

Meeting Type: Full Council	Agenda Item: 20
Date of Meeting: 8 th July 2026	
OAKHAM TOWN COUNCIL	
Report Author: Samantha Haywood, Locum Clerk/RFO	Purpose: For decision
Title: Bench – Princess Avenue	
1. Purpose of the Report	
<p>A resident was given permission to purchase a memorial bench to be situated in Princess Avenue. Council are asked to confirm the location for the bench.</p>	
2. Background	
<p>The resident was given permission to have a memorial bench in Princess Avenue. The bench is being delivered to the Council offices very shortly.</p> <p>It was also agreed that the Councils maintenance officer would install the bench. Confirmation is needed as to what base Council require – full concrete base? Legs concreted? Other?</p> <p>A Bench Policy cannot be located but it is believed that Council do have one so this is being investigated further.</p> <p>The resident has asked for the bench to be installed in the middle of the section which is adjacent to the stream.</p>	
3. Legal and Governance Considerations	
<p>Verification of Ownership: The council must explicitly own the land or secure a lease or licence from the freeholder (e.g., District Council, County Council, or private trust).</p> <p>Statutory Powers: Parish and town councils derive the legal power to provide seats and benches in open spaces from the Open Spaces Act 1906 (Section 10) or the Parish Councils Act 1957 (Section 1).</p> <p>Restrictive Covenants: The title deeds of the land must be checked for restrictive covenants that prohibit the erection of permanent structures or restrict public access.</p> <p>Planning Permission: Benches generally benefit from Permitted Development Rights under Part 12, Class A of the Town and Country Planning (General Permitted Development) Order 1995 for local authorities. However, planning permission may be required if the land is in a conservation area, a designated Local Green Space, or a National Park.</p> <p>Highways and Licences: If the bench borders or sits on a public highway or pavement (including wide verges), the local Highways Authority (e.g., County Council) must grant a street furniture licence or permission.</p> <p>Equality Act 2010: All street furniture must be inclusive and accessible. The council must consider seating height, armrests, and proximity to footpaths.</p> <p>Clearance Requirements: Outdoor seating should allow an unobstructed pedestrian clearance width (typically a minimum of 1.2 metres, but 1.5 to 2.0 metres is highly</p>	

recommended in high-traffic areas) to ensure safe passage for wheelchair users and those with pushchairs.

Hardstanding: Benches should ideally be set back from primary paths (at least 600mm minimum) and positioned on a solid, accessible hardstanding base with adjacent space for a wheelchair or mobility scooter.

Risk Assessments and H&S: The council must conduct a site risk assessment to prevent anti-social behaviour (Crime and Disorder Act 1998) and avoid public nuisance complaints.

Insurance and Liability: The bench must be added to the council's asset register and public liability insurance.

Maintenance Policies: The council should have a clear, publicly available Benches Policy governing the bench's lifespan, who is responsible for upkeep (the council or a sponsor), and what happens if the bench is vandalised.

Motions:

That Full Council consider the location of the memorial bench in Princess Avenue, and confirm what type of base they require. Council to also confirm future maintenance responsibility of the bench.

For completion by the office

<i>In Budget</i> <input type="checkbox"/>	<i>Spend Authorised</i> <input type="checkbox"/>	<i>Budget Header:</i>			<i>Amount:</i>
<i>Estimates</i> <input type="checkbox"/>	<i>Quotes</i> <input type="checkbox"/>	<i>Emergency Spend</i> <input type="checkbox"/>	<i>Sole supplier</i> <input type="checkbox"/>	<i>Specialist</i> <input type="checkbox"/>	
<i>P.O</i> <input type="checkbox"/>	<i>Invoice Checked</i> <input type="checkbox"/>	<i>Reason for spend:</i>			
<i>Legal Power: Local Government Act 1972</i> <i>amend as necessary</i>		<i>Contract Finders</i> <input type="checkbox"/>	Supplier:		