

Functions not to be the responsibility of the Council's Executive

The following functions are specified as functions that are not to be the responsibility of an authority's Executive by Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended.

A. FUNCTIONS RELATING TO PLANNING

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| Functions relating to development plans | Part 2 of the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 | Head of Planning, except where: <ul style="list-style-type: none"> approval by the Executive is required for consultation on a Local Development Framework Document; approval by the Executive is required for adoption of a Supplementary Planning Document, the Local Development Scheme, the Statement of Community Involvement or the Authority's Monitoring Report; approval by Council is required for submission or adoption of a Development Plan Document |
| Functions relating to control over development (including the assessment of environmental effects) | Part 3 of the Town and Country Planning Act 1990 | Head of Planning, except where: <ul style="list-style-type: none"> an application for Planning Permission is required to be determined by Planning Committee in accordance with the Committee Consideration Criteria in the Planning Committee Procedure Rules |
| Functions relating to planning enforcement | Part 7 of the Town and Country Planning Act 1990 | Head of Planning |
| Functions relating to special planning controls (e.g. trees, | Part 8 of the Town and Country Planning Act 1990 | Head of Planning |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| amenity land and advertisements) | | |
| Functions relating to highways and planning | Part 10 of the Town and Country Planning Act 1990 | Head of Planning |
| Functions relating to statutory undertakers and planning | Part 11 of the Town and Country Planning Act 1990 | Head of Planning |
| Functions relating to Crown land and planning | Part 13 of the Town and Country Planning Act 1990 | Head of Planning |
| Functions relating to financial provisions for planning | Part 14 of the Town and Country Planning Act 1990 | Head of Planning |
| Functions relating to miscellaneous and general planning provisions (e.g. rights of entry) | Part 15 of the Town and Country Planning Act 1990 | Head of Planning |
| Functions relating to listed buildings | Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 | Head of Planning, except where: <ul style="list-style-type: none"> an application for Listed Building Consent is required to be determined by Planning Committee in accordance with the Committee Consideration Criteria in the Planning Committee Procedure Rules |
| Functions relating to conservation areas | Part 2 of the Planning (Listed Buildings and Conservation Areas) Act 1990 | Head of Planning, except where: <ul style="list-style-type: none"> approval of the Executive is required to designate a conservation area |
| Functions relating to general matters relating to listed buildings and conservation areas (e.g. Crown land and rights of entry) | Part 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990 | Head of Planning |
| Functions relating to controls over hazardous substances | Planning (Hazardous Substances) Act 1990 | Head of Planning |
| Functions relating to Certificates of Appropriate Alternative Development | Part 3 of the Land Compensation Act 1961 | Head of Planning |
| Functions relating to the control of advertisements, displays etc | Part 3 of the London Local Authorities Act 1995 | Head of Planning |
| Functions relating to surveillance and covert human intelligence sources | Part II of the Regulation of Investigatory Powers Act 2000 | Head of Planning |
| Functions relating to the civil recovery of the proceeds etc of unlawful conduct | Part 5 of the Proceeds of Crime Act 2002 | Head of Planning |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
|--|---|---|
| Functions relating to charging for discretionary services | Part 8 Chapter 1 of the Local Government Act 2003 | Head of Planning |
| Functions relating to Nationally Significant Infrastructure Projects | Parts 1 to 9 of the Planning Act 2008 | Head of Planning |
| Functions relating to the Community Infrastructure Levy | Part 11 of the Planning Act 2008 | Head of Planning, except where: <ul style="list-style-type: none"> approval by Council is required to submit a draft charging schedule for examination, approve a charging schedule or withdraw a charging schedule approval by the Executive is required to consult on or adopt a new or amended Regulation 123 List |
| Functions relating to Neighbourhood Planning | Part 6 Chapter 3 of the Localism Act 2011 | Head of Planning, except where: <ul style="list-style-type: none"> approval by the Executive is required to authorise a Plan to be put to referendum or to agree that a Plan be Made |
| Functions relating to self-build and custom house building | Part 1 Chapter 2 of the Housing and Planning Act 2016 | Head of Planning |

