CYNGOR CYMUNED GOETRE FAWR C OMMUNITY COUNCIL

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

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| **Function** | **Powers & Duties** | **Statutory Provisions** |
| Annual meeting | Duty to Hold | Local Government Act 1972, Schedule 12, paragraph 23 |
| 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 |
| Allowances for Councillors | Power to pay Councillors allowances | Local Government (Wales) Measure 2011, Part 8 - Wales |
| Ancillary Power | Power to do anything that will facilitate, be conducive to or incidental to the discharge of its powers and functions | Local Government Act 1972 s. 111 |
| Bands and Orchestras | Power to maintain a band or orchestra or contribute to the maintenance of a band or orchestra, in or outside the council’s area  Power to charge for admission to performances | Local Government Act 1972,  s. 145 (1)(c)  Local Government Act 1972 s. 145 (2) |
| Baths and washhouses | Power to provide public baths and washhouses | Public Health Act 1936, ss. 221, 222, 223 and 227 |

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| Bicycles and motor cycles – parking places | Power to provide and maintain parking places for bicycles and motor cycles in the Council’s areas  Power to provides stands and racks for bicycles and motor cycles in the Council’s area | Road Traffic Regulation Act 1984 s. 57(1)(a)  Road Traffic Regulation Act 1984 s. 63  Local Government (Byelaws) Wales Act 2012, s. 6 – Wales |
| Boating Pools | Power to provide a boating pool in a park provided or managed by the Council  Power to charge a reasonable amount for its use | Public Health Act 1961, s 54(1)  Public Health Act 1961, s. 54(3) |
| Borrowing Money | Power to borrow money with approval where necessary | Local Government Act 2003, schedule 1, paragraph 2. |
| 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) |
| Borrowing | Subject to Welsh Ministers’ consent power to borrow money for capital purposes | Local Government Act 2003 Schedule 1 paragraph 2 |
| Bus shelters | Power to provide and maintain shelters | Local Government (Miscellaneous Provision) Act 1953, s. 4 |

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| 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 |
| Car Parks (off road) | Power to provide and maintain suitable off-road car parking places in the Councils area or to relieve or prevent traffic congestion or preserve local amenities.  Power to regulate use of car parks and charge for their use | Road Traffic Regulation Act 1984 s. 57(1)(b)  Road Traffic Regulation Act 1984 ss. 59(3), 35(1) |
| Car Sharing Schemes | Power to establish and maintain car sharing scheme that benefits the Council’s area or to assist others in doing so. | Local Government and Rating Act 1997 s. 26 |
| Charging for discretionary services | Power to charge on a cost recovery basis (i.e. not make a profit) if the council has discretion to provide a service. The Power does not apply if the Council has a separate power to charge for the provision of a service or if it is prohibited from charging for it | Local Government Act 2003  s. 93 |
| Charities | Powers regarding local charities | Charities Act 2011, Part 15 |
| Christmas Lights | Power to encourage visitors | Local Government Act 1972, s.144 |
| Cinemas | Power to provide a cinema or contribute towards the expenses of a cinema in or outside the Councils area  Power to charge for admission to a cinema provided by the Council | Local Government Act 1972,  s. 145(1)(b)  Local Government Act 1972, s. 145(2) |
| Citizen’s 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 as to maintenance | Local Government Act 1972, s.215 |
| Code of conduct | Duty to adopt a code of conduct  Duty on councillors to comply with the code of conduct | Local Government Act 2000, s. 51  Local Government Act 2000, s. 52 |
| Commons and Common pastures | Power to provide land in the council’s area for common pasture if the Councils expenditure can be recovered from any charges that it makes for use of the land | Smallholdings and Allotments Act 1908, s.34 |
| Common land and village greens | Power to protect common land and village greens where the owner is not registered | Commons Act 2006, s.45 |
| Community Gardens | Power to provide and maintain open space as gardens in or outside the Council’s area | Open Spaces Act 1906 ss. 9-10 |
| 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 |
| 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 |
| Contracts | Power to enter into Contracts | Local Government Act 1972 s111 |
| Co- option of members | Power to co-opt persons to fill vacancies  Duty to advertise | Representation of the People Act 1985, s21  Local Elections (Parishes and Communities) (England and Wales) Rules 2006, Reg 5  Local Government (Wales) Measure 2011, s116 |
| Crime prevention | Powers to install and maintain  equipment and establish and maintain a scheme for detection or prevention of crime  Power to contribute to police services e.g. PCSOs  Duty on Parish Councils to consider crime reduction in every policy and action | Local Government and Rating Act 1997, s.31  Police Act 1996, s.92  s17 Crime and Disorder Act 1998 (as amended) |
| Dance Halls | Power to provide premises for dances or to contribute to the expenses of dances in or outside the council’s area.  Power to charge for admission to dances provided by the Council | Local Government Act 1972, s.145(1)(a)  Local Government Act 1972, s.145(2) |
| Ditches and Ponds | Power to deal with ditches, ponds, pools and gutters by draining them or preventing them from being harmful to public health.  Power to carry out works for their maintenance or improvement or to pay others to do this. | Public Health Act 1936, s260 |
| 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 |

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| Highways | Power to maintain footpaths and bridleways  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 |

