

## POWERS AND DUTIES OF LOCAL COUNCILS

N.B. This list is intended only as a guide to the main powers and duties of parish councils as at July 2003. It is not definitive.

Topic	Powers and Duties	Statutory Provisions
Advice	(See "Information and Advice")	
Allotments	Power to provide allotments. Duty to provide allotment gardens if demand unsatisfied.	Small Holdings and Allotments Act 1908. Allotments Act 1950.
Arts	(See "Entertainment and the Arts").	
Baths and wash-houses	Power to provide public baths and wash-houses (i.e. launderette).	Public Health Act 1936.
Borrowing	(See "Money").	
Bridleways	(See "Highways")	
Burial grounds, cemeteries, crematoria and closed churchyards	Power to acquire, provide and maintain  Power to agree to maintain monuments and memorials.  Power to contribute towards expenses of burial grounds and cemeteries provided by others.	Open Spaces Act 1906. Local Government Act 1972. Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970. Local Government Act 1972.
Bus services	(See "Transport")	
Bus Shelters	(See "Shelters")	
Bye laws	Power to make bye-laws for: Pleasure grounds.  Cycle parks.  Baths, swimming pools and wash-houses.  Open spaces and burial grounds.  Mortuaries and post-mortem rooms.  Markets maintained by parish councils.	Public Health Act 1875.  Road Traffic Regulation Act 1984. Public Health Act 1936.  Open Spaces Act 1906.  Public Health Act 1936.  Food Act 1984.

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Car Parks	(See "Highways")	
Car sharing scheme	(See "Transport")	
Cemeteries	(See "Burial grounds, cemeteries and crematoria")	
Charities	Right to appoint trustees to some parochial charities.	Charities Act 1993
Christmas lights	Power to provide to attract visitors	Local Government Act 1972
Churchyards	Power to contribute to the costs of a churchyard in use.	Local Government Act 1972
	Duty to maintain a closed churchyard where the duty has been transferred by the Church.	Local Government Act 1972
Citizens Advice Bureau	(See "Information and advice")	
Clocks	Power to provide public clocks, or to contribute towards the expenses of public clocks provided by others.	Parish Councils Act 1957
Commons and common pastures	Power to protect any finally registered common which has no registered owner.	Commons Registration Act 1965
	Power to contribute to costs of scheme for regulation and management of commons.	Commons Act 1899
	Power to provide common pasture.	Small Holdings and Allotments Act 1908.
Community bus services	(See "Transport")	
Community centres	(See "Halls")	
Conference facilities	Power to provide and encourage the use of facilities.	Local Government Act 1972
Council Tax	(See "Money")	
Cremation	(See "Burial grounds, cemeteries and crematoria")	
Crime Prevention	Power to install equipment or establish a scheme for crime prevention, or to assist others to do so.	Local Government and Rating Act 1997
Cycle parks		
Ditches and drains	(See "Highways") Power to deal with ponds, ditches and drains containing filth or matter prejudicial to public health, and to contribute towards the expenses of another person in doing these things.	Public Health Act 1936.

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Education	Right to nominate primary school governors.	School Standards and Framework Act 1998
Employment	Power to employ staff to carry out council functions.	Local Government Act 1972
Entertainment and the arts	Power to provide public entertainment and premises for giving entertainment.  Power to develop and improve knowledge of the arts.  Power to contribute to the expenses of entertainment provided by others.	Local Government Act 1972
Flagpoles	Power to erect flagpoles.	Highways Act 1980
Footpaths	(See "Highways")	
Gifts	Power to accept.	Local Government Act 1972
Halls	Power to provide and furnish buildings for public meetings, and to contribute towards the expenses of another parish council or any other person in providing such facilities.  Power to provide and equip premises for indoor sport or physical recreation, or for the use of clubs having athletic, social or recreational objects, and to contribute towards the expenses of another local authority or voluntary organisation in providing such facilities.	Local Government Act 1972  Local Government (Miscellaneous Provisions) Act 1976
Highways	Power to repair and maintain public footpaths and bridleways.  Power to light roads and public places.  Power to provide and maintain parking places for vehicles, bicycles and motorcycles.  Power to enter into agreement as to dedication and widening of highways.  Power to complain to highway authority as to protection of rights of way and roadside wastes.	Highways Act 1980  Parish Councils Act 1957. Highways Act 1980.  Road Traffic Regulation Act 1984  Highways Act 1980.  Highways Act 1980.

