



Penrith Town Council

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BENCH DISPOSAL POLICY

1. BACKGROUND

- 1.1 Penrith Town Council approved a Memorial Benches Policy, 12 November 2018, attached at Appendix A. When the policy was approved there was no inclusion for the disposal of the existing benches once they had been removed. This policy sets out the steps that the Council shall consider when benches and benches are being removed.
- 1.2 This policy relates to the administrative area covered by Penrith Town Council only and shall be included within the approved Memorial Benches Policy.

2. OBJECTIVES

- 2.1 To set out a framework for the disposal of benches that are no longer functional, are beyond repair and may be disposed of to avoid expensive maintenance costs and safety concerns.
- 2.2 To set out a framework for the disposal of benches which may be available for reuse, sale or for donation to a third party community group.

3. BACKGROUND

- 3.1 Penrith Town Council received 45 benches from Eden District Council via an asset transfer on the 19 October 2018. The benches vary in style, age and condition.
- 3.2 The Council approved a Memorial Bench Policy in November 2018, and further resolved to undertake a phased replacement of the benches over a three-year period, commencing in the 2019/20 financial year.

- 3.3 The Council approved a bench design which allowed for consistency of appearance and reduced maintenance costs.
- 3.4 The Council resolved to not increase the number of sites and locations for benches, but instead to seek to replace benches in the existing locations.

4. CONDITIONS

4.1 Disposal of benches that are no longer functional, are beyond repair and may be disposed of to avoid expensive maintenance costs and safety concerns.

- a) Should the Council, its contractor or a member of the public report a bench which is identified to be defective or present a safety hazard to the public, then this bench must be inspected by the Services and Contracts Manager.
- b) Where it is considered that the bench presents a hazard to the public this bench shall be removed from its public place or fenced off to restrict use.
- c) Should the bench be a memorial bench showing an inscription or has been donated by a local organisation; the Council shall make attempts to contact those persons/organisations to inform them of the state of the bench. It is important to note that the Council received no information from the previous bench owners as to who may have donated benches prior to the 19 October 2018.
- d) The Council will determine whether the bench can be repaired at a reasonable and affordable rate, with the Council being the sole arbiter on what constitutes 'reasonable' cost. Should the bench be considered affordable for repair the Council may undertake the repair and reinstall the bench. The costs will be met by the Council.
- e) Where the bench is identified to be defective and cannot be repaired at a reasonable cost, the bench will be made available for sale or donation to the public or a third-party community group. (See 4.2) Where a community group/organisation has been identified as the original donor, they will be given first opportunity to have the bench donated at nil cost.
- f) Where the bench is identified to be in a severe state of damage or disrepair, the Council at its discretion may dispose of the bench and will instruct its contractor to remove the bench and send it to the most appropriate recycling facility.

4.2 Disposal of benches which may be available for reuse, sale or donated to third party community group.

- a) Where a bench is removed and is identified as defective and cannot be repaired at a reasonable cost, the bench will be made available for sale or donation to the public or a third-party community group. Where a community group/organisation has been identified as the original donor, they will be given first opportunity to have the bench donated at nil cost.

- b) Where a bench is removed as part of the Council's planned phased replacement of benches, then the Council will:
 - I. Consider whether the bench shall be installed at an alternative location in the Council's ownership.
 - II. Consider whether the bench would be better replacing an existing bench in an alternative location.

- c) Should the bench not be associated with a Community group/organisation, or they are not interested in receiving the bench; and (bi) and (bii) are not applicable, then the Council shall make available the removed bench to the public or community groups on the following basis:
 - I. The bench shall be removed by the Council and put into storage.
 - II. The Council will photograph the bench which will be advertised as sold as seen.
 - III. The Council will advertise the bench for a period of 28 days.
 - IV. The Council will accept closed bids, with the interested party submitting their name, contact details and bid amount.
 - V. The Council will open the received bids at a preset time in the presence of the Town Clerk, Services and Contracts Manager and one elected member from the Finance Committee.
 - VI. The Council will accept the highest bid.
 - VII. The Council will notify applicants in writing of the outcome.
 - VIII. Successful applicants will have 7 days to pay their accepted bid amount by cheque or electronic banking.
 - IX. Should the successful applicant fail to pay their bid amount after 7 days then the next highest bidder will be offered the bench.
 - X. Successful applicants will be responsible for the collection of the bench within 14 days of receiving their confirmation of acceptance of bid.
 - XI. The Council may be able to arrange delivery for an additional fee. The fee being agreed on an individual basis.
 - XII. The income from the sale of benches received will be donated to the Mayors Charity.
 - XIII. Upon collection, the bench will become the new owners responsibility. The Council cannot be held liable for any defects or personal injury arising from the condition of the bench following the exchange of ownership.

- XIV. Where no persons submitted a bid for an advertised bench the Council will:
- Advertise the bench on a Freegle website or similar
 - Make available the bench to residents in locality areas
 - Dispose of the bench at its discretion

APPENDIX A

MEMORIAL BENCHES POLICY

INTRODUCTION

Penrith Town Council has adopted this policy to facilitate members of the public if they wish to donate towards:

- a. A new bench with accompanying plaque in memory of a deceased person
- b. A plaque on its own to be fixed to an existing bench of a new style

This policy relates to the administrative area covered by Penrith Town Council only.

