NORTHAW & CUFFLEY PARISH COUNCIL
7 Maynard Place, Cuffley, Herts, EN6 4JA
01707 875825

MEMORIAL TREES AND BENCHES POLICY

1. 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. Northaw & Cuffley Parish Council is fortunate enough to own and manage open space throughout the Parish with fantastic views and scenery. 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.

2. WHAT AND WHO IS COVERED BY THE POLICY

2.1. The policy covers any memorial bench, tree, or other lasting item placed on Northaw & Cuffley Parish Council-owned property and is relevant to anyone who has commissioned or is thinking of commissioning a memorial tree or bench.

3. 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 Parish Council can only approve memorials on Parish Council-owned land. The Council may support applications for benches placed on the public highway, but permission is required from the local highways authority, Hertfordshire 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 Parish 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, the family and friends purchase the bench or tree as their donation. The tree or bench is 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 insured, maintained and cared for.

Adopted by NCPC Council 2nd October 2024 Item 37d
Next review October 2026 - unless otherwise determined by legislation or Council.

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4. POLICY STATEMENT

a) Determining Requests:

1. Enquiries for a memorial bench or tree should be made by email to parish.clerk@northawcuffleypc.org.uk The requests will be determined by the Council.

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 unsuitable due to the risk of vandalism, antisocial behaviour, over-population of trees or benches, or any other material factors.

3. Only trees and benches suitable, in-keeping to the immediate surrounds, and benches of a robust design will be used. The Council will decide on the style and make of bench. The Council will supply a list of suitable trees and the appropriate location, as well as the cost, so that the friends or family can choose the one that meets their preference and budget. The Council will decide the size of the tree according to the location it will be planted in. Any request to plant a tree that has been grown by the applicant(s) will be considered on a case by case basis.

4. The exact location of the tree or bench will be agreed with Council staff. It is the donor's responsibility to ensure that the location is well-communicated to the Council and confirmed in writing, by letter or email, with an accompanying sketch if needed.

5. 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 or the memorialisation cause offence to the wider community. The Council reserves the right to refuse a memorial bench or tree for other reasons. The reasons will be supplied to the applicant if requested.

b) Costs:

1. The cost of the tree or bench will include any plaques, delivery, and installation/planting costs (e.g. fixings, tree guard). It will not include the cost of the base for the bench, for which an additional donation as detailed below is appreciated. All costs provided will be inclusive of VAT (as the Council is unable to reclaim VAT on these donations).

2. Below are some indicative costs. However, these may vary according to the current costs of the items. The applicant will be informed of any change to the cost (increase or decrease) as applicable.

    Memorial Bench (2-seater hardwood) - £650
    Memorial Bench (3-seater hardwood) - £850
    Bench concrete base - £600
    Memorial Tree- Dependent on tree and size. Please ask The Clerk for a current list.

c) Installing/Planting:

1. The arrangements for ordering and installing the bench or tree will be the responsibility of the Council, once the financial donation has been made.

2. Tree planting will usually only be permitted between late autumn and early spring, in line with the tree-planting season.

3. Trees will normally be planted by the Parish Council contractor or staff/volunteers. However, donors are welcome to be present at the tree planting and carry out a small ceremony if they wish.
4. No scattering of ashes of humans or pets at any site either at the time or a later date will be permitted.

d) Plaques

1. 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. This will be included in the cost of the bench. No plaque may be affixed to a tree itself.

e) Maintenance

1. The Council will only source high quality / durable benches, and will endeavour to insure, maintain and care for the memorial bench or tree. However, it cannot guarantee their condition.

2. 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 although this will be determined by Council on a case by case basis.

3. 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. No placing of flowers or other objects at memorials will be permitted, except with the permission of the Council.

5. The donor shall not be permitted to undertake any maintenance of the memorial tree or bench without the permission of the Council