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Highways (contd)	Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or division of highway.	Highways Act 1980
	Power to provide traffic signs and other notices.	Road Traffic Regulation Act 1984
	Power to plant and maintain roadside verges.	Highways Act 1980.
	Power to contribute to cost of local traffic calming works by highways authority.	Local Government and Rating Act 1997
	Power to investigate the use of and need for local roads and traffic control.	Local Government and Rating Act 1997
Information and Advice	Power to provide, or assist others in providing, information for the public about local services.	Local Government Act 1972
	Power to assist voluntary organisations providing information and advice to individuals.	
Investments	(See "Money")	
Land	Power to acquire by agreement, to appropriate, to dispose of.	Local Government Act 1972
	Power to accept gifts of land.	
Launderettes	(See "Baths and wash-houses")	
Legal proceedings	Power to prosecute and defend legal proceedings and to take part in a public local enquiry.	Local Government Act 1972
Lighting	(See "Highways")	
Litter	Power to provide litter bins.	Litter Act 1983
Lotteries	Power to promote local lotteries.	Lotteries and Amusements Act 1976
Money	Power to borrow.	Local Government Act 1972
	Power to raise money from the council tax, by precepting on the district council.	Local Government Act 1972. Local Government Finance Act 1992
	Power to invest in statutory securities.	Trustee Investments Act 1961

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Mortuaries and post-mortem rooms	Power to provide.	Public Health Act 1936
Newsletters	(See "Information and advice")	
Open spaces	(See "Recreation")	
Parish property and documents	Power to direct as to their custody	Local Government Act 1972
Parks	(See "Recreation")	
Planning	Right to be notified of planning applications and to comment.	Town and Country Planning Act 1990
Playing fields	(See "Recreation")	
Ponds	(See "Ditches and drains")	
Public halls	(See "Halls")	
Public lavatories	Power to provide and maintain.	Public Health Act 1936
Recreation	Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them.	Public Health Act 1875. Public Health Acts Amendment Act 1890. Open Spaces Act 1906. Local Government Act 1972.
	Power to provide indoor facilities such as sports centres, swimming pools, skating rinks, tennis, squash and badminton courts, bowling centres, dance studios and riding schools.	Local Government (Miscellaneous Provisions) Act 1976
	Power to provide outdoor facilities such as pitches for team games, athletic grounds, swimming pools, tennis courts, cycle tracks, golf courses, bowling greens, riding schools, camp sites and facilities for gliding.	
	Power to provide boating pools.	Public Health Act 1961
	Power to contribute towards the expenses of another local authority or non-profit organisation in providing such recreational facilities.	Local Government (Miscellaneous Provisions) Act 1976
Roadside verges	(See "Highways")	
Seats	Power to provide public seats on the highways, and to contribute towards the costs of public seats	Parish Councils Act 1957

	provided by others.	
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Shelters	Power to provide and maintain shelters for general public use, and bus shelters.  Power to contribute towards the costs of shelters provided by others.	Parish Councils Act 1957. Local Government (Miscellaneous Provisions) Act 1953
Signs	(See "Highways")	
Swimming	(See "Recreation")	
Taxi services	(See "Transport")	
Tourism	Power to encourage tourism and to contribute to other organisations encouraging tourism.	Local Government Act 1972
Traffic calming	(See "Highways")	
Transport	Power to establish a local car sharing scheme, or to assist others to do so.  Power to make grants for bus services benefiting local elderly or disabled people.  Power to make grants to local bus services.  Power to subsidise taxi fares for eligible local residents.  Power to publicise information about local public passenger transport services.	Local Government and Rating Act 1997  Local Government and Rating Act 1997  Local Government and Rating Act 1997  Local Government and Rating Act 1997  Local Government and Rating Act 1997
Village greens	Power to maintain village greens.	Public Health Act 1875. Local Government Act 1972
Village halls	(See "Halls")	
Village Signs	Power to use decorative signs to inform visitors	Local Government Act 1972
War Memorials	Power to maintain, repair, protect and adapt war memorials.	War Memorials (Local Authorities' Powers) Act 1923, as extended by Local Government Act 1948

Topic	Powers and Duties	Statutory Provisions
Water supply	Power to utilise well, spring or stream and to provide facilities for obtaining water therefrom.	Public Health Act 1936
S.137 power	In any situation not covered by one of the specific powers listed above, power to spend money on any purpose in the interests of and of direct benefit to the parish or its inhabitants.	Local Government Act 1972

**WARNING:** the above summaries do not include any limitations and conditions which are attached to some of the statutory powers and must, where appropriate, be observed when exercising those powers.