

## **3A-1 SCHEDULE TO THE TERMS OF REFERENCE – FUNCTIONS NOT TO BE THE RESPONSIBILITY OF THE EXECUTIVE**

**The functions listed below are those which must be determined by Council and can not be the responsibility of the Executive. Many of them are delegated to a committee of Council or a council officer.**

### **Development Control**

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
<b>Functions relating to town and country planning and development control</b>		
Power to determine application for planning permission	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8).	DC/ CD (C&E) (Dir of P, D &E)
Power to determine applications to develop land without compliance with conditions previously attached.	Section 73 of the Town and Country Planning Act 1990.	DC CD (C&E) (Dir of P, D &E)
Power to grant planning permission for development already carried out.	Section 73A[13] of the Town and Country Planning Act 1990.	DC CD (C&E) (Dir of P, D &E)
Power to decline to determine application for planning permission.	Section 70A of the Town and Country Planning Act 1990 [14].	DC CD (C&E) (Dir of P, D &E)

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Duties relating to the making of determinations of planning applications.	Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419) and directions made there under.	CD (C&E) (Dir of P, D &E)
Power to determine application for planning permission made by a local authority, alone or jointly with another person.	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492) [15].	DC
Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.	Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418).	CD (C&E) (Dir of P, D &E)
Power to issue a certificate of existing or proposed lawful use or development.	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990 [16].	CD (C&E) (Dir of P, D &E)
Power to serve a completion notice.	Section 94(2) of the Town and Country Planning Act 1990.	DC
Power to enter into agreement regulating development or use of land.	Section 106 of the Town and Country Planning Act 1990.	DC
Power to grant consent for the display of advertisements, identification and enforcement of control over advertisements and prosecutions as required.	Section 220, 224 and 225 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of advertisements) Regulations 1992 [17].	CD (C&E) (Dir of P, D &E)

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to authorise entry onto land.	Section 196A of the Town and Country Planning Act 1990 [18].	CD (C&E) (Dir of P, D &E)
Power to require the discontinuance of use of land.	Section 102 of the Town and Country Planning Act 1990.	DC
Power to serve a planning contravention notice, breach of conditions notice or stop notice.	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990[19].	CD (C&E) (Dir of P, D &E)
Power to issue an enforcement notice.	Section 172 of the Town and Country Planning Act 1990[20].	DC
Power to apply for an injunction restraining a breach of planning control.	Section 187B of the Town and Country Planning Act 1990 [21].	DC
Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act.	DC
Power to require proper maintenance of land.	Section 215(1) of the Town and Country Planning Act 1990.	CD (C&E) (Dir of P, D &E)
Powers to acquire a listed building in need of repair and to serve a repairs notice.	Sections 47 and 48 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.	DC

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to determine application for listed building consent, and related powers.	Sections 16(1) and (2), 17, 27(2) and 33(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9).	DC/ CD (C&E) (Dir of P, D &E)
Power to determine applications for conservation area consent.	Section 16(1) of the Planning (Listed Buildings and Buildings in Conservation Areas Act 1990, as applied by section 74(3) of that Act[22].	DC
Duties relating to applications for listed building consent and conservation area consent.	Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 and Regulations 3 to 6 and 13 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990 and paragraphs 8, 15 and 22 of Department of the Environment Circular 14/97.	CD (C&E) (Dir of P, D &E)
Power to serve a building preservation notice, and related powers.	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.	DC
Power to issue enforcement notice in relation to demolition of unlisted buildings in conservation area.	Section 38 of the Planning (Listed Buildings and Buildings in Conservation Areas Act 1990.	DC
Power to apply for an injunction in relation to a listed building.	Section 44A of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990[23].	DC

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to execute urgent works.	Section 54 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.	DC
Powers relating to the protection of important hedgerows.	The Hedgerows Regulations 1997 (S.I. 1997/1160).	DC
Powers relating to the preservation of trees.	Sections 197 to 214D of the Town and Country Planning Act 1990, and the Trees Regulations 1999 (S.I. 1999/1892).	DC / CD (C&E) (Dir of P, D &E)
Power to consent to the making of openings into cellars etc. under streets, and pavement lights and ventilators.	Section 180 of the Highways Act 1980.	DC
Power to consent to construction of cellars etc. under street.	Section 179 of the Highways Act 1980[44].	DC
Power to authorise stopping-up or diversion of footpath or bridleway.	Section 257 of the Town and Country Planning Act 1990.	DC
Power to extinguish public right of way over land held for planning purposes.	Section 258 of the Town and Country Planning Act 1990.	DC

