

**Hurst Green Parish Council
Supporting Paper**

Motion to establish a Local Public Bench Policy

Summary of the matter to be discussed:

As part of the Council's desire to improve the quality of life for residents, and to improve the facilities in the Parish. It is proposed to establish a public bench scheme that would allow residents to purchase a bench that would be installed on land owned by the Parish Council.

Details of any considered or known options:

Establish a public bench scheme and the adoption of an associated policy, to ensure there is a clear and sustainable approach to the management of benches for the mutual benefit of all.

Rother District Council runs a popular Commemorative Seats and Trees scheme, the proposed policy loosely mirrors Rother's scheme.

Provide a recommendation:

That Councillors give consideration to the following motion proposed by Cllr. Andrew Brown.

Motion - "That this Council, for the purposes of establishing a scheme for public benches in the Parish of Hurst Green, formally adopt the proposed Public Bench Policy, and that it be reviewed annually."

Hurst Green Parish Council

Public Bench Policy

Adopted on XX XX 2024

1. Policy purpose

1.1 This policy sets out the criteria, procedure and arrangements relating to public benches, which will usually be memorial in nature, but there is no requirement that they be, and residents are warmly invited to purchase benches via this scheme, for the mutual benefit of all.

2. Overview

Hurst Green Parish Council recognises the wish of residents for benches, and the beneficial impact that public seating can make on the environment, and will positively consider and encourage applications for such benches on land managed or maintained by the Council. As such, this policy has been produced with the following guiding principles:

1. To encourage the addition of further public seating around the parish.
2. To be respectful to those seeking to install a bench.
3. To establish responsibility for the maintenance, repair, and replacement of benches.
4. To ensure that benches are not out of place in the area in which they are situated.
5. The Parish Council will consider requests for benches on an individual basis and retains the right to refuse or limit the number of benches in any one site.
6. Anyone can purchase a bench, however in the case of benches with an engraving, the Parish Council will only permit bench engravings relating to individuals where the applicant can justify a connection to the local area, or, in exceptional circumstances, a historical event. Applications for pets or similar, will regrettably not be considered.

It is the intention of the Parish Council that this policy only covers common issues and is not meant to be exhaustive. The content of this policy may be revised as necessary at the discretion of the Parish Council to meet changing circumstances.

3. Application process

3.1 Anyone may apply to the Parish Council for a bench, which does not have to be for the purposes of a memorial.

3.2 All applications for benches must be made to the Clerk to Council, and shall include:

1. applicant's name, address and contact details.
2. the desired location and the size of the bench desired.
3. details of the proposed words of the engraving (if applicable)

3.3 As the Parish Council is a public body, the applicant will be responsible for all costs incurred with the purchase of the bench, which may include the costs of any engraving, as well as the actual cost of the installation, which will include ground mounting (which should ensure that the bench cannot easily be removed). The specific cost will be jointly worked out and agreed by the Parish Council and the Applicant upon successful application.

3.4 At the point of installation the bench will become the property of the Parish Council.

3.5 The applicant will also be required to contribute to the maintenance costs of the bench. This is to be paid to the Parish Council before installation, with the initial agreement period being for ten years..

3.6 The ten year bench maintenance costs will be a charge equivalent to the current bench maintenance fee charged by Rother District Council, as of 2024 this is £580 (£58 per annum).

3.7 After the ten years, assuming the bench is in a good state of repair (as determined by the Parish Council), there will be the option to renew the maintenance agreement for a further ten year period (subject to condition). Charges will be based on current rates at the time.

3.8 The size and type of seat will be considered jointly by the Applicant and the Parish Council, in the event of any disagreement, the final decision will belong with the Parish Council.

3.9 If applicable, the text of any engraved inscription on the bench shall be submitted to the Parish Council for approval or otherwise, ideally at the same time as application is made to the Parish Council for the bench.

3.10 In the unlikely event that two applicants request the same location, the Parish Council will seek to agree a compromise between all parties. If an agreement cannot be reached, requests will be treated on a strictly first come first served basis and will be subject to a space being available on site.

3.11 The Parish Council reserves the right to refuse to accept any application or request, or to refuse any inscription request.

4. Installation

4.1 The purchase of the bench shall be undertaken by the Parish Council in accordance with the applicant's instructions.

4.2 The installation of a bench shall be carried out only in accordance with the details provided on the application form and by a contractor approved by the Parish Council. This is to ensure compliance with both Health and Safety and insurance requirements.

4.3 The positioning of the bench on site will be considered jointly by the Applicant and the Parish Council, however the final decision will belong with the Parish Council.

4.4 Given the rural nature of the Parish, benches must be engraved (if desired), and may not contain plaques, as these may weather prematurely, or be vandalised or stolen.

4.5 Any engraving of benches must be purchased and undertaken by the Council, members of the public are not permitted to engrave benches, or to supply or install their own plaques.

4.6 Benches will be limited to memorial engraving. No additional mementos (e.g. vases, statues, flowers, wreaths, balloons or other ornamentation etc) will be permitted on or around the bench. These will be removed without reference to the original applicant(s).

5. During the 10 years

5.1 The Parish Council will keep a record of applicants and their contact details in accordance with the relevant legislation

5.2 It is the responsibility of the applicant to contact the Parish Council with any change of address and contact details, otherwise the last known address will be used. If this proves to be incorrect the Parish Council are not duty bound to pursue this matter further.

5.3 The Parish Council, through the use of the 10 year maintenance contribution and if necessary, public funds, will make reasonable efforts to maintain the seat in good condition.

5.4 The Parish Council cannot accept responsibility if a memorial bench is stolen.

5.5 Should the seat become uneconomical to repair through vandalism the Parish Council may at its discretion, replace it with another seat of a similar standard, free of charge.

5.6 The Parish Council reserves the right to remove or re-site benches at any time.

5.7 The Parish Council will undertake an annual assessment of all benches and reserves the right to remove any bench that is no longer considered safe and fit for purpose. In this event, an attempt to repair will be considered, or if this is not possible, the named person(s) on the application form will be informed.

5.8 The Parish Council shall not be held accountable for any future works or planning alterations/changes to the site(s) or the surrounding areas. In such circumstances the cost of repositioning a seat will be absorbed by the Parish Council.

5.9 The Parish Council reserves the right to transfer or assign ownership control or management of the benches at any time.

6. Costs & Finance

6.1 Monies due to the Parish Council are to be paid in full before installation. If required, the applicant will receive a receipt for the monies paid.

6.2 The total charge for a bench includes the cost of, and installation of the bench, any engraving as agreed, and the annual maintenance and repair cost over a 10 year period.

6.3 The Parish Council shall maintain a separate ring fenced account line for benches, and shall record all income and expenditure related to the benches accordingly, so that the Council is able to ensure that the fees and charges in association with benches are spent accordingly, and to ensure that the Council's charges are sufficient to cover its costs, and to ensure that these are set appropriately and as reasonably priced as possible.