

## **Appendix 4 Surrounding Authorities Regulations**

A review of twenty Council websites in the Midlands area who offer a burial service, reveals that half currently offer new memorial benches for purchase/lease.

Nine of these state that the location of the bench will be determined by the Cemetery Manager.

### ***The location of memorial benches***

#### **Birmingham City Council**

‘The position of the bench must be agreed with the Superintendent/ Bereavement Officer prior to order/installation as benches can only be placed in certain areas. We also reserve the right to reposition the bench at any time should we feel it necessary to do so or to remove it completely ~ particularly should it become unsafe.’

#### **Cannock**

‘Our distinctive memorial benches are made of recycled plastic, which has the benefits of being long lasting, durable and maintenance free. Each bench is supplied with a flush fitting stainless steel plaque with an inscription of your choice. The benches may be placed in a suitable position following a discussion with cemetery staff.’

#### **South Staffordshire**

Offer a plaque on existing benches –

‘These options are available on a lease basis for either three, five or ten years.’

#### **Stafford**

‘A limited number of positions are available for memorial seats. The seats are leased for a period of ten years with an additional ten-year period available, subject to payment.’

### ***Benches are provided by and remain the property of the Council***

#### **Solihull**

‘Plaques communal or individual benches. Provide bench and plaque, property of Solihull MBC. Position at discretion of manager.’

‘We will contact you once we have received your order to discuss the location of the bench with you,

Benches are allocated on a plan and the final position of the bench is at the discretion of the Manager.’

#### **Birmingham City Council**

‘Please note only approved benches are allowed to be placed within the city cemeteries. You are not permitted to bring alternative benches into this cemetery and as such we reserve the right to re-remove any unauthorised benches.’

## **Hinckley and Bosworth**

'We can arrange for the purchase and installation of memorial benches. The placement of benches is restricted to certain locations within the cemetery.'

## **Dudley**

'The location\* and fixing of the seat are subject to the agreement of the Council and any future relocation, due to redevelopment needs, will be agreed with the applicant at that time.'

## **Nuneaton and Bedworth**

'...endeavour to accommodate wishes regarding the position of the bench; this is dependent on there being room and that it is considered as a suitable position.'

We recommend that you visit our cemeteries to look for suitable locations that will work for you.'

## **Charnwood**

'Applicants can apply for benches to be installed in open spaces in memory of loved ones. These could be refurbishment of existing benches or replacements for old benches, but additional benches in new locations will be considered.'

Charnwood's application form asks for -

'PREFERRED LOCATION OF SEAT (PLEASE PROVIDE AS MUCH INFORMATION AS POSSIBLE):'

## **Leicester City Council**

'The memorial rose bush or tree will be positioned in accordance with the corresponding cemetery plans for the area. The memorial bench will be positioned in the cemetery in agreement with the cemetery manager.'

## ***Four Councils offer memorial plaques for existing benches.***

### **Shropshire**

Following a review of all of their Cemeteries 2009- see below:-

3.17 It is therefore recommended that at this time no further benches be permitted within the Garden of Remembrance or Cemetery grounds and that officers be given the power to remove benches that are not maintained, after waiting one month after notifying the named donor. Existing maintained benches will remain and may be reendowed. On the expiry of an endowment the bench may be removed or relocated.

They now offer plaques on existing benches.

### **Sandwell**

'11. Bench Plaques (existing benches only) \*  
Additional plaque on existing bench for remainder of lease £265

\*New benches are no longer available'

## **Solihull**

'You can have an inscribed bronze memorial plaque secured to a communal or individual bench in the cemetery.

A communal bench will already be in situ, it is not exclusive it is shared by up to five families to commemorate their loved ones.'

## **Redditch Borough Council and Bromsgrove District Council**

'1. The location of the bench must be agreed with the Council. It will not always be possible to place a bench in the preferred location, but every effort will be made to find a suitable compromise.'

### **Redditch Bench Conditions of Lease**

The Council will try to accommodate individual requests for memorial benches, but it is important to remember that the cemeteries and crematorium are open spaces enjoyed by a wide range of users. The Council will therefore ensure that the memorial bench process is managed and regulated for the mutual benefit of all.

### Memorial Benches – Conditions of the Lease

1. Only memorial benches and plaques leased through and placed by the Council will be allowed in the cemeteries and crematorium. Any benches that are placed in the sites from any other source may be removed by the Council and retained for a period of three months from the date of removal so they may be collected.
2. The benches and plaques will be placed on a ten year lease basis. The benches and plaques will remain the property of the Council throughout their life.
3. At the end of the lease period the purchaser will be given the option of renewing the lease for a further ten year period. It is the purchaser's responsibility to keep the Council informed of any changes of address or details during the period of the lease. If the purchaser cannot be traced, or does not respond to Council correspondence, the lease will be terminated six months after the lease expiry date.
4. If the lease is not renewed the plaque will be removed and retained for a period of 6 months, during which time it can be collected by the purchaser or somebody appointed by them. If it is not collected it will be sensitively disposed of after six months.

5. Once a plaque has been removed from a bench, that bench may be re-leased by any other person, and a new memorial plaque(s) added.
6. The Council reserves the right to refuse any inscription on a memorial plaque that it deems inappropriate or unsuitable for the location.
7. The location of the bench must be agreed with the Council. It will not always be possible to place a bench in the preferred location, but every effort will be made to find a suitable compromise.
8. The memorial bench will be placed by the Council on a suitable base.
9. No personal items can be placed on, beneath or beside the seats. Items that are placed may be removed by the Council and if so will be retained for a period of three months from the date of removal so they may be collected. If items are not collected within this period the Council reserves the right to dispose of such items.
10. The Council will periodically clean the benches and carry out any other maintenance that is deemed necessary. Any maintenance by a third party after the initial installation of benches or plaques will only be permitted by prior written agreement of the Council.
11. The Council cannot be held responsible for any damage to the benches or plaques caused by vandalism, acts of nature or by third parties. In the event of such damage the Council reserves the right to charge the leaseholder for the cost of any repairs.
12. The Council reserves the right to remove any benches that become dilapidated, damaged beyond repair or where the terms of this policy have not been adhered to.
13. The Council reserves the right to refuse to place a memorial bench or to suspend the memorial bench scheme if, in the opinion of the Council, the sites become overstocked with benches.
14. Existing wooden benches that were placed in the cemeteries or crematorium before the introduction of this policy may be removed by the Council once they have reached the end of their natural life, or, in the opinion of the Council, they become unsafe, unsightly or beyond economic repair. Attempts will be made to contact the bench owner prior to removal wherever possible, and notices will be placed on the benches for a minimum period of three months prior to removal.

15. The Council reserves the right to amend these guidelines and any regulations relating to memorial benches at any time.