

## DETAILS OF WHAT THE LAW PROHIBITS FROM BEING THE RESPONSIBILITY OF THE EXECUTIVE

(Also Schedule 1 (Functions not to be the responsibility of an Authority's Executive) of the Local Authorities (Functions and Responsibilities Regulations 2000 (as amended).)

### S1 2000 No. 2853

#### The Local Authorities (Functions and Responsibilities Regulations 2000 (as amended))

(The numbering corresponds to that in the statutory instrument as amended. Numbers omitted are those currently not relevant to the Council.)

(See also Regulation 2 and Schedule 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2008).

Abbreviations:-

CE	-	Chief Executive
ERO	-	Electoral Registration Officer
CAESM	-	Customer Access & Electoral Services Manager

The first level of any delegation is listed below. Any further onward delegation to Officers is in the relevant delegation scheme as set out elsewhere in the Constitution.

<b>SCHEDULE</b>			
	<b>Function As defined in the above regulations in relation to the following powers and duties etc.</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Where in delegation this responsibility is detailed. Where it is not detailed the responsibility remains that of the Council where the functions fall within the powers and duties of the Council.</b>
<b>(A)</b>	<b>Functions relating to town and country planning and development control</b>		
1	Powers and duties relating to local development documents which are development plan documents.	Sections 20 to 23 and 25, 26 and 28 of the Planning and Compulsory Purchase Act 2004 (c.5)(a).	<b>Council</b>
2	Power to agree to establish a Joint Committee to be, for	Section 29 of the Planning and Compulsory	Planning Committee Part 3 section 6, sub-section 2

	the purposes of Part 2 of the Planning and Compulsory Purchase Act 2004, a local planning authority.	Purchase Act 2004.	
3	Power to agree to confer additional functions on a Joint Committee.	Section 30 of the Planning and Compulsory Purchase Act 2004.	Planning Committee Part 3 section 6, sub-section 2
4	Power to request the dissolution of a Joint Committee.	Section 31 of the Planning and Compulsory Purchase Act 2004.	Planning Committee Part 3 section 6, sub-section 2
5	Power to determine application for planning permission.	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8).	Planning Committee Part 3 section 6, sub-section 2
6	Power to determine applications to develop land without compliance with conditions previously attached.	Section 73 of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
7	Power to grant planning permission for development already carried out.	Section 73A of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
8	Power to decline to determine application for planning permission.	Section 70A of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
9	Duties relating to the making of determinations of planning applications.	Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8,10 to 13,15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 (S.I.1995/419) and directions made thereunder.	Planning Committee Part 3 section 6, sub-section 2
10	Power to determine application for	Section 316 of the Town and Country	Planning Committee Part 3 section 6, sub-

	planning permission made by a local authority, alone or jointly with another person.	Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I.1992/1492).	section 2
11	Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.	Parts 6, 7, 11,17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I.1995/418).	Planning Committee Part 3 section 6, sub-section 2
12	Power to enter into agreement regulating development or use of land.	Section 106 of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
13	Power to issue a certificate of existing or proposed lawful use or development.	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
14	Power to serve a completion notice.	Section 94(2) of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
15	Power to grant consent for the display of advertisements.	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992 (S.I.1992/666).	Planning Committee Part 3 section 6, sub-section 2
16	Power to authorise entry onto land.	Section 196A of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
17	Power to require the discontinuance of a use of land.	Section 102 of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
18	Power to serve a planning contravention notice, breach of condition notice or stop notice.	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
19	Power to issue a temporary Stop Notice.	Section 171E of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2

