



Briefing 20-71

July 2020

## Roadside memorials

To: All Chief Executives, Main Contacts and APSE Contacts in England, Scotland, Wales and Northern Ireland

### Key Points

An APSE Network Query was released asking local authorities about their policies regarding roadside memorials and what kind of actions were taken (if any) to remove them.

This briefing covers the responses to that original query and supplementary information from other APSE member local authorities.

## 1.0 Introduction

It has become increasingly common in recent years for roadside memorials to be created at the scenes of accidents. Many of these are undertaken without the express permission of the local authority. These kinds of memorials can present many issues for local authorities such as:

- Road safety risks (e.g. from the setup of memorials on areas beside high-speed roads, and the potential for repeat visits by people)
- Distractions they can cause to drivers
- Interference with routine council maintenance activity (e.g. grass-cutting)

There are two main types of roadside memorials

- Temporary - temporary memorials are typically floral tributes and other personal effects such as teddy bears, football shirts, etc.

- Permanent - permanent memorials can include things such as memorial benches, plaques on trees and other similar structures

An APSE Network Query was sent out to our membership by a local authority to ask others how they manage roadside memorials, if they have a set policy and if there is a set amount of time before removal and if families are asked to remove them? This briefing covers the answers to those questions. In order to preserve anonymity, authorities in this briefing will only be identified if they have publicly available websites stating their policies and procedures.

## **2.0 Common themes amongst policies**

As a result of the original APSE Network Query, many local authorities submitted their policies and procedures on roadside memorials. Many others were viewed as part of the preparation of this section of the briefing to find the common themes amongst them for any local authorities preparing their own policy.

### **Time limits**

Many of the policies specify time limits before any roadside memorials are removed (for example, moving temporary floral tributes one month after an accident has occurred).

### **Storage of items**

Where items are removed from the roadside, for many councils it is common to store them in a safe storage area for a set period of time in order for any bereaved relatives to have the opportunity to collect them.

### **Approval process for memorials and options for those provided by the Council**

Most policies have a procedure for the approval of memorials, and many Councils offer services themselves for the installation of permanent memorials. Some local authorities (such as [East Riding of Yorkshire Council](#)) have a section on their website that shows locations where the public can pay to have memorials installed by the council, such as a memorial bench alongside a price list for different options. This allows the public to place memorials, allows the council to give consideration to the most appropriate place for memorials to be safely installed and can be part of the council's income generation strategy to help recover the costs of the service.

### **Different procedures for temporary and permanent memorials**

Many councils have different procedures in place upon the discovery of temporary or permanent memorials. Many will tolerate the placement of fresh flowers at the site of an accident, but will be less accepting of memorials such as trees, benches or plaques which have been erected without the express permission of the council.

### **The right to remove memorials causing a distraction or hazard**

Many councils will explicitly state their right to remove any tributes or memorials that they consider a hazard or a distraction to road users. This blanket clause is important in making sure that the council has the means to justify the removal of a tribute that may otherwise be considered acceptable in other sections of the policy.

### **Areas where the council has responsibility or jurisdiction**

Several council policies state that they will only be able to enforce the removal and management of roadside memorials and tributes on roads which the council has the responsibility for.

### **Working in partnership with the police**

It is common for council policies to show that they will try wherever possible to coordinate with the local police department to make sure that bereaved families are contacted prior to the removal of memorials and tributes wherever possible.

### **The need for sensitivity**

It is common for policies to reference the need for action to be taken in a sensitive fashion to consider the feelings of bereaved families and their extended communities that may wish to mourn the loss of loved ones.

## **3.0 APSE Comment**

APSE appreciates the continued use of our APSE Network Query service as a means of sharing best practice between local authorities.

While APSE recognise that the placement of roadside memorials can bring comfort to the victims of road traffic accidents, it is important that councils have policies and procedures in place in order to safely manage public roads and to prevent them from potentially causing additional accidents.

In terms of further reading on the subject, The Society of Chief Officers of Transportation in Scotland (SCOTS) have guidance on Roadside Memorials and Floral Tributes that can be viewed by [clicking here](#). SCOTS were a key part in developing APSE's Roads, Highways and Winter Maintenance Performance Networks template, and APSE endorses their work in this area.

**Reminder: APSE has set up a COVID-19 Information Hub to deal with frontline service issues as they arise, ensuring greater resilience and learning between each other during this difficult time. You can access this hub by [clicking here](#) and you can also join our WhatsApp Support Network by [clicking here](#).**

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