

Open Spaces and Highway Memorial Policy

Flintshire County Council

Introduction

It is part of all human culture to mark memorable occasions such as birthdays, deaths and anniversaries. Members of the public often wish to mark such occasions in areas of openspace with something more permanent. They may also wish to contribute to the wider natural environment and benefit others.

There is also an increasing tendency for relatives and friends to place flowers and other tributes at the scene of fatal road traffic accidents, which can be a source of comfort. There have also been requests for more permanent roadside memorials.

There is no legislative requirement for the provision of memorial items although it is accepted that they provide a useful and valued public amenity and are also valued by the individuals and families who make the requests. Flintshire County Council has provided opportunity in the past on an ad hoc basis for people to purchase trees or benches in memory of a loved one.

Due to the increasing demand for memorials in an openspace, countryside or roadside setting, it is necessary to draw up a policy to ensure memorials, permanent or otherwise, are in keeping with the character of the setting and its many and varied uses and users. A memorial site to one individual is a very different site to another, and these diverse interests should be respected. Additionally, there is no specified cut-off time for when grieving should end, and each individual case should be considered on its individual merits.

Above all, openspace should remain a place for all to enjoy, as well as a place of significance for those wishing to remember occasions and loved ones.

This policy recognises the need for a consistent and sensitive approach to the provision of memorial requests and acknowledges that the demands for memorials may be far greater than some sites can accommodate.

This policy allows for memorials outside of the traditional cemetery setting but should not be seen as a replacement. Cemetery memorials are governed by specific regulations and policies, which can be found through this link:

<https://www.flintshire.gov.uk/en/Resident/Funerals,-Cremations--Bereavement/Memorials.aspx>

Memorial Policy Statement

Requests for memorials in openspace, countryside or highway settings, whether physical structures or natural features, are welcomed. They should be a feature that conserves or enhances the character of the setting and people's enjoyment of the outdoors as a recreational resource and place of quiet enjoyment.

There may be exceptions to this for reasons of road safety or if the memorial interferes with highway maintenance or causes a distraction or obstruction to other road users, such as pedestrians or cyclists. In such cases, sensitive approaches should be made to those who have placed the memorials to explain the situation. Where the person responsible for placing the memorial is unknown and it presents a road safety risk, it may have to be removed; however, as outlined above, each case should be considered on its individual merits. In principle, providing that the memorial has no detrimental effect on road safety and it does not affect the ability to carry out highway maintenance then it may be acceptable.

Policy principles

The following principles will be applied in considering requests and making decisions on memorials and will also set out the principles of the type of memorial to be approved, the location, its safety and future maintenance and replacement.

1. The type of memorial requested must be in keeping with the area that it is to be placed.
2. Requests for additional benches, gates, other structures or trees etc. will only be considered at sites where these additional items can be accommodated reasonably, it is safe to do so and where the Council would seek to increase the existing numbers in any event.
3. The location will be chosen to minimise future maintenance and vandalism.
4. The full cost of a new memorial together with installation and administration will be borne in full by the applicant, where a refurbishment is agreed then the full cost of the refurbishment will be borne by the applicant.
5. The applicant can provide the memorial plaque to a pre agreed design, size and text, or have their memorial/donation reflected in a commemoration book at our visitor centres.
6. The applicant will have no claim of ownership to the item and will not be permitted to make any changes to the item after installation. Neither will they be allowed to place any additional mementoes or memorials at the site whether temporary nor permanent, to include the leaving of flowers (fresh or artificial).
7. The Council will maintain the item in the same way as it does similar items in the vicinity.
8. The Council will not be responsible for replacing the item where, it has reached the end of its natural life, replacement due to normal wear and tear, or for replacement as a result of damage whether accidental or wilful.
9. The Council will set standards in respect of specific items and requests will be considered in line with these standards. (E.g. construction materials used for benches and gates, wildflower seed mix composition, maintenance costs and durability, size, dimensions, colour etc.)

10. Occasionally a unique rather than standard item may be requested as a memorial. In these circumstances, details of the construction, materials and specifications will need to be submitted to the Council for consideration as part of the approval process.

11. Applicants who have approval will be asked to enter into an agreement with the Council setting out the terms and conditions for the memorial. Where an applicant is unwilling to agree to the terms and conditions then their request will be refused.

12. The releasing of balloons and lanterns are prohibited due to the potential risks to the countryside of litter, fire, animal welfare and wildlife.

13. The Council reserves the right to refuse an application.

Other Information

Examples of appropriate memorials could include:

- Planting an un-marked tree
- Planting a hedge or small orchard
- Contributing to a woodland planting
- Benches
- Kissing Gate or small bridges
- Installing bird or bat boxes
- Conservation of a historic feature
- Wildflower planting
- Sponsoring an event

Legacy donation

Alternatively, you may just prefer to give a donation to Flintshire County Council to help maintain and enhance the landscape that people use and enjoy.

Examples of donations could include:

- Restoring a section of stone wall.
- Improving eroded path
- Restoring a wildlife feature

Flintshire County Council can provide advice on appropriate memorials and locations. Contact – Countryside Sites Team Leader on 07775684318. Or Streetscene on 01352 701234