20	Power to issue an enforcement notice.	Section 172 of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
21	Power to apply for an injunction restraining a breach of planning control.	Section 187B of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
22	Power to determine applications for hazardous substances consent, and related powers.	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990.	Planning Committee Part 3 section 6, sub-section 2
23	Duty to determine conditions to which old mining permission, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991 (c.34), paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act.	Planning Committee Part 3 section 6, sub-section 2
24	Power to require proper maintenance of land.	Section 215(1) of the Town and Country Planning Act 1990.	Planning Committee Part 3 section 6, sub-section 2
25	Power to determine application for listed building consent, and related powers.	Sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9).	Planning Committee Part 3 section 6, sub-section 2
26	Power to determine applications for conservation area consent.	Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as applied by section 74(3) of that Act.	Planning Committee Part 3 section 6, sub-section 2
27	Duties relating to applications for listed building consent and conservation area consent. Sections 13(1) and 14(1) and (4) of the Planning	Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regulations 3 to 6 and	Planning Committee Part 3 section 6, sub-section 2

	(Listed Buildings and Conservation Areas) Act 1990 and regulations 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (S.I. 1990/1519) and paragraphs 8, 15 and 26 of the Department of the Environment, Transport and the Regions Circular 01/01.	13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (S.I. 1990/1519) and paragraphs 8, 15 and 26 of the Department of the Environment, Transport and the Regions Circular 01/01.	
28	Power to serve a building preservation notice, and related powers.	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.	Planning Committee Part 3 section 6, sub-section 2
29	Power to issue enforcement notice in relation to demolition of building in conservation area.	Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	Planning Committee Part 3 section 6, sub-section 2
30	Powers to acquire a listed building in need of repair and to serve a repairs notice.	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	Planning Committee Part 3 section 6, sub-section 2
31	Power to apply for an injunction in relation to a listed building.	Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990.	Planning Committee Part 3 section 6, sub-section 2
32	Power to execute urgent works.	Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	Planning Committee Part 3 section 6, sub-section 2
33	Powers relating to Local Development Orders	Section 61A to Section 61D of the Town and Country Planning Act 1990	Planning Committee Part 3 section 6, sub-section 2
34	Powers relating to Neighbourhood Development Orders	Section 61E to Section 61Y of the Town and Country	Planning Committee Part 3 section 6, sub-section 2

		Planning Act 1990	
<b>(B)</b>	<b>Licensing and registration functions (in so far as not covered by any other paragraph of this Schedule)</b>		
1	Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960 (c.62).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
2	Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936 (c.49).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
3	Power to license hackney carriages and private hire vehicles.	(a) as to hackney carriages, the Town Police Clauses Act 1847 (10 & 11 Vict. c. 89), as extended by section 171 of the Public Health Act 1875 (38 & 39 Vict. c.55), and section 15 of the Transport Act 1985 (c. 67); and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (c. 57);  (b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
4	Power to license drivers of hackney carriages and private hire vehicles.	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4

5	Power to license operators of private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
6	Functions relating to licensing.	Sections 5 to 8 of the Licensing Act 2003 (c.17). Section 153-156 of the Gambling Act 2005 (c19) (“2005 Act”).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4 (other than determining Licensing Policy under each Act which remains a function of the Council)
7	Duty to comply with requirement to provide information to Gambling Commission.	Section 29 of the 2005 Act.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
8	Functions relating to exchange of information.	Section 30 of the 2005 Act.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
9	Functions relating to occasional use notices.	Section 39 of the 2005 Act.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
10	Power to resolve not to issue a casino premises licence.	Section 166 of the 2005 Act.	<b>Council</b>
11	Power to designate Officer of a licensing authority as an authorised person for a purpose relating to premises.	Section 304 of the 2005 Act.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
12	Power to make order disapplying Section 279 or 282 (1) of the 2005 Act in relation to specified premises.	Section 284 of the 2005 Act.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
13	Power to institute criminal proceedings.	Section 346 of the 2005 Act.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
14	Power to exchange information.	Section 350 of the 2005 Act.	Licensing & Regulatory Committee

