

POWERS AND DUTIES OF LOCAL COUNCILS

Local Councils have a wide range of powers and duties. The following table sets out the main ones; it is not a complete list of every single power and duty.

Where a function is marked with an asterisk, a council also has the power to give financial assistance to another person or body performing the same function.

Function	Powers and Duties	Statutory Provisions
Accounts	Duty to appoint a Responsible Financial Officer to manage the council's accounts	LGA 1972, s. 151
Acceptance of office	Duty to sign declaration of acceptance of office (councillors and chairman)	LGA 1972, s. 83
Agency arrangements	Power to arrange for the discharge of functions by another local authority	LGA 1972, s.101
Allotments	Power to provide allotments duty to provide allotment gardens if demand exist	Smallholdings & Allotments Act 1908, ss. 23, 26 & 42
Baths and washhouses	Power to provide public baths and washhouses	Public Health Act 1936, ss. 221-223, 227
Borrowing	Power to borrow money for statutory functions	LGA 1972, Sch 13
Burial grounds, cemeteries and crematoria*	Power to acquire and maintain	Open Spaces Act 1906, ss. 9& 10
	Power to provide	LGA 1972, s. 214
	Power to agree to maintain memorials and monuments	Parish Councils and Burial Authorities (Misc. Prov.) Act 1970, s 1
	Power to contribute to expenses of maintaining cemeteries	LGA1972, s. 214(6)
Bus shelters*	Power to provide and maintain bus shelters	Local Government (Misc. Prov.) Act 1953, s. 4
Byelaws	Power to make byelaws for public walks and pleasure grounds	Public Health Act 1875, s. 164
	Cycle parks	Road Traffic Regulation Act 1984, s. 57(7)
	Public bathing	Public Health Act, 1936 s. 231
	Swimming pools, bathing places, baths	Public Health Act, 1936 s. 223

and washhouses

	Open spaces and burial grounds	Open Spaces Act, 1906, s. 15
	Hiring of pleasure boats in parks and pleasure grounds 44(2)	Public Health Acts Amendment Act 1907, s. Public Health Act 1961, s. 54 Public Health Act 1936, s. 198
	Mortuaries and post-mortem rooms	Public Health Act 1875, s. 164 Open Spaces Act 1906, s. 15
Charities	Power to appoint trustees of parochial charities	Charities Act 1993, s. 79
Clocks*	Power to provide public clocks	Parish Councils Act 1957 s. 2
Closed churchyards	Power (and sometimes duty) to maintain	LGA 1972 s. 215
Common land	Power to protect unclaimed common land from unlawful interference	Commons Registration Act 1965 s. 9
	Power to manage commons and village under a district council scheme	Commons Act 1899 ss. 4 & 5
Community centres and Village halls	Power to provide and equip premises for clubs and other athletic, social or educational organisations	Local Government (Misc. Prov.) Act 1976, s. 19
Conference Facilities*	Power to provide and encourage the use of conference facilities	LGA 1972, s. 144
Consultation	Right to be consulted by principal councils if directed by Secretary of State (England) or by Welsh Assembly (Wales)	Local Government and Rating Act 1997, s. 21; LGA 1972, s. 33A
Crime prevention*	Power to (a) install equipment, (b) establish schemes and © assist others in so doing for the prevention of crime	Local Government and Rating Act 1997, s. 31
Drainage	Power to deal with ditches and ponds	Public Health Act 1936, s. 260
Education	Right to appoint governors of primary schools	School Standards and Framework Act 1998, para. 15 Of Schedule 10
Entertainment and the Arts*	Provision of entertainment and support for the arts	LGA 1972, s. 145
Flagpoles	Power to erect flagpoles in the highways	Highways Act 1980, s. 144

