

Policy for Roadside Memorials & Other Memorials on Council Controlled Land

Introduction

- 1.0 This document describes the Council's policy in respect of roadside memorials and other memorialisation on Council controlled land, following sudden accidental deaths.
- 2.0 There are many ways to permanently memorialise an individual in a dignified manner without the use of an unofficial informal roadside or other memorial and the Council offers a range of options to residents through Breakspear Crematorium, which has extensive grounds and gardens of remembrance. Options include memorial rosebushes with name plaques, benches, or ornamental shrubs and trees. Memorials in the grounds of the crematorium are convenient to look after and visit and are in a safer more pleasant environment that allows quiet reflection and contemplation.
- 3.0 For some people, as part of the grieving process, there may be a strong desire to acknowledge a sudden death by marking the area of highway verge or other Council controlled land involved with an informal memorial, e.g. flowers, small decorative items, or a plaque. This practice has grown considerably in recent years. Usually, tributes are placed for a short period of time, immediately following an accident, but this may not always be the case.
- 4.0 As the grieving process is intensely private, the Council has no wish to unduly interfere or intrude, especially in the very difficult period immediately after an accident.
- 5.0 This policy is not intended to bring about the removal of small temporary memorials that cause no distraction, hazard or concern to others, but to control the establishment of larger more permanent memorials that could cause difficulties for road users, or others. The aim is to ensure that so long as such a memorial does not give rise to any hazard, loss of amenity or nuisance, it can be allowed to remain for up to 13 months (to allow the marking of the first anniversary of the accident), after which Council officers will contact the relatives or friends of the bereaved and arrange for any items that are still wanted to be stored at Breakspear Crematorium, or returned.

Time allowed for a memorial to remain and other requirements

- 6.0 The Council cannot authorise long term or permanent informal memorials. Laying of floral or other tributes on a temporary basis will be allowed on the understanding that items are removed within 13 months of an accident or death and that the items do not:
 1. block sight lines for road users and / or pedestrians;
 2. otherwise present a danger through obstruction or distraction, especially to road users;
 3. In the opinion of the Council, significantly harm the amenity of an area.

- 6.1 To maintain a high level of dignity at the memorial site, any messages, text or inscriptions allowed at the site should relate only to the deceased, be appropriately worded bearing in mind the unfortunate circumstances and not be a cause for concern for those undergoing the grieving process, or others who may see the memorial.
- 6.2 After 13 months has elapsed, remaining weathered floral items will be disposed of. Non floral items will be taken to Breakspear Crematorium for storage and interested parties will be notified, if possible.
- 7.0 In some instances, and after 13 months have elapsed, the memorial's original site or the location itself may become established as a place to revisit on anniversaries etc. This situation might not arise if a permanent memorial has been arranged elsewhere and the need may eventually fade with the passage of time. However, the Council will not intervene at this point unless a hazard or nuisance is being caused as described above. On anniversaries such as this, the Council will liaise with the family to remove any new personal items from the roadside, 7 days later.

Suitability of memorials and sites

- 8.0 Where a memorial site is close to residential properties, resident's views may be taken into account in determining where memorials and tributes should be placed.
- 9.0 Assessments of highway memorial sites may be carried out by the Police and / or by a Council Highways Inspector. Items must not be placed at locations that are hazardous or difficult to access, such as the central reservation of dual carriageways, on roundabouts or very close to the carriageway of any road. Items that are considered to have a serious effect on road safety may be removed at any time, but will be retained at Breakspear Crematorium if possible and any known interested parties will be notified.
- 10.0 Memorials and tributes should not include materials that might physically deteriorate rapidly, detracting from the amenity of the area and the temporary memorial itself. There should be no moving objects such as toy windmills or wind chimes, no lights of any sort and decorations such as tinsel that could distract road users should be avoided. Small temporary areas (up to 3 ft x 3 ft) marked out by decorative kerbing or very low fencing may be allowable by agreement, so long as this does not present a hazard or a visual distraction to road users.

Alternative long term memorials

- 11.0 Aside from the possibility of using memorial services provided at Breakspear Crematorium, after the memorial has finally gone, friends or relatives may wish to request that a memorial bench or tree be placed on Council controlled land, such as a green space or at a suitable point along a footpath. Consideration will be given to such requests, but it may not always be possible to accommodate them.
- 12.0 If a bench or tree is requested, officers from the Council's Green Spaces team will assess the preferred location for suitability. If the preferred location

is not acceptable, efforts will be made to find a mutually acceptable alternative. Those requesting benches or trees will normally be liable for all costs incurred by the Council.

- 13.0 Benches must be to a specification used by the Council, appropriate to the location, and will be installed by the Council's contractor. Tree species must be appropriate to a location and be in line with any existing tree planting policies. Planting will be carried out by the Council's contractor but initial watering will be the responsibility of those requesting it.
- 14.0 Factors that will be considered by officers from the Council's Green Spaces team when siting a memorial bench or tree will include impact on the visual amenity of an area, the potential for anti-social behaviour, the need to ensure access for highway maintenance and general highway access requirements. If it is not possible to agree a site, it may still be possible for friends or relatives of the deceased to arrange for a memorial at Breakspear Crematorium.
- 15.0 The Council does not accept responsibility for the maintenance of any personal memorials and tributes, or the loss, damage, removal or relocation of temporary roadside memorials that may occur through vandalism, theft, or due to road maintenance or construction activities. The Council and others must continue to perform all construction and maintenance works required on the public highway, and this may include areas where there are personal memorials and tributes.

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