

LG Inform Plus

Powers and Duties Help Guide



February 2017

This document outlines the process behind utilising the Records Retention function on the LG Inform Plus website.

What is it?

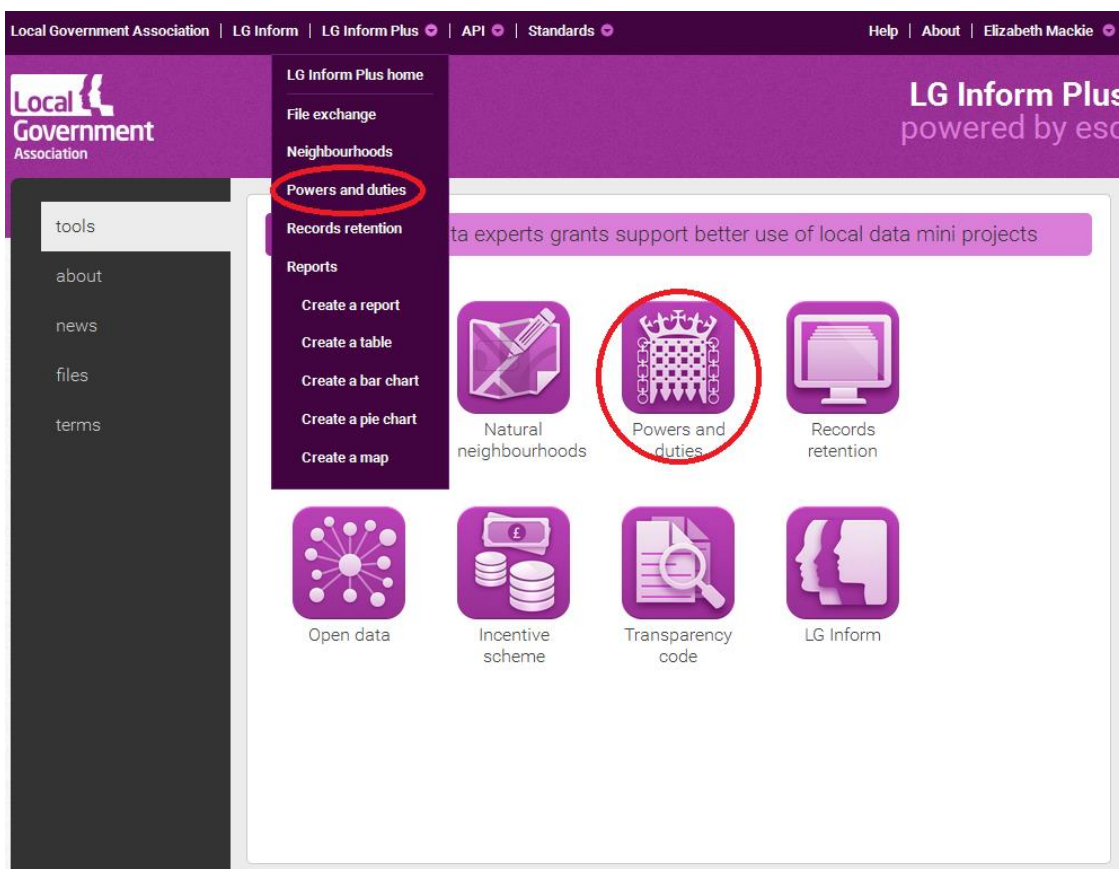
This section of the LG Inform Plus website is designed to provide English and Welsh councils with guidance and information on what they have the power to do, and what is required of them by law. The guidance is put together by Kent County Council's Legal Services team in partnership with the LG Inform Plus team.

Online there is a brief summary of what each power or duty is about. You should be aware that many powers and duties are more detailed than the summary given and this guide is not designed to give definitive legal advice. We strongly advise that you refer to the specified legislation and, if you have any doubts about the scope of any particular power or duty, that you consult your own council's legal team.

You should also be aware that some powers and duties, and the detail of many more, emanate from statutory instrument rather than directly from statute. Those powers and duties are not specifically covered by this guidance. We have, however, attempted to make reference to the statutory instruments involved where possible.

