose by way of the occasional removal of any build-up of grime and the removal of graffiti (where possible). Benches will continue to be monitored for signs of deterioration which impact their safety.
- 3.5 Where the Town Clerk, in consultation with relevant staff members, considers the condition of a bench to be either a) a health and safety risk, or b) in such a poor state of repair so as to have a negative effect on its surroundings, the Council will notify the original donor to discuss more sustainable options for the future of the memorial. Where safety concerns are so great as to require the bench's immediate removal, donors will be contacted after the event.
- 3.6 Where, in respect of 3.5 above, attempts to contact the donor fail, or where the donor fails to respond within 4 weeks of being notified, the bench will be removed. No further attempts to contact the donor will be made after 4 weeks.
- 3.7 In acknowledgement of issues with historical records relating to the recording of memorial bench information, the "space" left by any wooden memorial bench removed in accordance with 3.6 above will not be actioned in the manner of paragraph 2.3, until at least 1 year after its removal.

4. Replacement Benches – Terms and Conditions

- 4.1 All applications for replacement memorial benches must be completed using the official request form and be signed by the Donor.
- 4.2 A donation sum is payable upon approval of the submitted application form and will include:
- a) the cost of the bench;
 - b) the cost of any fixings and finishing's (type and cost dependant on bench location);
 - c) the cost of one memorial plaque;
 - d) the installation fee;
 - e) a maintenance fee covering a defined period [see 4.5]; and
 - f) an administration fee.

A current list of fees and charges can be found in appendix 1.

- 4.3 The purchase of the bench and its installation will be undertaken by Town Council employees. Once installed, the memorial bench will become the property of the Town Council.
- 4.4 New memorial benches must be made of recycled material resembling wood. For consistency they must be of a single design which also compliments any wooden benches which remain. The approved bench is a Phoenix Recycled Material Seat, 1790mm in length and with brown Enviropol slats, however, should this bench no longer be available an alternative as per 4.4. will be sourced
- 4.5 It is expected that a memorial bench of recycled material will have a serviceable life of at least 15 years. The Town Council will therefore maintain the bench for an initial period of 15 years and the maintenance fee paid by the donor will contribute to this cost.
- 4.6 The Council's standards of maintenance will be accepted as keeping the bench fit for purpose and clean. This will involve routine inspection, the occasional removal of any build-up of grime, the removal of graffiti (where possible) and repairing minor faults within resources available.
- 4.7 After a period of 15 years the Town Council will contact the donors of the bench to ascertain the future of the bench, being either:
- a) Removal of the bench and the return of any plaque to the donor or their family;
 - b) Renewal of the bench, subject to the original donor purchasing a new bench (if required);
 - c) Retention of the bench in its current position if it remains in a serviceable position and subject to a donation from the original donor for further maintenance as defined in 4.6 above.

Where attempts to contact the donor fail, or where the donor fails to respond within 4 weeks of being contacted, the Council may, in its

discretion, remove the memorial bench and dispose of it, or arrange for the bench's rededication by another donor.

- 4.8 The Town Council accepts no liability for damage to any memorial bench from vandals or third parties.
- 4.9 If, during the period of 15 years a memorial bench sustains damage and the Town Clerk, in consultation with relevant staff members, considers its condition to be either a) a health and safety risk, or b) in such a poor state of repair so as to have a negative effect on its surroundings, the Council will notify the donor to discuss with them the cost of replacing the bench or its parts. Where safety concerns are so great as to require the bench's immediate removal, donors will be contacted after the event.
- 4.10 Where, in respect of 4.9 above, attempts to contact the donor fail, or where the donor fails to respond within 4 weeks of being notified, the Council may, in its discretion, remove the memorial bench and dispose of it, or arrange for the bench's repair and rededication by another donor. No further attempts to contact the donor will be made after 4 weeks.
- 4.11 Where, in respect of 4.9 above, the donor does not wish to meet any repair or replacement costs, the Council may, in its discretion, remove the memorial bench and dispose of it, or arrange for the bench's repair and rededication by another donor.

5. Memorial Plaques

- 5.1 Memorial bench donations will be recognised by way of a memorial plaque fixed in the centre of the uppermost slat of the back of the bench. The purchase of the plaque and its installation will be undertaken by Town Council employees.
- 5.2 For consistency, memorial plaques shall be made of stainless steel and be 125mm wide x 75mm high, they will have 4 fixing holes and black infill lettering. A maximum of 35 words will be permitted and the Council reserves the right to reject any wording that is deemed inappropriate for the public amenity setting of the bench.
- 5.3 A maximum of 3 memorial plaques per bench will be permitted. Where possible, Council employees will centre the plaques on the uppermost slat of the back of the bench by using the existing screw holes made by the first plaque. Where this is not possible and screw holes are visible, it is beyond the Council's scope for maintenance to repair this. It will also not be possible for the Council to address any discolouration of the bench made visible by the movement of the original plaque.
- 5.4 The Town Council accepts no liability for damage to any memorial bench plaque from general weathering, vandals or third parties.

- 5.5 Applications for a replacement memorial plaque or for a second or third memorial plaque must be completed using the official memorial plaque request form and be signed by the original bench donor.
- 5.6 Upon approval of a submitted application form the following fees are payable:
- a) the cost of the plaque;
 - b) an administration fee; and
 - c) the cost to post the original plaque to the donor (in the case of replacement plaques and only if requested)

A current list of fees and charges can be found in appendix 1.

