

# STORRINGTON & SULLINGTON PARISH COUNCIL

THE PARISH HALL, THAKEHAM ROAD, STORRINGTON, WEST SUSSEX, RH20 3PP

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## LIST OF LEGAL POWERS AND DUTIES

Below is a list of powers and functions which gives details (albeit not comprehensive) on what the Parish Council can act upon:

Function	Powers & Duties	Statutory Provisions
Allotments	Powers to provide allotments.  Duty to provide allotments gardens if demand unsatisfied and if reasonable to do so.	Small Holding & Allotments Act 1908, s.23
Borrowing money	Power for councils to borrow money for their statutory functions or for the prudent management of their financial affairs.	Local Government Act 2003, Schedule 1, para 2
Baths (public)	Power to provide public swimming baths.	Public Health Act 1936, s.221
Burial grounds, cemeteries and crematoria	Power to acquire and maintain.  Power to provide.  Power to contribute towards expenses of cemeteries.	Open Spaces Act 1906, Sections 9 and 10 Local Government Act 1972, s.214 Local Government Act 1972, s.214 (6)
Bus Shelters	Power to provide and maintain shelters.	Local Government (Miscellaneous Provision) Act 1953, s.4
Byelaws	Power to make byelaws for: Places of public recreation. Cycle parks. Public swimming baths. Open spaces and burial grounds. Mortuaries and post-mortem rooms.	Public Health Act 1875, s.164  Road Traffic Regulations Act Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Charities	Duties in respect of parochial charities.  Power to act as a charity trustee.	Charities Act 2011, ss.298-303  Local Government Act 1972, bs. 139 (1)
Clocks	Power to provide public clocks.	Parish Councils Act 1957, s.2
Closed Churchyards	Powers to maintain.	Local Government Act 1972, s.215
Commons &	Powers in relation to inclosure,	Inclosure Act 1845; Small

Common Pastures	regulation, management and provision of common pasture.	Holdings and Allotments Act 1908, s.34
Conference Facilities	Power to provide and encourage 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 educational objectives. Power to acquire, provide and furnish buildings for public meetings and assemblies.	Local Government Act 1972 (Miscellaneous Provisions) Act 1976 s.19 Local Government Act 1972 s. 133
Crime Prevention	Power to spend money on crime detection and prevention measures.	Local Government and Rating Act 1997, s. 31
Ditches and ponds	Power to drain and maintain ponds and ditches to prevent harm to public health.	Public Health Act 1936, s. 260
Entertainment and the arts	Provision of entertainment and support of the arts.	Local Government Act 1972. S. 145
Environment	Power to issue fixed penalty notices for litter, graffiti and offences under dog control orders.	Clean Neighbourhoods and Environment Act 2005, s.19, s.30, Part 6
General Power of Competence	Power for an eligible Council to do anything subject to statutory prohibitions, restrictions and limitations which include those in place before or after the introduction of the general power of competence.	Localism Act 2011, ss 1-8
Gifts	Power to accept.	Local Government Act 1972, s. 139
Highways	Power to repair and maintain public footpaths and bridleways. Power to light roads and public places. Power to provide parking places for vehicles, bicycles and motorcycles. Power to enter into agreement as to dedication and widening. Power to provide roadside seats and shelters. Power to consent to a local highway authority stopping maintenance of a highway or stopping up/diverting a highway. Power to complain to district council about the protection of rights of way and roadside waste. Power to provide certain traffic signs and other notices. Power to plant trees and shrubs and to maintain roadside verges.	Highways Act 1980, ss. 43, 50  Parish Councils Act 1957, s. 3; Highways Act 1980, s.301 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
Honorary Titles	Power to admit to be honorary freemen/freewomen of the council's	Local Government Act 1972, s. 249

	area persons of distinction and persons who have, in the opinion of the authority, rendered eminent services to that place or area.	
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
Litter	Provision of bins.	Litter Act, 1983, ss. 5, 6
Lotteries	Powers to promote.	Gambling Act 2005, s. 252, 258
Markets	Power to establish or acquire by agreement markets within the council's area and provide a marketplace and market building.	Food Act 1984, s. 50
Mortuaries and post-mortem rooms	Power to provide mortuaries and post-mortem rooms.	Public Health Act 1936, s. 198
Neighbourhood Planning	Powers to act as lead body for a neighbourhood development plan or a neighbourhood development order.	Localism Act 2011, Schedule 9; Town and County Planning Act 1990, ss. 61E-61Q, Schedule 4B; Planning and Compulsory Purchase Act 2004, s. 38A
Newsletter	Power to provide information relating to matters affecting local government.	Local Government Act 1972, s. 142
Nuisances	Power to deal with offensive ditches.	Public Health Act 1936, s. 260
Open spaces	Power to acquire and maintain land for public recreation. Power to acquire and maintain land for open spaces.	Public Health Act 1875, s. 164 Open Spaces Act 1906, ss. 9 and 10
Parish Property and Documents	Power to receive and retain.  Duty to deposit certain published works in specific deposit libraries.	Local Government Act 1972, s. 226 Legal Deposit Libraries Act 2003, s. 1
Public buildings and village hall	Power to acquire and provide buildings for public meetings and assemblies.	Local Government Act 1972, s. 133
Public Conveniences	Power to provide.	Public Health Act 1936, s. 87
Recreation	Power to provide a wide range of recreational facilities.  Provision of boating pools.	Local Government (Miscellaneous Provisions) Act 1976, s. 19 Public Health Act 1961, s. 54
Right to challenge services that are provided by a principal authority	The right to submit an interest in running a service provided by a district, county or unitary authority.	Localism Act 2011, ss. 81-86

Right to nominate and bid for assets of community value	The right to nominate assets to be added to a list of assets of community value and the right to bid to buy a listed asset when it comes up for sale.	Localism Act 2011, ss. 87-108
Town and Country Planning	Right to be notified of planning applications if right has been requested.	Town and Country Planning Act 1990, Sched. 1, para. 8
Tourism	Power to encourage tourism to the council's area.	Local Government Act 1972, s. 144
Traffic Calming	Power to contribute financially to traffic calming schemes.	Local Government and Rating Act 1997, s. 30
Transport	Powers to spend money on community transport schemes.	Local Government and Rating Act 1997, s. 26-29
War Memorials	Power to maintain, repairs, protect and adapt war memorials.	War Memorials (Local Authorities' Power) Act 1923, s. 1
Water	Power to utilise wells, springs or streams for obtaining water	Public Health Act 1936, s. 125
Websites	Power for Councils to have their own websites.	Local Government Act 1972, s. 142

