

## Duties and Powers of Gilberdyke Parish Council

Function	Duty and/or Power	Statutory Provision
Accounts	Duty to appoint a Responsible Financial Officer to manage the council's accounts	<u>Local Government Act (LGA) 1972, section 151</u>
Acceptance of office	Duty to sign declaration of acceptance of office (councillors and chairman)	<u>LGA 1972, section 83</u>
Agency arrangements	Power to arrange for the discharge of functions by another local authority	<u>LGA 1972, section 101</u>
Allotments	Power to provide allotments, duty to provide allotment gardens if demand exists	<u>Smallholdings and Allotments Act 1908, subsections 23, 26 and 42</u>
Baths and washhouses	Power to provide public baths and washhouses	<u>Public Health Act 1936, subsections 221-223, 227</u>
Borrowing	Power to borrow money for statutory functions	<u>LGA 1972, Sch 13</u>
Burial grounds, cemeteries and crematoria*	Power to acquire and maintain	<u>Open Spaces Act 1906, subsections 9 and 10</u>
	Power to provide	<u>LGA 1972, section 214</u>
	Power to agree to maintain memorials and monuments	<u>Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s 1</u>
	Power to contribute to expenses of maintaining cemeteries	<u>LGA 1972, section 214(6)</u>

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Bus shelters*	Power to provide and maintain bus shelters	<u>Local Government (Miscellaneous Provisions) Act 1953, section 4</u>
Byelaws	Power to make byelaws for public walks and pleasure grounds	<u>Public Health Act 1875, section 164</u>
	Cycle parks	<u>Road Traffic Regulation Act 1984, section 57(7)</u>
	Baths and Washhouses	<u>Public Health Act, 1936, section 233</u>
	Open spaces and burial grounds	<u>Open Spaces Act, 1906, section 15</u>
Christmas lights	Power to provide to attract visitors	<u>LGA 1972, section 144</u>
Citizens Advice Bureau	Power to support	<u>LGA 1972, section 142</u>
Clocks*	Power to provide public clocks	<u>Parish Councils Act 1957, section 2</u>
Closed churchyards	Power (and sometimes duty) to maintain	<u>LGA 1972, section 215</u>

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Commons and common pastures	Powers in relation to enclosure, regulation and management, and providing common pasture	<u>Inclosure Act 1845, section 12</u>  <u>Local Government Act 1894, section 8(4)</u>  <u>Smallholdings and Allotments Act 1908, section 34</u>
Community centres	Power to provide and equip community buildings	<u>LGA 1972, section 133</u>
	Power to provide buildings for use of clubs having athletic, social or educational objectives	<u>Local Government (Miscellaneous Provisions) Act 1976, section 19</u>
Conference Facilities*	Power to provide and encourage the use conference facilities	<u>LGA 1972, section 144</u>
Consultation	Right to be consulted by principal councils if directed by Secretary of State (England) or by Welsh Assembly (Wales)	<u>Local Government and Rating Act 1997, section 21</u>  <u>LGA 1972, section 33A</u>
Crime prevention*	Power to spend money on various crime prevention measures	<u>Local Government and Rating Act 1997, section 31</u>
Drainage	Power to deal with ditches and ponds	<u>Public Health Act 1936, section 260</u>
Entertainment and the Arts*	Provision of entertainment and support for the arts including festivals and celebrations	<u>LGA 1972, section 145</u>
Flagpoles	Power to erect flagpoles in the highways	<u>Highways Act 1980, section 144</u>

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General powers	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	<u>LGA 1972, section 137</u>
Gifts	Power to accept gifts of property	<u>LGA 1972, section 139</u>
Highways	Power to maintain footpaths and bridleways	<u>Highways Act 1980, section 43</u> <u>Highways Act 1980, section 50</u>
	Power to light roads and public places	<u>Parish Councils Act 1957, section 3</u>
	Power to provide parking places for vehicles, bicycles and motor-cycles	<u>Road Traffic Regulation Act 1984, section 57</u>
	Power to make a dedication agreement for a new highway or widening of an existing highway	<u>Highways Act 1980, section 30</u> <u>Highways Act 1980, section 72</u>
	Right to veto application to magistrates court to stop up, divert or cease to maintain a public highway	<u>Highways Act 1980, section 47</u> <u>Highways Act 1980, section 116</u>
	Power to complain to a local highway authority that a highway is unlawfully stopped up or obstructed	<u>Highways Act 1980, section 130</u>
	Power to plant trees etc. and maintain roadside verges	<u>Highways Act 1980, section 96</u>

