

Name of meeting: Cabinet
Date: 4 April 2017

Title of report: Memorial and Commemorative Plaque Policy

Purpose of report

The purpose of this report is to seek Cabinet approval for the introduction of a policy for the consideration of requests for the siting of memorials and commemorative plaques on Kirklees land and buildings. The policy is attached at Appendix 1.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant affect on two or more electoral wards?	Yes- Affects all wards
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports)?	Yes
The Decision - Is it eligible for "call in" by Scrutiny?	Yes
Date signed off by Director & name	Paul Kemp, Assistant Director Place 24 March 2017
Is it also signed off by the Assistant Director for Financial Management, IT, Risk and Performance?	Debbie Hogg, 24 March 2017
Is it also signed off by the Assistant Director - Legal Governance and Monitoring?	Julie Muscroft
Cabinet member portfolio	Councillor Graham Turner – Asset Strategy Resources and Creative Kirklees

Electoral wards affected: All

Ward councillors consulted: All

Public or private: Public

1. Summary

- 1.1 Kirklees is home to a number of historic buildings, attractive parks and other publicly accessible spaces.
- 1.2 A number of buildings, parks and green spaces house memorials or commemorative plaques and the Council regularly receives requests for consideration of future memorials and other commemorative plaques etc to be sited on Kirklees owned land and property.
- 1.3 Kirklees Council supports the needs and principles of memorials on and in buildings, parks and green spaces, which commemorate events, groups or individuals which have made a significant, lasting contribution to the history and culture of Kirklees and its communities, but is also

mindful that these facilities have many uses and are enjoyed by a wide range of people. The Council will therefore seek to ensure that the issue is managed and supported for the mutual benefit of all.

2. Information required to take a decision

2.1 The policy (Appendix 1) has been produced to assist organisations and members of the public in considering making applications for memorials etc on Council owned property and has the following guiding principles:

- That the proposal be respectful, sympathetic and easily understood
- To balance the potentially different needs and views of a variety of users
- To maintain and enhance the appearance of sites and not detract from their prime purpose
- To clearly establish the responsibility for maintenance, repair and replacement of memorials placed on Council property.

2.2 For the purposes of this policy memorials are defined as

- Monuments and other fixed permanent memorials to events, groups or individuals which have made a significant, lasting contribution to the history and culture of Kirklees and its communities

2.3 This policy does not cover personal memorials to individuals in the form of

- Memorial trees and benches
- Scattering of Ashes
- Other forms of personal remembrance

2.4 The policy excludes memorials within cemetery and crematoria sites for which a separate application process exists.

2.5 The Policy embodies the following process:

1. Applications for any memorial or commemorative plaque will be made to the Council using a proforma (broadly based on other blue plaque schemes). The Policy allocates a space within two of the principle parks for the siting of memorials. Requests will normally therefore be restricted to specific areas in Greenhead and Crow Nest parks.
2. Applications will be considered by officers in accordance with the current delegation scheme with reference to Asset Committee as necessary.
3. Once endorsed the sponsor will be required to obtain any statutory approvals (e.g planning permission) for the design and construction of the memorial.
4. Once these are in place the Council will enter into a licence/agreement for the erection/fixing of the memorial or plaque (the agreement will stipulate that the sponsor has ongoing responsibility/liability for its maintenance and repair).
5. The memorial is erected / fixed.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

No impact

3.2 Economic Resilience (ER)

No impact

3.3 Improving Outcomes for Children

No impact

3.4 Reducing demand of services

No impact

3.5 Capital

The policy requires the sponsors of a memorial to be responsible for any capital costs incurred through the design, erection and maintenance of their respective memorial.

3.6 Revenue

The policy requires the sponsors for any memorial to be responsible for all revenue costs incurred through the design, erection and maintenance of their respective memorial.

The Council will be required to fund the revenue costs of administering the policy. Principally this will be in the allocation of officer time required for the evaluation of memorial applications and the process of issuing licenses for the erection of memorials on Council land and buildings. The anticipated revenue cost to the Council of this policy is estimated at circa.£1000 per memorial.

