

## 4.4.2 Local council services and powers (Relevant to Modules 1, 4, 5, 6 & 21)

This handout supports the One Voice Wales Councillor Training Programme. It relates to the 'corporate body' section of Module 1, 'The Council' and is a list of the main powers and duties of community and town councils in relation to the provision of local services.

Function	Powers & Duties	Statutory Provisions
Allotments	Powers to provide allotments. Duty to consider providing allotment gardens if demand unsatisfied.	Small holdings & Allotments Act 1026 Part 1
Annual Report	The need to publish an annual report about the council's priorities, activities and achievements of the previous year	Local Government and Elections (Wales) Act 2021, s52
Baths and Wash Houses	Power to provide public baths and washhouses.	Public Health Act 1936, ss 221, 222, 223 and 227
Biodiversity	Duty to seek to maintain and enhance biodiversity in the proper exercise of the Council's functions.	Environment (Wales) Act 2016 Section 6
Burial grounds, cemeteries, crematoria and closed churchyards	Power to Acquire and maintain. Power to provide. Power to agree to maintain monuments and memorials. Power to contribute towards expenses of cemeteries. General management powers.	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) Local Authorities Cemetery Orders 1977 and 1986.
Bus Shelters	Power to provide and maintain shelters.	Local Government (Miscellaneous Provisions) Act 1953, s.4; Parish Councils Act 1957

By laws		Public Health Act 1875, s.164: Road Traffic regulation Act 1984, s57 (7) Public Health Act 1936, s.223 Open spaces Act 1906, s.15 Public Health Act 1936, s.198
Charities	Duties re parochial charities.	Charities Act 2011 ss 298-303 Local Government Act 1972 (s139(1))
Christmas Lights	Power to provide and attract visitors.	Local Government Act 1972, s.144
Citizens Advice Bureau	Power to support.	Local Government Act 1972, s.142
Clocks	Power to provide public clocks.	Parish Councils Act 1957, s.2
Closed Churchyards	Powers to maintain	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to enclosure, regulation and management, and providing common pasture.	Enclosure Act 1845; Local Government Act 1894, s.8 (4); Small holdings 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 community buildings Power to provide buildings for use of clubs having athletic, social or educational objectives	Local Government Act (Miscellaneous Provisions) Act 1976 s.19

Community Infrastructure	<p>Support the development of the local council's area, or any part of that area, by funding—(a) the provision, improvement, replacement, operation or maintenance of infrastructure;</p> <p>Or:</p> <p>(b) anything else that is concerned with addressing the demands that development places on an area.</p> <p>The term “infrastructure” is defined as “to include—</p> <ul style="list-style-type: none"> <li>(a) roads and other transport facilities,</li> <li>(b) flood defences,</li> <li>(c) schools and other educational facilities,</li> <li>(d) medical facilities,</li> <li>(e) sporting and recreational facilities,</li> <li>(f) open spaces”</li> </ul>	Community Infrastructure Levy Regulations 2010
Crime prevention	Powers to spend money on various crime prevention measures Duty to consider when making decisions?	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

General Power of Competence (GPoC)	The power of first resort!	Local Government and Elections (Wales) Act 2021
Gifts	Power to accept	Local Government Act 1972, s.139
Highways	Power to repair and maintain public footpaths and bridle-ways.	Highways Act 1980, ss.43, 50; Parish Councils Act 1957, s.3;
Highways continued.....	<p>Power to light roads and public places.</p> <p>Provision of litter bins.</p> <p>Power to provide parking places for vehicles, bicycles and motorcycles.</p> <p>Power to enter into agreement as to dedication and widening.</p> <p>Power to provide roadside seats and shelters, and bus shelters.</p> <p>Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway.</p> <p>Power to complain to district councils as to protection of rights of way and roadside wastes.</p> <p>Power to provide traffic signs and other notices.</p> <p>Power to plant trees etc. and to maintain roadside verges.</p>	<p>Highways Act 1980, s.301;</p> <p>Litter Act 1983, ss.5,6;</p> <p>Road Traffic Regulation Act 1984, ss.57, 63;</p> <p>Highways Act 1980, ss.30, 72;</p> <p>Parish Councils Act 1959, s.1</p> <p>Highways Act 1980, ss.47, 116;</p> <p>Highways Act 1980, s.130;</p> <p>Road Traffic Regulation Act 1984, s.72;</p> <p>Highways Act 1980, s.96;</p>
Investments	Power to participate in schemes of collective investment.	Trustee Investments Act 1961, s.11
Joint Committees	Power to form and participate in joint arrangements for services	Local Government Act 1972, s.101 and s.102

