

Document Control Sheet

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Validity Statement

This document is due for review by the date shown above, after which it may become invalid. Users of the strategy or policy should ensure that they are consulting the currently valid version of the document.



Memorials in Cemeteries, Parks and Open Spaces

1. Introduction

1.1 Purpose of the document

- The Council supports the needs and principles of allowing memorials in Cemeteries, Parks and Green Spaces but is mindful that these facilities have many uses and are enjoyed by a wide range of users and residents.
- The Council will ensure that the process is managed and regulated for the mutual benefit of all.
- Any application for a memorial must be submitted in writing and each will be assessed on the basis of appropriateness of location, appearance, style, size, visual impact on setting, and impact on other users of facilities.
- This policy and associated fees and charges will be annually reviewed and any proposed changes shall be submitted to Members for approval.
- This policy will be made available to the general public via the Website and on request

1.2 Our visions and objectives

The Council is seeking to ensure it is adopting a clear, measured and sympathetic approach to the management of its facilities which will take account of the sometimes contrasting needs of users.

This policy has been produced with the following guiding principles:

- To be respectful and sympathetic to those seeking to install a memorial
- To be clear and easily understood by residents and users
- To ensure that the primary purpose of any proposed location for a memorial is not compromised and the high quality of their appearances are maintained
- To establish responsibility for maintenance, repair and replacement.

2. Background

Although guidance has been in place with regard to memorials in MDC cemeteries for a number of years, there has been no protocol in place for the rest of the Open Spaces within the ownership of the Council. As such, installation of benches and other memorials within such sites has been on a discretionary *ad hoc* basis. This policy seeks to resolve this situation.

3. Operation of policy

General arrangements

- Applications for installation of memorials, benches, trees in Council owned cemeteries, parks or open spaces shall be submitted in writing, by email or on the Remembrance Scheme leaflet.
- The Registered placing or burial of cremated human remains, or the scattering of human ashes can only take place in the Council's cemeteries in Maldon, Heybridge and Burnham-on-Crouch.
- The unregistered scattering of ashes in other MDC sites is subject to approval by the Council, which would not be unreasonably withheld.
- The Council does not permit the Registered placing or burial of pet. Neither the Registered scattering of pet ashes in any of its Cemeteries or public open spaces.
- For the avoidance of doubt, any memorial other than a headstone/kerbstone placed or planted within Council owned land is the property of the Council.
- Any memorial bench, tree or plaque should be paid for by the applicant prior to installation, and the location agreed in writing.
- The Council accepts no liability for damage or theft of any memorial bench, tree or plaque from vandals or third parties.
- The Council reserves the right to remove any memorials that are damaged beyond economical repair or that become dangerous.
- The Council accepts no replacement liability for a bench, tree or plaque which is considered by the Council to have passed beyond a safe use for purpose.
- It is the responsibility of an applicant to ensure that the Council is kept informed about their contact details. Should a bench or tree need replacing or a personalised plaque be removed, written contact will be made to the applicant's last known address.
- No memorial, tribute or memento such as vases, statues, solar lights, obelisks, flowers, wreaths, balloons or other ornamentation should be placed around a bench, tree or other location outside of a purchased formal burial plot. If this were to occur, the Council reserves the right to remove and dispose of any such the items after a 28 day period. Adhering to MDC Dimensions of Memorials, tributes within the purchased burial plot must not exceed a 3 feet maximum height.

3.1 Memorial Benches

- The Council will limit the maximum number of memorial benches in the following key sites:
 - Maldon Cemetery
 - Heybridge Cemetery
 - Burnham-on-Crouch Cemetery

- Promenade Park, Maldon
- Riverside Park, Burnham-on-Crouch
- The location in which a bench can be placed will be determined by a map showing availability of plots.
- Where applications for Memorial benches are submitted for un-mapped areas (e.g. Sea Walls, community spaces etc.) benches will be positioned to maximise the benefit for all users of the space concerned, the prime purpose of the site, and in consideration of any future development.
- While the Council will try to locate a bench at the location requested or within a given site, this cannot be guaranteed. The Council reserves the right to refuse applications on this basis. There will be the capacity to Appeal the Refusal.
- Benches will be of a type, colour, and construction specified by the Council, to be in keeping with the intended location.
- All Bench installations will be undertaken by the Council, unless permission is granted by written consent
- Memorial benches have an expected minimum life of five years and will not be maintained by the Council. After this time the bench may need to be removed. Applicants will be given the option to replace the bench with a new one at full cost, if required, or to relinquish the site.

