

Parish council powers

Function	Powers & Duties	Statutory Provisions
Allotments	Duty to provide allotments	<u>Small Holding & Allotments Act 1908</u> , s.
	Power to improve and adapt land for allotments, and to let grazing rights	<u>Small Holding & Allotments Act 1908</u> , s. <u>Small Holding & Allotments Act 1908</u> , s.
Baths and washhouses	Power to provide public baths and washhouses	<u>Public Health Act 1936</u> , <u>ss.221</u> , <u>222</u> , <u>223</u> ,
Burial grounds, cemeteries and crematoria	Power to acquire and maintain	<u>Open Spaces Act 1906</u> , <u>ss. 9</u> , <u>10</u>
	Power to provide	<u>Local Government Act 1972</u> , <u>s.214</u>
	Power to agree to maintain monuments and memorials	<u>Parish Councils and Burial Authorities (Provisions) Act 1970</u> , <u>s.1</u>
	Power to contribute towards expenses of cemeteries	<u>Local Government Act 1972</u> , <u>s.214(6)</u>

Bus shelters	Power to provide and maintain shelters	<u>Local Government (Miscellaneous Provi</u>
Bye-laws	Power to make bye-laws in regard to pleasure grounds	<u>Public Health Act 1875, s.164</u>
	Cycle parks	<u>Road Traffic Regulation Act 1984, s.57(7</u>
	Baths and washhouses	<u>Public Health Act 1936, s.223</u>
	Open spaces and burial grounds	<u>Open Spaces Act 1906, s.15</u>
	Mortuaries and post-mortem rooms	<u>Public Health Act 1936, s.198</u>
Clocks	Power to provide public clocks	<u>Parish Councils Act 1957, s.2</u>
Closed churchyards	Powers as to maintenance	<u>Local Government Act 1972, s.215</u>
Common pastures	Powers in relation to providing common pasture	<u>Smallholdings and Allotments Act 1908,</u>
Conference facilities	Power to provide and encourage the use of facilities	<u>Local Government Act 1972, s.144</u>

Community centres	Power to provide and equip buildings for use of clubs having athletic, social or recreational objectives	<u>Local Government (Miscellaneous Provi</u>
Crime prevention	Powers to install and maintain equipment and establish and maintain a scheme for detection or prevention of crime	<u>Local Government and Rating Act 1997,</u>
	Power to contribute to police services e.g. PCSOs	<u>Police Act 1996, s.92</u>
	Duty on Parish Councils to consider crime reduction in every policy and action	<u>Crime and Disorder Act 1998, s.17</u>
Drainage	Power to deal with ponds and ditches	<u>Public Health Act 1936, s.260</u>
Entertainment and the arts	Provision of entertainment and support of the arts	<u>Local Government Act 1972, s.145</u>
Flyposting and Graffiti	Power to take enforcement action against those that fly-post or graffiti	<u>Cleaner Neighbourhoods and Environm</u>
General Power of Competence	Power of first resort for qualifying councils	<u>Localism Act 2011 s.1</u>
Gifts	Power to accept	<u>Local Government Act 1972, s.139</u>

Highways

Power to maintain footpaths and bridle-ways

Highways Act 1980, [ss.43, 50](#)

Power to light roads and public places

[Parish Councils Act 1957, s.3](#)
[Highways Act 1980, s.301](#)

Provision of litter bins

[Litter Act 1983, ss.5, 6](#)

Powers to provide parking places for bicycles and motor-cycles, and other vehicles

Road Traffic Regulation Act 1984, [ss.57, 6](#)

Power to enter into agreement as to dedication and widening

[Highways Act 1980, ss.30, 72](#)

Power to provide roadside seats and shelters

[Parish Councils Act 1957, s.1](#)

Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway

[Highways Act 1980, ss.47, 116](#)

Power to complain to highway authority as to unlawful stopping up or obstruction of highway or unlawful encroachment on roadside wastes

[Highways Act 1980, s.130](#)

Power to provide traffic signs and other objects or devices warning of danger

[Road Traffic Regulation Act 1984, s.72](#)

Power to plant trees and lay out grass verges etc. and to maintain them

[Highways 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

[Local Government Act 1972, ss.124, 126,](#)

Power to accept gifts of land

[Local Government Act 1972, s.139](#)

Litter

Provision of receptacles

[Litter Act 1983, ss.5, 6](#)

Power to take enforcement action against those that litter

[Cleaner Neighbourhoods and Environment Act 1994, s.1](#)

