



1. The Purpose of this Policy

1.1 Cholsey Parish Council occasionally receives requests from the public to donate memorial benches or plant trees. This policy sets out how we will consider such requests, who is responsible for the upkeep of these items and what is expected of the donor and the Council.

2. Legal Framework

2.1 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.

2.2 The Council can only consider applications for benches and/or trees to be installed on land in the Council's ownership. Please note that this does not include highways.

2.3 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.

2.4 When the Council agrees to install a bench or tree, they can be paid for by the friends and family and given to the council as a donation, or paid for by the Council and a donation paid to the council to cover the costs. The costs include wildlife guards for trees and anchorage kits for benches, to which they will need to be attached.

2.5 After purchase, 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.

2.6 Usually, installing a bench will not be subject to planning permission, restrictive covenants, or other restrictions. However, there may be cases where the Council is unable to install benches for such reasons.

3. Determining Requests

3.1 Applications for a memorial bench or tree should be made by completing and signing the 'Memorial tree or bench application form', available by contacting the Parish Council office. The application form should be accompanied by a plan or photograph, clearly showing the preferred location for the item. We recommend that details for a second contact are also given.

3.2 Requests will be considered by the Parish Council at its next practicable Full Council meeting. The Council will endeavour to accommodate any reasonable requests for planting of trees or installation of memorial benches on Council owned land. Requests may not be approved if the location is unsuitable due to issues such as, but not restricted to, risk of vandalism, anti-social behaviour, overcrowding of trees or benches, or any other material factors.

3.3 The Council will stipulate the style and material of the bench to be installed to ensure that all benches are sympathetic to the surroundings. All benches are to be installed using an anchorage kit.

3.4 Once Council has approved the request in principle, the Estate Manager and a councillor will endeavour to meet with the donor to agree the location of the bench or tree.

3.5 The Council will liaise with the donor regarding their donation to the Council. If the Council are purchasing the bench or tree, on receipt of payment of the donation the Council will then arrange

for the bench or tree to be ordered and installed. If the donor is organising payment and ordering then they are to liaise with the Estate Manager to agree access and a suitable delivery time

3.6 The species and size of tree will need to be agreed with the Estate Manager. Tree planting will usually only be permitted between late autumn and early spring, in line with the optimum planting season. Appropriate tree guards should also be installed to protect the tree from wildlife.

3.7 The Council's contractors will endeavour to complete the work of within a period of three months.

3.8 Scattering or burying of ashes on Council owned land is not permitted.

3.9 The inscription on any memorial plaque (for benches) will be considered at the Council meeting when the application is discussed.

3.10 Memorial plaques on benches must be made of material specified by the Council, with engraved lettering, of landscape orientation and must not exceed 11cm X 7.5 cm. The plaque is to be fitted by the bench supplier or a Council contractor to the centre of the uppermost slat of the back of the bench.

3.11 Memorial plaques are not permitted on trees on council property.

3.12 The Council will give priority to residents of Cholsey Parish Council.

3.13 Memorial requests can only be made for humans, not pets or otherwise.

4. Donation

4.1 The donor makes a donation to cover the cost of the bench and anchorage kit/tree and wildlife guard, including delivery and installation costs.

4.2 A one-off contribution towards maintenance costs for the bench(es) may be made by the donor. The suggested donation to cover maintenance will be reviewed by the Council from time to time and will cover the following:

- a) Annual inspection of the bench to determine whether any repairs or maintenance is required.
- b) Any repairs will be undertaken as identified and required unless the bench is no longer viable.

4.3 Tree planting will be carried out as arranged with the Estate Manager. If the tree is to be planted by the Council's contractors, the cost will be payable by the donor.

5. Maintenance

5.1 The Council will only source good quality, durable benches and will endeavour to maintain and care for donated benches and trees. However, it cannot guarantee their condition.

5.2 Donors should be aware that benches or young trees in public areas may be subject to vandalism or theft, and that the Council will not be held responsible for any costs in replacing them.

5.3 The Council shall endeavour to maintain and care for a memorial bench or tree 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, beyond repair or for other reasons.

5.4 If a memorial bench is removed, any memorial plaque will be retained, if possible, awaiting collection by the donor. The Council will endeavour to contact the donor, using the details provided, to arrange collection. If the plaque remains uncollected after a period of 12 months, it will be disposed of.

5.5 It is the responsibility of the applicant to notify the Council if your address or contact details change. Your original application form and any subsequent contact details will be kept on file for the lifespan of the donated bench plus one year.

5.6 Placing of flowers, statues, vases, toys wreaths or other items will not be permitted at the site of the memorial bench or tree, or elsewhere on the Council's property. Any such items will be collected and efforts will be made to contact the applicant. Any items which have not been collected after a period of 28 days will be disposed of. Any flowers will be disposed of.

5.7 The Council may occasionally resolve to attach items to trees on its property where it considers this is sympathetic to the surroundings. Notwithstanding this, the Council will not consent to memorials or other items being attached to trees by others on its property.

5.8 The donor, or their representatives, shall not be permitted to undertake any maintenance of the memorial bench or tree, as it will be the property of the Council. Should they notice maintenance is required, this should be reported to the Parish Council office.

5.9 Replacement of any plaque must be requested by contacting the Parish Council prior to removing and replacing.

6. Requests for information should be sent to: Clerk at Cholsey Parish Council, The Pavilion, Station Road, Cholsey, Oxfordshire, OX10 9PT. clerk@cholseyparishcouncil.gov.uk

Policy Adopted on: 1st March 2023

Next review due: 1st March 2024