

Monuments and Memorials Policy

Background

Portsmouth has a large number of memorials and statues, which often reflect the city's strong military heritage and heroic events. Some of the city's most striking monuments and statues, such as the Cenotaph in Guildhall Square, were designed by leading artists of their day and reflect a particular period in the history of art and design. Their importance to the city is also reflected in the fact that a significant number of them are nationally listed (due to their special architectural or historic interest) or locally listed (due to the historic character and interest to the city).

The city also has a significant number of commemorative benches, which usually include a plaque dedicated to an individual.

The location of existing monuments / statues and benches are not evenly distributed across the city. There are a large number of memorials located in Victoria Park, Old Portsmouth and along the Seafront / on Southsea Common.

Each year, the Council receives numerous enquiries from people seeking to honour individuals, groups, organisations and events through different types of memorials, monuments and statues. With the demand to locate such memorials the greatest in those locations where there are already a significant number.

Unfortunately, it is not possible to continue to accommodate new monuments / statues and commemorative benches in the same way as in the past as suitable sites are limited. It should be borne in mind that installing considerable numbers of memorials / commemorative plaques or installing in an inappropriate fashion diminishes the value of the existing memorials in recognising noteworthy individuals or events from Portsmouth's past. Therefore, the following guidance sets out how the council will assess each request for a new memorial and whether such a request will be acceptable. Applicants will be asked to consider alternative commemorative arrangements where appropriate.

Memorials

The term 'memorial' refers to any one of the following:

- Statue
- Monument
- Sculpture
- Plaque or other commemorative work, structure or feature

The term 'memorial' does not refer to benches or trees, and you should refer to the guidance specifically provided in this respect.

Saturation Zones

Due to the high volume of current commemorative structures, further memorials are not permitted in the following areas unless there is an exceptionally good reason:

1. Victoria Park
2. Seafront / Southsea Common
3. Guildhall Square
4. Old Portsmouth

Please refer to Saturation Zone map at Appendix 1.

Memorial criteria

The following criteria need to be met for a commemorative sculpture to be considered:

1. There must be an exceptional and unequivocal connection between the proposed site and the person, group or event which the memorial is seeking to commemorate.
2. There must be clear justification that a memorial, rather than alternative commemoration is the most appropriate way to remember the connection between the location and person of the city.
3. For the majority of applications, a period of at least 10 years must have elapsed since the death of the person or the specified event.
4. The memorial would enhance and not detract from the current use and purpose of the proposed site.
5. The memorial will prove meaningful for lasting generations.
6. A long term funding proposal is included in the application.
7. Memorial construction including but not limited to materials, weight, method of placement and fixing, and a specified contractor must all be approved by the council.

Formal Consents / Permissions

It is likely that there will be a number of formal consents / permissions required to install a memorial. This can include the need for planning permission, land owners consent and consent under other legislation such as the Highways Act 1980.

The Council will not support any proposal without the formal agreement from the land owner.

Process for enquiries

Agreement to a particular memorial, finding and agreeing an appropriate site, developing an acceptable design and securing the necessary finance can involve lengthy and complex discussions, consultation and fund raising. It is important, therefore, that the applicant allows a realistic timescale is allowed for the proposal.

All enquiries for new memorials in the city should be made to the Culture and City Development Service of the Council (CCDS - contact details are provided at the back of this document). The application process will comprise of an initial meeting to ascertain whether the criteria are met, followed by a subsequent meeting to cover the detailed design work.

CCDS (in consultation with other Council services, such as the Local Highway Authority, Legal Services, Property and Housing and relevant ward councillors), will assess the enquiry and provide advice on the following:

- Whether the proposal would be acceptable in terms of its location and design quality.
- Consultation in developing your proposal design in conjunction with stakeholders (as applicable) including but not limited to materials, weight, method of placement and fixing.
- Fabrication - the manufacturer and cost of producing the concept
- Installation, including:
 - Cost and method of delivery including use of lifting equipment
 - Site investigation and preparation
 - Site health & safety
 - Risk assessment method statements (RAMS)
 - Contractor selection
 - Subsequent maintenance
- Project management (as required)
- Future maintenance programme and insurance
- Legal ownership

Any proposal for a monument or statue must have a clear and well defined historical or theoretical relationship with its proposed location. Proposals for new statues and monuments where there is no relationship between subject and location will not be acceptable.