## Licensing and General Purposes

Function	Provision of Act or Statutory Instrument	Member or Officer decision?
<b>Licensing and registration functions (in so far as not covered by any other paragraph of this Schedule).</b>		
Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960 (c.62).	CD (C&E) (Dir of ES)
Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936 (c.49).	CD (C&E) (Dir ES)
Power to register pool promoters.	Schedule 2 to the Betting, Gaming and Lotteries Act 1963 (c.2)[24].	
Power to grant track betting licences.	Schedule 3 to the Betting, Gaming and Lotteries Act 1963[25].	
Power to license inter-track betting schemes.	Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963[26].	
Power to grant permits in respect of premises with amusement machines.	Schedule 9 to the Gaming Act 1968 (c.65)[27].	HOPS
Power to register societies wishing to promote lotteries.	Schedule 1 to the Lotteries and Amusements Act 1976 (c. 32)[28].	
Power to determine applications for hazardous substances consent, and related powers.	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c.10).	

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to enter into agreements with respect to means of access.	Section 35 of the Countryside and Rights of Way Act 2000 (c.37).	LGP See Note 1.
Power to provide access in absence of agreement.	Section 37 of the Countryside and Rights of Way Act 2000.	LGP See note 1.
Power to make limestone pavement order.	Section 34(2) of the Wildlife and Countryside Act 1981 (c. 69).	
Power to issue theatre licences.	Sections 12 to 14 of the Theatres Act 1968 (c.54)[30].	CD (C&E) (Dir ES)
Power to issue entertainment licences (where no objections received)	Section 12 of the Children and Young Persons Act 1933 (c.12)	CD (C'sS)
Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976 [29].	
Power to issue cinema and cinema club licences.	Section 1 of the Cinema Act 1985 (c.13).	CD (C&E) (Dir ES)
Power to issue entertainment licences.	Section 52 of, and Schedule 12 to, the London Government Act 1963 (c.33), sections 1 to 5 and 7 of, and Parts I and II of the Schedule to, the Private Places of Entertainment (Licensing) Act 1967 (c.19)	CD (C&E) (Dir ES)
Power to license sex shops and sex cinemas.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.	CD (C&E) (Dir ES)

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to license performances of hypnotism.	The Hypnotism Act 1952 (c. 46).	CD (C&E) (Dir ES)
Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis.	The London Government Act 1991	CD (C&E) (Dir ES)
Power to register door staff.	Paragraphs 1(2) and 9 of Schedule 12 to the London Government Act 1963 (c.33) and Part V of the London Local Authorities Act 1995 (c.x.).	CD (C&E) (Dir of ES)
Power to license market and street trading.	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982, Part III of the London Local Authorities Act 1990 (c. vii) and section 6 of the London Local Authorities Act 1994 (c. vii).	LGP/ CD (C&E)
Power to license night cafes and take-away food shops.	Part II of the London Local Authorities Act 1990 and section 5 of the London Local Authorities Act 1994.	CD (C&E) (Dir ES)
Duty to keep list of persons entitled to sell non-medicinal poisons.	Sections 3(1)(b)(ii), 5, 6, and 11 of the Poisons Act 1972 (c.66) [33].	CD (C&E) (Dir ES)
Power to license dealers in game and the killing and selling of game.	Sections 5, 8, 6, 17, 18 and 21 to 23 of the Game Act 1831 (c. 32); sections 2 to 16 of the Game Licensing Act 1860 (c. 90), Section 4 of the Customs and Inland Revenue Act 1883 (c. 10), sections 12(3) and 27 of the Local Government Act 1874 (c. 73), and section 213 of the Local Government Act 1972 (c. 70).	CD (C&E) (Dir ES)



