

**PART 3**  
**RESPONSIBILITY FOR FUNCTIONS**

**SECTION 3.4:**  
**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

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
Functions relating to development plans	Part 2 of the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004	<p>The Strategic Director of Place except where:</p> <ul style="list-style-type: none"> <li>• approval by the Executive is required for consultation on a Local Development Framework Document;</li> <li>• 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;</li> <li>• approval by Full Council is required for submission or adoption of a Development Plan Document</li> </ul>
Functions relating to control over development (including the assessment of environmental effects)	Part 3 of the Town and Country Planning Act 1990	<p>The Strategic Director of Place, except where:</p> <ul style="list-style-type: none"> <li>• an application for Planning Permission is required to be determined by</li> </ul>

Function	Provision of Act or Statutory Instrument	Decision-making body
		<p>Planning Committee in accordance with the Committee Consideration Criteria in the Planning Committee Procedure Rules</p>
Functions relating to planning enforcement	Part 7 of the Town and Country Planning Act 1990	The Strategic Director of Place
Functions relating to special planning controls (e.g. trees, amenity land and advertisements)	Part 8 of the Town and Country Planning Act 1990	The Strategic Director of Place
Functions relating to highways and planning	Part 10 of the Town and Country Planning Act 1990	The Strategic Director of Place
Functions relating to statutory undertakers and planning	Part 11 of the Town and Country Planning Act 1990	The Strategic Director of Place
Functions relating to Crown land and planning	Part 13 of the Town and Country Planning Act 1990	The Strategic Director of Place
Functions relating to financial provisions for planning	Part 14 of the Town and Country Planning Act 1990	The Strategic Director of Place
Functions relating to miscellaneous and general planning provisions (e.g. rights of entry)	Part 15 of the Town and Country Planning Act 1990	The Strategic Director of Place
Functions relating to listed buildings	Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990	<p>The Strategic Director of Place, except where:</p> <ul style="list-style-type: none"> <li>• an application for Listed Building Consent is required to be determined by Planning Committee in accordance with the Committee Consideration Criteria in the</li> </ul>

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
		Planning Committee Procedure Rules
Functions relating to conservation areas	Part 2 of the Planning (Listed Buildings and Conservation Areas) Act 1990	The Strategic Director of Place, except where: <ul style="list-style-type: none"> <li>approval of the Executive is required to designate a conservation area</li> </ul>
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	The Strategic Director of Place
Functions relating to controls over hazardous substances	Planning (Hazardous Substances) Act 1990	The Strategic Director of Place
Functions relating to Certificates of Appropriate Alternative Development	Part 3 of the Land Compensation Act 1961	The Strategic Director of Place
Functions relating to the control of advertisements, displays etc	Part 3 of the London Local Authorities Act 1995	The Strategic Director of Place
Functions relating to surveillance and covert human intelligence sources	Part II of the Regulation of Investigatory Powers Act 2000	The Strategic Director of Place
Functions relating to the civil recovery of the proceeds etc of unlawful conduct	Part 5 of the Proceeds of Crime Act 2002	The Strategic Director of Place
Functions relating to charging for discretionary services	Part 8 Chapter 1 of the Local Government Act 2003	The Strategic Director of Place
Functions relating to Nationally Significant Infrastructure Projects	Parts 1 to 9 of the Planning Act 2008	The Strategic Director of Place
Functions relating to the Community Infrastructure Levy	Part 11 of the Planning Act 2008	The Strategic Director of Place , except where: <ul style="list-style-type: none"> <li>approval by Full Council is required to submit a draft</li> </ul>

Function	Provision of Act or Statutory Instrument	Decision-making body
		charging schedule for examination, approve a charging schedule or withdraw a charging schedule <ul style="list-style-type: none"> <li>• approval by the Executive is required to consult on or adopt a new or amended Regulation 123 List</li> </ul>
Functions relating to Neighbourhood Planning	Part 6 Chapter 3 of the Localism Act 2011	The Strategic Director of Place ,, except where: <ul style="list-style-type: none"> <li>• approval by the Executive is required to authorise a Plan to be put to referendum or to agree that a Plan be Made</li> </ul>
Functions relating to self-build and custom house building	Part 1 Chapter 2 of the Housing and Planning Act 2016	The Strategic Director of Place ,