B. LICENSING AND REGISTRATION FUNCTIONS (IN SO FAR AS NOT COVERED BY ANY OTHER PARAGRAPH OF THIS SCHEDULE).

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| 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 | Assistant Director Environment , the Public Protection Manager and any of the Public Protection Divisional Managers with reference to Licensing Committee where the matter is contested |
| 2. Power to license the use of moveable dwellings and camping sites | Section 269(1) of the Public Health Act 1936 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers with reference as above |
| 3. Power to license hackney | (a) as to hackney carriages, the Town Police Clauses Act 1847, as | <i>Not applicable</i> |

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| carriages and private hire vehicles | <p>extended by section 171 of the Public Health Act 1875, and section 15 of the Transport Act 1985; and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976</p> <p>(b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976</p> | |
| 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 | <i>Not applicable</i> |
| 5. Power to license operators of hackney carriages and private hire vehicles | Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 | <i>Not applicable</i> |
| 6. Power to register pool promoters | Schedule 2 to the Betting, Gaming and Lotteries Act 1963 [as saved for certain purposes by article 3(3)(c) of the Gambling Act Order] | <i>Not applicable</i> |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| 7. Power to grant track betting licences | Schedule 3 to the Betting, Gaming and Lotteries Act 1963. [as saved for certain purposes by article 3(3)(d) and (4) of the Gambling Act Order.] | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers with reference to Licensing Committee where the matter is contested |
| 8. Power to license inter-track betting schemes | Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963 [as saved for certain purposes by article 3(3)(e) of the Gambling Act Order.] | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers with reference as above |
| 9. Power to grant permits in respect of premises with amusement machines | Schedule 9 to the Gaming Act 1968 [as saved for certain purposes by article 4(2)(1) and (m) of the Gambling Act Order.] | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers with reference as above |
| 10. Power to register societies wishing to promote lotteries | Schedule 1 to the Lotteries and Amusements Act 1976 [as saved for certain purposes by article 5(2)(a) and (3) of the Gambling Act Order.] | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers with reference as above |
| 11. Power to grant permits in respect of premises where amusements with prizes are provided | Schedule 3 to the Lotteries and Amusements Act 1976 [as saved for certain purposes by the article 5(2)(d) and (5) of the Gambling Act Order.] | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers with reference as above |
| 12. Power to issue cinema and cinema club licences | Section 1 of the Cinema Act 1985 | <i>Not applicable</i> |
| 13. Power to issue theatre licences | Sections 12 to 14 of the Theatres Act 1968 | <i>Not applicable</i> |
| 14. Power to issue entertainments licences | Section 12 of the Children and Young Persons Act 1933, section 52 of, and Schedule 12 to, the London Government Act 1963, section 79 of the Licensing Act 1964, sections 1 to 5 and 7 of, and Parts I and II of the Schedule to, the Private Places of Entertainment (Licensing) Act | <i>Not applicable</i> |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| | 1967 and Part 1 of, and Schedules 1 and 2 to, the Local Government (Miscellaneous Provisions) Act 1982 | |
| 14A. All functions relating to licensing under the Licensing Act 2003 | Sections 5 to 8 of the Licensing Act 2003 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers: Licensing Committee; Council as appropriate |
| 14AA. Duty to comply with requirement to provide information to Gambling Commission. | Section 29 of the 2005 Act. | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers |
| 14AB. Functions relating to exchange of information | Section 30 of the 2005 Act | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers |
| 14AC. Functions relating to occasional use notices | Section 39 of the 2005 Act | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers |
| 14B. Power to resolve not to issue a casino premises licence | Section 166 of the 2005 Act | Licensing Committee |
| 14C. Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises | Section 304 of the 2005 Act | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers |
| 14CA Power to make order dis applying section 279 or 282 (1) of the 2005 At in relation to specified premises] | [Section 284 of the 2005 Act | Assistant Director Environment , Public Protection Manager Licensing Committee if referred by Assistant Director Environment |
| 14D. Power to institute criminal proceedings | Section 346 of the 2005 Act | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers Director of Legal and Governance as appropriate |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| 14E. Power to exchange information | Section 350 of the 2005 Act | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers |
| 14F. Functions relating to the determination of fees for premises licences | The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (SI 2007/479) | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers Licensing Committee if referred by Assistant Director Environment |
| 14G Functions relating to the registration and regulation of small society lotteries | [Part 5 of Schedule 11 to the 2005 Act] | Assistant Director of Regulatory Services, the Public Protection Manager and any of the Public Protection Divisional Managers |
| 15. Power to license sex shops, sex cinemas | The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3. | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference to Licensing Committee where the matter is contested |
