

List of Town Council Legal Powers

This list is intended as a summary of the principle functions of Local Council to help appreciate the wide range of activities it is not intended to be a definitive list of such functions. 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.

Functions	Powers And Duties	Statutory Powers
Agency Arrangements	Power to arrange for the discharge of functions by another local authority	Local Government Act 1972, s.101
Allotments	Powers to provide allotments Duty to provide allotment gardens if demand unsatisfied	Small Holdings Allotments Act 1908, ss 23, 26 and 42
Archives	Power to make records held available to the public and support local archives	Local Government (Records) Act 1962, ss 1 and 4
Baths and Washhouses:	Power to provide public baths and washhouses	Public Health Act 1936, ss 221, 222, 223 and 227
Borrowing	Power to borrow money for statutory functions	Local Government Act 1972, Sch. 13
Burial Grounds, Cemeteries and crematoria*	Power to acquire and maintain	Open Spaces Act 1906, ss 9 and 10: Local Government Act 1972, s. 214
	Power to provide	Local Government Act 1972, s.214
	Power to agree to maintain monuments and memorials	Parish Council and Burial Authorities (Miscellaneous Provisions) Act 1990, s. 1
	Power to contribute towards expenses of cemeteries	Local Government Act 1972, s.214
Bus Shelters	Power to provide and maintain	Local Government (Miscellaneous) Act 1953, s. 4 Parish Councils Act 1957, s. 1
Bye Laws	Power to make byelaws for public walks and pleasure ground	Public Health Act 1875, s 164
Cycle Parks	Road Traffic Regulation Act 1984 s.57 (7)	
Swimming pools, bathing places, baths and washhouses	Power to provide	Public Health Act 1936, s 223
Open Spaces and Burial Grounds	Power to acquire land and maintain	Open Spaces Act 1906, ss 12 and 15
Mortuaries and post-mortem rooms	Power to provide mortuaries and post-mortem rooms	Public Health Act 1936, s. 198
Public Bathing		Public Health Act 1936, s. 231

Charities	Duty to receive accounts of parochial charities	Charities Act 1960, s. 32
Power to appoint trustees of parochial charities		Charities Act 1993, s. 79
Clocks*	Power to provide public clocks	Parish Councils Act 1957, s. 2
Closed Churchyards	Powers (and sometimes duty) as to maintain	Local Government Act 1972, s. 215
Commons Land and Common Pastures	Powers in relation to inclosure as to regulation and management and as to providing common pasture	Inclosure Act 1845; Local Government Act 1984, s. 8(4); Smallholding and Allotments Act 1908, s. 34
Power to protect unclaimed common land from unlawful interference	Commons Registration Act 1965, s.9	
Power to manage commons and village greens under a district council scheme	Commons Act 1899, ss 4 & 5	
Conference facilities*	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Consultation	Right to be consulted by principal councils if directed by Secretary of State (England) or by Welsh Assembly (Wales)	Local Government and Rating Act 1997, s. 21; Local Government Act 1972, s. 33A
Community Centres and Village Halls	Power to provide and equip premises 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
Power to: (a) install equipment, (b) establish schemes and (c) assist others in so doing for the prevention of crime	Local Government and Rating Act 1997, s. 31	
Delegated Functions	Power to assume a function delegated by another authority Power to ensure effective discharge of Council functions Power to employ someone to carry out Council functions	Local Government Act 1972, ss. 101, 111 and 112