			Part 3 Section 6, Sub-Section 4
15	Functions relating to the determination of fees for premises licences.	The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (S.I. 2007/479).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
16	Functions relating to the registration and regulation of small society lotteries.	Part 5 of Schedule 11 to the 2005 Act.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
17	Power to license sex shops and sex cinemas.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
18	Power to license performances of hypnotism.	The Hypnotism Act 1952 (c.46).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
19	Power to license premises for acupuncture, tattooing, ear piercing and electrolysis.	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
20	Power to license pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907 (c.53).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
21	Power to license market and street trading.	Part III and Schedule 4 of the Local Government (Misc. Provisions) Act 1982, Part III of the London Local Authorities Act 1990 (c. vii) and section 6 of the London Local Authorities Act 1994 (c. xii).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
22	Duty to keep list of persons entitled to sell non medicinal poisons.	Sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972 (c.66).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
23	Power of register and license premises for	Section 19 of the Food Safety Act 1990	Licensing & Regulatory Committee

	the preparation of food.	(c.16).	Part 3 Section 6, Sub-Section 4
24	Power to set fees and determine applications to vary, revoke or issue scrap metal site and collectors licences.	The Scrap Metal Dealers Act 2013	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
25	Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	The Safety of Sports Grounds Act 1975 (c. 52).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
26	Power to issue fire certificates.	Section 5 of the Fire Precautions Act 1971 (c.40).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
27	Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 (c.60) and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999 (c.11).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
28	Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951 (c.35); section 1 of the Animal Boarding Establishments Act 1963(c.43); the Riding Establishments Acts 1964 and 1970 (1964 c.70 and 1970 c.70)[37]; section 1 of the Breeding of Dogs Act 1973 (c.60)[38], and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
29	Power to license zoos.	Section 1 of the Zoo Licensing Act 1981 (c.37).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
30	Power to license dangerous wild	Section 1 of the Dangerous Wild	Licensing & Regulatory Committee

	animals.	Animals Act 1976 (c.38).	Part 3 Section 6, Sub-Section 4
31	Power to license knackers' yards.	Animal By Products Order 2005	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
32	Power to license the employment of children.	Part II of the Children and Young Persons Act 1933 (c.33), byelaws made under that Part, and Part II of the Children and Young Persons Act 1963 (c.37).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
33	Power to license persons to collect for charitable and other causes. S	Section 5 of the Police, Factories etc. (Misc.Provisions) Act 1916 (c.31) and section 2 of the House to House Collections Act 1939 (c.44).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
34	Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993 (c.40).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
35	Power to grant a street works licence.	Section 50 of the New Roads and Street Works Act 1991 (c.22).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
36	Power to permit deposit of builder's skip on highway.	Section 139 of the Highways Act 1980 (c.66).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
37	Power to approve meat product premises.	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994 (S.I. 1994/3082) [45].	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
38	Power to approve premises for the production of minced meat or meat preparations.	Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995 (S.I. 1995/3205).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
39	Power to approve dairy establishments.	Regulations 6 and 7 of the Dairy Products	Licensing & Regulatory Committee

		(Hygiene) Regulations 1995 (S.I. 1995/1086)[46].	Part 3 Section 6, Sub-Section 4
40	Power to approve egg product establishments.	Regulation 5 of the Egg Products Regulations 1993 (S.I. 1993/1520).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
41	Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods.	Schedule 1A to the Food Safety (General Food Hygiene) Regulations 1995 (S.I. 1995/1763).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
42	Power to approve fish products premises. Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 (S.I. 1998/994).	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 (S.I. 1998/994).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
43	Duty to keep register of food business premises.	Regulation 5 of the Food Premises (Registration) Regulations 1991 (S.I. 1991/2828).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
44	Power to register food business premises.	Regulation 9 of the Food Premises (Registration) Regulations 1991.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
45	Functions relating to the registration of common land and town or village greens.	Part 1 of the Commons Act 2006 (c.26) and the Commons Registration (England) Regulations 2008 (S.I. 2008/1961).	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
<b>(C)</b>	<b>Functions relating to health and safety at Work</b>		
	Functions under any of the "relevant statutory provisions" within the	Part I of the Health and Safety at Work etc. Act 1974 (c.37).	Licensing & Regulatory Committee Part 3 Section 6, Sub-

	meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.		Section 4
<b>(D)</b>	<b>Functions relating to elections</b>		All ERO functions are exercisable by the CAESM in the absence of the ERO as Deputy Returning Officer
1	Duty to appoint an Electoral Registration Officer.	Section 8(2) of the Representation of the People Act 1983 (c.2).	<b>Council</b>
2	Power to assign Officers in relation to requisitions of the Registration Officer.	Section 52(4) of the Representation of the People Act 1983.	<b>ERO</b>
3	Functions in relation to parishes and Parish Councils.	Part II of the Local Government and Rating Act 1997 (c.29) and subordinate legislation	<b>ERO</b>
4	Power to dissolve small Parish Councils.	Section 10 of the Local Government Act 1972.	<b>Council</b>
5	Power to make orders for grouping parishes, dissolving groups and separating parishes from groups.	Section 11 of the Local Government Act 1972.	<b>Council</b>
6	Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.	<b>ERO</b>

7	Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.	<b>ERO</b>
8	Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.	<b>ERO</b>
9	Power to make temporary appointments to Parish Councils.	Section 91 of the Local Government Act 1972.	<b>ERO</b>
10	Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England & Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000 (c.2).	<b>ERO</b>
11	Duty to consult on change of scheme for elections.	Sections 33(2), 28(2) and 40(2) of the 2007 Act.	<b>Council</b>
12	Duties relating to publicity.	Sections 35, 41 and 52 of the 2007 Act.	<b>ERO</b>
13	Duties relating to notice to Electoral Commission.	Sections 36 and 42 of the 2007 Act.	<b>ERO</b>
14	Power to alter years of ordinary elections of parish councillors.	Section 53 of the 2007 Act.	<b>Council</b>
15	Functions relating to change of name of electoral area.	Section 59 of the 2007 Act.	<b>Council</b>
See also Section X at the end of this Schedule.			
<b>(E)</b>	<b>Functions relating to name and status of areas and individuals</b>		
1	Power to change the name of a county, district or London borough	Section 74 of the Local Government Act 1972	<b>Council</b>
2	Power to change the name of a parish.	Section 75 of the Local Government Act 1972.	<b>Council</b>
3	Power to confer title of honorary alderman or to admit to be an honorary freeman.	Section 249 of the Local Government Act 1972.	<b>Council</b>

4	Power to petition for a charter to confer borough status.	Section 245b of the Local Government Act 1972.	<b>Council</b>
<b>(F)</b>	<b>Functions relating to community governance</b>		
1	Duties relating to community governance reviews.	Section 79 of the Local Government and Public Involvement in Health Act 2007 (“2007 Act”)	<b>Council</b>
2	Functions relating to community governance petitions.	Sections 80, 83 to 85 of the 2007 Act.	<b>ERO/CAESM</b>
3	Functions relating to terms of reference of review.	Sections 81(4) to 6.	<b>Council</b>
4	Power to undertake a community governance review.	Section 82 of the 2007 Act.	<b>Council</b>
5	Functions relating to making of recommended actions.	Sections 87 to 92 of the 2007 Act.	<b>Council</b>
6	Duties when undertaking review.	Sections 93 to 95 of the 2007 Act.	<b>Council</b>
7	Duty to publicise outcome of review.	Section 96 of the 2007 Act.	<b>ERO/CAESM</b>
8	Duty to send two copies of order to Secretary of State and Electoral Commission.	Section 98(1) of the 2007 Act.	<b>ERO/CAESM</b>
9	Power to make agreements about incidental matters.	Section 99 of the 2007 Act.	<b>Council</b>
<b>(G)</b>	<b>Power to make, amend, revoke, re enact or enforce byelaws</b>	<b>Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978 (c.30).</b>	<b>Council</b>
<b>(H)</b>	<b>Powers relating to smoking under Health Act 2006 &amp; regulations</b>		
1	Power to enforce offences relating to the display of no-smoking signs.	Section 6(5) of the 2006 Act.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4