4. Consultees and their opinions

The draft Policy was circulated to all members for comment and the following responses received:

Cllr Jim Dodds – “I am happy with this policy” Cllr Jim Dodds

Cllr Darren O’Donovan

1. “There should be a limit on the number of monuments in the designated gardens and a limit on the number per year that can be approved.
2. Elected members should be consulted via email.
Comment: Ward Cllrs will be consulted on the grant of any proposed licence agreements as part of Delegation process. Any objections by Ward Members will trigger a report to Cabinet Committee Assets for determination.
3. There should be an application and license cost for the applicant to cover KMC admin and consultation fees we incur.
Comment: Licences will be granted in accordance with Estates Management Policy which provides for the Council recovering surveyor and legal fees

4. Not sure if a designated area is best as it may mean we have 'many' monuments in a small space and could look very messy. Refer to point 1 of mine."

Comment: Surveys of the parks were carried out in consultation with the Parks Service and officers from Investment and Regeneration Conservation Team. The areas designated in both principle parks were determined taking into account the listed status and operational management of the parks. As the nominated parks are listed, all applications will be subject to Planning Permission being obtained.

Friends of Greenhead Park –

Overall policy and objectives

"We are pleased that the Council is proposing to adopt a policy on dealing with applications for memorials and commemorative plaques and are in agreement with the proposed objectives.

In particular we welcome the commitment to "maintaining and enhancing the high quality appearance of sites and not detracting from their prime purpose" and the clarification that monuments and other fixed permanent memorials should relate to locally significant events, groups or individuals.

Siting of memorials

We accept that Greenhead Park may be an appropriate site for a limited number of memorials.

However we would like the following points to be taken into consideration in arriving at any future decision on placing memorials in the park:

- Greenhead Park is an important Grade II listed park, and as such proposed changes or additions need to be particularly carefully considered. It should also be remembered that this popular and very busy park was created as a place for public recreation and enjoyment and not as a 'memorial park'.

Comment: All applications will be subject to Planning Permission being obtained.

- The park currently houses two significant war memorials: the Boer War memorial erected in 1905 and the large and imposing Great War memorial which was unveiled in 1924. A decision was taken not to inscribe individual names of Huddersfield's estimated 4,500 dead on the memorial but instead to have one inclusive inscription '1914-18 IN MEMORIAM'. Following World War II, this inclusive approach was continued by simply adding the dates '1939-1945' below the existing inscription.
- The Great War memorial serves as an important place of remembrance for all those from our area, of whatever community and religion, who died in World Wars I and II, and indeed in subsequent conflicts. We therefore feel that it would not be appropriate to allow the siting of any additional war memorials in the park and that this should be clearly stated in the policy.

Comment: All applications will be considered in accordance with the policy.

- The area proposed as a suitable location for monuments is described as the 'Italianate Garden' although what is shown on the plan is the area known as the Rose Garden. We would like to clarify that it is not proposed to permit monuments or other fixed permanent memorials in

the Italian Gardens which already contain important historic features (Italian fountain and Boer War memorial).

Comment: The plan attached at Appendix A has now been amended accordingly.

The Rose Garden could be an acceptable area for siting of memorials, although we would not like it to be officially described as a memorial garden and it should be borne in mind that this area is a popular place for wedding photographs. There is also an adjacent grassed area with a semi-circular bed (between the area marked on the plan and the paddling pool) which might be suitable for some types of memorial.

Comment: Surveys of the parks were carried out in consultation with the Parks Service and officers from Investment and Regeneration Conservation Team. The areas designated in both principle parks were determined taking into account the listed status and operational management of the parks. As the nominated parks are listed, all applications will be subject to Planning Permission being obtained.

Operation of the policy

We support the proposed three stage process for consideration of requests for memorials but would like to see more details of how the application process (Stage 1) would work in practice to ensure that the stated policy objectives are met, including the pro-forma to be used for applications. We would also like consideration to be given to including the relevant ward councillors and park Friends group in the Stage 1 decision-making process.