Utilising Powers and Duties

To utilise this tool, you will need to sign into LG Inform Plus <http://about.esd.org.uk/>. Once you have signed in, click on the 'Powers and duties' icon on the homepage or from the drop down option, shown in the image below.



Introduction

The default page for selecting Powers and duties' will provide you with introductory information, such as a further explanation of what it is, tips on how best to utilise the guidance, the scope of the guidance and how the guidance is structured.

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Powers and Duties

powered by esd

What is it?

The powers and duties guidance is information on what current legislation gives English and Welsh councils the power to do and what it requires them to do in law. The guidance is put together by [Kent County Council's Legal Services team](#) in partnership with esd-toolkit.

We give you a brief summary of what each power or duty is about. You should be aware that many powers and duties are more detailed than the summary and this guide is not designed to give definitive legal advice. We strongly advise that you refer to the specified legislation and, if you have any doubts about the scope of any particular power or duty, that you consult your own council's legal team.

You should also be aware that some powers and duties, and the detail of many more, emanate from statutory instrument rather than directly from statute. Those powers and duties are not specifically covered by this guidance. We have, however, attempted to make reference to the statutory instruments involved where possible.

How might the guidance be used and why?

Councils provide a huge number of services to customers in their local areas. Councils are required to provide some of those services whilst others are optional. The guidance gives a council an understanding of which of their services are mandated and which are discretionary. Hence it helps when making decisions about what a council should provide. It can also influence whether services are provided free or customers are asked to pay.

The powers and duties included in this guidance fall into one of three categories:

- A power or duty which results in the provision of one or more customer facing services or describes how the service should/can be provided
- A power or duty which requires the authority to take some internal action relating to an internal service within the organisation
- A power or duty which is generic and which, whilst it may impact on a large number of services provided, does not actually result in the provision of any service

What is the scope of the guidance?

The guidance covers powers and duties emanating directly from statute relating to the following bodies in England and Wales only - district councils (all forms); county councils; county borough councils; London borough councils; the Common Council of the City of London; combined fire authorities; and the governing bodies of maintained schools.

How is the Guidance structured?

Guidance aims to cover the powers and/or duties relevant to each service in the [Local Government Service List](#) of customer-facing services delivered by English and Welsh councils. There is also guidance for some internal services and some general guidance which is not service specific.

The [guidance page](#) lets you search, browse and download guidance for your chosen services. If you wish, you can structure the download and output to rich text documents to match the two level local government [Function List](#).

For open data specialists, the guidance can be accessed as Linked Data from the [data page](#).

Local Government powers and duties information is provided for guidance only. You should refer to legislation and/or check requirements with your council's own legal team for full details.

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By selecting 'guidance' from the list of options on the left hand side of the screen, you will see the below page displayed. Please refer to the image below for explanation of the functionality of the page.

The screenshot shows the 'Powers and Duties' page from the Local Government Association, powered by esd. The page has a purple header with the LGA logo and navigation links. A left-hand sidebar contains links for 'introduction', 'guidance' (selected), 'data', and 'search'. The main content area is titled 'Guidance' and includes filters for 'Type' (Power, Duty), 'Applicable to' (England, Wales), and 'Authority type' (County, District, Fire, Unitary, London). It also has dropdowns for 'Sort guidance' (by function) and 'and show me' (everything), along with 'Download as CSV' and 'Download as RTF' buttons. A table lists various guidance items, each with a 'POWER' or 'DUTY' label and a red icon (cross or dragon). Callout boxes explain the filters, download options, and the meaning of the red icons.