2	Power to enforce offences relating to smoking in smoke free places.	Section 7(4) of the 2006 Act.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
3	Power to enforce offence of failing to prevent smoking in smoke-free places.	Section 8(4) of the 2006 Act.	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
4	Power to transfer enforcement functions to another enforcement authority.	Smoke-free (Premises and Enforcement) Regulations 2006 (S.I. 2006/3368)	Licensing & Regulatory Committee Part 3 Section 6, Sub-Section 4
<b>(I)</b>	<b>Power to promote or oppose local or personal Bills.</b>	<b>Section 239 of the Local Government Act 1972.</b>	<b>Council</b>
<b>(J)</b>	<b>Functions relating to pensions etc.</b>		
1	Functions relating to local government pensions, etc.	Regulations under section 7, 12 or 24 of the Superannuation Act 1972 (c.11).	<b>Council</b>
<b>(K)</b>	<b>Miscellaneous functions</b>		
1	Power to create footpaths and bridleways.	Section 26 of the Highways Act 1980 (c.66).	<b>Council</b>
2	Power to stop up footpaths and bridleways.	Section 118 of the Highways Act 1980.	<b>Council</b>
3	Power to divert footpaths and bridleways.	Section 119 of the Highways Act 1980.	<b>Council</b>
4	Power to extinguish public right of way over land acquired for clearance.	Section 294 of the Housing Act 1981 (c.68).	<b>Council</b>
5	Power to authorise stopping up or diversion of highway.	Section 247 of the Town and Country Planning Act 1990 (c.8).	<b>Council</b>
6	Power to authorise stopping-up or diversion of footpath or bridleway.	Section 257 of the Town and Country Planning Act 1990.	<b>Council</b>
7	Power to extinguish public rights of way over land held for planning purposes.	Section 258 of the Town and Country Planning Act 1990.	<b>Council</b>

8	Power to make standing orders.	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972.	<b>MO</b>
9	Power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal).	Section 112 of the Local Government Act 1972.	<b>CE</b>
10	Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.	<b>CSGM</b>
11	Duty to make arrangements for proper administration of financial affairs etc, and Duty to appoint a Section 151 Officer	Section 151 of the Local Government Act 1972.	<b>Council</b>
12	Power to appoint Officers for particular purposes (appointment of 'Proper Officers').	Section 270(3) of the Local Government Act 1972.	<b>Council</b>
13	Power to make closing order with respect to take-away food shops.	Section 4 of the Local Government (Miscellaneous Provisions) Act 1982 (c.30).	<b>LRSKM/HCSKM</b>
14	Duty to designate Officer as the Head of the authority's Paid Service, and to provide staff, etc.	Section 4(1) of the Local Government and Housing Act 1989 (c.42).	<b>Council</b>
15	Duty to designate Officer as the Monitoring Officer, and to provide staff, etc.	Section 5(1) of the Local Government and Housing Act 1989.	<b>Council</b>
16	Duty to provide staff, etc. to person nominated by Monitoring Officer.	Sections 82A(4) and (5) of the Local Government Act 2000	<b>Council</b>
17	Powers relating to overview and scrutiny committees (voting rights of co-opted	Paragraphs 12 and 14 of Schedule 1 to the Local Government Act	<b>Scrutiny Commission</b>

	Members).	2000.	
18	Duty to approve authority's statement of accounts, income and expenditure and balance sheet, or record of payments and receipts (as the case may be).	The Accounts and Audit Regulations 1996 (S.I. 1996/590)	<b>Audit Committee</b>
19	Powers relating to the protection of important hedgerows.	The Hedgerows Regulations 1997 (S.I. 1997/1160).	<b>Planning Committee</b>
20	Powers relating to the preservation of trees.	Sections 197 to 214D of the Town and Country Planning Act 1990, and the Trees Regulations 1999 (S.I. 1999/1892).	<b>Planning Committee</b>
21	Powers relating to complaints about high hedges.	Part 8 of the Anti-Social Behaviour Act 2003	<b>Planning Committee</b>
22	Power to make payments or provide other benefits in cases of maladministration etc.	Section 92 of the Local Government Act 2000.	<b>CE</b>
23	Power to make an Order identifying a place as a designated public place for the purposes of Police powers in relation to alcohol consumption	Section 13(2) of the Criminal Justice and Police Act 2001	<b>Council</b>
24	Power to apply for an enforcement order against unlawful works on common land.	Section 41 of the Commons Act 2006.	<b>Council</b>
25	Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference.	Section 45(2)(a) of the Commons Act 2006.	<b>Council</b>
26	Power to institute proceedings for offences in respect of unclaimed registered	Section 45(2)(b) of the Commons Act 2006.	<b>Council</b>