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

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	The Strategic Director of Place 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	The Strategic Director of Place ,
3. Power to license hackney carriages and private hire vehicles	<p><b>(a)</b> as to hackney carriages, the Town Police Clauses Act 1847, as 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>(b)</b> as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976</p>	<i>Not applicable</i>
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
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.]	The Strategic Director of Place 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.]	The Strategic Director of Place 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.]	The Strategic Director of Place 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.]	The Strategic Director of Place 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.]	The Strategic Director of Place 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 1967 and Part 1 of, and Schedules 1 and 2 to, the Local	<i>Not applicable</i>

Function	Provision of Act or Statutory Instrument	Decision-making body
	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	The Strategic Director of Place: Licensing Committee; Council as appropriate,
14AA. Duty to comply with requirement to provide information to Gambling Commission.	Section 29 of the 2005 Act.	The Strategic Director of Place ,
14AB. Functions relating to exchange of information	Section 30 of the 2005 Act	The Strategic Director of Place ,
14AC. Functions relating to occasional use notices	Section 39 of the 2005 Act	The Strategic Director of Place ,
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	The Strategic Director of Place ,
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	The Strategic Director of Place Licensing Committee if referred by The Strategic Director of Place
14D. Power to institute criminal proceedings	Section 346 of the 2005 Act	The Strategic Director of Place Monitoring Officer as appropriate
14E. Power to exchange information	Section 350 of the 2005 Act	The Strategic Director of Place
14F. Functions relating to the determination of fees for premises licences	The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (SI 2007/479)	The Strategic Director of Place Licensing Committee if referred by The Strategic Director of Place

Function	Provision of Act or Statutory Instrument	Decision-making body
14G Functions relating to the registration and regulation of small society lotteries	[Part 5 of Schedule 11 to the 2005 Act]	The Strategic Director of Place
15. Power to license sex shops, sex cinemas	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.	, The Strategic Director of Place with reference to Licensing Committee where the matter is contested
16. Power to license performances of hypnotism	The Hypnotism Act 1952	The Strategic Director of Place
17. Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982	, The Strategic Director of Place
18. Power to license pleasure boats and pleasure vessels	Section 94 of the Public Health Acts Amendment Act 1907	The Strategic Director of Place
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 Local Authorities Act 1995	<i>Not applicable</i>
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)	The Strategic Director of Place, 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	<i>Not applicable</i>

Function	Provision of Act or Statutory Instrument	Decision-making body
	and section 5 of the London Local Authorities Act 1994.	
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	The Strategic Director of Place
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	The Strategic Director of Place
25. Power to license scrap yards	Section 1 of the Scrap Metal Dealers Act 1964	The Strategic Director of Place 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	, The Strategic Director of Place with reference as above
27. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds	Part III of the Fire Safety and Safety of Places of Sport Act 1987	The Strategic Director of Place with 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	The Strategic Director of Place

Function	Provision of Act or Statutory Instrument	Decision-making body
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.	The Strategic Director of Place
31. Power to register animal trainers and exhibitors	Section 1 of the Performing Animals (Regulation) Act 1925	The Strategic Director of Place
32. Power to license zoos	Section 1 of the Zoo Licensing Act 1981	The Strategic Director of Place
33. Power to license dangerous wild animals	Section 1 of the Dangerous Wild Animals Act 1976	The Strategic Director of Place
34. Power to license knackers' yards	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999 (S.I. 1999/646)	The Strategic Director of Place
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 1963	The Strategic Director of People, with reference as above
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)	The Strategic Director of Resources

Function	Provision of Act or Statutory Instrument	Decision-making body
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)	The Monitoring Officer, 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)	,The Monitoring Officer 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	The Strategic Director of Place
41. Power to grant a street works licence	Section 50 of the New Roads and Street Works Act 1991	The Strategic Director of Place
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)	, The Strategic Director of Place

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
44. Power to license the sale of pigs	Article 13 of the Pigs (Records, Identification and Movement) Order 1995	, The Strategic Director of Place
45. Power to license collecting centres for the movement of pigs	Article 14 of the Pigs (Records, Identification and Movement) Order 1995	The Strategic Director of Place
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).	The Strategic Director of Place
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	The Strategic Director of Place 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	, The Strategic Director of Place 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]	The Strategic Director of Place 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	The Strategic Director of Place with reference as above
49. Power to authorise erection of stiles etc on footpaths or bridleways	Section 147 of the Highways Act 1980	The Strategic Director of Place 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	The Strategic Director of Place with reference as above