We suggest that the statutory approval stage should include looking at how the proposed memorial is intended to be used and, where appropriate, access related to this.

Comment: Ward Members and 'Friends Of' groups will be consulted prior to the grant of the licence agreement. The application process will be set out on the Council's website.

We welcome the proposal to require applicants to enter into a license agreement setting out requirements regarding repairs, maintenance etc. We propose that this should include a proviso that the Council would ultimately have the right to remove a memorial if it has not been adequately maintained or secured. “

Comment: Ownership and maintenance of the memorial will remain with the licensee. Under the terms of the licence agreement the licensee will be responsible for maintenance with provision for the Council to terminate if the licensee fails to comply with the terms of the agreement.

Friends of Crow Nest Park –

1. “We don't seem to have all of the report which ends mid-sentence - no conclusion or recommendation?”
2. We have all struggled to understand the purpose of the proposed policy. We cannot see why you would not, on receipt of a request to place a memorial to which you had given approval, consult with the Friends and other interested parties at that stage to find a sympathetic setting.

Comment: Friends of Groups will be consulted during the application process although the location of the memorials will be restricted to the areas designated in the policy

3. We have a number of monuments in Crow Nest Park which were not part of the original design, but each has been found a location over the years which suits the Park and the memorial. Had they all been gathered together in one location, I think you would find it would simply look a mess. The Friends are appalled at the prospect of some kind of bronze junkyard which you appear to wish to impose on us. Each monument must surely be located with regard to its form, scale and significance in a suitable setting in the Park?
Comment: The suitability (including location) of any memorial will be considered as part of the planning process.
4. The Friends of Crow Nest Park are unhappy with the choice of site as this is an area that is used regularly when we hold events in the Park. In addition it has newly planted trees on it which are part of the Tree Walk.
Comment: Surveys of the parks were carried out in consultation with the Parks Service and officers from Investment and Regeneration Conservation Team. The areas designated in both principle parks were determined taking into account the listed status and operational management of the parks. As the nominated parks are listed, all applications will be subject to Planning Permission being obtained. Parks have commented that there is ample other space within the park that is suitable and available for events. We understand that only 3 or 4 events take place each year.
5. The Friends would be more than happy to co-operate with you in finding sympathetic locations for approved new memorials, but please, not all together and not in the location you have chosen.”

Huddersfield Civic Society –

“Our remit is restricted to the area of the former Huddersfield Borough. The policy allocates one Huddersfield location (3.0 Sites Included) to serve all the communities across Kirklees. This seems to defeat the purpose of memorials which are generally in respect of local people where a specific local community wish to commemorate their life (as has been done for the 2002 Birkby arson victims). Even with the second paragraph taken into account placing a monument in some distant venue does not seem appropriate. If a specific policy is required it should identify small areas within a greater number of communities.

The policy reads as being to open so that anyone or a group who is able to pay for a memorial. Memorials should commemorate people and events “which have made a significant, lasting contribution to the history and culture of Kirklees and its communities”, not the families or antecedents of local people.

Memorials should be commemorative of local people and events and not about religious, political or ethnic groups. Any application should require the provision of evidence that there is significant and wide public support for the provision of a requested monument.

The war memorials of Norman Park and Greenhead Park are precise and inclusive, we would be uncomfortable if memorials were seeking to replicate the functions of the diverse and remarkable memorials of the National Arboretum.

Finally, there is apparent confusion about the proposed Greenhead Park site; is the circled area the ‘Italianate Garden’?

Comment: The plan attached at Appendix A has now been amended accordingly.

5. Next steps

Officers to implement the policy and develop an online web based application form and associated guidance.

6. Officer recommendations and reasons

It is recommended that Cabinet approve the introduction of the attached policy with immediate effect.

7. Cabinet portfolio holder recommendation

Councillor Graham Turner – Asset Strategy, Resources and Creative Kirklees recommends that the Memorial and Commemorative Plaque Policy be approved.