<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to register and license premises for the preparation of food.	Section 19 of the Food Safety Act 1990 (c. 16).	CD (C&E) (Dir ES)
Power to license scrap yards.	Section 1 of the Scrap Metal Dealers Act 1964 (c. 69).	CD (C&E) (Dir ES)
Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	The Safety of Sports Grounds Act 1975 (c. 52)[34].	CD (C&E) (Dir ES)
Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.	Part III of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).	CD (C&E) (Dir P,D&E)
Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 (c. 60) and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11).	CD (C&E) (Dir of ES)
Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951 (c. 35)[35]; section 1 of the Animal Boarding Establishments Acts 1963 (c. 43)[36] the Riding Establishments Act 1964 and 1970 (1964 c. 70 and 1970 c. 70[37]; section 1 of the Breeding of Dogs Act 1973 (c. 60)[38], and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.	CD (C&E) (Dir ES)
Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulations) Act 1925 (c. 38)[39].	CD (C&E) (Dir ES)

Function	Provision of Act or Statutory Instrument	Member or Officer decision?
Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976(c.38)	CD (C&E) (Dir ES)
Power to license the employment of children.	Part II of the Children and Young Persons Act 1933 (c. 33), byelaws made under that Part, and Part II of the Children and Young Persons Act 1963 (c 37).	CD (C'sS)
Power to approve premises for the solemnisation of marriages.	Section 46A of the Marriage Act 1949 (c. 76) and the Marriages (Approved Premises) Regulations 1995 (S.I. 1995/510)[41].	HOPS
<p>Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to -</p> <p>(a) an exchange of lands effected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c. 67)</p>	Part 1 Commons Act 2006	
Power to register variation of rights of common or town or village green	Part 1 Commons Act 2006	
Power to license persons to collect for charitable and other causes.	Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 (c. 31) and Section 2 of the House to House Collections Act 1939 (c. 44)[43].	LGP (LP)

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993 (c. 40).	CD (C&E) (Dir ES)
Power to grant a street works licence.	Section 50 of the New Roads and Street Works Act 1991 (c. 22).	CD (C&E)
Power to issue licences for the movement of pigs.	Article 4 of the Pigs (Records, Identification and Movement) Order 1995 (S.I. 1995/11).	CD (C&E) (Dir ES)
Power to license the sale of pigs.	Article 13 of the Pigs (Records, Identification and Movement) Order 1995.	CD (C&E) (Dir ES)
Power to issue a licence to move cattle from a market.	Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998/871).	CD (C&E) (Dir ES)
Power to license collecting centres for the movement of pigs.	Article 14 of the Pigs (Records, Identification and Movement) Order 1995.	CD (C&E) (Dir ES)
Power to permit deposit of builder's skip on highway.	Section 139 of the Highways Act 1980 (c. 66).	CD (C&E)
Power to license planting, retention and maintenance of trees etc. in part of highway.	Section 142 of the Highways Act 1980.	LGP
Power to authorise erection of stiles etc. on footpaths or bridleways.	Section 147 of the Highways Act 1980.	CD (C&E)
Power to license works in relation to buildings etc. which obstruct the highway.	Section 169 of the Highways Act 1980.	CD (C&E)

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to consent to temporary deposits or excavations in streets.	Section 171 of the Highways Act 1980.	CD (C&E)
Power to dispense with obligation to erect hoarding or fence.	Section 172 of the Highways Act 1980.	CD (C&E)
Power to restrict the placing of rails, beams etc. over highways.	Section 178 of the Highways Act 1980.	LGP See Note 1.
Power to sanction use of parts of buildings for storage of celluloid.	Section 1 of the Celluloid and Cinematograph Film Act 1922 (c. 35).	CD (C&E) (Dir ES)
Power to approve premises for the production of minced meat or meat preparations.	Regulation 4 of the Minced Meat and Meat Preparations (S.I. 1995/3205).	CD (C&E) (Dir ES)
Power to approve meat product premises.	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994 (S.I. 1994/3082)[45].	CD (C&E) (Dir ES)
Power to approve dairy establishments	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995 (S.I. 1995/1086)[46].	CD (C&E) (Dir of ES)
Power to approve egg product establishments.	Regulation 5 of the Egg Products Regulations 1993 (S.I. 1993/1520).	CD (C&E) (Dir ES)
Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods.	Schedule 1A to the Food Safety (General Food Hygiene) Regulations 1995 (S.I. 1995/1763)[47].	CD (C&E) (Dir ES)

