



POWERS AND DUTIES OF
LOCAL COUNCILS

FUNCTION	POWERS AND DUTIES	STATUTORY PROVISIONS
Agency Arrangements	Power to arrange for the discharge of functions by another Local Authority	Local Government Act 1972 s 101
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
Ancillary Power	Power to do anything to facilitate, be conducive to our incidental to the discharge of its powers and functions	Local Government Act 1972 s 111
Archives	Power to make records held available to the public and support local archives	Local Government (Records) Act 1961, ss 1 & 4
Bands and orchestras	Power to maintain a band or orchestra or contribute to the maintenance of a band or orchestra, in or outside the Council's area Power to charge for admission to performances	Local Government Act 1972 s 145(1)(c) Local Government Act 1972 s 145(2)
Baths & Wash Houses	Power to provide public baths and washhouses (i.e. laundrettes)	Public Health Act 1936 ss 221,222,223 & 227
Boating Pools	Power to provide a boating pool in a park provided or managed by the council Power to charge a reasonable amount for its use	Public Health Act 196 s 54(1) Public Health Act 196 s 54(3)
Borrowing	Power to borrow money for statutory functions	Local Government Act 1972 sch 13
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 (though not of a capital nature) for the bus service appearing to be for the benefit of people living in the council's area or community bus service	Power to make grants of money	Local Government Rating Act 1997
Byelaws	Power to make Byelaws in regard to: Pleasure Grounds Swimming pools, 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
Car parks (off road)	Power to provide and maintain suitable off-road car parking spaces in the council's area, to relieve or prevent traffic congestions, ot to preserve local amenities	Road Traffic Regulation Act 1984 s57 (1)(b)
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 is was acquired for	Local Government Act 1972 s 126

Charging for discretionary service	Power to charge on a cost recovery basis (ie not to make any profit) if the council has discretion to provide a service. The power does not apply if the council has a separate power to charge for provision of a service or it is prohibited from charging for it.	Local Government Act 2003 s93
Charities	Duty to receive accounts of parochial charities	Charities Act 1960 s32
	Power to appoint trustees of parochial charities	Charities Act 1993 s 79
Cinemas	Power to provide a cinema, or contribute towards the expenses of a cinemas in or outside the council's area	Local Government Act 1972 s.145 (1)(b)
	Power to charge for admission to a cinema provided by the council	Local Government Act 1972 s.145 (2)
Citizen's Advice Bureau	Power to assist bodies such as CAB's in advising individuals and, by making or receiving communications, or by providing representation to or before any body or person in asserting an individual's rights or obligations	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
Community Gardens	Power to provide and maintain open space as gardens in or outside the council's are	Open Spaces Act 1906 ss.9-10
Common Land & Common Pastures	Powers in relation to enclosure as to regulation and management and, as to provide common pasture	Enclosure Act 1845; Local Gov Act 1894 s 8 (4); Smallholdings & Allotments Act 1908 s 34
	Power to protect unclaimed common land from unlawful interference	Commons Registration Act 1965 s9
	Power to manage commons and village greens under a district council scheme	Commons Act 1899 ss4&5
Conference Facilities	Power to provide & encourage the use of facilities	Local Gov Act 1972 s 144
Community Centres and Village Halls	Power to provide and equip buildings for use of clubs having athletic, social or educational objectives	Local Gov (Misc. Provisions) Act 1976 s19
Contracts	Power to enter into contracts	Local Government Act 1972 s111
Consultation	Right to be consulted by principal councils if directed by Secretary of State (England) or Welsh Assembly (Wales)	Local Government and Rating Act 1997, s21; Local Government Act 1972 s33A
Crime Prevention	Power to install and maintain equipment or establish schemes or assist others in doing the same in preventing and detecting crime in own area; may make grants of money to Police Authorities	Local Government Rating Act 1997
Delegated Functions	Power to assume function delegated by another authority	Local Government Act 1972 ss 101, 111 and 112
	Power to ensure effective discharge of Council functions	Local Government Act 1972 ss 101, 111 and 112
	Power to employ someone to carry out Council functions	Local Government Act 1972 ss 101, 111 and 112
Dog Control Orders	Power to make orders for dog control offences in the council's area	Clean Neighbourhoods and Environment Act 2005 s59
Drainage	Power to deal with ponds and ditches	Public Health Act 1936 s 260
Education	Right to appoint primary school governors	School Standards and Framework Act 1998 sch 10, para 15
Employment of staff	Power to appoint staff	Local Government Act 1972 s112
Entertainment & the Arts	Provision of entertainment and support of the arts	Local Government Act 1972 s 145