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| Honorary Titles | Power to confer the title of honorary freeman or honorary freewoman | Local Govt Act 1972 s249 |
| Indemnities | Power to indemnify Councillors and staff with Insurance cover | Local Govt Act 2000, s. 101  Local Authorities (Indemnities for Members and Officers) (Wales) 2006 |
| 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 |
| Life Saving Appliances | Power to provide life-saving appliances (e.g. life belts, defibrillators) | Public Health Act 1936, s. 234 |
| Lighting | Power to light roads and public places in the Council’s area. | Parish Council’s Act 1957, s. 3; Highways Act 1980, s. 30 |
| 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  Gambling Act 2005, ss. 98, 252 |
| Market | Power to establish markets in the Council’s area and provide a market place and market buildings | Food Act 1984, s.50  Local Government (Byelaws) Wales Act 2012, s.6 |
| Meetings | Duty hold an annual meeting  Duty to hold meeting within 14 days of a community council election Power to call extraordinary meeting  Quorum for meetings  Duty to notify time and place of meeting | |  | | --- | | Paragraph 23(1), Schedule 12, Local Government Act 1972 | | Paragraph 23(2), Schedule 12, Local Government Act 1972 | | Paragraph 25, Schedule 12, Local Government Act 1972 | | Paragraph 28, Schedule 12, Local Government Act 1972 | | Paragraph 26(1)(a), Schedule 12, Local Government Act 1972 | |
| Minutes | Duty to draw up minutes of community meetings  Duty to draw up minutes of community council meetings | Paragraph 35, Schedule 12, Local Government Act 1972  Paragraph 41, Schedule 12, Local Government Act 1972 |
| Mortuaries and post mortem rooms | Powers to provide mortuaries and post mortem rooms | Public Health Act 1936, s.198 |
| National Parks | Duty to have regard to purposes for which National Parks are designated | National Parks and Access to the Countryside Act 1949, s.11A |
| Newsletters | Power to provide information relating to matters affecting local government | Local Government Act 1972, s.142 |

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| Non-Councillors | Power to appoint non-Councillors to Council Committees and sub committees  Power to appoint up to two non-councillor community Youth representatives (aged 16-25) to committees (Wales only) | | Local Government Act 1972, s.102(3)  Local Government (Wales) Measure 2011, s.118 | |
| 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 | |
| Property & Documents | Powers to direct as to their custody | | Local Government Act 1972, s.226 | |
| Public buildings and village hall | Power to provide buildings for public  meetings and assemblies | | Local Government Act 1972, s.133 | |
| Power of Well-Being | Power to enhance the economic,  Environmental or social well-being  of the area. | | Local Government Act, 2000 | |
| Precept | Power to raise a precept | | Local Govt Finance Act 1992,  s. 41 | |
| Public Buildings and village halls | Power to provide buildings for public meetings and assemblies or contribute towards the expenses of providing such buildings | | Local Government Act 1972, s.133 | |
| Public conveniences | Power to provide | | Public Health Act 1936, s.87 | |
| Public Rights of Way | Power to repair and maintain public footpaths and bridleways in the Council’s area  Power to enter into agreement to dedicate a read or highway in the Council’s area or an adjoining parish or community area  Power to enter into agreement to widen an existing highway in the Council’s area or an adjoining parish or community area  Power to provide warning notices on footpaths and bridleways | | Highways Act 1980, ss. 43, 50  Highways Act 1980, s. 30  Highways Act 1980, s. 72  Road Traffic Regulation Act 1984, s72(2) | |
| Public spaces protection orders | Right to be notified of proposal for an order | | Anti-social Behaviour, Crime and Policing Act 2014, s.72 | |
| Publication | Duty to publish documents relating to the business of the meeting  Duty to have a publication scheme | | Paragraph 26(1)(aa), (b), Schedule 12, Local Government Act 1972  Freedom of Information Act 2000 | |
| 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 | |
| Standing Orders | | Duty have standing orders with respect to contracts for the supply of goods and materials or the execution of works | | Section 135, Local Government Act 1972 |
| Status | | Power for a community council to resolve that the community shall have the status of a town | | Local Government Act 1972, s.245B |
| Swimming | | Power to provide public baths  Power to charge for the use of public baths  Power to make byelaws | | Public Health Act 1936, s.221  Public Health Act 1936, s. 222  Local Government (Byelaws) Wales Act 2012, s.6 |
| Theatres | | Power to provide a theatre or to contribute towards their expenses in or outside the Council’s area  Power to charge for admission to a theatre provided by the Council | | Local Government Act 1972, s.145(1)b  Local Government Act 1972, s.145(2) |
| Town and country  planning | | Right to be notified of planning  applications | | Town and Country Planning Act 1990, Sched.1, para. 8 |
| Traffic Signs | | Power to provide traffic signs on roads | | Road Traffic Regulation Act 1984, s72(1) |
| Transport | | Power to establish car-sharing schemes  Power to make arrangements for taxi fare concessions  Power to investigate provision of public transport services and to publicise information on such services | | Local Government and Rating Act 1997, s.26  Local Government and Rating Act 1997,  Local Government and Rating Act 1997, s.29 |

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| 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 |
| Web site | Duty to make specified information available electronically | Local Government (Democracy) (Wales) Act 2013, s.55 |
| Well – Being | 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 |

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| Well-being of future generations | Duty to take all reasonable steps towards meeting local objectives in the local well-being plan (and to report annually) if the council’s gross income or expenditure was at least £200k in each of the 3 years prior to publication of the local well-being plan | Well-being of Future Generations (Wales) Act 2015,  s. 40 |
| Youth Representatives | Power to appoint youth representatives | Local Government (Wales) Measure 2011 ss.118-119 |