

FLINTSHIRE COUNTY COUNCIL

ROADSIDE MEMORIALS & FLORAL TRIBUTES POLICY



These operational procedures have been developed to balance road safety concerns and the needs of the bereaved when dealing with the placing and removal of roadside tributes or memorials. Its intention is to minimise risk whilst sensitively assisting those suffering the trauma of loss.

1. Principles

- 1.1 Flintshire County Council recognises that the bereaved may wish to place floral tributes at scenes of fatal road collisions as part of the grieving process.
- 1.2 Such floral tributes can give rise to serious safety concerns. A site, especially in a rural area, will often be at a place without footways and where the stopping of vehicles, or the presence of pedestrians in the carriageway, presents a hazard. This increases the risk of further collisions and casualties.
- 1.3 The simple act of placing flowers at the scene of a road fatality can in some circumstances create a potentially dangerous situation. However it would be difficult and insensitive to totally ban the placing of floral tributes as this is now an established practice amongst the public.
- 1.4 It is necessary to manage the risk associated with the placing of floral tributes, and to prevent the establishment of permanent man-made memorials.
- 1.5 The Local Traffic Authority will normally waive any traffic management costs associated with the implementation of this policy.

2. Short-term Tributes

- 2.1 Short-term tributes, such as floral tributes, may be provided at locations where the risk to the safety of those placing the tribute can be reasonably managed.
- 2.2 The Local Traffic Authority (LTA) will work in partnership with the Police (in particular the Police Family Liaison Officer) to manage the safe and timely placing of tributes during the initial grieving process, and their removal at the appropriate time. However depending on the specific risks at the site of the incident, such as stopping on the highway and accessing the site (footways, alignment etc), this may not always be appropriate.
- 2.3 The Police Family Liaison Officer will ensure that the bereaved are aware of the arrangements to be put in place via this policy, and that they understand this offers the best and safest opportunity to visit the site. Further visits by family or friends should be discouraged in the interests of road safety.
- 2.4 Floral tributes may remain at the site for a period of up to 30 days following the date of the fatal collision, during which time the immediate roadside area will be sensitively managed. The LTA shall not touch or move the tribute and the soft estate within 10 metres of the tribute shall not be maintained until the tribute is removed.
- 2.5 At the appropriate time, the Police Family Liaison Officer will contact the next of kin to enquire whether any other items placed with the floral tributes require removal and safe keeping at the end of the 30 day period. The Officer will inform the LTA of the family's response to ensure compliance with their wishes. After 30 days the Family Liaison Officer will collect any property to be returned to the family; the LTA will, when convenient to their normal business and without any further notification, remove and dispose of the remaining elements of the floral tribute.
- 2.6 Clearway Routes
It is illegal to stop on a clearway route, unless in an emergency, or when directed to do so by the Police. Access for the bereaved to the site of the incident on a road subject to a clearway order is therefore restricted to occasions when accompanying a Police Officer. Therefore the placing of short term tributes on motorway class roads will need to be managed by the Police Family Liaison Officer, with the understanding that return visits to the site will only be permitted by prior arrangement.

3. Roadside Memorials

- 3.1 Roadside memorials can present similar and longer lasting concerns for road safety. They encourage repeated visits, particularly on the anniversary of the incident. If left unchecked, some roadside memorials can become prominent features at the roadside and a significant distraction to road users. This can raise issues of concern given that fatal collisions are often situated at bends and junctions, where a driver's full attention is required.

- 3.2 Man-made memorials and trees could create an impact hazard for passing pedestrians, cyclists and motorists. In addition, individuals returning to the sites to prune or feed trees or shrubs could be a distraction to drivers, thus increasing the risk of further collisions, and would be placing themselves at risk from passing traffic.
- 3.3 Upon receipt of a request for a permanent memorial, the LTA shall undertake an assessment of risk. Due to the risks outlined in 3.1 and 3.2 above, memorials will not be permitted in the verge adjacent to high speed or dual carriageway county roads.
- 3.4 However, there may be an appropriate site for a memorial within the locale of the fatal collision. An example of a location which may be appropriate for a memorial may be at the back of a lay-by segregated from the trunk road, within a picnic area, or in an urban area. Locations will only be considered where safe pedestrian access can be gained via a footway, and where the LTA agrees that the risks to those wishing to visit the memorial, and the travelling public, would be low.
- 3.5 Permitted memorials are green memorials, in the form of bulbs or wild flowers, or a small plaque mounted on a piece of street furniture, such as a bench or planter. The exact form of memorial will depend on the specific site, and will be agreed by the LTA, however a plaque mounted on street furniture is likely to be more appropriate in an urban area, whilst bulbs or wild flower seed are likely to be more appropriate in a rest area or segregated lay-by.
- 3.6 The choice of bulbs or wild flower species will need to be agreed with the LTA, being mindful of local provenance & species native to the specific area.
- 3.7 The soft estate adjacent to the county road is managed by the LTA. This includes landscape plots, which can include areas of managed woodland. An alternative option for a memorial would be for the LTA to plant and manage a tree, as part of a larger managed woodland, in memory of the deceased. The LTA would be able to provide the family of the deceased with a location of the managed woodland, but would not encourage the family to visit the tree.
- 3.8 In the interests of road safety, memorials will only be allowed in accordance with 3.3 – 3.7 above so as not to compromise road safety. Other forms of memorials will not be permitted.
- 3.9 The LTA will arrange for the mounting or planting of the memorial as appropriate.
- 3.10 There is no time limit on requests for roadside memorials being considered in line with this policy.

4. Existing Memorials

- 4.1 In the past, due to the absence of a policy, some memorials have become established within the limits of the highway. The LTA has statutory powers under

the Highways Act 1980 to take appropriate action where existing roadside memorials adjacent to the highway are considered to affect safety.

- 4.2 Where an established memorial is giving rise to specific safety concerns these should initially be discussed by the Head of Streetscene, the Head of Assets and Transportation, in consultation with the Cabinet Member for Environment, and the local Police. If a decision is made to remove it, the LTA should work with the Police to manage the removal process in a sympathetic way, in line with the ethos of this policy.