Environment	Power to act for the benefit of the community by tackling and promoting awareness of environmental issues	Local Government Act 1972 ss11 & 137
Flagpoles	Power to erect flagpoles in highways	Highways Act 1980 s144
Free Resource	Power to incur expenditure not otherwise authorised, on anything which the Council's opinion, is in the interest of some of the area, or part of it, or all or some of it's inhabitants	Local Government Act 1972 s137
Gifts	Power to accept	Local Government Act 1972 s 139
Highways	Power to repair and maintain public footpaths and bridleways.	Highways Act 1980 ss 43 50
	Power to light roads and public places	Parish Councils Act 1957 s3 Highways Act 1980 s 301
	Provision of litter bins	Litter Act 1983 ss 56
	Power to provide parking places for vehicles, bicycles and motor cycles	Road Traffic Regulations Act 1984 ss 57, 63
	Power to enter into agreement as to dedication and widening.	Highways Act 1980 ss 30, 72
	Power to provide roadside seats and shelters and omnibus shelters	Parish Councils Act 1957 s1
	Power to complain to district council as to protection of rights of way and roadside waste.	Highways Act 1980 s 130
	Consent of parish council required for ending maintenance of highway at at public expense, or for stopping up or diversion of highway.	Highways Act 1980 ss 47, 116
	Power to provide traffic signs	Road Traffic Reg Act 1984 s 72
	Power to plant trees etc and to maintain roadside verges.	Highways Act 1980 s 96
	Power to fund traffic calming measures	Local Government and Rating Act 1997, s
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
Land	Power to acquire land by agreement, to appropriate, to dispose of	Local Govt Act 1972 ss 124, 126, 127
	Power to accept gifts of land	Local Govt Act 1972 s 139
	Power to acquire land by compulsory purchase	Local Government Act 1972 s125
	Power to obtain particulars of persons interested in land	Local Government (Misc. Provisions) Act 1972 s16
Lifesaving appliances	Power to provide life saving appliances	Public Health Act 1936 s234
Lighting	Power to light roads and public places	PCS 1957 s3 HA1980 S301
Litter and dog fouling	Provision of receptacles obliged to keep own land free of litter and dog faeces	Litter Act 1983 ss 5,6 and Environmental Protection Act 1990; litter (Animal Droppings) Order 1991
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

Nature Reserves	Power to designate statutory to the nature reserves and marine nature reserves - English Nature can designate sites of Specific Scientific Interest Powers to make management agreements with land owners and English Nature, to manage council-owned reserve land as a nature reserve	National Parks and Access Countryside Act 1949 ss15,16 & 21; the Wildlife and Countryside Act 1982, ss 36 & 39 and sch 12 National Parks and Access Countryside Act 1949 ss15,16 & 21; the Wildlife and Countryside Act 1982, ss 36 & 39 and sch 12
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
Parish Property and Documents	Power to direct as to their custody	Local Government Act 1972 s 226
Parking Facilities	Power to provide parking places for motor vehicles and bicycles	Road Traffic Regulations act 1984 ss57 and 63
Planning	Right to be notified and power to respond to planning applications	Town & Country Planning Act 1990 sch 1 para 8; Local Government Act 1972 sch 15 para 20
Postal and telecommunications facilities	Power to pay the Post Office, British Telecommunications or any other public telecommunications operator, any loss sustained in providing post or telegraph office or telecommunications facilities	Post Office Act 1954 s51; Telecommunications Act 1984 s97
Public Buildings 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 Enquiries	Power to make representations at public enquiries	Local Government Act 1982 s222
Publicise Functions	Power to publicise Council and Local Authority Functions	Local Government Act 1982 s142
Public inspection of documents	Public have the right to inspect certain documents	Local Government Act 1972 s 228
Raising of Finances	Power to raise money through precept	Local Government Act 1982 s150, Local Government Finance Act 1992 s49
Records	Power to collect, exhibit and purchase local records	Local Government (Records) Act 1962 ss1&2
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 gymnasiums, playing fields, holiday camps Provision of boating pools	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 Local Govt (Miscellaneous Provisions) Act 1976 s 19 Public Health Act 1961 s 54
Rights to challenge services that are provided by a principal authority	Power to submit an interest in running a service provided by a borough or county council	Localism Act 2011, ss81-86
Right to nominate and bid for assets of community value	Power to nominate assets to be added to a list of assets of community value. Power to bid to buy a listed asset when it comes up for sale	Localism Act 2011, ss87- 108 Localism Act 2011, ss87- 108
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	Local Govt Rating Act 1997

	fare concessions to persons resident in council area eligible to receive travel concessions under scheme established by County or District under Transport Act 1985	
Town/County Planning	Right to be notified of planning applications	Town and County Planning Act 1990 Sched 1 para 8
Town status	Power to adopt town status	LGA 1972, ss245 and 245B
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
Village Greens	Power to maintain, to make bylaws for and to prosecute for interference with village greens	Open Spaces Act 1906 s15; Inclosure Act 1857 s12; Commens Act 1876 S29
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.
Websites	Power to provide a website to give information about the council, its services and the services provided in the area by other local authorities, government departments, charities or other voluntary organisations.	Local Government Act 1972 s142