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to approve fish products premises.	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 (S.I. 1998/994).	CD (C&E) (Dir ES)
Power to approve dispatch or purification centres.	Regulation 11 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.	CD (C&E) (Dir ES)
Power to register auction and wholesale markets.	Regulation 26 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.	CD (C&E) (Dir ES)
Duty to keep register of food business premises.	Regulation 5 of the Food Premises (Registration) Regulations 1991 (S.I. 1991/2828).	CD (C&E) (Dir ES)
Power to register food business premises.	Regulation 9 of the Food Premises (Registration) Regulations 1991.	CD (C&E) (Dir ES)
Power to issue near beer licence.	Sections 16 to 19 and 21 of the London Local Authorities Act 1995 (c.x.) and, to the extent that it does not have effect by virtue of regulation 2(3), section 25 of that Act.	CD (C&E) (Dir ES)
Power to register premises or stalls for the sale of good by way of competitive bidding.	Section 28 of the Greater London Council (General Powers) Act 1984 (c. xxvii).	
<b>Functions relating to public rights of way</b>		
Power to create footpath or bridleway by agreement.	Section 25 of the Highways Act 1980 (c. 66).	LGP

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to create footpaths and bridleways.	Section 26 of the Highways Act 1980.	LGP
Power to stop up footpaths and bridleways.	Section 118 of the Highways Act 1980.	LGP
Power to determine application for public path extinguishment order.	Sections 118ZA and 118C(2) of the Highways Act 1980.	LGP
Power to make a rail crossing extinguishment order.	Section 118A of the Highways Act 1980.	LGP
Power to make a special extinguishment order.	Section 118B of the Highways Act 1980.	LGP
Power to divert footpaths and bridleways.	Section 119 of the Highways Act 1980.	LGP
Power to make a public footpath diversion order.	Sections 119ZA and 119C(4) of the Highways Act 1980.	LGP
Power to make a rail crossing diversion order.	Section 119A of the Highways Act 1980.	LGP
Power to make a special diversion order.	Section 119B of the Highways Act 1980.	LGP
Power to require applicant for order to enter into agreement.	Section 119C(3) of the Highways Act 1980.	LGP

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to make an SSSI diversion order.	Section 119D of the Highways Act 1980.	LGP
Duty to keep register with respect of applications under sections 118ZA, 118C, 119ZA and 119C of the Highways Act 1980.	Section 121B of the Highways Act 1980.	LGP
Power to decline to determine certain applications.	Section 121C of the Highways Act 1980.	LGP
Duty to assert and protect the rights of the public to use and enjoyment of highways.	Section 130 of the Highways Act 1980.	CD (C&E)
Duty to serve notice of proposed action in relation to obstruction.	Section 130A of the Highways Act 1980.	CD (C&E)
Power to apply for variation of order under section 130B of the Highways Act 1980.	Section 130B(7) of the Highways Act 1980.	CD (C&E)
Power to authorise temporary disturbance of surface of footpath or bridleway.	Section 135 of the Highways Act 1980.	LGP See Note 1.
Power temporarily to divert footpath or bridleway.	Section 135A of the Highways Act 1980.	CD (C&E)
Functions relating to the making good of damage and the removal of obstructions.	Section 135B of the Highways Act 1980.	CD (C&E)
Powers relating to the removal of things so deposited on highways as to be a nuisance.	Section 149 of the Highways Act 1980.	CD (C&E)

