

<b>2 August 2006</b>	<b>ITEM 10 Report 0604045</b>
<b>Cabinet</b>	
<b>ROADSIDE MEMORIALS AND FLORAL TRIBUTES</b>  <b>Report of Wendy Bibby Street Services Manager</b>	
<b>Purpose:</b> To seek Cabinets approval to adopt a policy on Roadside Memorials and Floral tributes associated with fatal road traffic accidents.	
<b>Wards affected:</b> All	<b>Key decision:</b> Yes
Public	

**1. RECOMMENDATIONS:**

- 1.1 Cabinet approve the Roadside Memorials and Floral Tributes Policy attached Appendix A.**

**2. INTRODUCTION:**

- 2.1 To adopt a pragmatic solution to the increasing tendency for friends and relatives to place flowers/tributes at the scene of a fatal road accident, this policy needs to approach the matter with the sensitivity it requires.

**3. BACKGROUND:**

- 3.1 The practise of placing of floral tributes at the scene of a road death incident by bereaved relatives and friends has grown considerably in recent years. On the majority of occasions the tributes are placed for a short period of time immediately after the accident. A further development of this trend is the placing of roadside memorials and while this practise is not prevalent, it is also on the increase. Some of these memorials may be discreet and in such locations where they will not create a problem, however some do present a potential risk and could cause further accidents by potentially diverting motorists attention at key junctions.
- 3.2 Such memorials not only give rise to safety concerns, they can also cause conflicting points of view arising about the nature of the tributes or memorial between the bereaved family and people living in the locality, with a great deal

of anguish ensuing for all parties concerned. Officers have on occasions had to resolve emotionally charged situations.

3.3 The Council also receives requests for permission to erect permanent memorials on or close to the highway. Officers have in the past declined most of these requests but refer applicants to alternative facilities highlighted in the policy.

3.4 It is recognised that these practises might be seen as beneficial to those suffering the loss of a loved one. However the proliferation of roadside tributes and memorials has led to increasing concerns locally and nationally, regarding road safety and potential collision risk that can result from people walking, stopping in or adjacent to the carriageway.

**4. ISSUES AND/OR OPTIONS:**

4.1 The Roadside Memorials and Floral Tributes Policy is attached at Appendix 1.

4.2 The introduction of this policy will support a reduction in items on the roadside.

4.3 The policy will help to address the issue of Road Safety concerns surrounding these memorials.

**5. IMPACT ON CORPORATE PRIORITIES:**

5.1 This policy directly supports the Council’s aim of creating a Cleaner, Greener Thurrock.

**RELEVANT POLICIES**

The Council has a number of polices that relate to cleaning and greening matters of which the Roadside Memorials and Floral Tributes Policy forms part.

**FINANCIAL IMPLICATIONS**

Any costs arising from the implementation of this policy will be contained within existing budgets.

**LEGAL IMPLICATIONS**

The highway authority may remove, under Section 132 (subsection 2) of the Highways Act 1980, remove any picture, letter, sign or other mark which has, without either the consent of the authority or an authorisation given by, or under an enactment, been painted or otherwise inscribed or affixed upon the highway or upon any tree, structure or works or in the highway.

**OTHER IMPLICATIONS**

(including diversity, equality, human rights, community safety, welfare of children, biodiversity, sustainability etc.)

**BACKGROUND PAPERS**

None

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## Appendix A

### The Roadside Memorials and Floral Tributes Policy

#### 1. Floral Tributes

- 1.1 The Council recognises there maybe a need for bereaved relatives and friends to visit the scene of an accident and this maybe part of the grieving process. From a highways safety perspective there are potentially serious road safety concerns over this practise. The locations where many accidents occur tend to be at places where it is not safe to stop/or walk on the carriageway. The very act of laying tributes therefore creates a potentially dangerous situation. Given the potential state of mind of the mourners in terms of grief, and the fact their concentration is on their loss, the potential for a further tragedy becomes a real concern.
- 1.2 The Council wishes to discourage the practise of laying floral tributes but is not insensitive to the needs of mourners; therefore floral tributes will be left for up to 30 days following the death of the deceased. As flowers deteriorate they will be removed.
- 1.3 Where floral tributes are felt to have an adverse effect on safety (for example obstructing visibility for drivers etc), the Council will remove the flowers/tributes immediately.
- 1.4 In cases where Council Officers deem it necessary to remove floral tributes; the bereaved will where possible be given the option of receiving any items accompanying the tributes (cards etc).
- 1.5 In some instances the accident spot often becomes a place to revisit on anniversaries etc. Whilst this practice will be discouraged by the use of proper memorial facilities, it will be difficult to completely stop the practice. In such cases flowers/tributes will be removed one week after being re-laid.

#### 2. Permanent Roadside Memorials

- 2.1 The use of permanent memorials will not be permitted.
- 2.2 To ensure that all instances are treated equally the practice of placing memorials by the roadside, whether “green” or man made memorials such as trees will not be permitted. Memorials such as these are problematic and subject to repeat visits from bereaved which exacerbates the potential risks to the bereaved and could distract other drivers.
- 2.3 Bereaved families will be encouraged to site permanent memorials such as trees and to use the current facilities offered by Thurrock Council that includes

the options of memorial trees and benches. These are normally situated with cemeteries and parks. and will be away from the dangers of the highway.

- 2.4 Where memorials are removed from the roadside every effort will be made to contact the family of the deceased to give them the opportunity to keep the memorial if they wish.