- 5.7 Memorial benches are provided for the mutual benefit and enjoyment of all. As such no additional vases, statues, flowers, wreaths, balloons, cards, other ornamentation or unapproved memorial plaques shall be permitted on or at bench locations. Any such items found will be removed and disposed of by the Council without reference to the donor.

6. Donor Records

- 6.1 The Council will maintain a record of each donation and the donor's contact details in accordance with the General Data Protection Regulations. It is the responsibility of the donor to provide the Town Clerk with updated details in writing. Failure to do so could lead to the bench being removed without the donor being notified.

PADSTOW TOWN COUNCIL

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Memorials Policy

Adopted by Padstow Town Council on 6th November 2012

It is the policy of Padstow Town Council to accept donations for the purpose of planting trees, shrubs (referred to as memorials) within Wheal Jubilee Parc & Padstow Cemetery to memorialise a departed family member or friend, subject to availability of space.

All donations shall be in compliance with the following:

- No applications will be considered for bench memorials as the Council feel that there is no further space available for the siting of further benches in the parish
- Memorial donations will be accepted only for the purpose of placing, purchasing and planting trees and shrubs,
- Memorials shall be self supporting e.g. all costs related to a memorial shall be at the expense of a donor(s), including installation, repair or replacement, if necessary;
- Memorials shall remain the property of the Council and legal ownership of a donated tree, shrub remains with the Council;
- No flowers/wreaths will be permitted to be placed on memorial trees/shrubs or benches at any time and no ashes can be buried alongside memorial trees. Anything placed on memorials will be removed and disposed of without reference to the owner.

Types of Tree/Shrub and Locations

The Council will provide potential donors with a list of tree species etc for memorial use to select their memorial from. The exact location of the siting of the memorial will be decided on by the Council – whilst the Council tries to locate a tree at a requested location this cannot be guaranteed. All planting will be carried out by Council staff.

Plaques - Memorial donations will be recognised by use of a memorial plaque which will be placed near the donated tree(s). Standard memorial plaques shall be used to promote consistency -size – maximum 17.5cm wide x 7.5mm (7" x 3") high on stainless steel with plaque wording approved by the Council. No structures or planting around the memorial will be permitted.

Ceremonies A ceremony or gathering at the time of a memorial dedication is permitted, but must be arranged in advance with the Council;

Trees/Shrubs - The Council does not guarantee tree or shrub survivability. Trees and shrubs are planted between mid-November and

mid-March when the species are dormant, to minimise stress, and ensure their successful establishment.

Records - The Council shall maintain a record of each donation. The record shall contain all pertinent information such as the donor's name, person's name that is being memorialised tree location and type of tree etc;

The Council's decision in all matters relating to memorial donations is final.

Maintenance and replacement of sponsored trees

- The Council monitor and carry out routine maintenance on newly planted trees (watering, mulching, and loosening of ties) for 3 years to ensure their satisfactory establishment. After this time the trees will be included within the Council's routine tree maintenance programme.
- For the first 3 years the Council will replace a tree in the unlikely event that it fails to establish and dies.
- For the first 3 years the Council will replace a tree if it suffers irreparable damage from vandalism providing replacement is practicable.
- If unforeseen circumstances require it, the Council reserves the right to move or remove the tree if deemed necessary and plant a replacement tree in an appropriate location.

Maintenance of sponsored shrubs

- The Council monitor and carry out routine maintenance on planted shrubs (watering, mulching, and feeding) within the Council's routine maintenance programme to ensure their satisfactory establishment.
- If unforeseen circumstances require it, the Council reserves the right to move or remove the tree if deemed necessary and we would plant a replacement tree in an appropriate location.

Maintenance of existing memorial benches

- The Council monitor and carry out routine maintenance on memorial benches within the Council's routine maintenance programme.
- If unforeseen circumstances require it, the Council reserves the right to move or remove the bench if deemed necessary either by it's falling into disrepair or placing it in an alternative appropriate location.
- Should a bench become unsightly or unsafe the Council will notify the donor at the last known address to advise of its intention to remove the bench – if no response is received within 2 weeks the bench will be removed. In cases where the bench is a health and safety hazard it will be removed immediately and you will be notified. Any memorial plaque will be returned to you if the memorial is removed.
- In the event of damage by vandalism if the Council is unable to recover the insurance excess Council reserves the right not to replace the bench or to offer the sponsor the opportunity to pay the excess in order to facilitate a replacement.

- If any alteration or addition is required to a memorial bench plaque the Council will agree the wording and arrange for the replacement plaque to be installed. The cost of the plaque along with a £20 plus VAT administration fee will be invoiced to the owner.

Approximate costings for memorial trees/plaques

- Trees/Shrubs – price will be cost price to include tree post and delivery plus £20 plus VAT for planting and upkeep.
- Memorial plaques - All plaques will be stainless steel with no more than 35 words – the **approximate** cost will be £50 plus Vat – actual cost to be confirmed with the manufacturer. A £20 plus VAT administration fee will be charged for any addition/update to existing plaques.

All memorials must be paid for in full prior to their installation.

Please note all prices are exclusive of VAT

Please complete the attached form and return it to the Council who will confirm the price and other relevant details in writing. The Council will order and take delivery of your chosen memorial. Installation undertaken by staff is included in the cost –if you wish to be present when tree/shrub is planted please note this on your application form.

If you have any queries about the plaques or scheme, please email enquiries@padstow-tc.gov.uk or call on 01841 532296