

**Guidance for Roadside Memorials &
Other Memorials on Council Controlled Land**

Introduction

- 1.0 This document gives the Council's view on roadside memorials and other memorialisation on Council controlled land, following sudden accidental road deaths. It provides guidance to the bereaved, nearby residents and Police or Council officers.
- 2.0 Roadside memorials can be difficult to manage. There are many ways to permanently memorialise an individual in a dignified manner, without the use of a roadside memorial, and the Council offers a range of options to residents through Breakspear Crematorium, which has extensive grounds and gardens of remembrance. Options include memorial rosebushes with name plaques, benches and ornamental shrubs and trees. Memorials in the grounds of the crematorium are easier to look after and visit, and are in a more pleasant environment that allows quiet reflection and contemplation.
- 3.0 However, the Council accepts that there may be a need to acknowledge a sudden death caused by a traffic accident, by marking an area of highway verge with an informal memorial, eg flowers, small decorative items, or a plaque placed on highway verge. This practice has grown considerably in recent years. Usually, tributes are placed for a short period of time, immediately following an accident, but this may not always be the case.
- 4.0 As the grieving process is intensely private and emotionally charged, the Council has no wish to unduly interfere or intrude, especially in the very difficult days or weeks immediately after an accident.
- 5.0 This guidance is not meant to bring about the immediate removal of small temporary memorials that cause no distraction, hazard or distress to others, but to control the establishment of large memorials that could present such difficulties for other road users. The aim is to ensure that so long as a memorial does not give rise to any hazard or nuisance, it can be allowed to remain for a period of 13 months (to allow the marking of the first anniversary of the accident), after which time, Council officers can contact the relatives or friends of the bereaved and arrange for any items that are still wanted to be temporarily stored at Breakspear Crematorium, or returned.

Time allowed for a memorial to remain

- 6.0 The Council cannot authorise long term or permanent roadside memorials. Laying of floral, or other tributes will be allowed on the understanding that they will be removed within 13 months of the accident and that they do not block sight lines, or otherwise present a danger through obstruction or distraction to motorists. This assessment will be made by a Council Highways Inspector. After the 13 months, remaining floral items will be disposed of. Non floral items will be taken to Breakspear Crematorium, stored for 3 months and then disposed of, but known family or friends will be informed of this beforehand, where possible.

- 7.0 In some instances, and after the 13 months have elapsed, the memorial site may become established as a place to revisit on anniversaries etc. This situation might not arise if a permanent memorial has been arranged elsewhere and the need may eventually fade with the passage of time. However, the Council will not intervene at this point unless a hazard or nuisance is being caused as described above. On anniversaries such as this, an officer (Police or Council) will liaise with the family to remove any new personal items from the roadside, 7 days later.

Suitability of memorials and sites

- 8.0 Where a memorial site is close to properties, residents' views may be taken into account in determining where personal memorials and tributes should be placed.
- 9.0 Assessments of highway memorial sites may be carried out by the Police and / or by a Council Highways Inspector. Items must not be placed at locations that are hazardous or difficult to access, such as the central reservation of dual carriageways, on busy roundabouts or very close to the carriageway of any road. Items that are considered to have an effect on road safety may be removed at any time, but will be retained if possible, as above.
- 10.0 Personal memorials and tributes should not include materials that might physically deteriorate rapidly, detracting from the immediate area, and indeed, the temporary memorial itself. There should be no moving objects such as toy windmills or wind chimes, no lights of any sort and decorations such as tinsel that could distract road users should be avoided. Small temporary areas (up to 3 ft x 3 ft) marked out by decorative kerbing or fencing may be allowable by agreement, so long as this does not present a hazard or a visual distraction to road users.

Alternative long term memorials

- 11.0 Aside from the possibility of using memorial services provided at Breakspear Crematorium, after the roadside memorial has finally gone, friends or relatives may wish to request that a memorial bench or tree be placed on Council controlled land, such as a green space or at a suitable point along a footpath. Consideration will be given to such requests, but it may not always be possible to accommodate them.
- 12.0 If a bench or tree is requested, Green Spaces Officers will assess the preferred location for suitability. If the preferred location is not acceptable, efforts will be made to find a mutually acceptable alternative. Those requesting benches or trees will be liable for all costs incurred by the Council.
- 13.0 Benches must be to a specification used by the Council, appropriate to the location, and will be installed by the Council's contractor. Tree species must be appropriate to a location and be in line with any existing tree planting policies. Planting will be carried out by the Council's contractor but initial watering will be the responsibility of those requesting it.

- 14.0 Factors that will be considered by the Green Spaces Officers when siting a memorial bench or tree include impact on the visual amenity of an area, the potential for antisocial behaviour, the need to ensure access for highway maintenance general highway access requirements. If it is not possible to agree a site it may still be possible for friends or relatives of the deceased to arrange for a memorial at Breakspear Crematorium as per paragraph 2.0.
- 15.0 The Council does not accept responsibility for the maintenance of any personal memorials and tributes, or the loss, damage, removal or relocation of temporary roadside memorials that may occur through vandalism, or due to road maintenance or construction activities. The Council and others must continue to perform all construction and maintenance works required on the public highway, and this may include areas where there are personal memorials and tributes.

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