

Powers of Local Councils (Courtesy of NALC)

The table below sets out the main functions and powers of local councils. It is only a summary and does not contain every single power or function.

As a general rule, local councils are subject to the ordinary laws which bind the citizen. Thus, for example, a local council must obtain planning permission for material development such as the erection of buildings. In many cases, too, the exercise of a power (e.g. to place seats in the roadside) is dependent upon the council obtaining consent from the owner or occupier of the land or from the highway or other competent authority.

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	STATUTE
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 exists.	Smallholdings and Allotments Act 1908, ss 23,26 and 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. Power to provide	Open Spaces Act 1906 ss 9 and 10 LGA 1972, s214
	Power to agree to maintain memorials and monuments	Parish Council and Burial Authorities (Misc. Prov.) Act 1970, s 1
	Power to contribute to expenses of maintaining cemeteries	LGA 1972, s214(6)
Bus shelters*	Power to provide and maintain bus shelters	Local Government (Misc. Prov.) Act 1953, s4
Byelaws	Power to make byelaws for public walks and pleasure grounds. Cycle parks	Public Health Act 1875, s164 Road Traffic Regulation Act 1984, s57(7)
	Public bathing	PHA 1936, s231
	Swimming pools, bathing places, baths and washhouses	PHA 1936, s223
	Open spaces and burial grounds	OSA 1906, s15
	Hiring of pleasure boats in parks and pleasure grounds	PHA Amendment Act 1907, s44(2): PHA 1961, 54
	Mortuaries and post-mortem rooms	PHA 1936, s198
	Dogs and dog fouling in parks and open spaces	PHA 1875, s164 OSA 1906, s15
Charities	Power to appoint trustees of parochial charities	Charities Act 1993, s79
Clocks*	Power to provide public clocks	Parish Councils Act 1957, s2
Closed churchyards	Power (and sometimes duty) to maintain	LGA 1972, s215
Common land	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 and 5

FUNCTION	POWERS AND DUTIES	STATUTE
Community centres and village halls*	Power to provide and equip premises for clubs and other athletic, social or educational organisations	LG (Misc. Prov.) Act 1976, s19
Conference facilities*	Power to provide and encourage the use of conference facilities	LGA 1972, s144
Consultation	Right to be consulted by principal councils if directed by Secretary of State	LG and Rating Act 1997,S21: LGA 1972, s33A
Crime prevention*	Power to (a) install equipment (b) establish schemes and (c) assist others in so doing for the prevention of crime	LG and Rating Act 1997, s31
Drainage	Power to deal with ditches and ponds	PHA 1936, s26
Entertainment and the arts*	Provision of entertainment and support for the arts	LGA 1972, s145
Flagpoles	Power to erect flagpoles in highways	Highways Act 1980, s144
"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 of all or some of the inhabitants	LGA 1972, s137
Gifts	Power to accept gifts	LGA 1972, s139
Highways	Power to maintain footpaths and bridleways	HA 1980, ss43 and 50
	Power to make a dedication agreement for a new highway or widening an existing highway	HA 1980, ss30 and 72
	Power to veto application to magistrates' court to stop up, divert or cease to maintain a public highway	HA 1980, ss 47, 116
	Power to complain to local highway authority that a highway is unlawfully stopped up or obstructed	HA 1980, s130
	Power to plant trees, etc. and maintain roadside verges	HA 1980, s196
	Power to prosecute for unlawful ploughing of a footpath or bridleway	HA 1980, s134
	Power to provide traffic signs and other notices	Road Traffic Regulation Act 1984, s72
Land	Power to acquire land by agreement, to appropriate land and to dispose of land	LGA 1972, ss124, 126, 127
	Power to acquire land by compulsory purchase	LGA 1972, s125
	Power to accept gifts of land	LGA 1972, s139
	Power to obtain particulars of persons interested in land	LG (Misc. Prov.) Act 1976 s16
Lighting	Power to light roads and public places	PCA 1957, s3 HA 1980, s301
Litter*	Power to provide litter bins in streets and public places	Litter Act 1983, ss5 and 6
Lotteries	Power to promote lotteries	Lotteries and Amusements Act 1976, s7
Mortuaries and post-mortem rooms	Powers to provide mortuaries and post-mortem rooms	PHA 1936, s198
Nuisances*	Power to deal with offensive ponds, ditches and gutters	PHA 1936, s260

FUNCTION	POWERS AND DUTIES	STATUTE
Open spaces	Power to acquire and maintain open spaces	PHA 1875, s164 OSA 1906, ss 9 and 10
Parish documents	Power to give directions as to the custody of parish documents	LGA 1972, s226
Parking facilities	Power to provide parking places for motor vehicles and bicycles	RTRA 1984, ss57 and 63
Public buildings and village halls	Power to provide buildings for offices and for public meetings and assemblies	LGA 1972, s133
Public conveniences	Power to provide public conveniences	PHA 1936, s87
Publicity	Power to provide information about matters affecting local government	LGA 1972, s142
Records	Power to collect, exhibit and purchase local records	LG (Records) Act 1962, ss 1 and 2
Recreation*	Power to acquire land for, or provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them	PHA 1875, s164 PHAAA 1890, s44 OSA 1906, ss 9 and 10 LG (Misc. Prov.) Act 1976, s19
Seats and shelters*	Power to provide roadside seats and shelters	PCA 1957, s1
Telecommunications facilities	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 and Country Planning Act 1990, para.8 of Sch.1
Town status	Power to adopt town status	LGA 1972, ss 245 and 245B
Tourism*	Power to contribute to encouragement of tourism	LGA 1972, s144
Traffic calming	Power to contribute to the cost of traffic calming measures	HA 1980, s274A
Transport*	Power to (a) establish car sharing schemes; (b) make grants for bus services; (c) provide taxi fare concessions; (d) investigate public transport, road use and needs; (e) provide information about public transport services	LG and RA 1997, s26
Village greens*	Power to maintain, to make byelaws for and to prosecute for interference with village greens	OSA 1906, s15; Inclosure Act 1857, s12; Commons Act 1876, s29
Village halls*	(See Community Centres, Public Buildings)	
War Memorials	Power to maintain, repair and protect war memorials	War Memorials (Local Authorities' Powers) Act 1923, s1 as extended by LGA 1948, s133
Water supply	Power to utilise any well, spring or stream to provide facilities for obtaining water from them	PHA 1936, s125

Section 137 (Local Government Act 1972, S137)

This gives a Parish Council the power to spend up to £5 per elector annually on anything it considers worthwhile, that will benefit the community (or part of it), where there is no other specific power covering the action. The expenditure under this power must be commensurate with the benefit to the community – there must be a match between the money spent and the benefit to local people.