**REYNOLDSTON COMMUNITY COUNCIL**

**Legal Powers and Duties**

**Agreed at Council 12th March 2024**

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.



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| **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, 223and 227 |
| Burial grounds, cemeteries and crematoria | Power to acquire and maintain Power to providePower to agree to maintain monuments and memorialsPower to contribute towards expenses of cemeteries | Open Spaces Act 1906, Ss 9 and 10; LocalGovernment Act 1972, s. 214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s. 1Local 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 groundsCycle parksBaths and washhousesOpen spaces and burial grounds Mortuaries and post-mortem rooms | Public Health Act 1875, s. 164Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223Open 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 maintaina scheme for detection or prevention of crime | Local Government and Rating Act 1997, s.31 |
|  | Power to contribute to police servicese.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 |

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| 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- waysPower to light roads and public places Provision of litter binsPowers to provide parking places for bicycles and motor-cycles, and other vehiclesPower to enter into agreement as to dedication and wideningPower to provide roadside seats and sheltersConsent of community council required for ending maintenance of highway at public expense, or for stopping up or diversion of highwayPower 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.301Litter Act 1983, ss.5,6Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116 Highways Act 1980, s.130Road 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 ofPower to accept gifts of land | Local Government Act 1972, ss.124, 126,127Local Government Act 1972, s.139 |
| Litter | Provision of receptaclesPower to take enforcement action against those that litter | Litter Act 1983, ss.5,6Cleaner 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 |

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| 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 hallPower of Well- Being | Power to provide buildings for public meetings and assembliesPower 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 transportPowers to make grants for bus services | Local Government and Rating Act 1997, s.26, 28 and 29Transport 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 LocalGovernment Act 1948, s.133 |
| Water supply | Power to utilise well, spring or stream and to provide facilities for obtainingwater from them | Public Health Act 1936, s.125 |