

## Part 3 – A

### **RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS**

#### **1 Responsibility For Local Choice Functions**

- 1.1 The Council has decided that the following local choice functions specified under The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 will be the responsibility of the Cabinet:
- a. All functions under a local Act specified as being the responsibility of the Executive, other than those specified or referred to in Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000;
  - b. Making arrangements pursuant to section 51A of the Education Act 2002 and regulations made thereunder ;
  - c. Making arrangements pursuant to section 94(1) and (4) of the School Standards and Framework 1998 Act; and the School Admissions (Appeals Arrangements) (England) Regulations 2012 (SI 2012/9)
  - d. Making arrangements pursuant to section 95(2) of the School Standards and Framework 1998 Act and the School Admissions (Appeals Arrangements) (England) Regulations 2012 (SI
  - e. Any function relating to contaminated land;
  - f. Discharging any function relating to the control of pollution or the management of air quality;
  - g. Serving an abatement notice in respect of a statutory nuisance;
  - h. Passing a resolution that Schedule 2 Noise and Statutory Nuisance Act 1993 should apply in the authority's area;
  - i. Investigating any complaint as to the existence of a statutory nuisance;
  - j. Inspecting the authority's area to detect any statutory nuisance;
  - k. Obtaining information under section 330 Town and Country Planning Act 1990 as to interests in land;
  - l. Obtaining particulars of persons interested in land under section 16 Local Government (Miscellaneous Provisions) Act 1976;
  - m. Making of agreements for the execution of highways works;
  - n. Determining any appeal against a decision made by or on behalf of the Council except those relating to:

- (i) appeals by officers against decisions made under the Council's Disciplinary, Grievance and Discrimination/Harassment/Victimisation procedures; and
- (ii) appeals against licensing determinations.

1.2 The Council has decided that the following local choice functions specified under The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 **will not be** the responsibility of the Cabinet:

- a. All functions under a local Act which are specified as being the responsibility of the Council;
- b. Determining appeals against decisions made by or on behalf of the authority relating to:
  - (i) appeals by officers against decisions made under the authority's Disciplinary, Grievance and Discrimination/Harassment/Victimisation procedures; and
  - (ii) appeals against licensing determinations.
- c. Appointing and revoking the appointment of any individual to:
  - (i) any office other than an office in which he or she is employed by the authority;
  - (ii) any body other than the authority or a joint committee of two or more authorities; or to
  - (iii) any committee or subcommittee of such a body.