Middleton on the Wolds Parish Council

The powers which have been vested in Parish Councils in the form of Acts of Parliament are summarised below. Each description is brief and is intended to be general indication. Like all powers given to public bodies the powers of local councils are defined in detail in legislation and these details may include a requirement to obtain the consent of another body (for example the approval of the County Council to the provision of a car park). Councils must exercise their powers also

subject to the provisions of the general law (for example planning permission is necessary for

a sports pavilion).

The services that Middleton on the Wold Parish Council can provide are listed below.

Function Powers & Duties Statutory Provisions

Allotments Powers to provide allotments. Duty to consider

providing allotment gardens if demanded unsatisfied

Small Holding & Allotments Act 1908, ss. 23, 26, & 42

Burial grounds, Power to acquire and maintain. Power to provide

Power to agree to maintain monuments and memorials

Power to contribute towards expenses of cemeteries

Open Spaces Act 1906, Ss 9 and 10; Local Government Act 1972, s.214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s.1 Local Government Act 1972, s.215(6)

Bus Shelters Power to provide and maintain shelters Local Government

(Miscellaneous Provision) Act 1953, s. 4

Bye Laws Power to make bye-laws in regard to pleasure grounds,

Cycle Parks Open spaces and burial grounds

Public Health Act 1875, s. 164 Road Traffic Regulation Act

1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198

Charities Duties in respect of parochial Power to act as charity charities trustee

Charities Act 1993, S 79 Local Government Act 1972, s.139(1)

Clocks Power to provide public clocks

Parish Councils Act 1957, s.2

Closed Churchyards Powers as to maintenance Local Government Act 1972, s.215

Commons and common pastures Powers in relation to enclosure, as to regulation and management, and as to providing common pasture

Inclosure Act 1845; Smallholdings and Allotments Act 1908, s.34

Conference facilities Power to provide and encourage the use of facilities

Local Government Act 1972, s.144

Community centres Power to provide and equip buildings for use of clubs

having athletic, social or educational objectives.

Power to acquire, provide and furnish community buildings

Local Government (Miscellaneous Provisions) Act 1976 s.1

Local Government Act 1972, s.133

Crime prevention Powers to spend money on various crime prevention

Measures Local Government and Rating Act 1997, s.31

Drainage Power to deal with ponds and ditches

Public Health Act 1936, s.260

Entertainment and the Arts Provision of entertainment and support of the arts

Local Government Act 1972, s.145

Environment Power to issue fixed Clean Neighbourhoods and Environment Act 2005, s.19, S.

Penalty notices for litter, graffiti and 30, Part 6

offences under dog control orders

General Power of Competence Power for eligible councils to do anything that individuals

generally may do as long as they do not break other laws.

Localism Act 2011, s. 1(1)

Gifts Power to accept Local Government Act 1972, s.139

Highways Power to repair and maintain public footpaths and bridleways.

Power to light roads and public places

Provision of litter bins

Power to provide parking places for vehicles, bicycles

and motor-cycles.

Power to enter into agreement as to dedication

and widening.

Power to provide roadside seats and shelters, and

omnibus shelters.

Consent of parish council required for ending

maintenance of highway at Highways Act 1980, ss.43,50

Parish Councils Act 1957, s.3; Highways Act 1980, s.301

Litter Act 1983, ss.5,6 Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72 Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116 public expense, or for stopping up or diversion of highway. Power to complain to district council as to protection of rights of way and roadside wastes

Power to provide traffic signs and other notices

Power to plant trees etc. and to maintain roadside verges

Highways Act 1980, s.130 Road Traffic Regulation Act

1984, s.72 Highways Act 1980, s.96

Honorary titles Power to admit Local Government Act 1972, ss. 249(5) and s. 249 (9)

honorary freemen/freewomen of the

council’s area person of

distinction and persons who

have, in the opinion of the

authority, rendered eminent

services to that place or

area.

Investments Power to participate in schemes of collective investment

Trustee Investments Act 1961, s.11

Land Power to acquire by Local Government Act 1972 c ss.124, 126, 127

agreement, to appropriate, to Local government Act 1972 s.139

dispose of

Power to accept gifts of land

Litter Provision of receptacles Litter Act 1983, ss.5,6

Lotteries Powers to promote Lotteries and Amusements Act

1976, s.7

Markets Power to establish or acquire Food Act 1984, s. 50

by agreement markets within

their area and provide a

market place and market buildings

Newsletters Power to provide Local Government Act 1972, s.142

information relating to matters

affecting local government

Nuisances Power to deal with offensive Public Health Act 1936, s.260

ditches

Open spaces Power to acquire land for public recreation and to

maintain for open spaces Public health Act 1875, s.164;

Open Spaces Act 1906, ss.9 and 10

Parish Property and documents Powers to direct as to their custody

Duty to deposit certain Local Government Act 1972, s.226

published works in specific Legal Deposit Libraries Act deposit libraries

2003, s. 1

Public buildings and Power to provide Local Government Act 1972 s.133

meetings and assemblies

Public Conveniences Power to provide Public Health Act 1936, s.87

Recreation Power to acquire land for or to provide recreation

grounds, public walks, pleasure grounds and open

spaces and to manage and control them

Power to provide a wide range of recreational activities

Provision of boating pools Public Health Act 1875, s.164; Local Government Act 1972,

Sched.14 para.27; Public Health Acts Amendment Act 1890 s.44; Open Spaces Act 1906, ss.9 and 10

Local Government (Miscellaneous Provisions) Act1976, s.19

Public Health Act 1961, s.54

Town and Country Planning Town and Country Planning Act 1990, Sched.1, para.8

Right to be notified of

planning applications

Tourism Power to contribute to Local Government Act 1972, s.144

organisations encouraging and

supporting tourism

Traffic Calming Powers to contribute financially to traffic calming

Schemes Local Government and Rating Act 1997, s.30

Transport Powers to spend money on community transport schemes

Local Government and Rating Act 1997, s.26-29

War memorials Power to maintain, repairs, protect and adapt war memorials War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133

Water Supply Power to utilise well, Public Health Act 1936, s.125

Spring or stream and to provide

facilities for obtaining water

from them

Websites Powers for councils to have their own websites

Local Government Act 1972,s. 142

This list is not conclusive but gives an indication of the services and associated authorities that can be provided by Middleton on the Wold Parish Council