



Cyngor Dinas Llanellwy St Asaph City Council

Memorial Tree & Bench Policy

1. The Purpose of this Policy

- 1.1 St Asaph City Council (the 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. The Council may support applications for benches to be placed on the public highway, but permission must be sought from the local Highways authority, Denbighshire County Council.
- 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 are bought by the friends and family and donated to the Council. Alternatively, the Council may purchase the bench and have it installed. The donor may then make a donation. 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.
- 2.5 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 application form, available by contacting the clerk. 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.

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- 3.2 Requests will be considered by the 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 the risk of vandalism, anti-social behaviour, overcrowding of trees or benches, or any other material factors.
- 3.3 The Council will stipulate the style of bench to be installed to ensure that all benches are sympathetic to the surroundings. All benches are to be installed on a concrete plinth to increase the lifespan of the bench. The bench may be installed on an existing vacant concrete plinth.
- 3.4 Once Council has approved the request in principle, a small working party of councillors will endeavour to meet with the donor to agree the location of the bench or tree and the species of any tree.
- 3.5 The Council will liaise with the donor regarding their donation to the Council. On receipt of payment of the donation, the Council will arrange for the bench to be ordered and installed.
- 3.6 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 within a period of three months.
- 3.8 Scattering of ashes (human or animal) requires the prior written permission of Council. Such requests must be made in writing and will be referred to the next practicable Council meeting. Burial of ashes is not permitted.
- 3.9 The inscription on any memorial plaque (for benches) will be restricted to "In (Loving) Memory of" the name of the person and the dates of birth and death.
- 3.10 Memorial plaques on benches must be of brass, with engraved lettering, of landscape orientation and must not exceed 11cm X 7.5 cm. It is the responsibility of the donor to purchase and install any memorial plaque. Brass screws of an appropriate size are to be used to attach the plaque to the bench. It is advisable to use non-return security screws to prevent theft of the plaque. The plaque is to be fixed to the centre of the uppermost lath of the back of the bench.
- 3.11 As an alternative to a brass plaque, any memorial inscription may be etched into the uppermost lath of the bench. The inscription must be placed centrally.
- 3.12 Memorial plaques are not permitted on trees on council property.
- 3.13 Where a memorial plaque or inscription is in a language, other than Welsh or English, the Council will request a translation of the wording when permission is considered for the plaque to be installed.
- 3.13 The Council will give priority to residents of St Asaph Council area.

4. Donation

- 4.1 The donor may make a contribution towards the cost of the bench (including delivery and installation costs and also, the laying of an appropriate concrete plinth).
- 4.2 A contribution to 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) Cleaning of moss and lichen as deemed appropriate, which will be conducted in accordance with the Council's maintenance programme and may not take place immediately;
 - c) The bench will be treated every five years during a programme of such works;
 - d) Any repairs will be undertaken as identified and required unless the bench is no longer viable;
 - e) Insurance costs.
- 4.3 Tree planting will be carried out as arranged with the Working Party of Councillors. 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 tree or 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, beyond repair or for other reasons.
- 5.4 The Council reserves the right to install a replacement bench on the existing plinth where it sees fit.
- 5.5 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.
- 5.6 It is the responsibility of the applicant to notify the Council if their address or contact details change. The original application form and any subsequent contact details will be kept on file for the lifespan of the donated bench plus one year.

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- 5.7 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 immediately disposed of.
- 5.8 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 memorial or other items being attached to trees by others on its property.
- 5.9 The donor, or their representatives, shall not be permitted to undertake any maintenance of the memorial tree or bench, as it will be the property of the Council.
- 5.9 Replacement of any plaque is the responsibility of the original applicant.

6. Requests for information should be sent to:

Mrs Jill Ellison
City Clerk
St Asaph City Council
PO Box 224
Llanfairfechan
LL57 9EQ

e-mail: clerk@stasaphcitycouncil.gov.uk

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