

Agenda Item No: 10
Report To: Cabinet
Date of Meeting: 24 September 2020
Report Title: Memorial Benches and Seating



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Portfolio Holder Cllr. Andrew Buchanan
Portfolio Holder for: Environment and Land Management

Summary: Ashford Borough Council occasionally receives requests from members of the public who wish to have a bench dedicated to a loved one. Locations are various open spaces and cemeteries owned by the council. Arrangements for managing benches and dedications are currently ad hoc.

Key Decision: YES

Significantly Affected Wards: None Specifically

Recommendations: **The Cabinet is recommended to:-**

I. Adopt the policy as set out in Appendix 1

Policy Overview: This report proposes a formal management process and policy for memorial bench installation and removal.

Financial Implications: Memorial benches are currently maintained in perpetuity. Establishing fixed term agreements for the lifetime of a bench, and what is covered under standards of maintenance, ensures that these benches are installed and maintained at no cost to the council.

Reduced ongoing maintenance and replacement liability will result in reduced financial liability in future.

Legal Implications: Terms of agreement / lease

Equalities Impact Not required

Assessment:

**Data Protection
Impact**

Not applicable

**Assessment:
Risk Assessment
(Risk Appetite
Statement):**

Removal of existing benches at the end of their useful life has the potential to be controversial. This may be a cause for complaint. However, it does not contravene an extant policy. This is at the lower end of the council's risk appetite. Due to the relative low level it is unlikely that additional controls will be identified to respond to the risk.

**Sustainability
Implications:**

Not applicable

**Other Material
Implications:**

None

**Background
Papers:**

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Report Title: Memorial Benches and Seating

Introduction and Background

1. Public seating has developed organically through a mix of direct installation and inheritance of assets. Currently, the majority of seating is fitted when either a play area is installed, an open space is developed or following a request for a memorial bench from a member of the public.
2. Where a memorial bench is requested, the cost of supplying and fixing the bench is usually passed on to the person making the request.
3. There are 794 council owned benches within Ashford Borough; 21 per cent of all benches are already designated as memorial benches and the council is currently maintaining these in perpetuity.
4. Some locations have an abundance of seating, some locations have seating incorrectly positioned and other locations lack sufficient seating.
5. Arrangements for memorial benches and seating have been ad hoc in the past. Consequently, there is no clear policy, pricing structure or agreement as to what maintenance arrangements are in place.

Proposal

6. It is proposed to implement a Memorial Benches and Seating Policy in order to ensure the council's offer in terms of memorial benches is clear. The policy will also ensure there is a clear pricing structure in terms of supply, installation and ongoing maintenance, ensuring that costs are adequately covered and that standard terms of agreement are established (15 years), after which time the bench will be removed.
7. It is proposed that the Environment and Land Management service assume responsibility for all public seating on council owned land. The benefit of this approach is that it ensures that one service is responsible for the management of public seating, ensuring a consistent approach across council owned land.
8. Periodic review of seating provision on council owned land will be carried out, identifying areas with adequate seating and areas where capacity exists. Through the approval of this policy, the service seeks delegated authority to remove, replace or install benches as required. The council will reserve the right to refuse applications based on suitability of location.

9. A memorial bench service will be introduced, which will offer bench installation at suitable locations including the town centre, parks, open spaces and cemeteries. Each type of location will have a suitable bench type prescribed in Annexe 1 of the Policy.
10. The memorial bench service offers the opportunity to promote to the public the possibility of organising a memorial bench. This will generate income to support the ongoing maintenance of public seating, enhance council owned land by improving seating provision and removing benches that are no longer suitable. The policy will ensure adequate management arrangements exist through this policy and associated processes.
11. Cost will be based on the purchase cost of the bench, plaque and installation. The term of the lease agreement is for a period of 15 years. The charges proposed for 2020/2021 are tabled below:

Item	Description	Cost
A	Cavendish seat	£898
B	Hereford seat	£758
C	Georgian seat	£987
D	Recasting of plaque (changing the inscription for example, adding an additional name)	£250
E	Extending the lease of the bench at the end of the initial 15 year period for a period of 5 years (subject to condition).	£300

12. The costs detailed in lines A, B and C of the table include:
 - The supply of a new bench of relevant type
 - Supply of a new plaque with chosen inscription (up to 90 characters)
 - Reasonable maintenance during the lease term (as per the terms of lease agreement).
13. The costs detailed in line D includes:
 - Removal of the old plaque
 - Supply of a new plaque
 - Installation of the new plaque
14. The above costs will be subject to annual review and will be included in the council's annual fees and charges.
15. The council may also choose to operate bespoke arrangements in locations falling outside the scope of this policy, subject to specific projects, for example, Victoria Park. These specific projects may offer different seating options and pricing structure.

