

Section 2 - Local choice functions

The table below details who has the responsibility for these functions and the delegation arrangements.

3.2.1. Allocation of functions

3.2.2. These are functions which in law may be, but need not be the responsibility of the Cabinet and it is for full Council to decide by whom they shall be exercised. The local choice functions are for convenience listed in the table below and any changes to the local choice functions prescribed from time to time shall be taken to be incorporated below.

| Responsibility for functions | | |
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| What is the function which may but need not be the responsibility of the executive | Who has responsibility for the function | Who has the function been delegated to? |
| 1. Any function under a local act other than a function specified or referred to in regulation 2 or schedule 1 of the Local authority (functions and responsibilities) (England) Regulations 2000. | Cabinet | - |
| 2. The determination of an appeal against any decision made by or on behalf of the authority. | Council | Chief executive |
| 3. The making of arrangements in relation to appeals against the exclusion of pupils from maintained schools pursuant to section 52 of the Education Act 2002 and the subordinate legislation made under that section. | Cabinet | Chief executive |
| 4. The making of arrangements pursuant to sections 94(1) (1A) and (4) of the 1998 School Standards and Framework Act (admissions appeals). | Cabinet | Chief executive |

Responsibility for functions

| What is the function which may but need not be the responsibility of the executive | Who has responsibility for the function | Who has the function been delegated to? |
|--|--|--|
| 5. 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 | Chief executive |
| 6. The discharge of any function relating to the control of pollution or the management of air quality. | Cabinet | Chief executive |
| 7. The service of an abatement notice in respect of a statutory nuisance. | Cabinet | Chief executive |
| 8. The passing of a resolution that schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area. | Cabinet | Chief executive |
| 9. The inspection of the authority's area to detect any statutory nuisance. | Cabinet | Chief executive |
| 10. The investigation of any complaint as to the existence of a statutory nuisance. | Cabinet | Chief executive |
| 11. The obtaining of information under section 330 of the Town and Country Planning Act 1990. | Cabinet | Chief executive |
| 12. The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976. | Cabinet | Chief executive |
| 13. The making of agreements for the execution of highways works. | Cabinet | Chief executive |

Responsibility for functions

| What is the function which may but need not be the responsibility of the executive | Who has responsibility for the function | Who has the function been delegated to? |
|---|---|---|
| <p>14. The appointment of any individual: (a) to any office other than an office in which he is employed by the authority; (b) to anybody other than: (i) the authority; (ii) a joint committee or sub-committee of such a body; or (c) to any committee or sub-committee of such a body and the revocation of any such appointment.</p> | <p>(a) Cabinet (b and c) Council where allocation of seats is politically proportionate (b and c) Cabinet</p> | <p>(a) Chief Executive (b and c) Chief Executive</p> |
| <p>15. The making of agreements with other local authorities for placing staff at the disposal of those other authorities</p> | <p>Cabinet</p> | <p>Chief executive</p> |