

TOWN AND PARISH COUNCILS

1 SUMMARY

- 1.1 To consider the work programme for this Sub-Committee.

2 INTRODUCTION

- 2.1 As part of the budget process, the Town and Parish Councils were invited to submit comments and suggestions to inform the Budget Strategy. These were reported to Finance & Procedures Overview & Scrutiny Committee on 25 November 2003. A copy of the report submitted to that Committee is attached at Appendix A.
- 2.2 The Committee welcomed submissions that had been made and received, but agreed that in order to enable clarity of service delivery, areas of particular concern are to be the subject of more detailed discussions, therefore the formation of this Sub-Committee.

3 CONSIDERATION

- 3.1 Members will need to determine the work programme to consider the issues raised in the report to Finance & Procedures Overview & Scrutiny Committee prior to inviting any additional representation from the Town and Parish Councils.
- 3.2 To assist Members, background information is included as part of this report.
- Appendix B is a list of Parish Council powers.
 - Appendix C is the current Schedule of Parish Council precepts.
- 3.3 In addition to the above, a short presentation will be made at the Sub-Committee by the Head of Financial Services in order that Members are aware of the background to these discussions and current issues regarding the District Council.

4 RECOMMENDATION

- 4.1 It is proposed that the Sub-Committee **RESOLVES** its work programme.

Dave Deeks

Head of Financial Services

Background Papers:

None

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APPENDIX B

List of Parish Council Powers

(this is not an exhaustive list)

Function	Powers & Duties	Statutory Provisions
Allotments	Duty to provide allotments Power to improve and adapt land for allotments, and to let grazing rights	Small Holding & Allotments Act 1908, ss 23, 26, and 42
Baths and washhouses	Power to provide public baths and washhouses	Public Health Act 1936, ss 221, 222, 223 and 227
Burial grounds, cemeteries and crematoria	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 214(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 Baths and washhouses Open spaces and burial grounds Mortuaries and post-mortem rooms	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
Clocks	Power to provide public clocks	Parish Councils Act 1957, s 2
Closed churchyards	Powers as to maintenance	Local Government Act 1972, s.215
Common pastures	Powers in relation to providing common pasture	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 recreational objectives	Local Government (Miscellaneous Provisions) Act 1976 s 19
Crime prevention	Powers to install and maintain equipment and establish and maintain a scheme for detection or prevention of crime	Local Government and Rating Act 1997, s 31
Drainage	Power to deal with ponds and ditches	Public Health Act 1936, s 260

continued overleaf

Function	Powers & Duties	Statutory Provisions
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972, s 145
Gifts	Power to accept	Local Government Act 1972, s 139
Highways	Power to maintain footpaths and bridle-ways Power to light roads and public places Provision of litter bins Powers to provide parking places for bicycles and motor-cycles, and other vehicles Power to enter into agreement as to dedication and widening Power to provide roadside seats and shelters Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway Power to complain to highway authority as to unlawful stopping up or obstruction of highway or unlawful encroachment on roadside wastes Power to provide traffic signs and other objects or devices warning of danger Power to plant trees and lay out grass verges etc and to maintain them	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 Highways Act 1980, s 130 Road Traffic Regulation Act 1984, s 72 Highways Act 1980, s 96
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s 11
Land	Power to acquire by agreement, to appropriate, to dispose of 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
Lotteries	Powers to promote	Lotteries and Amusements Act 1976, s 7
Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms	Public Health Act 1936, s,198
Open spaces	Power to acquire land and maintain	Public Health Act 1875, s 164 Open Spaces Act 1906, ss 9 and 10
Parish documents	Powers to direct as to their custody	Local Government Act 1972, s 226
Telecommunications facilities	Power to pay public telecommunications operators any loss sustained providing telecommunication facilities	Telecommunications Act 1984, s 97
Public buildings and village hall	Power to provide buildings for public meetings and assemblies	Local Government Act 1972, s 133

continued overleaf

Function	Powers & Duties	Statutory Provisions
Public conveniences	Power to provide	Public Health Act 1936, s 87
Recreation	Power to acquire land for or to provide public walks, pleasure grounds and open spaces and to manage and control them Power to provide gymnasiums, playing fields, holiday camps Provision of boating pools	(see Local Government Act 1972, Sched 14 para 27) Public Health Act 1875, s 164 Public Health Acts Amendment Act 1890 s 44 Open Spaces Act 1906, ss 9 and 10 Local Government (Miscellaneous Provisions) Act 1976, s 19 Public Health Act 1961, s 54
Town and country planning	Right to be notified of planning applications	Town and Country Planning Act 1990, Sched.1, para 8
Tourism	Power to encourage visitors and provide conference and other facilities	Local Government Act 1972, s 144
Traffic calming	Powers to contribute financially to traffic calming schemes	Highways Act 1980, s 274A
Transport	Powers in relation to car-sharing schemes, taxi fare concessions and information about transport Powers to make grants for bus services	Local Government and Rating Act 1997, s 26, 28 and 29 Transport Act 1985, s 106A
War memorials	Power to maintain, repair, protect and alter 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, spring or stream and to provide facilities for obtaining water from them	Public Health Act 1936, s 125

Appendix C

Parish Precepts 2003/04 and 2004/05

	<u>2003/04</u>	<u>2004/05</u>
Ashingdon	25,879	26,945
Barling	16,000	17,000
Canewdon	12,500	13,000
Foulness	2,300	2,500
Great Wakering	50,000	50,000
Hawkwell	87,576	90,693
Hockley	167,585	133,556
Hullbridge	68,684	70,236
Paglesham	2,000	2,500
Rawreth	7,368	7,523
Rayleigh	249,606	307,625
Rochford	60,436	65,989
Stambridge	6,400	6,800
Sutton	2,500	2,500
<u>Total</u>	<u><u>758,834</u></u>	<u><u>796,867</u></u>