Land	Power to acquire by agreement, to appropriate, to dispose of land Power to accept gifts of land	Local Government Act 1972, ss.124, 126,127; Local Government Act 1972, s.139
Litter	Provision of receptacles	Litter Act 1983, ss.5, 6
Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms.	Public Health Act 1936, s.198
Lotteries	Powers to promote	Lotteries and Amusement Act 1976, s.7
Multi-location meetings	Members of the public, press and Councillors (and staff?) to be able to attend multi-location meetings to "hear and be heard".	Local Government and Elections (Wales) Act 2021.
Newsletters	Power to provide information relating to matters affecting local government	Local Government Act 1972, s.142
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s.260; Public Health Act 1875, s.164
Parish Property and Documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Postal and telecommunications facilities	Power to pay the Post Office, British Telecommunications or any other public telecommunications operator any loss sustained providing post or telegraph office or telecommunication facilities	Post Office Act 1953, s.51; Telecommunications Act 1984, s.97

Public buildings and village halls	Power to provide buildings for offices and for public meetings and assemblies	Local Government Act 1972, s.133
Public conveniences	Power to provide	Public Health Act 1936, s.87
Parks, pleasure grounds	Power to acquire land or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them	Public Health Act 1875, s.164 (Local Government Act 1972, Sched.14 Paragraph 27); Public Health Acts Amendment Act 1890, s.44; Open Spaces Act 1906, ss.9 and 10
Recreation	<p>Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them</p> <p>Power to provide gyms, playing fields, holiday camps.</p> <p>Provision of boating pools</p>	<p>Public Health Act 1875, s.164; Local Government Act 1972, Sched.14 Paragraph 27; Public Health Acts Amendment Act 1890, s.44; Open Spaces Act 1906, ss.9 and 10;</p> <p>Local Government (Miscellaneous Provisions) Act 1976, s.19;</p> <p>Public Health Act 1961, s.54</p>
Town and Country Planning	Right to be notified of planning applications	Town and Country Planning Act 1990, Sched.1, Paragraph.8
Tourism	Power to contribute to organisations encouraging tourism.	Local Government Act 1972, s.144
Traffic Calming	Powers to contribute financially to traffic calming schemes.	Local Government and Rating Act 1997, s.26

Training	The need for the council to publish a plan that details the training provision for Councilors and staff	Local Government and Elections (Wales) Act 2021, s67
Transport	Powers to spend money on community transport schemes.	Local Government and Rating Act 1997, s.26-29
Village signs	Power to use decorative signs to inform visitors	Local Government Act 1972, s.144
War memorials	Power to maintain, repair, 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 use wells, springs or streams for obtaining water therefrom.	Public Health Act 1936, s.125
Websites	<p>The need to establish a website, key information to be included.</p> <p>Publish key outcomes of meetings with 7 working days</p> <p>Ensure accessibility for as many people as possible.</p>	<p>Section 55-58 of The Local Government (Democracy) (Wales) Act 2013</p> <p>Local Government and Elections (Wales) Act 2021</p> <p>The Public Sector Bodies (Website and Mobile Applications) (No. 2) Accessibility Regulations 2018.</p>

Well-being of Future Generations	<p>A community council must take all reasonable steps in its area towards meeting the local objectives included in the local well-being plan that has effect in its area but a community council is subject to the duty under subsection (1) of the Act only if, for each of the preceding three financial years prior to the local well-being plan for its area being published, either its gross income or its gross expenditure was at least £200,000.</p>	Well Being of Future Generations (Wales) Act 2015
----------------------------------	---	---

2024