| 16. Power to license performances of hypnotism | The Hypnotism Act 1952 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers |
| 17. Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis | Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 18. Power to license pleasure boats and pleasure vessels | Section 94 of the Public Health Acts Amendment Act 1907 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 19. Power to register door staff | Paragraph 1(2) and 9 of Schedule 12 to the London Government Act 1963 and Part V of the London | <i>Not applicable</i> |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| | Local Authorities Act 1995 | |
| 20. Power to license markets and street trading | Part III of, and Schedule 4 to, the Local Government (Miscellaneous 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) | Assistant Director Environment, with reference to Licensing Committee where the matter is contested |
| 21. Power to license night cafes and take-away food shops | Section 2 of the Late Night Refreshment Houses Act 1969, Part II of the London Local Authorities Act 1990 and section 5 of the London Local Authorities Act 1994. | <i>Not applicable</i> |
| 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 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 23. Power to license dealers in game and the killing and selling of game | Sections 5, 6, 17 18 and 21 to 23 of the Game Act 1831; sections 2 to 16 of the Game Licensing Act 1860, section 4 of the Customs and Inland Revenue Act 1883, sections 12(3) and 27 of the Local Government Act 1874, and section 213 of the Local Government Act 1972. | <i>Not applicable</i> |
| 24. Power of register and license premises for the preparation of food | Section 19 of the Food Safety Act 1990 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 25. Power to license scrap yards | Section 1 of the Scrap Metal Dealers Act 1964 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference to Licensing Committee where the matter is contested |
| 26. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds | The Safety of Sports Grounds Act 1975 | Assistant Director Environment, with reference as above |
| 27. Power to issue, cancel, amend or replace safety | Part III of the Fire Safety and | Assistant Director Environment, with |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| certificates for regulated stands at sports grounds | Safety of Places of Sport Act 1987 | reference as above |
| 28. Power to issue fire certificates | Section 5 of the Fire Precautions Act 1971 | <i>Not applicable</i> |
| 29. Power to license premises for the breeding of dogs | Section 1 of the Breeding of Dogs Act 1973 and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 30. 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; section 1 of the Animal Boarding Establishment Act 1963; the Riding Establishments Acts 1964 and 1970; section 1 of the Breeding of Dogs Act 1973; and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999. | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 31. Power to register animal trainers and exhibitors | Section 1 of the Performing Animals (Regulation) Act 1925 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 32. Power to license zoos | Section 1 of the Zoo Licensing Act 1981 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers |
| 33. Power to license dangerous wild animals | Section 1 of the Dangerous Wild Animals Act 1976 | Assistant Director Environment of Regulatory Services, the Public Protection Manager and any of the Public Protection Divisional Managers |
| 34. Power to license knackers' yards | Section 4 of the Slaughterhouses Act 1974. <i>See also</i> the Animal By-Products Order 1999 (S.I. 1999/646 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 35. Power to license the employment of children | Part II of the Children and Young Persons Act 1933, byelaws made under that Part, and Part II of the Children and Young Persons Act | Assistant Director of Education Services , with reference as above |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| | 1963 | |
| 36. Power to approve premises for the solemnisation of marriages | Section 46A of the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995 (S.I. 1995/510) | Chief Operating Officer and Registrars and Bereavement Services Manager |
| 37. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to: (a) an exchange of lands effected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c. 67) or (b) an order under section 147 of the Inclosure Act 1845 | Regulation 6 of the Commons Registration (New Land) Regulations 1969 (SI 1969/1843) | Director of Legal and Governance, with reference as above |
| 38. Power to register variation of rights of common | Regulation 29 of the Commons Registration (General) Regulations 1966 (SI 1966/1471) | Director of Legal and Governance, with reference as above |
| 39. Power to license persons to collect for charitable and other causes | Section 5 of the Police, Factories, etc. (Miscellaneous Provisions) Act 1916 and section 2 of the House to House Collections Act 1939 | <i>Not applicable</i> |
| 40. Power to grant consent for the operation of a loudspeaker | Schedule 2 to the Noise and Statutory Nuisance Act 1993 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 41. Power to grant a street works licence | Section 50 of the New Roads and Street Works Act 1991 | Assistant Director Environment, |
| 42. Power to license agencies for the supply of nurses | Section 2 of the Nurses Agencies Act 1957 | <i>Not applicable</i> |
| 43. Power to issue licences for the movement of pigs | Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (S.I. 1995/11) | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 44. Power to license the sale of pigs | Article 13 of the Pigs (Records, Identification and Movement) Order 1995 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| 45. Power to license collecting centres for the movement of pigs | Article 14 of the Pigs (Records, Identification and Movement) Order 1995 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 46. Power to issue a licence to move cattle from a market | Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998 (S.I. 1998/871). | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, |