8. Contact officer

Joe Tingle – Corporate Landlord

9. Background Papers and History of Decisions

None

10. Assistant Director responsible

Paul Kemp (Assistant Director Place)

KIRKLEES COUNCIL

MEMORIAL AND COMMEMORATIVE PLAQUE POLICY

1.0 Introduction

Kirklees is home to a number of historic buildings, attractive parks, and other sites of publicly accessible spaces.

A number of buildings, parks and green spaces house memorials; this policy is to assist in the consideration of future memorials and other acts of remembrance on Kirklees land and property.

Kirklees Council supports the needs and principles of memorials on and in buildings, parks and green spaces, which commemorate events, groups or individuals which have made a significant, lasting contribution to the history and culture of Kirklees and its communities, but is also mindful that these facilities have many uses and are enjoyed by a wide range of people. The Council will therefore seek to ensure that the issue is managed and supported for the mutual benefit of all.

2.0 Objectives of the Policy

This policy has been produced to assist members of the public in considering applications for memorials and has the following guiding principles:

- o To be respectful, sympathetic and easily understood
- o To balance the sometimes contrasting needs of a variety of users
- o To maintain and enhance the high quality appearance of sites and not detract from their prime purpose
- o To clearly establish the responsibility for maintenance, repair and replacement of memorials

For the purposes of this policy memorials are defined as

- Monuments and other fixed permanent memorials to events, groups or individuals which have made a significant, lasting contribution to the history and culture of Kirklees and its communities

This policy does not cover personal memorials to individuals in the form of

- Memorial trees and benches
- Scattering of Ashes
- Other forms of personal remembrance

3.0 Sites Included

Of the sites designated Principal Parks; Greenhead Park, Huddersfield and Crow Nest Park, Dewsbury will be available for the siting of memorials.

Small parks, green spaces and recreational open spaces within the wider borough will not normally be considered as memorial space unless they mark the site of a specific area or event.

The policy excludes memorials within cemetery and crematoria sites for which a separate application process exists (<http://www.kirklees.gov.uk/beta/deaths-funerals-and-cemeteries/apply-for-a-memorial.aspx>)

4.0 Operation of Policy

The Policy will be published on the Councils website with guidance enabling applicants to submit requests electronically. Applications will be determined by Officers and licences granted in accordance with the Policy and the Scheme of Delegation.

The Policy will operate on a 3 stage process

Stage 1 – Application

An application is made to the Council using the online proforma. The Council will consider any such application and indicate its in principle support or refusal for the application.

Stage 2 – Statutory approval

Where applications are approved the applicant will then need to satisfy any planning (eg heritage) or other requirements and demonstrate that they can fund, manage and maintain the memorial.

Stage 3 - Licensing

Once these criteria have been met the Council will enter into a licence with the applicant for the site of the monument. In all instances the erection, maintenance and security of the monument will be the sponsoring individual or organisations responsibility.

4.1 Monuments (and other fixed permanent memorials)

Principal Parks

Monuments will only be permitted within Greenhead Park, Huddersfield and Crow Nest Park, Dewsbury.

A memorial garden/area has been identified in these two Principal Parks (see location plans in Appendix A). Each Memorial Garden will be limited to a small number of monuments. All applications for monuments in Greenhead Park and Crow Nest Park must also be approved by the appropriate planning body, taking into consideration, location, style, scale and maintenance.

Secondary Parks, Small Parks and other green sites

Monuments and other fixed permanent memorials will not normally be permitted in small parks.

4.2 Commemorative Plaques and memorials on buildings

The Council welcomes the celebration of the individuals, events and communities that have contributed to the rich heritage of Kirklees and its towns and communities.

