

HENLEY-ON-THAMES TOWN COUNCIL



MEMORIAL TREES AND BENCHES POLICY

Version ID	Description of change	Version sponsor	Policy Owner	Creation date	Approval date	Next review date
0.1	Initial draft	Town Clerk	R&A Committee	13/02/2020	19/05/20	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 tree or bench which not only honours their memory, but provides a beautiful and functional improvement to the local environment.
- 1.2 Henley-on-Thames is fortunate enough to have so many parks and open spaces, with some fantastic views and scenery. These are mostly owned and managed by Henley Town Council. 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.
- 1.3 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 (excluding memorials around graves) placed on Henley Town Council-owned property, and is relevant to anyone who has commissioned or is thinking of commissioning a memorial tree or bench.
- 2.2 Henley Town Council-owned property includes: Mill Meadows; Marsh Meadows; Makins Recreation Ground; Freemans Recreation Ground; Gillott's Field; Market Place; the Fairmile; amenity areas at Northfield End, Gravel Hill, Bell Street, and Red Lion Lawn; Chalk Bank nature reserve; Singers Park; moorings; Jubilee Park sports ground; and the Fairmile cemetery.

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 Town Council can only approve memorials on Town Council-owned land. The Council may support applications for benches placed on the public highway, but permission is required from the local highways authority, Oxfordshire County Council.
- 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 Town 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, 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.

POLICY STATEMENT

Determining requests

- 4.1 Enquiries for a memorial bench or tree should be made by email to enquiries@henleytowncouncil.gov.uk. The requests will be determined by the Parks Manager.
- 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. Requests may not be able to be fulfilled if the location is suitable 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 to the immediate surrounds, and benches of a robust design will be considered. The Council will advise on suitable options, but will endeavour to meet any specific requests.
- 4.4 To reduce the risk of theft, the Council prefers engraved inscriptions rather than plaques.
- 4.5 The exact location of the tree or bench will be agreed during a site visit with Council staff. 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 and trees 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 or tree 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 tree or bench will include any plaques / inscription, delivery, and planting / installation costs (e.g. fixings, tree guard, 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 tree or bench.
- 4.10 Below are some indicative costs. However, these will vary depending on the final design and specifications:
New bench: £600-£1,000 + plaque / inscription + paving + 20% maintenance surcharge
Plaque on existing bench: 50% cost of like-for-like replacement + plaque / inscription
Tree: £50-£150 + plaque + tree guard and stake + 20% maintenance surcharge

Installing / planting

- 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 Tree planting will usually only be permitted between late autumn and early spring, in line with the tree-planting season.
- 4.13 Trees will normally be planted by Town Council parks staff. However, donors are welcome to be present at the tree planting and carry out a small ceremony if they wish.
- 4.14 No scattering of ashes of humans or pets at any site will be permitted.

Plaques

- 4.15 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.
- 4.16 Plaques for trees are not usually recommended for trees in areas outside of the Fairmile cemetery, due to the increased risk of vandalism.
- 4.17 Commemorative plaques may be affixed to existing benches, were 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

- 4.18 The Council will only source high quality / durable benches, and will endeavour to maintain and care for the memorial bench or tree. However, it cannot guarantee their condition.
- 4.19 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.
- 4.20 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.
- 4.21 No placing of flowers or other objects at memorials will be permitted, except with the permission of the Council.
- 4.22 The donor shall not be permitted to undertake any maintenance of the memorial tree or bench without the permission of the Council.