



Lostwithiel Town Council

Policy on Memorials and Dedications on Council owned Land and Assets

Minute reference 080/21 - 6 July 2021

Lostwithiel Town Council supports the needs and principles of allowing memorial or dedication furniture (e.g. benches) and planting (e.g. trees or shrubs). The Council seeks to adopt a clear, measurable and sympathetic approach to the management of Council owned land, which takes account of the sometimes contrasting needs of a variety of users. This policy is designed to ensure that this issue is managed and regulated for the mutual benefit of all.

This policy will be reviewed at least every four years and proposed amendments shall be submitted to the Council for approval.

A copy of this policy will be available on the Council's website and will be provided to prospective applicant(s) on request.

It is the policy of the Council to accept donations for the purpose of planting trees or shrubs or erecting benches to memorialise a departed family member or friend subject to the availability of space.

All donations shall be in compliance with the following:

- Memorial donations will be accepted only for the purpose of placing, purchasing and planting trees and shrubs or a memorial bench
- 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 trees, shrubs or memorial benches. Anything placed on memorials will be removed and disposed of without reference to the owner

Approved types of memorial/dedication

Lostwithiel Town Council offers the following:

Donation of a tree, shrub or bench to be erected on Council owned land, with or without the erection of a plaque on a tree/shrub stake or bench.

Applications for other types of memorials/dedications will be considered on a case-by-case basis, although the Council will not generally support those which are not of benefit to the wider public (e.g. erection of crosses).

Donation of a tree, shrub or bench on Council owned land

Ownership

The purchase (including the delivery and installation) of a tree, shrub, bench or equivalent for erection on Council owned land shall be deemed to be a donation by the applicant(s) to the Council. Ownership of the asset shall be vested in the Council who shall be deemed the legal owners.

Selection of furniture or planting

The Town Clerk shall provide the applicant(s) with approved types of furniture or planting to ensure it is in keeping with the local area and the intended location. The Council will decide on the species to be planted.

Location and position

The location and position of furniture or planting will be at the Council's absolute discretion. In determining a suitable location and position, the Council will consider:

- The views and wishes of the applicant(s)
- Public access and enjoyment of the Council owned land and the proposed memorial/dedication
- The number of other furniture, planting or memorials/dedications in the area

Due to the historical and cultural importance of The Parade, the Council will not usually accept applications for memorials/dedications in this area.

Purchase, delivery and installation

Unless otherwise agreed with the applicant(s), the Town Clerk shall arrange for the purchase of the furniture and planting and for its delivery and installation by the Council's contractors.

Planting will usually only be carried out between November and February to ensure the most efficient growing conditions. The Council does not guarantee tree or shrub survivability. If furniture is to be placed on grass it will usually be fitted to a concrete base.

Maintenance

The Council will monitor and carry out routine maintenance on any tree, shrub or bench as part of the Council's routine maintenance programme.

Relocation and removal

As a Council asset, the Council reserves the right to relocate or remove any furniture or planting at any time and at its absolute discretion. In the event of relocation, the Council will endeavour to consult with the original applicant(s) on alternative sites. It is the responsibility of the applicant(s) to notify the Council in writing of any change of address or contact details.

Erection of a plaque on the donated tree, shrub or bench

Ownership

A plaque erected on a tree stake, bench or equivalent shall remain the property of the applicant(s). The Council grants the applicant(s) a 15 year licence for the erection and maintenance of the plaque on its property, subject to the terms of this policy. The start date for the term of the licence will be the day on which the plaque is erected.

Selection of plaque

The Town Clerk shall provide the applicant(s) with approved types of plaque and standard memorial plaques will be used to promote consistency. The Council must approve the size, material, colour and font of any plaque and the proposed wording must be Council approved. The Council will order the plaque as soon as the plaque text has been agreed and payment has been received in full.

An application to change the plaque or alter the wording of a plaque during the licence period must be approved by the Council and any costs (including removal and/or re-fixing) shall be borne by the applicant(s).

Location and position

The location and position of a plaque will be at the Council's absolute discretion and is subject to the availability of a suitable asset. In determining a suitable location and position, the Council will consider the views and wishes of the applicant(s). Generally:

- plaques will be affixed in the centre of the upper most lath of the back of a bench, or
- in the case of planting, plaques shall be secured on a stake

Purchase, delivery and installation

Unless otherwise agreed with the applicant(s), the Town Clerk shall arrange for the purchase of the plaque on behalf of the applicant(s) and for its delivery and installation by the Council's contractors.

Maintenance

During the 15-year licence period, the Council will arrange for the plaque to be kept clean and to make such repairs to the fixings as may be necessary to ensure the plaque is held securely in place.

The Council will not be responsible for making any repairs to the plaque itself and does not accept any liability to the applicant(s) for damage to the plaque, howsoever caused.

Relocation and removal

The Council reserves the right to relocate any plaque to enable the implementation of projects, landscape redesigns or the reconfiguration of services or where the asset on which the plaque is affixed is damaged or beyond economic repair. The Council will endeavour to consult with the original applicant(s) on alternative sites for the plaque.

The Council also reserves the right to remove any plaque which in its opinion is damaged or beyond economic repair, whether within or outside the 15-year licence period. In such circumstances, no refund of any remaining term of the licence can be offered.

In the event that the Council owned asset to which the plaque is affixed is removed, the Council will notify the applicant(s) and any plaque will be returned to the applicant(s), where practicable.