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Local Government Association **Powers and Duties**
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Guidance

Sort guidance by function
and show me everything

Download as CSV Download as RTF

Type: ☒ Power ☒ Duty
Applicable to: ☒ England ☒ Wales
Authority type: ☒ County ☒ District ☒ Fire ☒ Unitary ☒ London

POWER	DUTY	Guidance Item	Icon
POWER		Abandoned shopping and luggage trolleys	Red Cross
POWER		Abandoned vehicles - disposal	Red Cross
POWER		Abandoned vehicles - fixed penalty notice	Red Cross
POWER		Abandoned vehicles - recovery of expenses	Red Cross
DUTY		Abandoned vehicles - removal	Red Dragon
POWER		Abandoned vehicles - use of receipts from fixed penalty notices	Red Dragon
POWER		Abandoned waste - removal	Red Dragon
POWER		Access land - byelaws	Red Dragon

Use these filters to narrow down the records shown in your search; you can filter by **Type**, **Applicable to** and **Authority type** to assist in making your search more specific.

Download all the information as a CSV or a RTF file, including live links to legislation.

Click on the header to see how this service aligns with other services.

The red cross icon indicates that this information relates to English Councils.

The red dragon icon indicates that this information related to Welsh Councils.

Guidance

The first filter, 'sort guidance' allows you to filter the guidance by function, external service, internal service and by no applicable services by using the top drop down box.

The screenshot shows the 'Powers and Duties' interface from the Local Government Association, powered by esd. The page has a purple header with navigation links: 'Local Government Association', 'LG Inform', 'LG Inform Plus', 'API', 'Standards', 'Help', and 'Elizabeth Mackie'. A sidebar on the left contains links for 'introduction', 'guidance' (selected), 'data', and 'search'. The main content area is titled 'Guidance' and features three filters: 'Sort guidance and show me', 'Type', and 'Applicable to'. The 'Sort guidance and show me' filter is a dropdown menu with options: 'by function' (selected), 'by external service', 'by internal service', and 'by no applicable services'. Below this are buttons for 'Download as CSV' and 'Download as RTF'. The 'Type' filter has checkboxes for 'Power' and 'Duty'. The 'Applicable to' filter has checkboxes for 'England', 'Wales', and 'London'. The 'Authority type' filter has checkboxes for 'County', 'District', 'Fire', 'Unitary', and 'London'. The main content area displays a list of guidance items, each with a category label on the left, a title, and a red plus icon on the right. The items are: 'Abandoned shopping and luggage trolleys' (POWER), 'Abandoned vehicles - disposal' (POWER), 'Abandoned vehicles - fixed penalty notice' (POWER), 'Abandoned vehicles - recovery of expenses' (POWER), and 'Abandoned vehicles - removal' (DUTY).

Sort guidance and show me	Type	Applicable to	Authority type
by function	<input checked="" type="checkbox"/> Power	<input checked="" type="checkbox"/> England	<input checked="" type="checkbox"/> County
by external service	<input checked="" type="checkbox"/> Duty	<input checked="" type="checkbox"/> Wales	<input checked="" type="checkbox"/> District
by internal service			<input checked="" type="checkbox"/> Fire
by no applicable services			<input checked="" type="checkbox"/> Unitary
			<input checked="" type="checkbox"/> London

Category	Title	Icon
POWER	Abandoned shopping and luggage trolleys	+
POWER	Abandoned vehicles - disposal	+
POWER	Abandoned vehicles - fixed penalty notice	+
POWER	Abandoned vehicles - recovery of expenses	+
DUTY	Abandoned vehicles - removal	+

The second filter, 'and show me', allows you to be more specific about what powers and duties guidance you are seeking. However, the second filter will only be available to populate if you have selected either 'by function' in the 'sort guidance' filter.

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Guidance

Sort guidance by function
and show me everything

Download as CSV

	Type	Applicable to	Authority type
	<input checked="" type="checkbox"/> Power	<input checked="" type="checkbox"/> England	<input checked="" type="checkbox"/> County
	<input checked="" type="checkbox"/> Duty	<input checked="" type="checkbox"/> Wales	<input checked="" type="checkbox"/> District
			<input checked="" type="checkbox"/> Fire
			<input checked="" type="checkbox"/> Unitary
			<input checked="" type="checkbox"/> London
POWER	Abandoned ships		+ 16
POWER	Abandoned vehicles - disposal		+ 16
POWER	Abandoned vehicles - fixed penalty notice		+ 16
POWER	Abandoned vehicles - recovery of expenses		+ 16
DUTY	Abandoned vehicles - removal		+ 16

When you download a CSV or RTF now it will contain only your filtered list.