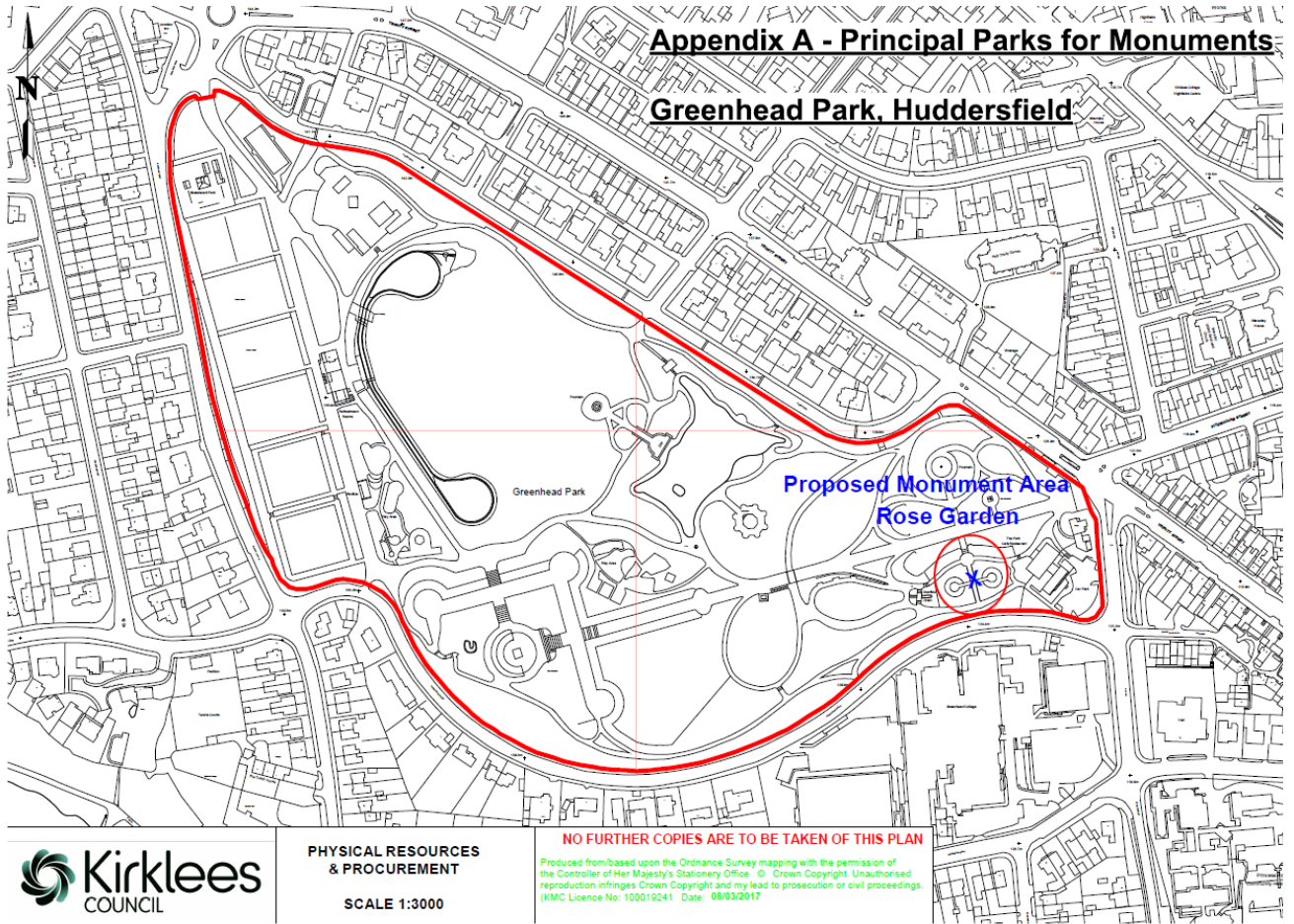
There are a number of commemorative plaques to events and individuals on Civic and Historic Buildings owned by Kirklees Council. Guidance for applicants will be provided on the Council's website and an online form available for the submission of requests for commemorative plaques.

Where an application is made on a building of historical importance or interest all necessary approvals regarding location and fixing will be required from the relevant planning authority

Appendices

- Appendix A - Principal Parks for Monuments

Greenhead Park, Huddersfield



Crow Nest Park, Dewsbury