| 46A. Power to grant permission for provision, etc, of services, amenities, recreation and refreshment facilities on highway, and related powers | Sections 115E, 115F and 115K of the Highways Act 1980 | Assistant Director Environment with reference to Licensing Committee where the matter is contested |
| 47. Power to permit deposit of builder's skip on highway | Section 139 of the Highways Act 1980 | Assistant Director of Environment, with reference as above |
| [47A. Duty to publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980. | Section 115G of the Highways Act 1980] | Assistant Director of Environment, with reference as above |
| 48. Power to license planting, retention and maintenance of trees etc in part of highway. | Section 142 of the Highways Act 1980 | Assistant Director of Environment, with reference as above |
| 49. Power to authorise erection of stiles etc on footpaths or bridleways | Section 147 of the Highways Act 1980 | Assistant Director Environment, with reference as above |
| 50. Power to license works in relation to buildings etc. which obstruct the highway | Section 169 of the Highways Act 1980 | Assistant Director Environment, with reference as above |
| 51. Power to consent to temporary deposits or excavations in streets | Section 171 of the Highways Act 1980 | Assistant Director Environment, with reference as above |
| 52. Power to dispense with obligation to erect hoarding or fence | Section 172 of the Highways Act 1980 | Assistant Director Environment, with reference as above |
| 53. Power to restrict the placing of rails, beams etc over highways. | Section 178 of the Highways Act 1980 | Assistant Director Environment, with reference as above |
| 54 Power to consent to construction of cellars etc. under street | Section 179 of the Highways Act 1980 | Assistant Director Environment, with reference as above |
| 55. Power to consent to the making of openings into cellars etc under streets, and pavement | Section 180 of the Highways Act 1980 | Assistant Director Environment, with reference as above |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| lights and ventilators | | |
| 56. Power to sanction use of parts of buildings for storage of celluloid | Section 1 of the Celluloid and Cinematograph Film Act 1922 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 57. Power to approve meat product premises | Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994 (S.I. 1994/3082) | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 58. 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) | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 59. Power to approve dairy establishments | Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995 (S.I. 1995/1086) | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 60. Power to approve egg product establishments | Regulation 5 of the Egg Products Regulations 1993 (SI 1993/1520) | The Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 61. 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 (SI 1995/1763) | <i>Not applicable</i> |
| 62. Power to approve fish products premises | Regulation 24 of the Food Safety (Fishery Products and Live Shellfish)(Hygiene) Regulations 1998 (SI 1998/994) | The Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 63. Power to approve dispatch or purification centres | Regulation 11 of the Food Safety (Fishery Products and Live Shellfish)(Hygiene) Regulations 1998 | Assistant Director Environment, the Public Protection Manager and any of the Public |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| | | Protection Divisional Managers, with reference as above |
| 64. Power to register fishing vessels on board which shrimps or molluscs are cooked | Regulation 21 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 65. Power to approve factory vessels and fishery product establishments | Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 66. Power to register auction and wholesale markets | Regulation 26 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 67. Duty to keep register of food business premises | Regulation 5 of the Food Premises (Registration) Regulations 1991 (SI 1991/2828) | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 68. Power to register food business premises | Regulation 9 of the Food Premises (Registration) Regulations 1991 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| [69. Power to issue near beer licence | Sections 16 to 19 and 21 of the London Local Authorities Act 1995 (c.x.) and, to the extent that it does not have effect by virtue of regulation 2(3), section (3), section 25 of that Act. | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 70. Power to register premises or stalls for the sale of goods by way of competitive bidding | Section 28 of the Greater London Council (General Powers) Act 1984 (c.xxvii)] | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| 71. Power to register motor salvage operators | Part I of the Vehicles (Crime) Act 2001 (c.3). | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference as above |
| 72. 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) | Director of Legal and Governance |
| 73. Power to grant, vary or renew a scrap metal dealers site licence | Section 2&3 and Sch1 Scrap Metal Dealers Act 2013 | Assistant Director Environment; the Public Protection Divisional Manager; with reference as above |
| 74. Power to grant or vary a scrap metal collector's licence | Section 2&3 and Sch 2 Scrap Metal Dealers Act 2013 | Assistant Director Environment; the Public Protection Divisional Manager; with reference as above |
| 75. Power to revoke a scrap metal dealers or collectors licence | Section 4 Scrap Metal Dealers Act 2013 | Assistant Director Environment; the Public Protection Divisional Manager with reference as above |

