

Part 3

Responsibility for Functions

[Responsibility for Local Choice Functions](#)

Responsibility for Local Choice Functions

The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) give effect to Section 13 of the Local Government Act 2000 by specifying which functions:

- are not to be the responsibility of the Cabinet (Schedule 1)
- may (but need not) be the responsibility of the Cabinet (the 'local choice functions') (Schedule 2); and
- are to some extent the responsibility of the Cabinet (Schedule 3).

All other functions not so specified are to be the responsibility of the Cabinet. The Cabinet arrangements contained in the Constitution make clear how these distinctions are given effect.

The table below covers local choice functions. Powers and Duties of the Council's Committees and Sub-Committees and the Cabinet and its Sub-Committees are set out under Responsibility for Council Functions in this Part.

Function	Decision making body
<i>1. Any function under a local Act other than a function specified or referred to in regulation 2 or Schedule 1 or dealt with by the Council or its Committees.</i>	Cabinet
<i>2. The determination of an appeal against any decision made by or on behalf of the authority.</i>	Council
<i>3. The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities.</i>	Cabinet
<i>4. Any function relating to contaminated land.</i>	Cabinet
<i>5. The discharge of any function relating to the control of pollution or the management of the air quality.</i>	Cabinet
<i>6. The service of an abatement notice in respect of a statutory nuisance..</i>	Cabinet
<i>7. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.</i>	Cabinet
<i>8. The inspection of the authority's area to detect any statutory nuisance.</i>	Cabinet
<i>9. The investigation of any complaint as to the existence of a statutory nuisance.</i>	Cabinet
<i>10. The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.</i>	Council

<p>11. <i>The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976..</i></p>	<p>Council</p>
<p>12. <i>The making of agreements for the execution of highways works.</i></p>	<p>Cabinet</p>
<p>13. <i>The appointment of an individual</i></p> <p><i>(a) to any office other than an office in which he/she is employed by the authority;</i></p> <p><i>(b) to any body other than - (i) the authority; (ii) a joint Committee of two or more authorities; or</i></p> <p><i>(c) to any Committee or Sub-Committee of such a body, and the revocation of any such appointment</i></p>	<p>Council</p>
<p>14. <i>Functions under sections 106, 110, 111 and 113 of the Local Government and Public Involvement in Health Act 2007 relating to local area agreements.</i></p>	<p>Cabinet</p>