



## Hampshire ALC Key Topic Note - Local Council Duties

Parish and town councils can choose to carry out a range of activities and there are various powers in place to do this (please see our separate article *Local Council Powers*).

There are a number of duties that a council are **required by law** to do, and the table below sets these out along with the relevant legislation.

Duty	Legislation
Elect a Chairman	Local Government Act 1972 s.15(1)
Appoint a Proper Officer	Local Government Act 1972 s.270
Appoint a Responsible Financial Officer	Local Government Act 1972 s.151
Appoint an Internal Auditor	The Accounts and Audit (England) Regulations 2011/817 reg.6(3)
Hold a minimum of 4 meetings a year (this includes the Annual Meeting of the Council, held in May)	Local Government Act 1972 sch. 12 s.8(1)
Adopt a Code of Conduct	Localism Act 2011, s.27(2)
Provide allotments if demand unsatisfied and if reasonable to do so	Small Holdings and Allotments Act 1908, s.23
Councils with annual turnover below £25,000 must publish certain information such as annual accounts, notice of meetings, agendas, end of year accounts, internal audit report, annual governance statement, list of councillor responsibilities and details of public land and building assets	Transparency Code for Smaller Authorities 2015
Councils with annual turnover exceeding £200,000 are expected to follow the Local Government Transparency Code for Larger Authorities	Local Government Transparency Code 2015

Comply with relevant legislation to fulfil obligations as a public body with regards to crime and disorder	Crime and Disorder Act 1998, s.17
Comply with relevant legislation to fulfil obligations as a public body with regards to conserving biodiversity	Natural Environment and Rural Communities Act 2006, s.40
Comply with relevant legislation to fulfil obligations as a public body to provide information to the public	Freedom of information Act 2000, sch.1, Pt. II, para. 7
Comply with relevant legislation to fulfil obligations as a public body relating to data handling	Data Protection Act 2018, s.7 The UK General Data Protection Regulation
Comply with relevant legislation to fulfil obligations as a public body with regards to equality	Equality Act 2010, s.149 Equality Act 2010, Sch. 19
Comply with the relevant legislation to fulfil obligations as a public body with regards to human rights	Human Rights Act 1998, s.6
Carry out duties in respect of parochial charities	Charities Act 2011, ss.298-303
Comply with the relevant legislation to fulfil obligations as an employer	Employment Rights Act 1996 Equality Act 2010 Health and Safety at Work Act 1974 Human Rights Act 1998 Data Protection Act 1998 Working Time Regulations (1998) and the Working Time (Amendment) Regulations 2007

## Essential Resources

Hampshire ALC Key Topic: Local Council Powers

**This document reflects our advice based on our understanding of the current legislation and guidance and our knowledge of the sector. It is not however intended to be formal legal advice.**

**For more complex issues we are able to obtain initial specialist advice on legal, employment, financial and planning matters as part of your membership fee. Please contact us to access this service.**