

Local Council Powers in relation to Transport

You will be working alongside your local council (be it town or parish) and will therefore need to know exactly how this body is entitled to act in relation to transport in your community. In the main, transport is a function of the County Council, however there are ways in which actions can be taken at the community level.

The Local Government and Rating Act 1997 gives local councils the power to carry out the following activities:

- **Car-sharing schemes** – a local council may establish a car-sharing scheme for the benefit of people in the council's area, or assist others in so doing (section 26)
- **Grants for bus services** – a local council may make grants to any body which operates bus services for the elderly or disabled, or a community bus service for the benefit of people in the council's area (section 27)
- **Taxi fare concessions** – a local council may enter into arrangements with a licensed taxi operator whereby the council reimburse the operator the cost of running a fare concession scheme for residents in the council's area who are eligible to receive travel concessions (section 28)
- **Information about transport** – a local council may investigate the provision and use of public passenger transport in its area and may also publicise information about public passenger services in its area (section 29).

Parish and town Councils can only finance activities for which they have a specific statutory spending power which are those outlined above. There is however a useful general power under which a parish council may spend every year up to a specified limit on anything which in the opinion of the parish council is in the interests of the parish, or any part of it, or is in the interests or all or some of its inhabitants. The amount spent must be commensurate with the perceived benefit. This power, which is often referred to as the "free resource", is contained in section 137 of the Local Government Act 1972. The expenditure value under this power is limited. An important limitation to bear in mind under this section is that payments to individuals cannot be made.

It has also been possible for parish councils who meet certain criteria to use the power of "well-being". This power enables the eligible parish councils to do anything which they consider is likely to achieve the promotion or improvement of economic, social or environmental well-being in their area. This power is not linked to any limited expenditure as is the case with the "free resource", although financing any extra expenditure must come through raising the parish precept. In practice, therefore, there will still be limitations on the extent to which a parish council can use this power, once obtained.

Further details relating to the power of “well-being” and the “free resource” can be obtained from the Oxfordshire Association of Local Councils.

It is also important to note that parish meetings do not automatically have the same powers as local councils. If your parish is represented by a parish meeting, please also contact OALC for further advice as to its powers:

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