After locating the relevant record type, click on the text of the title, which will take you to a page displaying all the necessary data for that record type, as well as links to further relevant information.

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Guidance

Sort guidance by function
and show me everything

Download as CSV | Download as RTF

Type	Applicable to	Authority type
<input checked="" type="checkbox"/> Power	<input checked="" type="checkbox"/> England	<input checked="" type="checkbox"/> County
<input checked="" type="checkbox"/> Duty	<input checked="" type="checkbox"/> Wales	<input checked="" type="checkbox"/> District
		<input checked="" type="checkbox"/> Fire
		<input checked="" type="checkbox"/> Unitary
		<input checked="" type="checkbox"/> London

POWER	Abandoned shopping and luggage trolleys	
POWER	Abandoned vehicles - disposal	
POWER	Abandoned vehicles - fixed penalty notice	
POWER	Abandoned vehicles - recovery of expenses	
DUTY	Abandoned vehicles - removal	
POWER	Abandoned vehicles - use of receipts from fixed penalty notices	



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Guidance for Abandoned shopping and luggage trolleys

A local authority may adopt powers in relation to abandoned shopping and luggage trolleys in accordance with the required procedure.

Legislation	Section 99 of the Environmental Protection Act 1990	
Legislation notes	See also Schedule 4 of the Environmental Protection Act 1990	
Applicable from (date)	01/04/1996	Applicable to (date)
Added	24/07/2015	Last Updated
Risk category	Primary duty of primary importance.	Applicable to authority type(s)
		<ul style="list-style-type: none"> District Council London Borough Council Metropolitan District Council Unitary Authority

Abandoned shopping trolleys (1152) service

is contained within

Street care and cleaning (40) function

[SPARQL query for this item](#)

Local Government powers and duties information is provided for guidance only. You should refer to legislation and/or check requirements with your council's own legal team for full details.

Data

Located on the tool bar on the left hand side of the screen, this option is intended for the more technical users who are interested in writing their own SPARQL queries. Users can construct queries to extract the powers and duties data of interest from the LG Inform Plus database, and format the output as required.

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Local Government Association

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Data

You can query our SPARQL database by using our endpoint: <http://sparql.esd.org.uk/ds/query>

Run Query

What is this?

All guidance information is freely available as Open [Linked Data](#) that can be queried using the SPARQL query language.

Power and duties data is licenced under the [Open Government Licence](#) and must be attributed to the [esd-toolkit programme](#).

LG Inform Plus subscribers can use the [guidance page](#) to browse guidance and download it in a variety of formats.

Example queries

Retrieve all services

```
PREFIX xsd: <http://www.w3.org/2001/XMLSchema#>

SELECT ?id ?title
WHERE
{
  ?s a <http://def.esd.org.uk/Service> .
  ?s
    <http://www.w3.org/2004/02/skos/core#prefLabel>
    ?title .
  ?s <http://purl.org/dc/terms/identifier> ?id
}
ORDER BY xsd:integer(?id)
```

Get id and description of all powers and duties

```
PREFIX xsd: <http://www.w3.org/2001/XMLSchema#>

SELECT ?id ?description
WHERE
{
  {?s a <http://def.esd.org.uk/Power> .}
  UNION
  {?s a <http://def.esd.org.uk/Duty> .}
  ?s
    <http://purl.org/dc/terms/description>
    ?description .
  ?s <http://purl.org/dc/terms/identifier> ?id
}
ORDER BY xsd:integer(?id)
```

Local Government powers and duties information is provided for guidance only. You should refer to legislation and/or check requirements with your council's own legal team for full details.

The support team are always happy to assist users who are interested in using this function.

Search

The final option on the tool bar on the left hand side of the screen allows users to conduct open searches of all the records stored in the LG Inform Plus Powers and Duties database.

Please note, powers and duties information is provided for guidance only. You must check specific requirements with your council's own legal team.

For more information please contact

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We consider all requests on an individual basis.