C. FUNCTIONS RELATING TO HEALTH AND SAFETY AT WORK

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| Functions under any of the "relevant statutory provisions" within the 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 | Part I of the Health & Safety at Work etc. Act 1974 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers, with reference to Licensing Committee where the matter is contested |
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D. FUNCTIONS RELATING TO ELECTIONS

| Function | Provision of Act or Statutory Instrument | Decision-making body |
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| 1. Duty to appoint an electoral registration officer | Section 8(2) of the Representation of the People Act 1983 | Full Council |
| 2. Power to assign officers in relation to requisitions of the registration officer | Section 52(4) of the Representation of the People Act 1983 | Chief Executive |
| 3. Functions in relation to parishes and parish councils | Part II of the Local Government and Rating Act 1997 and subordinate legislation under that Part. | <i>Not applicable</i> |
| 4. Power to dissolve small parish councils | Section 10 of the Local Government Act 1972 | <i>Not applicable</i> |
| 5. Power to make orders for grouping parishes, dissolving groups and separating parishes from groups | Section 11 of the Local Government Act 1972 | <i>Not applicable</i> |
| 6. Duty to appoint returning officer for local government elections | Section 35 of the Representation of the People Act 1983 | Full Council |
| 7. Duty to provide assistance at European Parliamentary elections | [Section 6(7) and (8) of the European Parliamentary Elections Act 2002] | Chief Executive |
| 8. Duty to divide constituency into polling districts | [Sections 18A and 18E of, and Schedule A1 to,] the Representation of the People Act 1983 | Full Council |
| 9. Power to divide electoral divisions into polling districts at local government elections | Section 31 of the Representation of the People Act 1983 | Full Council |
| 10. Powers in respect of holding of elections | Section 39(4) of the Representation of the People Act 1983 | Chief Executive Returning Officer |
| 11. Power to pay expenses properly incurred by electoral registration officers | Section 54 of the Representation of the People Act 1983 | Chief Executive |
| 12. Power to fill vacancies in the event of insufficient nominations | Section 21 of the Representation of the People Act 1985 | <i>Not applicable</i> |
| 13. Duty to declare vacancy in office in certain cases | Section 86 of the Local Government Act 1972 | Chief Executive |
| 14. Duty to give public notice of a casual vacancy | Section 87 of the Local Government Act 1972 | Chief Executive |
| 15. Power to make temporary appointments to parish councils | Section 91 of the Local Government Act 1972 | <i>Not applicable</i> |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
|---|---|-----------------------|
| 16. Deleted from legislation | | |
| 17. Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000 | Section 10 of the Representation of the People Act 2000 | Full Council |
| 18. Duty to consult on change of scheme for elections. | Sections 22(2), 38(2) and 40(2) of the 2007 Act | Full Council |
| 19. Duties relating to publicity | Sections 35, 41 and 52 of the 2007 Act | Chief Executive |
| 20. Duties relating to notice to Electoral Commission | Sections 36 and 42 of the 2007 Act | Chief Executive |
| 21. Power to alter years of ordinary elections of parish councillors | Section 53 of the 2007 Act | <i>Not applicable</i> |
| 22 Functions relating to change of name of electoral area | Section 59 of the 2007 Act | Full Council |