Mortuaries and postmortem rooms

Powers to provide mortuaries and postmortem rooms

[Public Health Act 1936, s.198](#)

Open spaces

Power to acquire land and maintain

[Public Health Act 1875, s.164](#)
[Open Spaces Act 1906, ss.9, 10](#)

Parish documents	Powers to direct as to their custody	<u>Local Government Act 1972, s.226</u>
Public buildings and village hall	Power to provide buildings for public meetings and assemblies	<u>Local Government Act 1972, s.133</u>
Public conveniences	Power to provide	<u>Public Health Act 1936, s.87</u>
Sustainable communities	Right of representation on a panel of representatives to be consulted on proposals that would contribute to sustainable communities	<u>Sustainable Communities Act 2007</u>
Telecommunications facilities	Power to pay public telecommunications operators any loss sustained providing telecommunication facilities	<u>Telecommunications Act 1984, s.97</u>
Town and country planning	Right to be notified of planning applications	<u>Town and Country Planning Act 1990, S</u>
Tourism	Power to encourage visitors and provide conference and other facilities	<u>Local Government Act 1972, s.144</u>
Traffic calming	Powers to contribute financially to traffic calming schemes	<u>Highways Act 1980, s.274A</u>
Transport	Powers in relation to car-sharing schemes, taxi fare concessions and information about transport	<u>Local Government and Rating Act 1997,</u>

Powers to make grants for bus services

[Transport Act 1985, s.106A](#)

War memorials

Power to maintain, repair, protect and alter war memorials

[War Memorials \(Local Authorities' Pow](#)

Water supply

Power to utilise well, spring or stream and to provide facilities for obtaining water from them

[Public Health Act 1936, s.125](#)

Well-being

Power to promote well-being of the area (for eligible councils)

[Local Government Act 2000 s.2](#)

Local government functions & responsibilities

This section sets out where responsibilities lie for specific functions between the three tiers of local government. Please note that both the county and district functions are discharged by single authorities in the case of metropolitan district councils and unitary councils.

County Councils

District Councils

Parish Councils

Monitoring Officer for County Members only

Monitoring Officer
Ethics & Probity for District & Parish Members

Education

Most schools
Special education
Nursery, adult, community
Personal Social Services
Securing provision for the elderly, children and those with disabilities (including social care and health and residential care) Inspection Services

Housing

Management and maintenance of council houses
Working with Housing Associations (known as Registered Social Landlords) Housing advice
Renovation grants
Homelessness
Unfit housing
Residential care

Clocks

Cemeteries and Burials, Crematoria**Closed Churchyards Burials/Cemeteries****Planning**

Strategic planning/structure plans
 Minerals and waste planning
 Historic buildings

Planning

Local Development Framework Development control
 (Planning applications and enforcement)
 Advertising consent
 Historic buildings
 Conservation areas
 Tree preservation

Planning – as consultees

Highways/Transport

Public transport
 Highways and parking
 Traffic management
 Footpaths and bridleways
 Transport planning
 Street lighting

Highways/Transport

Unclassified roads
 Off-street car parking
 Traffic management
 Footpaths and bridleways
 Road safety
 Local transport plans
 Street lighting
 Street naming

Bus shelters**War and other memorials****Street lighting****Emergency Planning****Emergency Planning****Recreation**

Parks and open spaces
 Support for the arts
 Archives and Record Office
 Museums/Art Galleries

Recreation

Parks, open spaces and halls
 Swimming pools and leisure centres
 Support for the arts
 Museums and art galleries

Public Open Spaces**Village Halls****Playing fields****Museums and the Arts****Economic Development****Economic Development****Tourism Development****Tourism Development****Tourism Development****Environmental Services**

Refuse disposal

Environmental Services

Refuse collection/street cleansing
 Recycling
 Management of travellers/gypsy sites

Litter bins and litter clearance**Local charities**

Recycling
Gypsy sites
Trading Standards

Food safety
Public conveniences
Markets
Dog and pest control
Noise abatement
Health & Safety
Seats
Licensing

Markets
Public seating
Licensing – as consultees

Registration of Births, Marriages and Deaths

Allotments

Allotments

Library & Information Service

Electoral Registration/Elections

Council Tax and Business Rate collection

Grants to voluntary bodies

Grants to voluntary bodies

Grants to voluntary bodies

Help with Lottery Applications

Community Planning

**Community Planning Community Safety (anti-social
behaviour, alcohol byelaws)**
