

SECTION 1. RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

(These are functions which may be, but need not be, the responsibility of the Cabinet. The Council decides responsibility).

Function	Decision Making Body
1. Any function under a local Act other than a function specified or referred to in regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.	Cabinet
2. The determination of an appeal against any decision made by or on behalf of the authority (where a right of appeal exists)	Council
3. The appointment of review boards under regulations under subsection (4) of section 34 (determination of claims and reviews) of the Social Security Act 1998 (see footnote a).	Council
4. The making of arrangements pursuant to subsection (1) of section 67 of, and Schedule 18 to, the 1998 Act (appeals against exclusion of pupils)	Cabinet
5. The making of arrangements pursuant to section 94 (1) and (4) of, and Schedule 24 to, the 1998 Act (admission appeals).	Cabinet
6. The making of arrangements pursuant to section 95(2) of, and Schedule 25 to, the 1998 Act (children to whom section 87 applies: appeals by governing bodies).	Cabinet
7. The making of arrangements under section 200 (questions on police matters at council meetings) or the Police Act 1996 (see	Council

footnote b) for enabling questions to be put on the discharge of the functions of a police authority.	
8. The making of appointments under paragraphs 2 to 4 (appointment of members by relevant councils) of Schedule 2(police authorities established under section 3) to the Police Act 1996	Council
9. Any function relating to contaminated land (see footnote c).	Cabinet
10. The discharge of any function relating to the control of pollution or the management of air quality (see footnote d).	Cabinet
11. The service of an abatement notice in respect of statutory nuisance (see footnote e).	Cabinet
12. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area (see footnote f).	Cabinet
13. The inspection of the authority's area to detect any statutory nuisance (see footnote g).	Cabinet
14. The investigation of any complaint as to the existence of a statutory nuisance (see footnote h)	Cabinet
15. The obtaining of information under section 330 of the Town and Country Planning Act 1990 (see footnote i) as to interest in land.	Cabinet
16. The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 (see footnote j).	Cabinet and all non-executive committees in relation to their functions
17. The making of agreements for the execution of highways works	Cabinet

(see footnote k).	
18. 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	Cabinet in relation to executive functions. Non-executive committees in relation to non-executive functions delegated.
19. The responsibility for preparation, submission and modification of a draft Local Area Agreement	Cabinet

- (a) 1998 c.14 Section 34(4) replaces section 63(3) of the Social Security Administration Act 1992. The Council Tax Benefit Regulations 1992 (S.I. 1992/1814) and the Housing Benefit (General) Regulations 1987 (S.I.1987/1971), to which there are amendments not relevant to these Regulations, continue to have effect, by virtue of section 17(2)(b) of the Interpretation Act 1978 (c.30), notwithstanding the repeal of section 63(3) of the Social Security Administration Act 1992.
- (b) 1996 c.16.
- (c) Part IIA of the Environmental Protection Act 1990 (c.43) and subordinate legislation under that Part.
- (d) See the Pollution Prevention and Control Act 1990 (c.24), Part IV of the Environment Act 1995 (c.25), Part I of the Environmental Protection Act 1990 (c.43) and the Clean Air Act 1993 (c.11).
- (e) Section 80(1) of the Environment Protection Act 1990.
- (f) Section 8 of the Noise and Statutory Nuisance Act 1993 (c.40).
- (g) Section 79 of the Environmental Protection Act 1990.
- (h) Section 79 of the Environmental Protection Act 1990.
- (i) 1990c.8.
- (j) 1976c.57.
- (k) Section 278 of the Highways Act 1980 (c.66), substituted by the New Roads and Street Works Act 1991 (c.22), Section 23