OBJECTIVES

To respond to requests by relatives and friends of a deceased person to provide some lasting memory of that person;

To contribute to the overall amenity of the town by providing benches and securing their maintenance for the future.

BACKGROUND

Penrith Town Council received 45 benches from Eden District Council via an asset transfer on the 19 October 2018. The benches vary in style, age and condition.

The Council in addition to approving a Memorial Bench Policy, has been asked to take in to consideration a phased replacement of many of the 45 benches to provide the town with consistency of design and appearance.

With the Town Council only recently being responsible for benches then it is considered appropriate at this stage to not increase the number of sites and locations for benches, but instead to seek to replace benches in the existing locations.

The Town Council are working with Eden District Council and Cumbria County Council to receive further areas of Public Open Space which will offer the potential for new sites for benches to become available in the future.

Once these additional sites are devolved to the Town Council, the policy will be reviewed, and a list of new locations and the number of available bench sites will be made available.

For this policy any application for a memorial bench will be received to provide a replacement bench in an existing location, thus enabling the phased replacement of the old benches, and where there is no current memorial dedication.

CONDITIONS

All requests for either new benches with plaques or for plaques to be fixed to existing benches of the new style must be made on the relevant form, signed and submitted to the Services and Contracts Manager.

New benches will be of a type, design and colour approved by the Council to ensure some consistency with existing ones in place throughout the Penrith Parish.

The purchase of each bench and/or plaque and their installation will be carried out by the Council.

Once installed the bench and plaque will become the property of the Council. It will be maintained for an initial period of 10 years.

After the period of 10 years the Council will endeavor to contact the donor and seek a further agreement for continued maintenance of the plaque and bench. This agreement will likely be subject to a further fee being charged. If the donor cannot be contacted for any reason, the Council may at its discretion remove the plaque and allow the bench to be available to new donors.

Where an existing memorial plaque is in place, and should that bench be replaced, the memorial plaque will be replaced with the same detail for a period of 10 years from the date of replacement.

The Council will maintain a database of applicants, including the expiry date of 10 years, and any waiting lists that may develop.

The Council will not permit the provision of benches and plaques other than as supplied by or through the Council.

LOCATION

For this policy at this stage:

The provision of new benches where there is an existing memorial plaque displayed will require that the existing memorial plaque be replaced with like for like wording for a period of 10 years from the date of installation.

The provision of new benches will be in existing locations and will replace one of the old-style benches that does not currently display a memorial plaque.

Where the Council has provided a new style bench as part of its phased replacement and does not display a memorial plaque, then donors can choose to have a plaque installed at this location.

As and when the Council have further public open space devolved to it, only at that point will the Council approve new sites and locations.

The Council cannot install benches on private land or other areas of public land that it has no control over.

BENCH DESIGN

New benches will be of a type, design and colour approved by the Council to ensure some consistency. The chosen bench is:

Lowther Bench, with brown slats,
supplied by Glasdon UK.



Where space prevents the preferred bench from being installed, then the Council will select an alternative bench design of its choice.

PLAQUES / INSCRIPTIONS

Only one memorial plaque measuring 150mm x 40mm is permitted per bench and this will be ordered at the same time as the bench. Where only a plaque is being ordered the same dimensions apply. There is no maximum number of characters permitted, however it should be noted that the more wording required the smaller the font will be to accommodate the plaque size.

All wording to be printed on to the plaques must be approved by the Council prior to the order being placed. The Council may determine a consistent font to be used on all plaques.

MAINTENANCE

Penrith Town Council will inspect the benches and plaques on a regular basis. Where there are any defects with the benches the Council will instruct its Community Caretaker to undertake any repairs.

Benches may be removed by the Council if they become unsafe or are beyond reasonable repair. The Council cannot replace stolen benches.

Penrith Town Council cannot guarantee the long-term safety or security of the bench.

END OF 10 YEAR TERM

At the end of 10 years where no renewal fee is paid, the plaque will be returned to donor. Where the Council is unable to contact the donor, the Council will keep the plaque for 12 months. When vacated plaque space becomes available the bench will be available to a new applicant or the next person on the waiting list.

CHARGES

Description	(£)
New bench with plaque, including 10 years maintenance fee	£1000
Plaque fixed to existing new style bench, including 10 years maintenance fee. See Note 1	£200
Renewal of bench/plaque, including maintenance fee after initial 10 years expires. Price is for a further 10 years. See Note 2	£200

Note 1 - No new plaques can be fixed to any of the old-style benches

Note 2 - Cost for additional 10 years or when bench/plaque reaches the end of its meaningful life, or whichever is soonest.

The charges will be reviewed by the Council annually to be effective from the 01 April each year. Once the location of the bench and wording for the plaque has been agreed and any necessary consents are approved, the Council will raise an invoice to the donor. Once payment has been received in full the Council will arrange for the order and installation to proceed.

EXCLUSIONS

Penrith Town Council cannot be held responsible or liable for any decisions or amendments made to any of the benches prior to the 19 October 2018, which was the date that the benches were devolved to Penrith Town Council.