	common land and unclaimed town or village greens.		
27	Electing and dismissing the Leader of the Council	Section 15 of the Local Government Act 2000 (“the 2000 Act”) Part 3 of the Local Government & Public Involvement in Health Act 2007	<b>Council</b>
<b>X</b>	<p>(6A) The function of making a request under Section 14A(1) (requests for single-member electoral areas) of the Local Government Act 1992(4) for single-member electoral areas is not to be the responsibility of an executive of the authority.</p> <p>(6B) The function of passing a resolution to change a scheme for elections under Section 32(1), 37(1) or 39(1) (resolutions for schemes for elections) of the 2007 Act is not to be the responsibility of an executive of the authority.</p> <p>(6C) The functions of -</p> <ul style="list-style-type: none"> <li>(a) deciding whether to make proposals for a change in governance arrangements of the kind set out in Sections 33A and 33B of the 2000 Act(5);</li> <li>(b) deciding whether a change of the kind set out in Section 33A of the 2000 Act should be subject to approval in a referendum under Section 33E(5) of the Act; and</li> <li>(c) passing a resolution to make a change in governance arrangements under Section 33F of that Act,</li> </ul> <p>are not the responsibility of an executive of the authority.</p> <p>(6D) The functions of -</p> <ul style="list-style-type: none"> <li>(a) including provision in executive arrangements for the Council to remove the executive leader by resolution under Section 44C(1) of the 2000 Act; and</li> <li>(b) passing a resolution to remove the executive leader under 44C(2) of that Act,</li> </ul> <p>are not to be the responsibility of an executive of the authority.</p> <p>(6E) The function of making an order giving effect to recommendations made in a community governance review under Section 86 (reorganisation of community governance) of the 2007 Act is not to be the responsibility of an authority’s executive.</p>		

	(6F) The duty to make a change in governance arrangements under paragraph 3 or 8 of Schedule 4 to the 2007 Act is not to be the responsibility of an authority's executive.
<b>Y</b>	<p>(6) The function of determining -</p> <p>(a) the amount of any allowance payable under –</p> <p>(i) subsection (5) of Section 3 (chairman's expenses) of, or paragraph 2(4) (chairman and mayor) of schedule 2 to, the 1972 Act;</p> <p>(ii) subsection (4) of Section 5 (vice-chairman's expenses) of, or paragraph 5(4) (power of mayor of London borough to appoint deputy) of schedule 2 to, the 1972 Act;</p> <p>(iii) subsection (4) of section 173 (financial loss allowance) of the 1972 Act;</p> <p>(iv) Section 175 (allowances for attending conferences and meetings) of the 1972 Act;</p> <p>(b) the rates at which payments are to be made under Section 174 (travelling and subsistence allowances) of that Act;</p> <p>(c) the amount of any allowance pursuant to a scheme under Section 18 of the Local Government and Housing Act 1989, or the rates which payments by way of any such allowance are to be made;</p> <p>(d) whether a charge should be made for any approval, consent, license, permit or registration the issue of which is not the responsibility of any executive of the authority; an</p> <p>(e) where a charge is made for any such approval, consent, license, permit or registration, the amount of the charge, is not to be the responsibility of an executive of the authority.</p>
<b>Z</b>	<p>(8) Subject to any provision of regulations under Section 20 (joint exercise of functions) of the Local Government Act 2000 ("the 2000 Act"), the function of -</p> <p>(a) making arrangements for the discharge of functions by a committee or officer under Section 101(5) of the 1972 Act; and</p> <p>(b) making appointments under Section 102 (appointment of committees) of the 1972 Act, not to be the responsibility of an executive of the authority.</p>