3.2 Memorial Trees

- The Council will limit the maximum number of individual memorial Trees in the following key sites:
 - Maldon Cemetery
 - Heybridge Cemetery
 - Burnham-on-Crouch Cemetery
 - Promenade Park, Maldon
 - Riverside Park, Burnham-on-Crouch
- Areas of memorial woodland will be identified and/or created where appropriate for mass planting of trees, such as occurs in the Maldon Cemetery Woodland Glades.
- The location in which a tree can be planted will be determined by a map showing availability of plots.
- Where applications for Memorial trees are submitted for un-mapped areas Trees will be positioned to maximise the benefit for all users, the prime purpose of the site, and in consideration of any future development.
- The Council encourages the planting of semi-mature native species. Any Individual tree planting application will be considered in the context of it's proposed setting. Woodland planting areas will be given an outline planting plan and suitable species mix identified for any given site/location.

- While the Council will try to locate a tree at the location requested or within a given site, this cannot be guaranteed. The Council reserves the right to refuse applications on this basis.
- All tree plantings will be installed by an MDC Officer with a support stake, guard, and (if appropriate) watering system. Guards will be removed once the tree has out-grown the need or three years after planting, whichever occurs earliest.
- Trees which fail within the first year of planting will be replaced on a one-time only basis at the Council's expense. Any further replacements will be at the expense of the applicant.
- The Council accepts no liability for any tree and all tree plantings (individual or woodlands) will be subject to a standard grounds maintenance regime for the site in which they are planted.
- Should a tree become diseased or damaged to the point of being unsafe, then
 - following appropriate assessment by a suitably qualified officer/professional
 - the Council reserves the right to remove any such tree without notification. Should this occur, all efforts will be made by officers to contact applicants/families.
- After 10 years from original planting date, the Council reserves the right to consider any tree as part of its general tree stock, and as such will subject to standard Arboricultural or Woodland management practices. These works will, in general, be implemented with no notification to applicants and may include (but not be limited to):
 - pruning
 - thinning
 - crown lift
 - limb removal
 - coppicing
 - pollarding
 - felling/removal.

Should this last be deemed necessary by a qualified officer/professional, all efforts will be made by officers to contact applicants/families to inform them of actions and justification, and to arrange a replacement planting if so desired at the cost of MDC.

3.3 Memorial Plaques

- Memorial plaques are to be a maximum size of 7" (175mm) wide and 5" (75mm) high. Plaques shall be made of cast bronze and mounted on either an approved Hardwood plinth or the centre of the upper most lath of the back of the bench.

- Plastic plaques have been permitted in the Parkland and Garden of Remembrance areas in cemeteries. This practice will cease from 1st April 2017.
- Plaques are not permitted within woodland plantings or to be fixed to any tree.
- The inscription on any plaque is to be restricted to “In the memory of” the name of the person, recognition of public office (if appropriate) and the dates of birth and death. There should be no more than four lines of inscription on the plaques and the wording is subject to the approval of the Council.
- Any plaques that need to be removed due to damage/deterioration of plinths/benches, replacement of infrastructure, or justified operational need will:
 - In the case of cemetery plaques, be placed upon the Memorial Wall
 - In the case of other Open spaces, either to be returned to original applicant or held in safe storage until such time as an appropriate equivalent of a Memorial Wall is available for such relocation.
 - Any broken plaques will be removed and original applicant(s) contacted to be advised of such.

