

Appendix 1 - Local council services and powers

Function	Powers and Duties	Statutory Provisions
Allotments	Powers to provide allotments. Duty to provide allotment gardens if demand unsatisfied.	Smallholdings and Allotments Act 1908, ss 25, 26 and 42. s.23.
Baths and Washhouses	Power to provide public baths and washhouses. Power to provide bathing places.	Public Health Act 1936, ss 221, 222, 223 and 227. Local Government (Miscellaneous Provisions) Act 1976 s.19.
Burial grounds, cemeteries, crematoria and closed churchyards	Power to acquire and maintain. Power to provide. Power to agree to maintain monuments and memorials. Power to contribute towards expenses of cemeteries. General management powers.	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). Local Authorities Cemetery Orders 1977 and 1986.
Bus Shelters	Power to provide and maintain shelters.	Local Government (Miscellaneous Provisions) Act 1953, s.4. Parish Councils Act 1957, s1.
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	Duties re parochial charities.	Charities Act 2003 s.79.

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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 recreational objectives.	Local Government (Miscellaneous Provisions) Act 1976, s.19.
Community Transport	Various – see Transport below.	Local Government and Rating Act 1997.
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.
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.

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Highways	<p>Power to repair and maintain public footpaths and bridle-ways.</p> <p>Power to light roads and public places.</p> <p>Provision of litter bins.</p> <p>Power to provide parking places for vehicles, bicycles and motor-cycles.</p> <p>Power to enter into agreement as to dedication and widening.</p> <p>Power to provide roadside seats and shelters, and bus shelters.</p> <p>Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway.</p> <p>Power to complain to district councils as to protection of rights of way and roadside wastes.</p> <p>Power to provide traffic signs and other notices.</p> <p>Power to plant trees etc. and to maintain roadside verges.</p>	<p>Highways Act 1980, ss.43, 50.</p> <p>Parish Councils Act 1957, s.3; and Highways Act 1980, s.301.</p> <p>Litter Act 1983, ss.5, 6.</p> <p>Road Traffic Regulation Act 1984, ss.57, 63.</p> <p>Highways Act 1980, ss.30, 72.</p> <p>Parish Councils Act 1957, s.1.</p> <p>Highways Act 1980, ss 47, 116.</p> <p>Highways Act 1980, s.130.</p> <p>Road Traffic Regulation Act 1984, s.72.</p> <p>Highways Act 1980, s.96.</p>
Investments	Power to participate in schemes of collective investment.	Trustee Investments Act 1961. s.11.
Joint Committees	Power to form and participate in joint arrangements for services.	Local Government Act 1972, s101 and s102.
Land	<p>Power to acquire by agreement, to appropriate, to dispose of land</p> <p>Power to accept gifts of land.</p>	<p>Local Government Act 1972, ss.124, 126, 127.</p> <p>Local Government Act 1972, s.139.</p>
Litter	Provision of receptacles.	Litter Act 1983, ss.5, 6.
Local Energy saving measures	Power to encourage or promote microgeneration etc.	Climate Change and Sustainable Energy Act 2006, s.20.
Lotteries	Powers to promote.	Lotteries and Amusements Act 1976, s.7.
Markets	Power to establish or acquire.	Food Act 1984, s.50.

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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. Public Health Act 1875, s.164.
Open spaces	Power to acquire land and maintain. Power to light.	Open Spaces Act 1906, ss 9 and 10. Open Spaces Act 1906, s.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. Local Government (Miscellaneous Provisions) Act 1976, s.19.
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.
Seats and Shelters	Power to provide.	Parish Councils Act 1957, ss 2 and 3.
Telecommunications facilities	Power to pay British Telecommunications or any other public telecommunications operator for loss sustained providing telegraph office or telecommunication facilities.	Telecommunications Act 1984, s.97.
Town and Country Planning	Right to be notified of planning applications.	Town and Country Planning Act 1990, Sched. 1, para. 8.

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Tourism	Power to contribute to organisations encouraging tourism.	Local Government Act 1972, s.144.
Traffic Calming	Powers to contribute financially to traffic calming schemes.	Highways Act 1980, s.274A.
Transport	Powers to spend money on community transport schemes. Establish and support car sharing. Grant to bus service for elderly and disabled. Grant to support taxi fare concessions. Power to investigate needs and publicise transport services.	Local Government and Rating Act 1997, s.26 s.27 s.28 s.29
War memorials	Power to maintain, repairs, 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 there from.	Public Health Act 1936, s.125.
Well being	Available only to councils meeting certain conditions.	LG and Public Involvement in Health Act 2007, s77.

This list is current at the time of publication (April 2008) but the publishers do not make any representations about it. In addition to the specific powers and duties listed above, local councils have certain general powers (eg s.111 and s.137 LGA1972) and are also subject to duties under various Health and Safety, Employment, Equalities and other legislation. Further information may be obtained from local and regional representatives of NALC and SLCC.