

9 February 2022		ITEM: 16 Decision: 110605
Cabinet		
Thurrock Roadside Memorials and Floral Tribute Policy		
Wards and communities affected: All	Key Decision: Key	
Report of: Councillor Andrew Jefferies, Cabinet Member for Environment, Sports and Leisure		
Accountable Assistant Director: Daren Spring – Assistant Director for Street Scene and Leisure		
Accountable Director: Julie Rogers – Director for Public Realm		
This report is Public		

Executive Summary

The practice of laying floral tributes at the side of a fatal collision has, in recent years, become more common. To many families involved it is an important part of the grieving process and provides a poignant reminder of the loss of a loved one. At the same time there are those who believe that grieving should remain a private matter and any memorial or tribute should be at the graveside or garden of remembrance.

This policy statement outlines what is intended to be a sensitive but controlled approach to the management of roadside memorials and tributes on Thurrock's roads and on Thurrock owned land. Thurrock recognises that there are differing and sometimes strongly held views about this matter and in putting forward this policy it has sought to adopt an approach that seeks to take into account a diverse range of views and concerns.

1. Recommendation:

1.1 That Cabinet approve the adoption of the new Thurrock Roadside Memorials and Floral Tribute Policy.

2. Introduction and Background

2.1 This Thurrock Roadside Memorials Policy has been updated to ensure the effective management of roadside memorials in the borough.

3. Changes from previous policy

3.1 Key changes from the previous policy:

- That in certain circumstances, a bench or tree (with small dedication) may be an acceptable alternative as a permanent memorial, if a suitable location is available and agreed by Thurrock Council.
- That Enforcement action under the Highways Act 1980 may be taken should compliance with a request to not place items on the highway be ignored, the Enforcement team will liaise with the Police Family Liaison officers to ensure that the enforcement process is followed tactfully and compassionately.

3.2 Existing Roadside Memorials

3.2.1 Roadside Memorials that are currently in place before this policy has been adopted will be managed in accordance with the new procedure. The Council will identify all current roadside memorials on Council owned land and will write to the bereaved families to inform them of the policy; and that the tributes will be removed from site 30 days after the correspondence has been sent. Local ward Councillors will be made aware in advance of when the existing roadside memorials will be removed.

3.2.2 The Council, in liaison with the Police Family Liaison Officer will provide support to ensure that families are aware of these arrangements and will facilitate the collection of any items that they may wish to retrieve. Any items that are not collected after 3 months will be disposed of.

4. Reasons for Recommendation

4.1 To enable the Public Realm directorate to provide a clear guide to the management of roadside memorials and floral tributes within Thurrock.

5. Consultation (including Overview and Scrutiny, if applicable)

5.1 The report was presented to Cleaner, Greener and Safer Overview and Scrutiny Committee on the 20 January 2022. Following discussion, the committee would like the following comments to be considered by Cabinet:

- The community did not want Thurrock to seem to be a heartless Council and would therefore like Cabinet to deal with this matter sensitively.
- The committee would like the bereaved families of existing kerbside memorials to be spoken to regarding the new policy.
- Could the changes to the policy also be communicated to residents of the Borough.
- The chair has requested that the committee be kept up to date on any feedback that may be received from those affected.

6. Impact on corporate policies, priorities, performance and community impact

6.1 This relates to the corporate priority – Green Environments that everyone has reason to take pride in.

7. Implications

7.1 Financial

Implications verified by: **Laura Last**
Senior Management Accountant

There are no financial implications arising from this report

7.2 Legal

Implications verified by: **Linda Saunders**
Planning and Highways Solicitor

The Council has the power under section 149 of the Highways Act 1980 to control and remove anything deposited on the public highway, which constitutes a nuisance, by notice and application to the Magistrates Court. Where the deposit constitutes a danger, including obstruction of view, it can be removed without notice. Section 149 of the Act makes it an offence for any person to deposit anything on the highway to the interruption of any user of the highway which constitutes a nuisance.

In updating its current policy to reflect the sensitivity of the circumstances the Council is also acting reasonably in accordance with its overall duty.

7.3 Diversity and Equality

Implications verified by: **Becky Lee**
Team Manager – Community Development

There are no diversity and equality implications arising from this report.

7.4 **Other implications** (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, and Impact on Looked After Children

- N/A

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- N/A

9. Appendices to the report

- Appendix 1 – Thurrock Roadside Memorials Policy
- Appendix 2 – Roadside Memorials and Floral Tributes Policy 2006

Report Author:

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Public Realm