It is the responsibility of the applicant(s) to notify the Council in writing of any change of address or contact details.

End of licence period

At the end of the 15-year licence period, the applicant(s) may apply to the Council for a new 15-year licence. Any such application will be considered in accordance with the criteria in this policy and will be subject to an additional fee. Applicant(s) choosing not to renew the licence will have their plaque removed for collection (where practicable) and the Council asset to which it had been fixed may be reallocated. It is the responsibility of the applicant(s) to notify the Council in writing of any change of address or contact details.

Records

The applicant(s) accepts that the Council will maintain a record of each donation. The record will contain all pertinent information, such as the applicant(s)'s name, the name of the person memorialised, the location and the type of tree/shrub or bench.

Ceremonies and mementoes

A ceremony or gathering for the siting or erection of a memorial/dedication will be accommodated where possible but must be arranged in advance with the Town Clerk. At the family's invitation and subject to availability, a member of the Council will attend the ceremony or gathering on behalf of the Council.

No additional mementoes e.g. vases, statues, flowers, wreaths, balloons or other ornamentation, shall be permitted on or around memorials/dedications. Anything placed on or around memorials/dedications will be removed and disposed of without reference to the applicant(s).

Application process

All applications for memorials/dedications under this policy should be made using the official application form, a copy of which is attached at the back of this policy. The application form will be reviewed by the Town Clerk and additional enquiries made where necessary.

Applications received shall be considered at a meeting of the Town Council and a decision made by a majority of those present and eligible to vote. The granting of a request under this policy is made at the absolute discretion of the Town Council and the decision of the Town Council is final.

The Town Clerk will advise the applicant(s) of the cost of the memorial/dedication. Full payment is required prior to purchase. Payment by BACS is preferred please contact the office for details, cheques should be made payable to Lostwithiel Town Council.

Estimated/indicative Costs

The total cost of the installation of the memorial/dedication will be dependent on the type and the cost of any associated materials and labour. However, to assist prospective applicants, the following are a list

of estimated/indicative costs:

Donation of a bench for erection on Council owned land	Estimated/indicative Cost
Purchase of bench (incl. delivery)	Duchy Timber Cardinham 1.2 m bench £153 plus VAT (Valid as at 02 July 2021) Duchy Timber Cardinham 1.8m bench £204 plus VAT (Valid as at 02 July 2021)
Base, fixings & installation	£150 inc VAT
Donation of a tree or shrub for erection on Council owned land	Estimated/indicative Cost
Purchase of tree (incl. delivery)	To be sourced from Duchy Nursery. Dependant on size, species & availability The Council will decide on the species to be planted.
Planting	£40

Erection of a plaque on donated tree/shrub or bench	Estimated/indicative Cost
Purchase of plaque (incl. delivery)	Tree £36.95 Bench £27.50 (prices valid at 02 July 2021 and include stake)
15 year licence fee (incl. maintenance)	£30

Renewal of 15 year licence for plaque	Estimated/indicative Cost
15 year licence fee (incl. maintenance)	£30

All costs will be confirmed prior to entering into agreement with the Council.

Data Protection

Part or all of the information you supply to us will be held either on the computer or in hardcopy. This information is used for the assessment of your application and copies will be given to councillors to enable them to consider and assess the application. You have the right to view information we hold on you and to have any errors or inaccuracies corrected.

Privacy Notice – The Town Council’s full privacy notice can be found on the Town Council website:-

https://www.lostwithieltowncouncil.gov.uk/data/uploads/1078_1242440435.pdf

LOSTWITHIEL TOWN COUNCIL

MEMORIALS AND DEDICATIONS

APPLICATION FORM

1. This is an application for (please tick as appropriate):	Donation of a: <ul style="list-style-type: none">• Tree or shrub• Bench to be erected on Council owned land	
	Erection of a plaque on a bench or tree stake	
2. Details of applicant(s):	Full name(s): Address(es): Email address(es): Telephone number(s):	
3. Using extra sheets if required, please provide details of proposed memorial/dedication , including: <ul style="list-style-type: none">• To whom the memorial/dedication is in honour or memory• Preferred type of memorial/dedication (i.e. tree, bench or shrub)		

<ul style="list-style-type: none"> • Preferred location/position (Coulson Park, King George V playing field or Castle Hill Cemetery) 	
<p>4. Do you wish to have a siting/erection ceremony? If so please provide details of preferred dates/times and whether you wish a member of the Council to attend (subject to availability)</p>	
<p>5. Wording of the plaque.</p> <p><i>Please note the bench, tree & shrub plaques are 125mm x 50mm and a maximum of two lines of text are possible</i></p> <p><i>All plaques are professionally engraved on stainless steel with black text, supplied with fixing holes and in 'Plain English' font Calibri</i></p>	

Please confirm that you have read and agree to the terms of the Council's *'Policy on Memorials and Dedications on Council Owned Land and Assets'* by signing below:

Applicant signature(s):

Date:

Please return this completed form with payment to the Town Clerk.

Your order will be confirmed in writing.

All memorials must be paid for in full prior to their installation. The Council will not order the chosen memorial until full payment has been received.

If you wish to be present when the tree/shrub is planted please note this on your application form. It is not possible to be present when a bench is installed. However, in accordance with the Council's policy, a request can be made to be present for the fixing of the plaque.