Treatment of existing memorial benches

16. Existing memorial benches would not be subject to any changes under this policy for the life of the existing bench. We would only seek to make a record of existing benches to improve asset data and include locations on interactive mapping. This will assist in identifying areas with capacity for additional seating and areas that are saturated with seating.
17. Where there are existing memorial benches, these benches will be reasonably maintained as per the terms of the new agreement. However, at the end of any existing memorial bench's useful life (including accidental damage and vandalism), the asset will be removed. The bench will be replaced, subject to suitability, and unless a further lease is agreed, existing benches will be replaced with standard benches with no plaque or engraving.

Pricing benchmarking

18. To guide our pricing of this offering we have reviewed the pricing of other local authorities within Kent, this information is detailed below:

Local Authority	Cost	Details
Tonbridge & Malling	£900 - £1300 depending on seat style	Sponsor a seat: Payment for seat and maintenance of the seat. Plaque remains the responsibility of the sponsor. Vandalised benches cannot be guaranteed a replacement but the plaque could be relocated following consultation with purchaser.
Canterbury	£1586	Price for a new seat and plaque
	£720	Price for a plaque on an existing bench
	£265	Additional plaque on an existing memorial bench.
Folkestone	£1530	New bench and plaque with installation and maintenance costs for 10 years.
	£900	Renewal of agreement on a bench that is 10 years old. This does not include replacement costs if bench becomes damaged beyond repair.
Dover	£1278	New bench, installation, memorial plaque, administration, delivery and varnishing
Maidstone	£523	New bench with a one year dedication.

Equalities Impact Assessment

19. Not applicable

Consultation Planned or Undertaken

20. Not applicable

Other Options Considered

21. Maintaining the status quo is the other option. However, that currently means that any memorial bench is ours to maintain in perpetuity without any funding for the bench or plaque.

Reasons for Supporting Option Recommended

22. Setting a formal policy and pricing structure ensures that the costs of providing, installing and maintaining benches are covered in the cost of the service provision.
23. Public seating and memorial benches being subject to clear agreement, formal management processes and record availability, ensures that it is clear what services will be provided by the council and limits any liability or scope for complaint in the event of vandalism or at the end of a benches natural life.
24. Clear records enable seating provision to be planned and allows ready identification of areas with capacity for seating and oversubscription.

Next Steps in Process

25. Seek approval to adopt the policy set out in Appendix 1.

Conclusion

26. Managing all benches on council land in line with the policy covers costs associated with the council providing this service. Having clear terms of agreement around the service limits liability and reduces the risk of complaints being received or upheld in respect of the removal of benches that are no longer fit for purpose.
27. Inclusion of the charges outlined in this report within the council's fees and charges would ensure they are subject to annual review and remain in line with costs.

Portfolio Holder's Views

28. This report looks to ensure that future memorial bench provisions are made covering the reasonable costs of the bench and its maintenance across the anticipated lifetime of the bench.

29. The costs of provision have been compared across similar services provided in neighbouring authorities to arrive at a reasonable charge that aims to cover the cost of the provision.

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Appendix 1

Policy for Provision of Memorial Benches in Public Open Spaces.

Ashford Borough Council will facilitate the purchase and installation of memorial benches in public open spaces owned or managed by the council where appropriate opportunities exist.

Introduction

The council receives occasional requests from members of the public who wish to place a memorial bench within a public open space or cemetery. These sites are often places which individuals have a particular connection. There is no legislative requirement for the provision of public or memorial benches, although it is accepted that they provide a useful and valued public amenity.

The provision and management of all council owned seats and benches is the responsibility of Environment and Landscape Management. This policy covers the provision of all benches, including memorial benches on council owned land.

This policy recognises the need for a consistent approach to the provision of memorial benches. As resources available to the council reduce, much more consideration to the level of infrastructure provided and maintained is required. A rationalisation of the range and quality of infrastructure is also needed, avoiding items which are onerous to maintain or have a poor life expectancy. In addition, opportunities to provide infrastructure for public benefit in different and new ways need to be maximised.

The operating principles below will ensure that requests for memorial benches are responded to in a consistent, efficient and helpful manner. It will result in appropriate bench styles being installed, which are appropriate to the proposed location. This will also ensure that benches are easy to install, maintain and are not unduly prone to vandalism.

Operating principles:

1. Only sites with the capacity for additional benches will be considered. Capacity decisions will be at the discretion of the council.
2. Only suitable locations where people are likely to make good use of the proposed bench will be considered. These will be areas which lack any seating nearby, or are at a likely stopping point, such as a particular view or rest point on a path. In addition, the location will be chosen to minimise future maintenance and vandalism. Remote locations with poor access for maintenance and limited potential users will not be considered.

