

3. LOCAL CHOICE FUNCTIONS

What are local choice functions?

Local choice functions are set out in Schedule 2 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. These functions may be, but need not be, the responsibility of the council's executive. It is up to each council to decide.

Having regard to government guidance full council has decided that local choice functions will be executive or non-executive as set out in the schedule below.

-1	-2	-3	-4
Local Choice Function	Status of function. See footnote 1 i.e.: "Executive" "Non-executive" "Combination" (to the extent specified)	Delegation to officers	Delegation to non-executive committees
1. Any function under a local Act other than a function specified or referred to in regulation 2 or Schedule 1.	Executive	Chief Executive and Executive Directors	N/A
2. The determination of an appeal against any decision made by or on behalf of the authority.	Non-executive	Chief Executive and Executive Directors in relation to decisions taken in their directorates	Appeals Committee except matters referred under the terms of reference of another committee
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	Executive	Chief Executive	N/A

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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). This is now section 51A of the Education Act 2002.	Executive	Executive Director People	N/A
5. The making of arrangements pursuant to section 94(1) and (4) of, and Schedule 24 to, the 1998 Act (admission appeals).	Executive	Executive Director People	N/A
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).	Executive	Executive Director People	N/A
7. Any function relating to contaminated land.	Combination: non exec. only to the extent that the activity is one of enforcement; otherwise, exec.	Executive Director of Growth and Regeneration	Public Safety & Protection
8. The discharge of any function relating to the control of pollution or the management of air quality	Combination: non exec. only to the extent that the activity is one of enforcement; otherwise, exec.	Executive Director of Growth and Regeneration	Public Safety & Protection

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9. The service of an abatement notice in respect of a statutory nuisance	Non-executive	Executive Director of Growth and Regeneration	Public Safety & Protection
10. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area	Non-executive	Executive Director of Growth and Regeneration	Public Safety & Protection
11. The inspection of the authority's area to detect any statutory nuisance	Non-executive	Executive Director of Growth and Regeneration	Public Safety & Protection
12. The investigation of any complaint as to the existence of a statutory nuisance	Non-executive	Executive Director of Growth and Regeneration	Public Safety & Protection
13. The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.	Combination-to the extent that the information relates to a non-executive function-non exec; to the extent that the information relates to an executive function -exec	Executive Directors of Growth and Regeneration	Relevant dev. control committee
14. The making of agreements for the execution of highways works	Executive	Executive Director of Growth and Regeneration	N/A
15. The obtaining of particulars of persons interested in land under section 16 of the Local	Combination-to the extent that the information relates to a non-exec function -	Chief Executive and Executive Directors	All non-executive committees

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Government (Misc. Provisions) Act 1976.	non exec to the extent that the information relates to an executive function - exec		
16. 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	Executive and Non-executive	N/A	Mayor where the appointment relates to executive powers As agreed by the Party Groups where the appointment relates to non-executive functions
17. The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities.	Executive	Chief Executive and Executive Directors	N/A
18. Any function of a local authority in their capacity as a harbour authority (to the extent that the function does not fall within paragraph 1 of this schedule.	Executive	Chief Executive	N/A
19. Functions under sections 106, 110, 111 and 113 of the Local Government	Combination: Executive save for: approval of local area	Head of Paid Service	

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and Public Involvement in Health Act 2007 relating to local area agreements	agreement - non-exec reserved to full council; and the revision of a target relating to a non-executive function - non-executive		