

BETLEY, BALTERLEY & WRINEHILL PARISH COUNCIL

POLICY FOR THE USE OF THE MEMORIAL GARDEN, BETLEY

1.0 Aims of the Policy

- To provide a clear statement of the Parish Council's approach to the use of the Memorial Garden for the purpose of the placing or display of materials
- Not to prevent organisations that, by agreement with the Parish Council, have placed or displayed materials on the Memorial Garden for a number of years from so doing

2.0 Mandatory Requirements

The Parish Council requires the following mandatory requirements to be satisfied by an organisation wishing to place or display materials on the Memorial Garden:

- Acceptance of liability for any loss or damage to the Memorial Garden
- Adequate third party liability insurance
- A (proportionate) risk assessment
- The material must not be political in nature

The Parish Council is the final arbiter as to the definition of 'adequate' 'proportionate' and 'political'.

3.0 Categories of User

The Parish Council will normally only give permission for the placing or display of materials on the Memorial Garden to the following category of user:

- A recognised parish organisation
- A recognised village organisation

Requests for permission to place or display materials in other cases (in particular organisations that are not from the parish or village) will only be considered if there is a known or perceived benefit to the community.

Requests to place or display materials from individuals will only be considered in exceptional circumstances.

The Parish Council is the final arbiter as to the definition of 'parish', 'village', 'recognised' and 'perceived'.

4.0 Right of Refusal

The Parish Council will refuse permission for the placing or displaying of materials on the Memorial Garden if the Parish Council considers the materials to be offensive or provocative.

The Parish Council is the final arbiter as to the definition of 'offensive' and 'provocative'.

5.0 Right of Removal of Materials

The Parish Council reserves the right to remove materials from the Memorial Garden, ask for materials to be removed, or arrange for materials to be removed without any direct or consequential liability and reserves the right to recover any, or all, of the direct and indirect costs incurred in removing the material. The Parish Council will, where practicable, normally seek to ask the owner of the materials to remove the materials in the first instance. The Parish Council will provide an explanation as to the reason(s) for requesting the removal, or for removing the materials, in such circumstances.

6.0 Complaints

The Parish Council will deal with complaints about this policy, or the implementation of this policy, in accordance with normal Parish Council procedures and Standing Orders. In considering complaints about materials placed or displayed on the Memorial Garden, the Parish Council will consider the nature of the materials and the particular user and also take into account the number of times such materials have been displayed previously.

7.0 Display of Parish Council Materials

The Parish Council may place or display its own materials on the Memorial Garden at any time, where the placing or display is in accordance with Parish Council Standing Orders and procedure, or consistent with custom and practice, and is in accordance with this policy. In other circumstances, the Parish Council will discuss and reach a decision on the placing or display of its own materials on the Memorial Garden at a meeting of the Parish Council.

8.0 Other Matters (including definitions and interpretation)

The Parish Council, in reaching a decision under this policy will have due regard to custom and practice. The Parish Council is the sole arbiter in respect of definitions and the interpretation of definitions in this policy document. The Parish Council is the sole arbiter in respect of the interpretation, amplification or clarification of any aspect of this policy.

Robert Bettley-Smith
Chairman
Betley, Balterley & Wrinehill Parish Council