Procedure for application

It is recommended that proposals are presented to CCDS at an early stage (before a design is finalised), to ensure agreement in principle on issues such as location, form, materials and artist selection. After initial discussions, CCDS will advise on the appropriate way forward, including;

1. Public consultation on the proposal.
2. Confirmation on the need for planning permission and / or listed building consent (and information required to support such an application).
3. Provision of advice to the Local Planning Authority (including the planning committee) on the artistic merit, siting, setting and appropriateness of any new memorials. Please note it is important that any proposal for a new monument / statue is submitted for consideration by CCDS before a planning application is made.

4. Confirmation that the Council is the landowner of the preferred location for the memorial and confirmation that landowners consent would be granted including any Property & Housing technical advice and recommendations or conditions related to the monument approval as appropriate related to the installation and maintenance of the monument. If the Council is not the landowner, advice will be provided on how to obtain landowners consent.

Once all the above have been met, officers will make recommendations to a cross party member Memorial Advisory Panel, chaired by the Portfolio Holder for Culture, Leisure & Sport. The Panel will sit quarterly. A final decision will then be taken by the Portfolio Holder together with the Director for Culture and City Development. It should be noted that if your application is accepted, this does not mean that you will be automatically granted planning permission.

Should a dispute ensue concerning the application this will be referred to the next sitting of the Panel for determination.

Commissioning the work

The Council expects only the best quality examples of new sculptural work for its public realm. Many of the existing monuments (and their settings) are of high quality, and any new work must enhance this legacy.

For monuments and statues, the council will expect commissions to be undertaken by established artists, and to have arisen through a robust and transparent commissioning process. The use of suitably qualified and experienced architects and landscape architects will also be expected to ensure the best setting for any new statue or monument. The artist / architect commissioned must be approved by the Council before work is commenced.

The Council will need to be kept informed regarding project installation timescales so that it can ensure that any advice, recommendations and conditions of approval have been met prior to the installation as well as be informed when the installation work has been completed so that it can signed off as completed and the Council asset database can be updated accordingly.

Funding

The funds available to the Council only cover the minimal restorative work to current structures and no funds are available for the installation or ongoing care for new structures.

Any application for stone memorials will need to show evidence that a suitable funding mechanism has been set up to support the project from initiation to completion and beyond. You might consider partnering with a local business to fund the project. You should note that it may be necessary to deposit a sum with the Council at the initial stage of the project.

The Council will require evidence that the applicant can fund the entire project costs (including landscaping and where necessary alterations to the highway) and that provision is made for it to be maintained into perpetuity, and if it is on Council land to the agreed specification of the Council.

Where the memorial is located within the public realm the Council will need to be satisfied with the arrangements for future maintenance. It should be noted that maintenance costs associated with monuments / statues can be substantial (and should include provision for the cleaning of any graffiti and accumulation of moss or lichen). Responsibility for maintenance may rest with a number of different parties. The Council will expect to see a formal record of rights and responsibilities between those different parties.

It should be noted that the Council's insurance does not cover memorial structures.

In circumstances where the memorial is donated to the Council the donation needs to include sufficient funds for the long term maintenance as set out above.

You also should note that any donated memorial is subject to the same criteria as established in this policy for construction approval.

Decommissioning / Removal of memorials

- Where memorials are vandalised or stolen, the Council cannot bear responsibility beyond the current allocation of funds. It may be possible in exceptional circumstances to consider a repair but this will be looked at on a case by case basis, as financial constraints allow.
- The City Council reserves the right to remove a memorial after 10 years or at a point at which the asset requires replacement in order to maintain its amenity.
- Where memorials are more than 10 years old, the Council reserves the right for the memorial to fall into natural disrepair.
- The Council reserves the right to remove the memorial at any time, should this be required by any future development scheme, or to maintain the amenity of the city or in circumstances of disrepair where the memorial compromises the safety of residents.

Blue Plaques

These monuments celebrate the link between notable and significant Portsmouth figures of the past and the buildings in which they lived or worked. To be considered for a blue plaque, the proposed recipient must have died at least 30 years ago. This is to help ensure that the decision about whether or not to approve a nomination is made with a sufficient degree of hindsight.