E. FUNCTIONS RELATING TO NAME AND STATUS OF AREAS AND INDIVIDUALS

| Function | Provision of Act or Statutory Instrument | Decision-making body |
|---|---|-----------------------|
| 1. Power to change the name of a county, district or London borough | Section 74 of the Local Government Act 1972 | Full Council |
| 2. Power to change the name of a parish | Section 75 of the Local Government Act 1972 | <i>Not applicable</i> |
| 3. Power to confer title of honorary alderman or to admit to be an honorary freeman | Section 249 of the Local Government Act 1972 | Full Council |
| 4. Power to petition for a charter to confer borough status | Section 245b of the Local Government Act 1972 | <i>Not applicable</i> |

EA: FUNCTIONS RELATING TO COMMUNITY GOVERNANCE

| Function | Provision of Act or Statutory Instrument | Decision-making body |
|---|--|----------------------|
| 1. Duties relating to community governance reviews | Section 79 of 2007 Act | Full Council |
| 2. Functions relating to community governance petitions | Section 80, 83 to 85 of the 2007 Act | Governance Committee |
| 3. Functions relating to terms of reference review | Sections 81(4) to (6) | Full Council |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
|--|---|-----------------------------|
| 4. Power to undertake a community governance review | Section 82 of the 2007 Act | Full Council |
| 5 Functions relating to making recommendations | Sections 87 to 92 of the 2007 Act | Governance Committee |
| 6. Duties when undertaking review | Section 93 to 95 of the 2007 Act | Governance Committee |
| 7. Duty to publicise outcome of review | Section 96 of the 2007 Act | Head of Democratic Services |
| 8. Duty to send two copies of the order to Secretary of State and Electoral Commission | Section 98(1) of the 2007 Act | Head of Democratic Services |
| 9. Power to make agreements about incidental matters | Section 99 of the 2007 Act | Governance Committee |

F. POWER TO MAKE, AMEND, REVOKE OR RE-ENACT BYLAWS

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| Power to make, amend, revoke or re-enact bylaws | Any provision of any enactment (including local Act), whenever passes, and section 14 of the Interpretation Act 1978 | Full Council |
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FA. FUNCTIONS RELATING TO SMOKE-FREE PREMISES ETC.

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| 1. Duty to enforce Chapter 1 and regulations made under | Section 10(3) of the 2006 Act | Assistant Director Environment |
| 2. Power to authorise officers | Section 10(5) of, and paragraph 1 of Schedule 2 to the 2006 Act | Assistant Director Environment |
| 3. Functions relating to fixed penalty notices | Paragraph 13, 15 and 16 of Schedule 1 to the 2006 Act | Assistant Director Environment |
| 4. Power to transfer enforcement functions to another enforcement authority | Smoke-free (Premises and Enforcement Regulations 2006 (SI 2006.3368).] | Assistant Director Environment |

G. POWER TO PROMOTE OR OPPOSE LOCAL OR PERSONAL BILLS

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|--|--|--------------|
| Power to promote or oppose local or personal Bills | Section 239 of the Local Government Act 1972 | Full Council |
|--|--|--------------|

H. FUNCTIONS RELATING TO PENSIONS ETC

| Function | Provision of Act or Statutory Instrument | Decision-making body |
|---|--|-----------------------|
| 1. Functions relating to local government pensions, etc | Regulations under section 7, 12 or 24 of the Superannuation Act 1972 | Pensions Committee |
| [2. Functions under the Firefighter's Pension Scheme relating to pensions, etc as respects persons employed by fire and rescue authorities pursuant to section 1 of the Fire and Rescue Services Act 2004.] | [Sections 34 and 36 of the Fire and Rescue Services Act 2004 | <i>Not applicable</i> |