Free Resource	Power to incur expenditure not otherwise authorised on anything which in the council's opinion is in the interests of the area or part of it or all or some of the inhabitants	LGA 1972, s. 137
Gifts	Power to accept gifts	LGA 1972, s. 139
Highways	Power to maintain footpaths & bridleways	Highways Act 1980, ss. 43 & 50
	Power to make a dedication agreement for a new highway or widening of an existing highway.	Highways Act 1980, ss. 30 & 72
	Right to veto application to magistrates court to stop up, divert or cease to maintain a public highway	Highways Act 1980, ss. 47 & 116
	Power to complain to a local highway authority that a highway is unlawfully stopped up or obstructed	Highways Act 1908, s. 130
	Power to plant trees etc. and maintain roadside verges	Highways Act 1980, s. 96
	Power to prosecute for unlawful ploughing of a footpath or bridleway	Highways Act 1980, s. 134
	Power to provide traffic signs and other notices	Road Traffic Regulation Act, 1984, s. 72
Interests	Duty to declare an interest	LGA 1972, s. 94
Land	Power to acquire land by agreement, to appropriate land and to dispose of land	LGA 1972, ss. 124, 126 & 127
	Power to acquire land by compulsory purchase	LGA 1972, s. 125
	Power to accept gifts of land	LGA 1972, s. 139
	Power to obtain particulars of persons interested in land	Local Government (Misc. Prov.) Act 1976, s. 16
Lighting	Power to light roads and public places	Parish Councils Act 1957, s.3 & Highways Act 1980, s. 301
Litter*	Power to provide litter bins in streets and public places	Litter Act 1983, ss. 5 & 6

Lotteries	Power to promote lotteries	Lotteries and Amusements Act 1976, s. 7
Meetings	Duty to hold annual parish meeting	LGA 1972, Sch. 12 para.23
	Duty to hold annual parish council meeting	LGA 1972, Sch. 12 para. 7
	Power to convene a parish meeting	LGA 1972, Sch. 12 para. 14
Mortuaries and post-mortem rooms	Power to provide mortuaries and post-mortem rooms	Public Health Act 1936, s. 198
Nuisances*	Power to deal with offensive ponds, ditches and gutters	Public Health Act 1936, s. 260
Open Spaces	Power to acquire and maintain open spaces	Public Health Act 1875, s. 164 Open Spaces Act 1906, ss.9,10
Parish documents	Power to give directions as to custody of parish documents	LGA 1972, s. 226
Parking facilities	Power to provide parking places for motor vehicles and bicycles	Road Traffic Regulation Act 1984, ss. 57 & 63
Public buildings and village halls	Power to provide buildings for offices and for public meetings and assemblies	LGA 1972, s. 133
Public conveniences	Power to provide public conveniences	Public Health Act 1936, s. 87
Publicity	Power to provide information about matters affecting local government	LGA 1972, s. 142
Records	Power to collect, exhibit and purchase local records	Local Government (Records) Act 1962, ss. 1 & 2
Recreation*	Power to acquire land for, or provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them	Public Health Act 1875, s. 164 Public Health Acts Amendment Act 1890, s. 44 Open Spaces Act 1906, s. 9-10 Local Government (Misc. Prov.) Act 1976, s. 19
Seats and shelters*	Power to provide roadside seats and shelters	Parish Councils Act 1957, s. 1
Telecommunications	Power to pay BT or any other telecommunications operator any loss sustained in providing telecommunications facilities	Telecommunications Act 1984

Town and Country planning	Right to be notified of planning applications	Town & Country Planning Act 1990, para. 8 of sch. 1; para. 2 of Sch. 1A (Wales)
Town status	Power to adopt town status	LGA 1972, ss. 245, 245B
Tourism*	Power to contribute to encouragement of Tourism	LGA 1972, s. 144
Traffic calming	Power to contribute to the cost of traffic calming measures	Highways Act 1980, s. 274A
Transport*	Power to (a) establish car-sharing schemes; (b) make grants for bus services; © provide taxi-fare concessions ; (d) investigate public transport, road use needs; (e) provide information about public transport services	Local Government and Rating Act 1997, s. 26
Village greens*	Power to maintain, to make bylaws for and to prosecute for interference with village greens	Open Spaces Act 1906, s. 15; Inclosure Act 1857, s. 12; Commons Act 1876, s. 29
Village Halls*	(see Community centres and Public buildings)	
War memorials	Power to maintain, repair and protect war memorials	War Memorials (Local Authorities Powers) Act 1923, s. 1 as extended by LGA 1948, s. 133
Water supply	Power to utilise any well, spring or stream to provide facilities for obtaining water from them	Public Health Act 1936, s. 125