

Powers and Duties

The powers which have been vested in Parish, Town and Community Councils being Acts of Parliament are summarised. Each description is brief and is intended to be a general indication.

Like all powers given to public bodies, the powers of local councils are defined in detail in legislation and these details may include a requirement to obtain the consent of another body (for example the approval of the Unitary or County Council for the provision of a car park).

Local Councils must exercise their powers subject to the provisions of the general law (for example planning permission is necessary for a sports pavilion).

The powers are listed below.

Subject	Function	Statutory Provisions
Allotments	Powers to provide allotments	Small Holding & Allotments Act 1908 ss 23, 26 & 42
Baths and Washhouses	Power to provide public baths and washhouses	
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. 215(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
Charities	Duty to receive accounts of parochial charities	Charities Act 1960, s.32
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed Churchyards	Powers as to maintenance	Local Government Act 1972, s.215

Commons and common pastures	Powers in relation to enclosure, as to regulation and management, and as to providing common pasture	Enclosure Act 1845;Local Government Act 1894, s.8(4);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 educational objectives	Local Government (Miscellaneous Provisions) Act 1976 s.19
Crime prevention	Powers to spend money on various crime prevention measures	Local Government and Rating Act 1997, s.31
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 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 repair and maintain public footpaths and bridle-ways. Power to light roads and public places. Provision of litter bins Power to provide parking places for vehicles, bicycles and motor-cycles. Power to enter into agreement as to dedication and widening. Power to provide roadside seats and shelters, and bus 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 District Council as to protection of rights of way and roadside wastes. Power to provide traffic signs and other notices. Power to plant trees etc. and to maintain roadside verges	Highways Act 1980, ss.43,50Parish Councils Act 1957, s.3; Highways Act 1980, s.301Litter Act 1983, ss.5,6Road Traffic Regulation Act 1984, ss.57,63Highways Act 1980, ss.30,72Parish Councils Act 1957, s.1Highways Act 1980, ss.47,116Highways Act 1980, s.130Road Traffic Regulation Act 1984, s.72Highways 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
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s.260
Open spaces	Power to acquire land and maintain	Public health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10
Parish property and documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Public buildings and village hall	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
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 Government Act 1972, Sched.14 para.27 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 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.30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, s.26-29

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 to provide facilities for obtaining water therefrom	Public Health Act 1936, s.125