I. MISCELLANEOUS FUNCTIONS

Part I: functions relating to public rights of way

| | | |
|---|---|---------------------------------|
| 1. Power to create footpath or bridleway by agreement | Section 25 of the Highways Act 1980 | Planning Committee |
| 2. Power to create footpaths and bridleways | Section 26 of the Highways Act 1980 | Planning Committee |
| 3. Duty to keep register of information with respect to maps, statements and declarations | Section 31A of the Highways Act 1980 | Assistant Director Environment, |
| 4. Power to stop up footpaths and bridleways | Section 118 of the Highways Act 1980 | Planning Committee |
| 5. Power to determine application for public path extinguishment order | Sections 118ZA and 118C(2) of the Highways Act 1980 | Planning Committee |
| 6. Power to make a rail crossing extinguishment order | Section 118A of the Highways Act 1980 | Planning Committee |
| 7. Power to make a special extinguishment order | Section 118B of the Highways Act 1980 | Planning Committee |
| 8. Power to divert footpaths and bridleways | Section 119 of the Highways Act 1980 | Planning Committee |
| 9. Power to make a public path diversion order | Sections 119ZA and 119C(4) of the Highways Act 1980 | Planning Committee |
| 10. Power to make a rail crossing diversion order | Section 119A of the Highways Act 1980 | Planning Committee |
| 11. Power to make a special diversion order | Section 119B of the Highways Act 1980 | Planning Committee |
| 12. Power to require applicant for order to enter into agreement | Section 119C(3) of the Highways Act 1980 | Planning Committee |
| 13. Power to make an SSSI diversion order | Section 119D of the Highways Act 1980 | Planning Committee |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
|---|--|--------------------------------|
| 14. Duty to keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the Highways Act 1980 | Section 121B of the Highways Act 1980 | Assistant Director Environment |
| 15. Power to decline to determine certain applications | Section 121C of the Highways Act 1980 | Planning Committee |
| 16. Duty to assert and protect the rights of the public to use and enjoyment of highways | Section 130 of the Highways Act 1980 | Assistant Director Environment |
| 17. Duty to serve notice of proposed action in relation to obstruction | Section 130A of the Highways Act 1980 | Planning Committee |
| 18. Power to apply for variation of order under section 130B of the Highways Act 1980 | Section 130B(7) of the Highways Act 1980 | Planning Committee |
| 19. Power to authorise temporary disturbance of surface of footpath or bridleway | Section 135 of the Highways Act 1980 | Assistant Director Environment |
| 20. Power temporarily to divert footpath or bridleway | Section 135A of the Highways Act 1980 | Planning Committee |
| 21. Functions relating to the making good of damage and the removal of obstructions | Section 135B of the Highways Act 1980 | Planning Committee |
| 22. Powers relating to the removal of things so deposited on highways as to be a nuisance | Section 149 of the Highways Act 1980 | Planning Committee |
| 23. Power to extinguish certain public rights of way | Section 32 of the Acquisition of Land Act 1981 | Planning Committee |
| 24. Duty to keep definitive map and statement under review | Section 53 of the Wildlife and Countryside Act 1981 | Planning Committee |
| 25. Power to include modifications in other orders | Section 53A of the Wildlife and Countryside Act 1981 | Planning Committee |
| 26. Duty to keep register of prescribed information with respect to applications under section 53(5) of the Wildlife and Countryside Act 1981 | Section 53B of the Wildlife and Countryside Act 1981 | Assistant Director Environment |
| 27. Duty to reclassify roads used as public paths | Section 54 of the Wildlife and Countryside Act 1981 | Planning Committee |
| 28. Power to prepare map and statement by way of consolidation of definitive map and statement | Section 57A of the Wildlife and Countryside Act 1981 | Planning Committee |
| 29. Power to designate footpath as cycle track | Section 3 of the Cycle Tracks Act 1984 | Planning Committee |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
|---|--|-----------------------------|
| 30. Power to extinguish public right of way over land acquired for clearance | Section 294 of the Housing Act 1981 | Planning Committee |
| 30A. Power to authorise stopping up or diversion of the highway | Section 247 of the Town and Country Planning Act 1990 | Planning Committee |
| 31. Power to authorise stopping-up or diversion of footpath or bridleway | Section 257 of the Town and Country Planning Act 1990 | Planning Committee |
| 32. Power to extinguish public rights of way over land held for planning purposes | Section 258 of the Town and Country Planning Act 1990 | Planning Committee |
| 33. Power to enter into agreements with respect to means of access | Section 35 of the Countryside and Rights of Way Act 2000 | Planning Committee |
| 34. Power to provide access in absence of agreement | Section 37 of the Countryside and Rights of Way Act 2000 | Planning Committee |

