



Council Powers, Duties & Statutory Provision

Below is an indicative list of duties and powers of the Community Council. The council has a wide range of functions covered by Acts of Parliament and Measures or Acts of the Senedd. This is meant as a useful reference but is not a comprehensive list.

Allotments

Powers to provide allotments. Duty to consider providing allotment gardens if demand unsatisfied.

- Small holdings & Allotments Act 1908, ss 23, 26 and 42

Baths and Wash Houses

Power to provide public baths and washhouses.

- Public Health Act 1936, ss 221, 222, 223 and 227

Burial grounds, cemeteries and crematoria

Power, as a burial authority, to acquire and provide with a duty to maintain

- Open Spaces Act 1906, ss. 9 and 10

Power to agree to maintain monuments and memorials

- Parish Councils and Burial Authorities (Miscellaneous) Act 1970, 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 Provisions) Act 1953, s.4
- Parish Councils Act 1957

By laws

Power to make bylaws in regard to pleasure grounds.

- Public Health Act 1875, s.164

Cycle paths.

- Road Traffic regulation Act 1984, s57 (7)

Baths and Washhouses.

- Public Health Act 1936, s.223

Open spaces and burial grounds.

- Open spaces Act 1906, s.15

Baths and Wash Houses

Power to provide public baths and washhouses.

- Public Health Act 1936, ss 221, 222, 223 and 227

Charities

Powers regarding local charities.

Power, as a burial authority, to acquire and provide with a duty to maintain

- Charities Act 2011, Part 15

Christmas Lights

Power to encourage visitors.

- Local Government Act 1972, s.144

Citizens Advice Bureau

Power to support Citizens Advice Bureaus.

- Local Government Act 1972, s.142 (2A)

Climate change

Power to promote local energy saving measures

- Climate Change and Sustainable Energy Act 2006, s.20



Clocks

Power to provide public clocks.

- Parish Councils Act 1957, s.2

Closed Churchyards

Powers to provide maintain.

- Local Government Act 1972, s.215

Common land and village greens

Power to protect common land and village greens where the owner is not registered

- Commons Act 2006, s.45

Conference Facilities

Power to provide and encourage the use of facilities.

- Local Government Act 1972, s.144

Community Centres

Power to provide and equip community buildings Power to provide buildings for use of clubs having athletic, social or educational objectives.

- Local Government Act (Miscellaneous Provisions) Act 1976 s.19

Community meetings

Power to convene and duty to give notice

- Local Government Act 1972, Schedule 12, paragraphs 30, 30D and 30E

Community polls

Duty to consider taking action and giving notice.

- Local Government Act 1972, Schedule 12, paragraphs 26A and 29A



Crime prevention

Powers to spend money on various crime prevention measures

- Local Government and Rating Act 1997, s.31

Duty to exercise functions with regard to the effect on crime and disorder

- Crime and Disorder Act 1998, s17

Drainage

Power to deal with ponds and ditches.

- Public Health Act 1936, s.260

Entertainment and the arts

Power to provide entertainment and support to the arts including festivals and celebrations

- Local Government Act 1972, s.145

Finance

Duty to make arrangements for the proper administration of the council's financial affairs and to secure that one of their officers has responsibility for the administration of those affairs

- Local Government Act 1972, s151

Duty to make a budget calculation

- Local Government Finance Act 1992, s.50

Power to issue a precept to a billing authority

- Local Government Finance Act 1992, s.41

Duty to keep accounts for audit

- Accounts and Audit (Wales) Regulations 2014

Power to make financial contributions etc for the purpose of BID projects

- Local Government Act 2003, ss. 43,58

General power

Power to incur expenditure for certain purposes not otherwise authorised [also see Wellbeing below].

- Local Government Act 1972, s.137



Gifts

Power to accept gifts.

- Local Government Act 1972, s.139

Highways

Power to enter into agreement as to dedication

- Highways Act 1980, s.30

Power to repair and maintain footpaths and bridleways

- Highways Act 1980, ss. 43, 50

Power to plant trees etc and to maintain roadside verges

- Highways Act 1980, s.96

Power to complain to highway authority regarding protection of rights of way and roadside wastes

- Highways Act 1980, s.130(6)

Power to erect flagpoles etc on highways

- Highways Act 1980, s.144

Power to contribute to traffic calming schemes

- Highways Act 1980, s. 274A

Power to provide roadside seats and shelters

- Parish Councils Act 1957, s.1

Power to light roads and public places

- Parish Councils Act 1957, s.3 Power to provide parking places Road Traffic Regulation Act 1984, s.57

Power to provide traffic signs and other notices

- Road Traffic Regulation Act 1984, s.72

Investments

Power to participate in schemes of collective investment

- Trustee Investments Act 1961

Joint Committees

Power to form and participate in joint arrangements for services

- Local Government Act 1972, s.101 and s.102



Land

Power to acquire by agreement, to appropriate, to dispose of land

- Local Government Act 1972, ss.124, 126, 127

Power to accept gifts of land

- Local Government Act 1972, s.139

Litter

Power to provide receptacles in public places

- Litter Act 1983, ss.5.6

Meetings

Duty to hold annual meeting

- Paragraph 23(1), Schedule 12, Local Government Act 1972

Duty to hold meeting within 14 days of a community council election

- Paragraph 23(2), Schedule 12, Local Government Act 1972

Power to call extraordinary meeting

- Paragraph 25, Schedule 12, Local Government Act 1972

Quorum for meetings

- Paragraph 28, Schedule 12, Local Government Act 1972

Duty to notify time and place of meeting

- Paragraph 26(1)(a), Schedule 12, Local Government Act 1972

Newsletters

Power to provide information relating to matters affecting local government.

- Local Government Act 1972, s.142

Open Spaces

Power to acquire land and duty to maintain them

- Open Spaces Act 1906, ss.9 and 10



Public buildings and village halls

Power to provide buildings for public meetings and assemblies

- Local Government Act 1972, s.133

Public conveniences

Power to provide public conveniences

- Public Health Act 1936, s.87

Parks, pleasure grounds

Power to acquire land or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them

- 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

Recreation

Power to provide a wide range of recreational facilities

- Local Government (Miscellaneous Provisions) Act 1976, s.19

Staff

Power to appoint staff

- Local Government Act 1972, s.112

Transport

Powers to spend money on community transport schemes.

- Local Government and Rating Act 1997, s.26-29

Village signs

Power to use decorative signs to inform visitors

- Local Government Act 1972, s.144



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

Website

Duty to make specified information available electronically

- Local Government (Democracy) (Wales) Act 2013, s.55

Duty to make the website and documents accessible

- The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018

Wellbeing

Power to do anything which the council considers likely to achieve the promotion or improvement of the economic, social or environmental wellbeing of the area, subject to s137 limit on expenditure

- Local Government Act 2000, s.2
- Local Government (Wales) Measure 2011

