**REYNOLDSTON COMMUNITY COUNCIL**

**Legal Powers and Duties**

**Agreed at Council 12th March 2024**

**Review 12th March 2026**

Local Councils have a wide range of powers and duties. The following table sets out the main ones; it is not a complete list of every single power and duty.

http://www.calc.org.uk/Images/whitespace_tcm131-69192.GIF

|  |  |  |
| --- | --- | --- |
| **Function** | **Powers & Duties** | **Statutory Provisions** |
| Allotments | Duty to provide allotments.  Power to improve and adapt land for allotments, and to let grazing rights | Small Holding & Allotments Act 1908, ss. 23, 26, and 42 |
| Baths and washhouses | Power to provide public baths and washhouses | Public Health Act 1936, ss. 221, 222, 223  and 227 |
| Burial grounds, cemeteries and crematoria | Power to acquire and maintain Power to provide  Power to agree to maintain monuments and memorials  Power to contribute towards expenses of cemeteries | 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. 214(6) |
| Bus shelters | Power to provide and maintain shelters | Local Government (Miscellaneous Provision) Act 1953, s. 4 |
| 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 |
| Clocks | Power to provide public clocks | Parish Councils Act 1957, s.2 |
| Closed churchyards | Powers as to maintenance | Local Government Act 1972, s.215 |
| Common pastures | Powers in relation to providing common pasture | 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 |
| Crime prevention | Powers to install and maintain equipment and establish and maintain  a scheme for detection or prevention of crime | Local Government and Rating Act 1997, s.31 |
|  | Power to contribute to police services  e.g. PCSOs | Police Act 1996, s.92 |
|  | Duty on Parish Councils to consider crime reduction in every policy and action | s17 Crime and Disorder Act 1998 (as amended) |
| Drainage | Power to deal with ponds and ditches | Public Health Act 1936, s.260 |

|  |  |  |
| --- | --- | --- |
| Dogs | Power to make a Dog Control Order Power to take enforcement action against those who commit an offence against a Dog Control Order | Cleaner Neighbourhoods and Environment Act 2005 |
| Entertainment and the arts | Provision of entertainment and support of the arts | Local Government Act 1972, s.145 |
| Flyposting and Graffiti | Power to take enforcement action against those that flypost or graffiti | Cleaner Neighbourhoods and Environment Act 2005 |
| Gifts | Power to accept | Local Government Act 1972, s.139 |
| Highways | Power to maintain footpaths and bridle- ways  Power to light roads and public places Provision of litter bins  Powers to provide parking places for bicycles and motor-cycles, and other vehicles  Power to enter into agreement as to dedication and widening  Power to provide roadside seats and shelters  Consent of community council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway  Power to complain to highway authority as to unlawful stopping up or obstruction of highway or unlawful encroachment on roadside wastes Power to provide traffic signs and other objects or devices warning of danger Power to plant trees and lay out grass verges etc. and to maintain them | Highways Act 1980, ss.43,50 Parish Councils Act 1957, s.3; Highways Act 1980, s.301  Litter Act 1983, ss.5,6  Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72  Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116 Highways Act 1980, s.130  Road Traffic Regulation Act 1984, s.72 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  Power to accept gifts of land | Local Government Act 1972, ss.124, 126,  127  Local Government Act 1972, s.139 |
| Litter | Provision of receptacles  Power to take enforcement action against those that litter | Litter Act 1983, ss.5,6  Cleaner Neighbourhoods and Environment Act 2005 |
| Lotteries | Powers to promote | Lotteries and Amusements Act 1976, s.7 |
| Mortuaries and post mortem rooms | Powers to provide mortuaries and post mortem 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 and 10 |
| Parish documents | Powers to direct as to their custody | Local Government Act 1972, s.226 |
| Public buildings and village hall  Power of Well- Being | Power to provide buildings for public meetings and assemblies  Power to enhance the economic, Environmental or social well-being of the area. | Local Government Act 1972, s.133 Local Government Act, 2000 |
| Public conveniences | Power to provide | Public Health Act 1936, s.87 |
| Town and country planning | Right to be notified of planning applications | Town and Country Planning Act 1990, Sched.1, para. 8 |
| Tourism | Power to encourage visitors and provide conference and other facilities | Local Government Act 1972, s.144 |
| Traffic calming | Powers to contribute financially to traffic calming schemes | Highways Act 1980, s.274A |
| Transport | Powers in relation to car-sharing schemes, taxi fare concessions and information about transport  Powers to make grants for bus services | Local Government and Rating Act 1997, s.26, 28 and 29  Transport Act 1985, s.106A |
| War memorials | Power to maintain, repair, protect and alter 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 from them | Public Health Act 1936, s.125 |