Part II: other miscellaneous functions

| | | |
|--|---|--|
| 35. Functions relating to sea fisheries | Sections 1, 2, 10 and 19 of the Sea Fisheries Regulations Act 1966 | <i>Not applicable</i> |
| 36. Power to make standing orders | Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972 | Full Council |
| 37. 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 | <ul style="list-style-type: none"> • Full Council (appointment etc of Head of Paid Service) • Governance Committee or its Appointments Sub-Committee (appointment etc of SLT Directors, Monitoring Officer and Second Tier Managers Head of Paid Service, or the relevant SLT Director, Second Tier Managers on his or her behalf (appointment etc of all staff under Second Tier Managers |
| 38. Power to make standing orders as to contracts | Section 135 of the Local Government Act 1972 | Full Council |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
|--|---|--|
| 39. Duty to make arrangements for proper administration of financial affairs etc | Section 151 of the Local Government Act 1972 | <ul style="list-style-type: none"> • Appointments Committee (appointment of Chief |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
|--|---|---|
| | | Finance Officer) <ul style="list-style-type: none"> • Chief Finance Officer (arrangements for proper administration of financial affairs) |
| 40. Power to appoint officers for particular purposes (appointment of “proper officers”) | Section 270(3) of the Local Government Act 1972 | Full Council |
| 41. Power to make limestone pavement order | Section 34(2) of the Wildlife and Countryside Act 1981 (c.69) | <i>Not applicable</i> |
| 42. Power to make closing order with respect to take-away food shops | Section 4 of the Local Government (Miscellaneous Provisions) Act 1982 | <i>Not applicable</i> |
| 43. 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 | Full Council |
| 44. Duty to designate officer as the monitoring officer, and to provide staff, etc | Section 5(1) of the Local Government and Housing Act 1989 | <ul style="list-style-type: none"> • Appointments Committee (designating Monitoring Officer) • Full Council (providing staff) |
| 44A. Duty to provide staff, etc. to person nominated by Monitoring Officer. | Section 82A(4) of the Local Government Act 2000 | Council |
| 44B. Powers relating to Overview and Scrutiny Sub-Committees (voting rights of co-opted members) | Paragraphs 12 and 14 of Schedule 1 to the Local Government Act 2000.] | Council |
| 45. 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 (SI 1996 No. 590) | Audit Committee |
| 46. Powers relating to the protection of important hedgerows | The Hedgerows Regulations 1997 (SI 1997 No. 1160) | Assistant Director Environment |
| 47. Powers relating to the preservation of trees | Sections 197 to 214D of the Town and Country Planning Act 1990, and the Trees Regulations 1999 (SI 1999 No. 1892) | Assistant Director Environment Head of StreetCare |
| 47A. Powers relating to complaints about high hedges | Part 8 of the Anti-Social Behaviour Act 2003 | Assistant Director Environment |
| 48. Power to make payments or provide other benefits in cases of maladministration etc | Section 92 of the Local Government Act 2000 | Council |
| 49. 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. | |

| Function | Provision of Act or Statutory Instrument | Decision-making body |
|---|--|--|
| 50. Power to make or revoke an order designating a locality as an alcohol disorder zone | Section 16 of the Violent Crime Reduction Act 2006 | Assistant Director Environment, the Public Protection Manager and any of the Public Protection Divisional Managers Licensing Committee if referred by the Assistant Director of Environment |
| 51. Power to apply for an enforcement order against unlawful works on common land | Section 41 of the Commons Act 2006 | Director of Legal and Governance |
| 52. 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 | Director of Legal and Governance |
| 53. Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens | Section 45(2)(b) of the Commons Act 2006 | Director of Legal and Governance |