3.4 Fixed Memorials

- Memorial walls
 - Memorial walls are solely for the placing or relocation of plaques from within a given site
 - Plaques must meet approval criteria (see 3.3)
 - Plaques are to be affixed to any Memorial Wall in a uniform and ordered fashion
 - All plaque installations will be undertaken by the Council, unless permission is granted by written consent
- Columbaria
 - Columbaria will be used for the placing of cremated remains within our Cemeteries.
 - Plaques must meet approval criteria (see 3.3)
 - These plots will be offered for periods of 15 or 30 years.
 - Inscriptions will be available and ordered through MDC.
 - Once the validity expires on the Columbaria, MDC will reserve the right to scatter the ashes in their Cemetery if the applicant cannot be traced.
- Buildings and Installations

- No Plaques, memorials or tributes are to be affixed to any building, fixture, fitting or other installation without express written consent of Maldon District Council

3.5 Memorabilia & Tributes

- As stated in General Arrangements; no memorial, tribute or memento such as vases, statues, solar lights, obelisks, flowers, wreaths, balloons or other ornamentation should be placed around a bench, tree or other location outside of a purchased formal burial plot. If this were to occur, the Council reserves the right to remove and dispose of any such the items after a 28 day period.
- Burial plots are of the following dimensions:
 - Maximum size grave shall not normally* exceed 6 feet 6 inches (1982mm) by 3 feet (915mm)
*in the case of an oversize coffin this size will be case specific
 - Burial plots for cremated remains are 24inches (610mm) by 28inches (711mm) and are designed to accommodate a maximum of two casket interments and dug at double depth on request.
- MDC Cemetery Regulations points 60 – 71 clearly prescribe permitted tributes within Cemeteries. The understanding of, and agreement with, these terms and conditions is assumed upon the purchase of any burial plot.

3.6 Income

- In order to maintain consistency of appearance, quality, and control over location, all benches and trees will be ordered and installed by Maldon District Council.
- The total cost of installation/planting is reviewed on an annual basis through the normal Fees & Charges budget setting process of the council. This cost will include purchase price, any required ground works/infrastructure, plus at least 10% overhead to ensure full cost recovery (covering staff time, labour, materials, transport and ongoing maintenance).

4. Monitoring and Reporting

Ongoing implementation, monitoring, and the annual review will be undertaken by the following officers:

Cemetery Manager – Richard Heard

- Cemetery Officer – Esme McCambridge

Countryside & Coast Manager – Matt Wilson

- Maintenance Officer – Steve Krolzig
- Parks & Countryside Supervisor – Paul Clark

5. Conclusion

This Policy will provide guidance for both Officers and the general public ensuring that the process of applying for and managing memorials in Cemeteries, Parks and Green Spaces is clear, measured and sympathetic whilst being mindful that these facilities have many uses and are enjoyed by a wide range of users and residents.

DRAFT

References:

MDC Communities Services Committee report “*Memorials in Council owned open spaces*”, 24th May 2016

Maldon District Council, Cemeteries Service *Remembrance Scheme* (April 2015)

Maldon District Council, Cemeteries Service *Cemetery Regulations* (April 2010)

External documents referred to for Benchmarking:

Dacorum Borough Council “*Policy on Memorial benches, Trees and Shrubs within parks and Green Spaces*”

London Borough of Hackney “*Parks and Greens Spaces Memorial Policy*”

Rochford District Council “*Policy for Memorials in Parks and Open Spaces*”

Rushcliffe Borough Council “*Parks & Green Spaces Memorial Policy*”

Tendring District Council “*Memorial Tree Scheme*” & “*Memorial Bench Scheme*”

The Royal Parks “*Memorials in the Royal Parks*”

Essex Local Authority Web-based research:

(Limited online Information)

- Basildon Council
- Braintree District Council
- Brentwood Borough Council
- Castle Point Council
- Chelmsford City Council
- Colchester Borough Council
- Epping Forest District Council
- Harlow Council
- Uttlesford District Council