

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 the Council can decide whether the responsibility is to be of the Executive (“an executive function”) or the responsibility of the Council (a “non-executive” function). This section sets these functions out and designates them as executive or non-executive and details who is authorised to discharge them.

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?
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 any 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).	Council	Solicitor to the Council
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	Solicitor to the Council
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
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.	(a) Cabinet (b and c) Council where allocation of seats is politically proportionate (b and c) Cabinet	(a) Chief Executive (b and c) Chief Executive
15. The making of agreements with other local authorities for placing staff at the disposal of those other authorities	Cabinet	Chief executive
16. Any function relating to contaminated land	Cabinet	Chief executive