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
51. Power to consent to temporary deposits or excavations in streets	Section 171 of the Highways Act 1980	The Strategic Director of Place with reference as above
52. Power to dispense with obligation to erect hoarding or fence	Section 172 of the Highways Act 1980	The Strategic Director of Place with reference as above
53. Power to restrict the placing of rails, beams etc over highways.	Section 178 of the Highways Act 1980	The Strategic Director of Place with reference as above
54 Power to consent to construction of cellars etc. under street	Section 179 of the Highways Act 1980	The Strategic Director of Place with reference as above
55. Power to consent to the making of openings into cellars etc under streets, and pavement lights and ventilators	Section 180 of the Highways Act 1980	, The Strategic Director of Place with reference as above
56. Power to sanction use of parts of buildings for storage of celluloid	Section 1 of the Celluloid and Cinematograph Film Act 1922	, The Strategic Director of Place 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)	, The Strategic Director of Place 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)	, The Strategic Director of Place 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)	, The Strategic Director of Place with reference as above

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
60. Power to approve egg product establishments	Regulation 5 of the Egg Products Regulations 1993 (SI 1993/1520)	, The Strategic Director of Place 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 Strategic Director of Place
63. Power to approve dispatch or purification centres	Regulation 11 of the Food Safety (Fishery Products and Live Shellfish)(Hygiene) Regulations 1998	The Strategic Director of Place 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	The Strategic Director of Place 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	, The Strategic Director of Place 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	The Strategic Director of Place 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)	, The Strategic Director of Place with reference as above

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
68. Power to register food business premises	Regulation 9 of the Food Premises (Registration) Regulations 1991	, The Strategic Director of Place 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.	The Strategic Director of Place 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)]	The Strategic Director of Place with reference as above
71. Power to register motor salvage operators	Part I of the Vehicles (Crime) Act 2001 (c.3).	The Strategic Director of Place 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)	The Monitoring Officer
73. Power to grant, vary or renew a scrap metal dealers site licence	Section 2&3 and Sch1 Scrap Metal Dealers Act 2013	; The Strategic Director of Place 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	; The Strategic Director of Place with reference as above
75. Power to revoke a scrap metal dealers or collectors licence	Section 4 Scrap Metal Dealers Act 2013	The Strategic Director of Place with reference as above

**C. FUNCTIONS RELATING TO HEALTH AND SAFETY AT WORK**

<p>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</p>	<p>Part I of the Health &amp; Safety at Work etc. Act 1974</p>	<p>The Strategic Director of Place with reference to Licensing Committee where the matter is contested</p>
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## D. FUNCTIONS RELATING TO ELECTIONS

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
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>

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
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>

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
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>

**E(a): 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
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 Committee and Election 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 Committee and Election 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**

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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**F(a). FUNCTIONS RELATING TO SMOKE-FREE PREMISES ETC.**

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

**G. POWER TO PROMOTE OR OPPOSE LOCAL OR PERSONAL BILLS**

Power to promote or oppose local or personal Bills	Section 239 of the Local Government Act 1972	Full Council
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## H. FUNCTIONS RELATING TO PENSIONS ETC

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
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	The Strategic Director of Place
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
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	The Strategic Director of Place
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	Section 130 of the Highways Act 1980	

public to use and enjoyment of highways		The Strategic Director of Place
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	The Strategic Director of Place
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	The Strategic Director of Place
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

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 Officers, 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"> <li>• Full Council (appointment etc of Head of Paid Service)</li> <li>• Governance Committee or its Appointments Sub-Committee (appointment etc of Strategic Directors and Statutory Officers).</li> </ul>
38. Power to make standing orders as to contracts	Section 135 of the Local Government Act 1972	Full Council

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
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"> <li>• Appointments Committee (appointment of Chief Finance Officer)</li> <li>• Chief Finance Officer (arrangements for proper administration of financial affairs)</li> </ul>
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"> <li>• Appointments Committee (designating Monitoring Officer)</li> <li>• Full Council (providing staff)</li> </ul>
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

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
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)	The Strategic Director of Place
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)	The Strategic Director of Place
47A. Powers relating to complaints about high hedges	Part 8 of the Anti-Social Behaviour Act 2003	The Strategic Director of Place
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.	
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	The Strategic Director of Place Licensing Committee if referred by the The Strategic Director of Place
51. Power to apply for an enforcement order against unlawful works on common land	Section 41 of the Commons Act 2006	The Monitoring Officer
52. Power to protect unclaimed registered common land and unclaimed town or village	Section 45(2)(a) of the Commons Act 2006	The Monitoring Officer

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Decision-making body</b>
greens against unlawful interference		
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	The Monitoring Officer