

Policy on the Placing of Floral/Memorial Tributes at Road Sides

1. Background

Locations where a fatality has occurred as a result of a road traffic collision or other incident are often marked with floral tributes (or other kinds of memorials), placed at the sides of roads/footways soon after the event.

A grieving family's desire to mark the site of a fatality by some means as a sign of respect is understood. Whilst this is accepted, the Council also have a duty of care with respect to the safety of the general travelling public and therefore need to control the practice from a highway safety perspective. This policy will serve to inform the public that there are limits to what is acceptable in terms of the form of tribute, where such tributes can be placed and the length of time such a tribute can remain in place. The policy will also provide guidelines to Council officers dealing with such sensitive issues.

2. Policy

Floral tributes and other types of memorials are often laid at the site of an accident very soon after the police have opened the site upon completion of their investigations. For this reason and in light of the sensitivity of the situation, a formal application to the Council (as Highway Authority) is not considered appropriate. Requests for the placing of floral tributes will need to be made via the Police Family Liaison Officer (FLO), who will then make contact with the appropriate Council officer. The following procedures/protocol will be used in dealing with floral tribute requests:

- Fatal accidents are reported to the Council's Area Manager via Police, Highways Duty Officer, or formal Police accident reports in the normal way.
- When a desire to place a tribute at the site has been expressed to the Police by the bereaved family, the Police Family Liaison Officer (FLO) or another Police officer linked to the investigation will inform the relevant Area Manager accordingly.
- The site will be inspected by the Area Manager's staff as a result of the reported incident or upon request of the FLO. Sites may also be inspected as part of the normal routine highway safety inspections in the case of anniversary tributes.
- Where floral or any other tribute has been requested, an assessment of the risks to other road users will be undertaken by County Council staff, based on the following criteria:
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 - Visibility considerations at junctions/bends etc.
 - Potential to distract drivers' attention, particularly at junctions and other hazards - this will depend on road layout and size of tribute.
 - Availability of safe parking and pedestrian access to place/tend to flowers.

- Potential to obstruct/impede pedestrian movement.
 - Adverse effect on essential maintenance operations.
 - Advice from the Police where appropriate.
 - Consideration of the interests of local residents.
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- Where sites are considered to be suitable, floral tributes will be allowed to remain in place for up to 2 months after the incident.
 - Where sites are considered to be suitable, anniversary floral tributes will be allowed either for a maximum period of up to 2 months after the anniversary date, or 2 months from the date they are placed at the site.
 - Floral tributes should only be placed on the highway under the supervision of the Police, so as to ensure the safety of the family/attendees and other members of the public.
 - No permanent type of memorial feature or fixture will be allowed on highway land or asset (including bridges, parapets, other structures & public open spaces).
 - Where tributes/memorials have been left on a site and the Council or Police consider them to be potential hazards, or essential maintenance works are impeded, then County Council officers will contact the Police FLO who can advise on the best way of informing the bereaved family of the Council's decision with respect to removing or relocating the tribute. However, there may be instances where tributes may have to be removed immediately where safety concerns are raised, in which case the FLO/family will be informed following removal.
 - Following an initial notification with respect to removal, any further additional tributes will be removed without further notification.
 - Floral tributes/memorials that have been removed will be taken back to the appropriate Council depot and kept in a safe place for 1 month, and may be collected by the family within this period.