Lympstone Parish Council
Memorial Benches Policy

The following policy was adopted and agreed by Lympstone Parish Council on 5th June 2023.

The following policy was reviewed and agreed by Lympstone Parish Council on **2nd March 2026**

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 bench which not only honours their memory but provides a beautiful and functional improvement to the local environment.
1.2. This policy sets out how we approve memorial benches; who is responsible for their upkeep; what is expected from the donor and the Council; and what happens to the memorial when the bench reaches the end of its life.
1.3. The Council will always endeavour to be respectful, sympathetic, and fair towards those donating 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 (excluding memorials around graves) placed on Lympstone Parish Council owned or controlled property and is relevant to anyone who has commissioned or is thinking of commissioning a memorial bench.
2.2. Lympstone Parish Council property includes: Candys Field, The Rag, The Green, Front Meadow and various benches located along the Highway around the Parish.
Managers for National Trust land at The Avenue, Avenue Field and Cliff Field.

3. Legal framework
3.1. The 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 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 highway's authority, Devon County Council.
3.2. Generally speaking, installing 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, they are bought by the friends and family and donated to the Council. The 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.
3.5. The applicant agrees to provide the Parish Council with up to date contact details for processing in accordance with its Privacy Policy and any data protection legislation.

4. Determining requests

4.1. Enquiries for a memorial bench should be made by email to the Clerk. The requests will be determined by the Council.
4.2. The Council will endeavour to accommodate any reasonable requests for the 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 benches, or any other material factors.
4.3. Only benches suitable, in-keeping to the immediate surrounds, and benches of a robust design will be considered. The Council promotes the provision of eco-friendly, recycled, durable plastic benches.
4.4. The exact location of the bench will be agreed between the donor and the Parish Council. The following options are available:
4.4.1 Memorial bench and plaque in preferred location (may have to wait some considerable time before a replacement bench is required).
4.4.2 Memorial Bench to be placed in a new location which does not currently have a bench (agreed with the PC)
4.4.3 Memorial bench to be placed in a location identified by PC (to replace a bench).
4.4.4. Plaque placed on an existing bench in a preferred location (if a bench is available).
Only one Plaque per bench. Cost is 50% of the full price of bench + plaque.
4.5. Where an existing bench is in poor condition, the Council and donor may agree to install a memorial bench in its place, the full cost of which shall be met by the donor as detailed below.
4.6. Memorial benches will only be considered from people who can demonstrate a close tie with the person being commemorated. The Council reserves the right to refuse a memorial bench should it have any grounds to believe it would be contrary to the wishes of the commemorated person's next of kin.

5. Costs
5.1. The cost of the bench will include any plaques/inscription, delivery and installation costs (e.g. fixings, paving or base around the bench). All costs provided will be exclusive of VAT.
5.2. A further one-off surcharge of 20% will be added on top of the cost for the continuing and future maintenance of the wooden bench.
5.3. Below are some indicative costs. However, these will vary depending on the final design and specifications:
5.3.1. New bench cost + plaque + installation/paving + 20% maintenance surcharge. (The surcharge is payable if a wooden bench is required. The surcharge is not payable if a recycled plastic bench is installed).
5.3.2. Plaque on existing bench: 50% cost of like-for-like replacement + plaque.

6. Installing
6.1. The arrangements for ordering and installing the bench will usually be made directly by the Council once a specification has been agreed with the donor and once the financial donation has been received.
6.2. No scattering of ashes of humans or pets at any site will be permitted.

7. Plaques
7.1. Commemorative plaques can be affixed to a memorial bench subject to agreeing a size, wording and specification with the Council.
7.2. Plaques may be subjected to vandalism. Any replacement costs will need to be met by the donor.
7.3. Commemorative plaques may be affixed to existing benches, where there is no other visible sign of it being a memorial bench. The fee for this will be the cost of the plaque and installation, plus 50% of the estimated cost of a like-for-like replacement bench.

8. Maintenance

8.1. The Council will only source high quality/durable benches and will endeavour to maintain and care for the memorial bench.
8.2. Donors should also be aware that benches in public areas may be subject to vandalism and the Council will not be held responsible for any costs in replacing them.
8.3. The Council shall endeavour to maintain and care for a bench for as long as possible. However, it reserves the right to re-site or remove bench that it deems to be unsafe, unrepairable, or other reasons.
8.4. No placing of flowers or other objects at memorials will be permitted, except with the permission of the Council.
8.5. The donor shall not be permitted to undertake any maintenance of the bench without the permission of the Council.
8.6. The Council accepts no liability for replacing a bench at the end of its useful life. When a bench has been disposed, the commemoration will automatically cease. In the event that the Council installs a new bench at the same location, it reserves the right to agree a commemoration with a new donor.

NB: 4.4.1 – 4.4.4 additions agreed by the Assets and Amenities Committee at a meeting held 16th October 2023.

Lucy Tyrrell, Clerk and RFO to Lympstone Parish Council

Date of next review: March 2028