

Part 2 – Section 3: Responsibility for Local Choice Functions

1 ALLOCATION OF LOCAL CHOICE FUNCTIONS

- 1.1 Schedule 2 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (“the 2000 Regulations”) makes provision for certain functions, known as “local choice functions ” to be either executive or non-executive functions. The Council has determined that the responsibilities shall be allocated as follows:

Local Choice Functions		Decision Maker	Further Delegation
1	Any function under a Local Act not specified or referred to in regulation 2 or Schedule 1 of the Functions Regulations or other licensing, consent, permission or registration function (including development control functions)	Regulatory Committee Or, in respect of development control functions, Planning Committee	
2	Any function under a Local Act in respect of a licensing , consent, permission or registration function including development control functions	Regulatory Committee or (in respect of any development control functions) Planning Committee	
3	The determination of any appeal against any decision made by or on behalf of the Council	Standards and Governance Committee or Staffing Committee (in respect of matters relating to disciplinary and employment)	
4	The appointment of review boards under regulations under subsection (4) of section 34 (determination of claims and reviews) of the Social Security Act 1998.	Council	
5	The making of arrangements in relation to appeals against	Executive	

Local Choice Functions		Decision Maker	Further Delegation
	the exclusion of pupils from maintained schools.		
6	The making of arrangements pursuant to sections 94(1), (1A) and (4) of the School Standards and Framework Act 1998 (admissions appeals).	Executive	
7	The making of arrangements pursuant to section 95(2) of the 1998 Act (children to whom section 87 applies: appeals by governing bodies).	Executive	
8	The making of appointments of Councillors under the Police Reform and Social Responsibility Act 2011.	Council	Monitoring Officer
9	Any function relating to contaminated land Except where this is a function involving the determination of an application for a licence, approval, consent, permission or registration or the direct regulation of a person or the enforcement of any of the above, in which case:	Executive Regulatory Committee	
10	The discharge of any function relating to the control of pollution or the management of air quality Except where this is a function involving the determination of an application for a licence, approval, consent, permission or registration or the direct regulation of any person or the enforcement of any of the above, in which case:	Executive Regulatory Committee	
11	The service of an abatement notice in respect of a statutory nuisance.	Regulatory Committee	
12	The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act	Executive	

Local Choice Functions		Decision Maker	Further Delegation
	1993 should apply in the authority's area.		
13	<p>The inspection of the authority's area to detect any statutory nuisance and the investigation of any complaint as to the existence of a statutory nuisance</p> <p>Except where this involves the determination of an application for a licence, approval, consent, permission or registration or the direct regulation of any person or the enforcement of any of the above, in which case:</p>	<p>Executive</p> <p>Regulatory Committee</p>	
14	The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.	<p>Planning Committee and (in respect of actions which are preliminary to the exercise of powers to make compulsory purchase orders only) Executive</p>	
15	The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	<p>Executive (in respect of actions which are preliminary to the exercise of powers to make compulsory purchase orders only)</p> <p>and</p> <p>Planning Committee and Regulatory Committee (in connection with each of their respective functions)</p>	

Local Choice Functions		Decision Maker	Further Delegation
16	The making of agreements for the execution of highways works.	Executive	
17	The appointment of any individual— (a) to any office other than an office in which he is employed by the authority; (b) to any body other than— (i) the authority; (ii) a joint committee of two or more authorities; or (c) to any committee or sub-committee of such a body, and the revocation of any such appointment.	Council in relating to Statutory Appointments Or, where the function to which the appointment relates is an executive function, or the appointment is to a Key Strategic Partnership or a Community Partnership, Executive	Monitoring Officer
18	The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities.	Staffing Committee Except where the arrangement relates to the discharge of an executive function, in which case: Executive	Head of Paid Service
19	Any function of a local authority in their capacity as a Statutory Harbour Authority (to the extent that the function does not fall within row 1 of this table).	Harbour Committee	