

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL COMMITTEE – 6 SEPTEMBER 2000

REPAIR AND MAINTENANCE OF PUBLIC BENCHES

Report by the Director of Community Services

1. PURPOSE OF REPORT

- 1.1 To advise the Local Committee of the repair and maintenance programme for public benches in the Northern Area.

2. CONSIDERATIONS

- 2.1 Public benches in the Northern Area have been provided by either the Council or by 'gift' from individuals. The type and condition of the benches varies considerably.
- 2.2 There are no formal records of benches gifted from individuals and no maintenance agreements are in place to ensure that the benches are regularly repaired.
- 2.3 Benches provided by the Council, or previous Councils, are not regularly maintained as there is no budget available for this task. Replacement benches are only provided when resources allow.
- 2.4 Persistent vandal damage in some areas has meant that benches have been removed and not replaced.
- 2.5 At the Local Committee meeting on 8th June 2000 concern was expressed regarding the condition of public benches in Fenwick and the Fenwick Community Council representative asked for clarification of any legal implications for the Community Council if they were to be permitted to undertake repairs.
- 2.6 The Council's Legal Manager has advised that it is competent for the Community Council to assume maintenance responsibility for such benches, provided they put in place adequate insurance cover to protect themselves against any public liability claim which may arise from their maintenance of the benches or any failure to properly maintain them.

3. LEGAL/FINANCIAL/POLICY IMPLICATIONS

3.1 There are no implications arising from this report.

4. CONCLUSIONS

4.1 There is no maintenance programme for public benches and the Council has insufficient resources to carry out this work.

4.2 Should Fenwick Community Council wish to take responsibility for maintenance of benches in their area then this could be negotiated with the Council with reference to the advice given by the Council's Legal Manager.

5. RECOMMENDATIONS

5.1 The Committee is asked to note the contents of this report.

William Stafford
Director of Community Services

WS/JAG/SAM

19th July 2000

LIST OF BACKGROUND PAPERS

Nil

Implementation Officer – John Griffiths, Head of Leisure Services
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AGENDA