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	Power to prosecute for unlawful ploughing of a footpath or bridleway	<u>Highways Act 1980, section 134</u>
	Power to provide traffic signs and other notices	<u>Road Traffic Regulation Act, 1984, section 72</u>
Interests	Duty to declare an interest	<u>LGA 1972, section 94</u>
Investments	Power to participate in schemes of collective investment	<u>Trustee Investments Act 1961, section 11</u>
Land	Power to acquire land by agreement, to appropriate land and to dispose of land	<u>LGA 1972, section 124</u> <u>LGA 1972, section 126</u> <u>LGA 1972, section 127</u>
	Power to acquire land by compulsory purchase	<u>LGA 1972, section 125</u>
	Power to accept gifts of land	<u>LGA 1972, section 139</u>
	Power to obtain particulars of persons interested in land	<u>Local Government (Miscellaneous Provisions) Act 1976, section 16</u>
Lighting	Power to light roads and public places	<u>Parish Councils Act 1957, section 3</u> <u>Highways Act 1980, section 301</u>
Litter*	Power to provide litter bins in streets and public places	<u>Litter Act 1983, section 5</u> <u>Litter Act 1983, section 6</u>

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Lotteries	Power to promote lotteries	Lotteries and Amusements Act 1976, section 7
Meetings	Duty to hold annual parish meeting	<u>LGA 1972, Schedule 12 paragraph 23</u>
	Duty to hold annual parish council meeting	<u>LGA 1972, Schedule 12 paragraph 7</u>
	Power to convene a parish meeting	<u>LGA 1972, Schedule 12 paragraph 14</u>
Mortuaries and post-mortem rooms	Power to provide mortuaries and post-mortem rooms	<u>Public Health Act 1936, section 198</u>
Newsletters	Power to provide information relating to matters affecting local government	<u>LGA 1972, section 142</u>
Nuisances*	Power to deal with offensive ponds, ditches and gutters	<u>Public Health Act 1936, section 260</u>
Open Spaces	Power to acquire and maintain open spaces	<u>Public Health Act 1875, section 164</u> <u>Open Spaces Act 1906, subsections 9, 10</u>
Parish documents	Power to give directions as to custody of parish documents	<u>LGA 1972, section 226</u>
Parking facilities	Power to provide parking places for motor vehicles and bicycles	<u>Road Traffic Regulation Act 1984, section 57</u> <u>Road Traffic Regulation Act 1984, section 63</u>

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Parks and pleasure grounds	Power to acquire land or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them	<u>Public Health Act 1875, section 164</u>  <u>LGA 1972 Schedule 14 paragraph 27</u>  <u>Public Health Acts Amendment Act 1890 section 44</u>
Public buildings and village halls	Power to provide buildings for offices and for public meetings and assemblies	<u>LGA 1972, section 133</u>
Public conveniences	Power to provide public conveniences	<u>Public Health Act 1936, section 87</u>
Publicity	Power to provide information about matters affecting local government	<u>LGA 1972, section 142</u>
Records	Power to collect, exhibit and purchase local records	<u>Local Government (Records) Act 1962, section 1</u>  <u>Local Government (Records) Act 1962, section 2</u>
Recreation*	Power to provide a wide range of recreational facilities	<u>Open Spaces Act 1906, sections 9 and 10</u>  <u>Local Government (Miscellaneous Provisions) Act 1976, section 19</u>
	Provision of boating pools	<u>Public Health Act 1961, section 54</u>
Seats and shelters*	Power to provide roadside seats and shelters	<u>Parish Councils Act 1957, section 1</u>

Function	Duty and/or Power	Statutory Provision
Town and Country planning	Right to be notified of planning applications	<u>Town and Country Planning Act 1990, paragraph 8 of Schedule 1</u>
Town status	Power to adopt town status	<u>LGA 1972, section 245</u> <u>LGA 1972, section 245B</u>
Tourism*	Power to contribute to encouragement of Tourism	<u>LGA 1972, section 144</u>
Traffic calming	Power to contribute to the cost of traffic calming measures	<u>Highways Act 1980, section 274A</u>
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 needs (e) provide information about public transport services	<u>Local Government and Rating Act 1997, section 26</u> <u>Transport Act 1985, section 106A</u>
Village signs	Power to use decorative signs to inform visitors	<u>LGA 1972, section 144</u>
Village greens*	Power to maintain, to make bylaws for and to prosecute for interference with village greens	<u>Open Spaces Act 1906, section 15</u> <u>Inclosure Act 1857, section 12</u> <u>Commons Act 1876, section 29</u>
War memorials	Power to maintain, repair and protect war memorials	<u>War Memorials (Local Authorities Powers) Act 1923, section 1 as extended by LGA 1948, section 133</u>



Function	Duty and/or Power	Statutory Provision
Water supply	Power to utilise any well, spring or stream to provide facilities for obtaining water from them	<u>Public Health Act 1936, section 125</u>

Where a function is marked with an asterisk (\*) the council also has the power to give financial assistance to another person or body performing the same function.