Portsmouth follows the English Heritage London scheme for blue plaques that is to celebrate the relationship between people and place. The Portsmouth scheme is one where nominations are sent in from individual members of the public but they will be also be responsible for the fundraising as no PCC funding allocation can be made. Once approval has been given and funding is in place, the request is

forwarded to the PCC designated Monuments and Memorials officer who will arrange for the artwork to be produced and this must be signed as correct and approved by the nominee. From this artwork the plaque will be produced and installed. Any public event relating to the installation will require the nominee must go through the event application process.

Alternative Forms of Memorial

There are many alternatives to the more traditional sculptures or the Victorian concepts for memorials, which may be more appropriate to modern times. Such alternatives could include:

- **Events** – regular events, such as the two minute silence on Remembrance Day, can be an appropriate, and more poignant, memorial than a physical monument.
- **Memorial legacies** – physical monuments can be very expensive to install and maintain and often require a public campaign for funds. The creation of a financial grant to a charity or educational institution ensures that the money raised will be put to a long term beneficial use. The funds can be put in a particular Council Reserve for a specific use and the legacy recorded by way of certificate and online register.
- **Dedicated municipal equipment** for the community: an alternative lasting legacy might include the purchase and dedication of a bicycle rack or a piece of equipment in a community play area.
- **Other forms of public art** - such as plaques or lighting schemes, embedded decorative/inscribed paving, tiling or bricks, are easier to accommodate in the public realm than freestanding sculptures. It is strongly recommended that an artist is involved in the creation of this type of memorial as their involvement can add interest and sincerity to the design of such a memorial. Art installations may be temporary or permanent, depending on the commemoration sought.

Alternative commemorative structures and features

Benches

It should be noted that further applications for additional benches are not permitted within the Saturation Zones as set out in Appendix 1 to this policy.

Applications for benches in the Parks and open spaces outside the Saturation Zone will be at the discretion of the appointed Parks Officer, subject to a vacant seating bay or other suitable and available space (additional seats will not be considered on sites where there is already adequate provision)

It should also be noted that due to the current number of benches in the city, an application may be referred for an alternative form of memorial.

The following criteria shall apply:

- Benches must adhere to the Council's specification to ensure aesthetic unity throughout the city. The specification will cover colour and measurement. The current specifications are:
 - The Ogilvie Seat
 - The Baltimore Seat
 - Any alternative specification must be agreed by the Council
- The Council are responsible for all installation work in connection with the fitting of the bench. Current costs for installation and maintenance (for a bench lifetime of 10 years) are in the region of £2,500.
- Memorial plaques will be purchased and engraved by the Council. The wording on the plaque must receive approval from the Council prior to fabrication.
- The Council accepts no replacement liability for the bench or the plaque. Maintenance by a third party following installation will be by strict agreement with the Council.
- No additional items are permitted in the vicinity of the bench (flowers, wreaths, vases). Any found will be removed without notice.
- The Council will not commence installation of the bench until the total cost (bench, base, material, labour plus administration charge of 10%) has been settled by the applicant. Procurement of the bench, materials and labour will be undertaken by the Council. Current costs are in the region of £2500
- Where it is not possible to accommodate the request for a new bench, the applicant may be offered an existing (refurbished) bench (that does not have a plaque) within the park to place a memorial plaque but this is not guaranteed.

The Council reserves the right to remove or relocate any bench in the following circumstances:

- after a period of 10 years (lifetime period);
- in the event of disrepair and/or vandalism;
- the safety of the bench becomes compromised and the bench structurally unsafe;
- In the event of any future redevelopment scheme.

In the event of redevelopment, where existing benches are required to be removed, the Council will consider the salvage of any affixed plaques where possible. Such plaques will be relocated to a suitably located memorial wall in the city and either affixed or replaced with an inscription. Alternatively the donator of the bench and plaque may request the same to be returned to them

Procedure where applications for a new bench are permitted

- CCDS officers will liaise with you concerning the proposed location of the bench.

- CCDS officers will contact the ward councillors and other relevant officers in the Council
- CCDS officers will take into account any responses received and consider these against the following factors:
 - Policy decisions in relation to the public realm
 - Responsibilities in relation to the city highways

Trees and Urban Meadows

The planting of additional trees and urban meadow pockets within the city can contribute to creating a quiet and attractive location for reflection. You will be contributing directly towards the development and maintenance of green space within the city and encouraging biodiversity.