Drainage	Power to deal with ponds/ditches	Public Health Act 1936, s. 260
Education	Right to appoint governors of primary schools	School Standards and Framework Act 1988, para 15 of Sch.10
Entertainment and the Arts*	Provision of entertainment and support of the arts	Local Government Act 1972, s. 145
Environment	Power to act for the benefit of the community by tackling and promoting awareness of environmental issues	Local Government Act 1972, ss 111 and 137
Flagpoles	Power to erect flagpoles in highways	Highways Act 1980, s 144
" 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 all or some of the inhabitants	Local Government Act 1972, s. 139
Gifts	Power to accept	Local Government Act 1972, s. 139
Highways	Power to repair and maintain footpaths and bridleways	Highways Act 1980, ss 43 and 50
Power to light roads and public places	Parish Councils Act 1957, s. 3 Highways Act 1980, s. 301 Local Government Act 1972, Sch. 14 para 27	
Provision of litter bins	Litter Act 1983, 5 and 6	
Power to provide parking places for vehicles, bicycles and motorcycles	Road Traffic Regulation Act 1984, ss 57 and 63	
Power to enter into an agreement as to dedication and widening	Highways Act 1980. ss 30 and 72	
Power to provide roadside shelters, and omnibus 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 and 116	
Power to provide traffic signs and other notices	Highways Act 1980, s. 130	

Power to plant trees, etc., and to maintain roadside verges	Road Traffic Regulation Act 1984, s. 72 Countryside Act 1968	
Power to complain to local highway authority that a highway is unlawfully stopped up or obstructed	Highways Act 1980, s. 96	
Power to prosecute for unlawful ploughing of a footpath or bridleway	Highways Act 1980, s. 130 Highways Act 1980, s. 134	
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1962, s. 11
Land	Power to acquire land by agreement, to appropriate land and to dispose of	Local Government Act 1972, ss 124, 126 and 127
Power to accept gifts of land	Local Government Act 1972, s. 139	
Power to acquire land by compulsory purchase	Local Government Act 1972, s. 125	
Power to obtain particulars of persons interested in land	Local Government (Miscellaneous Provisions) Act 1976, s. 16	
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, s. 16 Local Government Act 1972, Sched. 14, para 27 Public Health Acts Amendment Act 1980, s. 44; Open Spaces Act 1906, ss 9 and 10 Local Government (Miscellaneous Provisions) Act 1976, s. 19	
Lighting	Power to light roads and public places	Parish Councils Act, 1957 Highways Act 1980, s. 301
Litter* and dog fouling	Provision of receptacles Obligation to keep own land free of litter and dog faeces	Litter Act 1983, ss. 5 Environmental Protection Act 1990, Litter (Animal Droppings) Order 1991
Lotteries	Power to promote	Lotteries and Amusements Act 1976, s. 7
Newletters	Power to provide information relating to matters affecting Local Government	Local Government Act 1972, s. 142
Nuisances	Power to deal with offensive ditches, ponds and gutters	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 Commons Act 1899
Parish Property and Records	Powers to direct as to their custody	Local Government Act 1972, s. 226
Planning	Right to be notified of and power to respond to planning applications	Town and Country Planning Act 1990, Sched. 1 para 8 Local Government Act 1972, Sched. 15 para 20.
Public Buildings and Village Halls	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
Publicise functions	Power to publicise council and local authority functions	Local Government Act 1982, s. 142
Raising of Finances	Power to raise money through them precept	Local Government Act 1982, s. 150
Records	Power to collect, exhibit and purchase local records	Local Government Act Records Act 1962, ss 1 and 2
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	Public Health Act 1875, s. 164 Local Government Act 1972, Sched 14 para 27 Public Health Acts Amendment Acts 1890, s 44 Open Spaces Act 1906, ss 9 and 10 Local Government (Miscellaneous Provisions) Act 1976, s 19 Commons Act 1899
Seats and Shelters*	Power to provide roadside seats and shelters	Parish Councils Act 1957, s. 1
Tourism*	Power to contribute to the encouragement of tourism	Local Government Act 1972, s. 144
Town Status	Power to adopt town status	Local Government Act 1972, ss 245 and 245B
Traffic Calming	Power to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s. 26
Training	Power to train Councillors	Local Government Act 1972. S. 175

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 (f) Community Transport Schemes	Local Government and Rating Act 1997, s. 26 - 29
Village greens	Power to maintain, to make bylaws for and to prosecute for interference with village greens	Open Spaces Act 1906, s. 15 Inclosure Act 1857, s. 12, Commons Act 1876, s. 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 there from.	Public Health Act 1936, s. 125

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