3. The purpose of memorial benches will generally be to commemorate the lives of people or pets. Tributes to clubs, groups, associations, events etc. will be considered on a case by case basis and will be approved at the discretion of the council.
4. A limited selection of suitable low maintenance standard designs will be available at a range of costs, the choice of bench being dependent on the location. Annex 1 shows the range of benches with associated prices.
5. Lease of a memorial bench will be for the expected life period of the bench only, after which time it will be removed. The cost will include the bench, plaque, inscription, installation and surfacing. As the benches should require minimal maintenance, there will be no additional cost for this. The cost and life expectancy of the bench will depend on the type of bench and its location. Any replacement will be treated in the same way as a new memorial bench. To ensure installation is undertaken safely and to the required standards, the council will provide and install the memorial bench with plaque and surfacing in all cases.
6. The council's standards of maintenance will be accepted as keeping the bench fit for purpose. This will involve occasionally removing graffiti and repairing minor faults. Maintenance will not include regular painting, as in the long term this proves more costly than replacing the bench when it has reached the end of its natural life. The range of new benches has been chosen for durability without the need for regular painting or treatment.
7. The lessee must not carry out any maintenance to a bench during the period of lease, this includes any painting or varnishing. Additionally, no tributes may be attached to, laid on or put beside benches.
8. The council reserves the right to remove any bench which has been installed prior to this policy being adopted which has fallen into disrepair through age or vandalism. Subject to suitability of location, these benches may be replaced with plain benches without a plaque.
9. Publicity on the council website will provide information and an enquiry form for those interested in purchasing memorial benches. The enquiry form is shown in Annex 2.
10. A standard written letter of agreement will be sent by the council to the customer to ensure all terms and conditions are clearly understood prior to commencement of the lease. The form will be returned to the council with

payment in advance of the memorial bench being installed. Annex 3 shows the standard form of agreement.

Memorial bench purchase procedure

This procedure describes the process which will be followed from the first contact with the customer enquiry to the last contact to inform them that their memorial bench is in place.

1. Customer enquiries coming to the Customer Service Centre or to Environment and Land Management are directed to the website to view the policy and complete an enquiry form. Alternatively, a memorial bench enquiry form as shown in Annex 3 can be downloaded. If required, an enquiry form is posted to the customer.
2. Customer completes the enquiry form specifying a requested location, and bench style, sending this by e-mail or post to Aspire Landscape Management. It is allocated to the appropriate officer for action.
3. The allocated officer considers the requested location for the bench and decides, by applying the operating principles, whether a memorial bench is appropriate in this location. If the requested location is not suitable, a nearby alternative location will be offered where possible.
4. The allocated officer ensures that the requested bench and plaque style is suitable for the location and that the plaque text is clear and suitable for use on a public bench.
5. The allocated officer contacts the customer to confirm or discuss the details by phone. If an alternative location is required, a letter with a map to illustrate the alternative site being offered will be sent.
6. On agreement, a standard agreement letter is sent to the customer by email to confirm arrangements and request payment
7. When payment is received, the allocated officer orders the purchase and installation of the memorial bench, for completion within three months of receipt of payment.
8. The allocated officer ensures the work has been carried out as specified, photographs the bench and ensures all information is recorded in the asset management system for future reference.
9. The allocated officer ensures a letter and photograph are sent by post or email to the customer to notify them that the bench is in place.

Annex 1 – Current Memorial Benches

Please note prices are valid for 2020/2021 and may be subject to annual change.
All prices are subject to VAT properly chargeable



Georgian Seat (with plaque) £987.00 (for use in the town centre and parks)



Hereford Seat (with plaque) £758.00 (for use in open spaces and cemeteries)



Cavendish Seat (with plaque) £898.00 (for use in open spaces, parks and cemeteries)

Annex 2 Memorial Bench Purchase Enquiry Form

Please print, complete and return to:

Aspire Landscape Management, Environment and Land Management, Civic Centre,
Tannery Lane, Ashford, Kent, TN23 1PL

Section A - Please supply your contact details below

Name.....
Address.....
Telephone

E-mail:

Section B - Choice of memorial bench

Please tick the bench you want to purchase below
(Please note bench type is subject to location and approval)

Cavendish Seat Hereford Seat Georgian Seat

Section C - Your preferred location for the bench below

I would like my bench to be placed within

Section D - Memorial plaque

All plaques will be provided by the council and attached to your bench
(Please supply the name to be on your plaque)

Plaque to be in the name of

Please print your memorial message for the plaque below (for council approval). A
maximum of 90 characters can be included (the 90 characters must include the
name and any spaces).

.....
.....
.....

Annex 3 Form of Agreement for a Memorial Bench

Agreement for a Memorial Bench to be placed in a public area for the natural life expectancy of the bench (approximately 15 years). Memorial Agreement between Ashford Borough Council and

Name.....

Address

.....
.....
.....
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.....
.....
.....

This letter sets out the agreement regarding the purchase of

- 1. A new(type of bench)
- 2. Location

.....
.....

- 3. A memorial plaque to be placed on the bench .Your memorial message will read:-

.....
.....
.....

(Name) will pay the sum of £..... being the full cost of the installation on site of the bench with plaque.

The council will be responsible for the reasonable maintenance of the bench for the period of its natural life (approximately 15 years).

At the end of the 15 year lease, the bench and plaque will be removed. A request to re-lease or replace the bench can be made at the end of this agreement, subject to the appropriate fee being paid.

The council cannot guarantee against theft or vandalism will not be able to replace either the bench or plaque in this event.

I understand and agree to all the policy conditions and the above. I enclose my cheque for

£.....
Signed.....
Date.....
Contact telephone number.....