

POWERS AND DUTIES OF LOCAL COUNCILS

FUNCTION	POWERS AND DUTIES	STATUTORY PROVISIONS
Allotments	Powers to provide allotments. Duty to provide allotment gardens if demand unsatisfied and if reasonable	Small Holdings and Allotments Act 1908 ss 23, 26 & 42
Baths & Washhouses	Power to provide public baths and washhouses (i.e. laundrettes)	Public Health Act 1936 ss 221,222,223 & 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&10; Local Government Act 1972 s214. Parish Councils & Burials Authorities (Misc. Provisions) Act 1970 s 1 Local Government Act 1972 s 214 (6)
Bus Shelters	Power to provide and maintain shelters	Local Government Misc. Provisions Act 1953 s 4
Bus Services	Power to make grants of money (though not of a capital nature) for bus service appearing to be for the benefit of people living in the council's area or community bus service	Local Government Rating Act 1997
Byelaws	Power to make Byelaws in regard to: Pleasure Grounds Baths and Wash houses Open Spaces & Burial Grounds Mortuaries & Post-mortem Rooms Cycle Parks	Public Health Act 1875 s 164 Public Health Act 1936 s 223 Open Spaces Act 1906s 15 Public Health Act 1936 s 198 Road Traffic Regs Act 1984 s 57(7)
Car Sharing Scheme	Power to establish and maintain, or to assist others, in car- sharing scheme for benefit of persons in council's area.	Local Government and Rating Act 1997
Chairman's Allowance	Power to pay the chairman reasonable allowance	Local Government Act 1972 s 15(5) and 35 (5)
Change of use of land	Power to use land by a parish council for another purpose other than what it was acquired for.	Local Government Act 1972 s 126

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Citizen's Advice Bureau	Power to assist bodies such as CABs in advising individuals and by making or receiving communications or by providing representation to or before anybody or person in asserting an individual's rights or obligations.	Local Government Act 1972 s 142
Charities	Duty re parochial charities	Charities Act 2003, s 79
Clocks	Power to provide public clocks	Parish Councils Act 1957 s 2
Closed Churchyards	Powers to maintain	Local Government Act 1972 s 215
Commons & Common Pastures	Powers in relation to enclosure as to regulation and management and as to providing common pasture	Enclosure Act 1845; Local Gov Act 1894 s 8 (4); Smallholdings & Allotments Act 1908 s 34
Conference facilities	Power to provide & encourage the use of facilities	Local Gov Act 1972 s 144
Community Centres	Power to provide and equip buildings for use of clubs having athletic, social, or educational objectives	Local Gov (Misc. Provisions) Act 1976 s19
Crime Prevention	Power to install and maintain equipment with view to preventing and detecting crime in own area; may make grants of money to police authorities.	Local Govt Rating Act 1997
Drainage	Power to deal with ponds and ditches	Public Health Act 1936 s 260
Education	Right to appoint school governors	Education (no 2) Act 1986 s 4
Entertainment & 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 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 motorcycles Power to enter into agreement as to dedication and widening. Power to provide roadside seats and shelters and omnibus shelters Power to complain to district council as to protection of rights of way and roadside waste.	Highways Act 1980 ss 43 50 Parish Councils Act 1957 s3 Highways Act 1980 s 301 Litter Act 1983 ss 56 Road Traffic Regulations Act 1984 ss 57, 63 Highways Act 1980 ss 30, 72

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Highways, cont'd	Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway. Power to provide traffic signs and other notices Power to plant trees etc and to maintain roadside verges. Power to fund traffic calming measures.	Parish Councils Act 1957 Highways Act 1980 s 130 Highways Act 1980 ss 47, 116
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961 s 11
Investigation and publicity	Power to investigate the need for public passenger transport; the use and need for roads; the management and control of traffic	Local Government Rating Act 1997
Joint Committees	Power to form and participate in joint arrangements for services	Local Government Act 1972, s101 & 102
Land	Power to acquire land by agreement, to appropriate, to dispose of Power to accept gifts of land.	Local Govt Act 1972 ss 124, 126, 127 Local Govt Act 1972 s 139
Litter	Provision of receptacles	Litter Act 1983 ss 5,6
Local Energy Measures	Power to encourage or promote microgeneration, etc.	Climate Change and Sustainable Energy Act 2006 s 20
Lotteries	Power to Promote	Lotteries and Amusements Act 1976 s 7
Mortuaries/ post-mortem rooms	Power to provide mortuaries and post-mortem rooms	Public Health Act 1936 s 198
Newsletters	Provision of information relating to matters affecting local government. District Auditor now agrees that to develop the spirit of Best Value this power may be used for parish newsletters	Local Government Act 1972 s 142
Nuisances	Power to deal with offensive ditches	Public Health Act 1936 s 260
Open Spaces	Power to acquire land and maintain	Public Health Act 1987 s 164; Open Spaces Act 1906 ss 9&10

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Parish Property and Documents	Power to direct as to their custody	Local Government Act 1972 s 226
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
Public inspection of documents	Public have the right to inspect certain documents	Local Government Act 1972 s 228
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 gymnasiums, playing fields, holiday camps</p> <p>Provision of boating pools</p>	<p>Public Health Act 1875 s 164; Local Govt Act 1972 Sched 14 para 27; Public Health Acts: Amendment Act 1890 s 44; Open Spaces Act 1906 s 9 & 10</p> <p>Local Govt (Miscellaneous Provisions) Act 1976 s 19</p> <p>Public Health Act 1961 s 54</p>
Seats and Shelters	Power to provide	Parish Councils Act 1957, ss2 & 3
Staff	Power to appoint staff under reasonable terms and conditions	Local Government Act 1972 s 112
Subscriptions to County ALC, NALC and other associations	Power to subscribe to local government associations	Local Government Act 1972 s143
Subsidiary Powers	The power to do anything which is coincidental to the discharge of the council's functions.	Local Government Act 1972 s 111
Taxi fare concessions	Power to make arrangements with licensed taxi or hire car operator whereby he/she is reimbursed for giving fare concessions to persons resident in council area eligible to receive travel concessions under scheme established by County or District under Transport Act 1985	Local Govt Rating Act 1997
Town/County Planning	Right to be notified of planning applications	Town and County Planning Act 1990 Sched 1 para 8

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Tourism	Power to contribute to organisation encouraging tourism	Local Gov Act 1972 s 144
Traffic calming works, speed cameras, CCTV cameras etc	Power to contribute to expenditure by highway authority (principally County Council) in constructing, removing, or maintaining traffic calming works, if it will be of benefit to the area.	Local Govt Rating Act 1997
Transport	Powers to spend money on community transport schemes. Establish and support car sharing. Grant to bus service for elderly and disabled. Grant to support taxi fare concessions. Power to investigate needs and publicise transport services.	Local Govt Rating Act 1997, ss26-29
Village Signs	Power to make and erect ornamental village signs under the power to encourage visitors to the locality	Local Gov 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 utilise well, spring or stream and provide facilities for obtaining water therefrom	Public Health Act 1936 s 125.
Wellbeing (General Power of Competence)	Available to Councils meeting certain conditions	Localism Act 2011, s 1