You might wish to contribute to the purchase of or sponsor a tree or urban meadow pocket to celebrate a wedding anniversary or birthday or as a living memorial.

Trees - the following criteria shall apply:

- The Council's Arboricultural Officer / Parks Officer's decision is final if the requested location is deemed unsuitable or unable to accommodate further trees.
- Trees must be chosen in accordance with the planting scheme of the particular park or area. The applicant will be provided with a choice of trees and the associated costs.
- The choice of trees and locations will be approved by the Council's Arboricultural Officer / Parks Officer. Memorial plaques are not permitted on or adjacent to trees.
- The Council will maintain the tree in line with its current maintenance programme.
- It should be noted there are limited opportunities for the planting of street trees due to the following:
 - Location of underground service pipes
 - Restriction due to pavement, signage and above ground services
 - Actual or planned changes to the immediate area
 - Sites where long term success is doubtful
 - Locations of previous subsidence
- On making a financial contribution towards the purchase of a tree, your gift will be recorded on the Council's electronic mapping system and a tree certificate issued to you.
 - For £295-500 you can sponsor a tree which covers the purchase of the tree, initial planting and watering for the first 2 years. An additional donation will be required if you wish to continue tree sponsorship for a further period, in order to cover ongoing maintenance costs.
 - For £35 - £50 per annum you can adopt an existing tree.

Urban Meadows: the criteria above shall apply as applicable with regard to choice of seeding and location. No personal plaques or signs shall be permitted in the meadow spaces.

- The cost to adopt a section of Urban Meadow is £2.50 per m² and this covers one annual seeding of the pocket of meadow concerned. A minimum contribution is 10m² or £25
- On making a financial contribution towards the purchase of the section of urban meadow, your gift will be recorded on the Council's electronic mapping system (approximate location) and a certificate issued to you.

The Council reserves the following rights in respect of trees and urban meadow:

- Legal ownership of the sponsored tree or section of meadow remains with the Council.
- The Council reserves the right to move / remove and replace any tree (or cease to seed a particular location of urban meadow) if unforeseen circumstances require it to do so.

Funds raised through sponsorship will go directly towards establishment and maintenance of trees and urban meadows.

Memorials Funding summary

<i>Type of memorial</i>	<i>Fund</i>	<i>Use</i>
Stone memorial	Deposit fund - not Council funds	A self-administered funding mechanism should be used to cover both the commissioning, installation and ongoing maintenance and repair.
Memorial tree / Urban meadow	Financial contribution towards the Parks Budget or Sustainability Reserve within Leisure Portfolio.	Contribution towards a tree or urban meadow pocket for a fixed period.
Bench	Financial contribution towards the Parks Budget or Sustainability Reserve within Leisure Portfolio.	Contribution towards the installation and ongoing maintenance for a period of up to 10 years.
Memorial legacy	Deposited to the allocated reserve or if a sizeable sum, a specific Reserve will be set up.	For educational use (libraries, centres for young people) or community use e.g. play equipment.

Roadside Memorials

The Council has produced the following guidance in connection with the tendency towards temporary memorials for road traffic accidents and requests for permanent memorials. The Council recognises that this is a sensitive issue.

Temporary Memorials

The Council will take no action in relation to fresh floral tributes (for a 2 week cycle up to a period of 12 weeks). The Council recognises this is an important part of the grieving process.

Tributes will be removed where there is a road safety / maintenance concern.

Road Peace (Remember Me) memorial signs are not permitted under current legislation and the Council cannot authorise the placement of these signs on / adjacent to the highway.

Permanent Memorials

The Council does not permit permanent roadside memorials due to the potential risk and hazard posed to pedestrians and road users. You should consider an alternative form of memorial as set out in this policy.

Interpretation of this Policy

All workings of this policy will be in accordance with any applicable statute or any delegated or subordinate legislation, any enforceable community rights within the meaning of Section 2 of the European Communities Act 1972, duly applicable guidance, code of practice, direction, judgment or determination with which the Council and/or the applicant is bound to comply, including the Council's rules, procedures, guidelines, policies, codes of practice, standing orders, financial regulations and standards from time to time.

The above guidance is consistent with other policies adopted by local authorities across the UK.

Culture and City Development Service

Enquiries to:

culturalservices@portsmouthcc.gov.uk

Appendix 1 - Saturation Zones map