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	<b>Member or Officer decision?</b>
Power to extinguish certain public rights of way.	Section 32 of the Acquisition of Land Act 1981 (c. 67).	LGP
Duty to keep definitive map and statement under review.	Section 53A of the Wildlife and Countryside Act 1981 (c. 69).	CD (C&E)
Power to include modifications in other orders.	Section 53 of the Wildlife and Countryside Act 1981 (c. 69).	LGP
Duty to keep register of prescribed information with respect to applications under section 53(5) of the Wildlife and Countryside Act 1981.	Section 53B of the Wildlife and Countryside Act 1981.	CD (C&E)
Duty to reclassify roads used as public paths.	Section 54 of the Wildlife and Countryside Act 1981.	LGP
Power to prepare map and statement by way of consolidation of definitive map and statement.	Section 57A of the Wildlife and Countryside Act 1981.	CD (C&E)
Power to designate footpath as cycle track.	Section 3 of the Cycle Tracks Act 1984 (c. 38).	
Power to extinguish public right of way over land acquired for clearance.	Section 294 of the Housing Act 1981 (c 68).	
Power to make closing order with respect to take-away food shops.	Section 4 of the Local Government (Miscellaneous Provisions) Act 1982 (c. 30).	CD (C&E) (Dir ES)



<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	
<b>Functions relating to health and safety at work</b>		
Functions under any of the “relevant statutory provisions” within the meaning of Part I (health, safety and welfare, in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority’s capacity as an employer.	Part I of the Health and Safety at Work etc. Act 1974 (c.37)[48].	LGP
<b>Functions relating to pensions etc.</b>		
Functions relating to local government pensions, etc.	Regulations under section 7, 12 or 24 of the Superannuation Act 1972 (c. 11)[52].	LGP

## **Council**

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	
<b>Functions relating to name and status of areas and individuals</b>		
Power to change the name of a county, district or London borough.	Section 74 of the Local Government Act 1972.	Council
Power to petition for a charter to confer borough status.	Section 245b of the Local Government Act 1972.	Council

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	
<b>Functions relating to elections</b>		
Duty to appoint an electoral registration officer.	Section 8(2) of the Representation of the People Act 1983 (c. 2)[49].	HOPS
Power to assign officers in relation to requisitions of the registration officer.	Section 52(4) of the Representation of the People Act 1983.	HOPS
Duty to appoint returning officer for local government elections.	Section 35 of the Representation of the People Act 1983.	Council
Duty to provide assistance at European Parliamentary elections.	Paragraph 4(3) and (4) of Schedule 1 to the European Parliamentary Elections Act 1978 (c. 10) [50].	Council
Duty to divide constituency into polling districts.	Section 18 of the Representation of the People Act 1983.	Council
Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.	HOPS
Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983.	HOPS
Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.	HOPS
Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.	

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	
Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.	HOPS
Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.	HOPS
Power to determine fees and conditions for supply of copies of, or extracts from, elections documents.	Rule 48(3) of the Local Elections (Principal Areas) Rules 1986 (S.I. 1986/2214) and rule 48(3) of the Local Elections (Parishes and Communities) Rules 1986 (S.I. 1986/2215).	HOPS
Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000 (c. 2).	Council
<b>Miscellaneous Functions</b>		
Power to make, amend, revoke or re-enact byelaws.	Any provision of any enactment (including a local Act), wherever passed, and section 14 of the Interpretation Act 1978 (c. 30) [51].	Council
Power to promote or oppose local or personal Bills.	Section 239 of the Local Government Act 1972.	Council
Power to make standing orders (procedural rules).	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972 (c. 70).	Council

<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>	
Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.	Council
Duty to make arrangements for proper administration of financial affairs etc.	Section 151 of the Local Government Act 1972.	Council
Power to appoint officers for particular purposes (appointment of "proper officers").	Section 270(3) of the Local Government Act 1972.	Council
Duty to designate officer as the head of the authority's paid service, and to provide staff, etc.	Section 4(1) of the Local Government and Housing Act 1989 (c. 42).	Council
Duty to designate officer as the monitoring officer, and to provide staff, etc.	Section 5(1) of the Local Government and Housing Act 1989.	Council
Power to make payments or provide other benefits in cases of maladministration etc.	Section 92 of the Local Government Act 2000.	Standards Committee /HOPS

**KEY:**

Decisions made by Members at committee:

Council – Full Council

DC – Development Control Committee

LGP – Licensing and General Purposes Committee

LP – Licensing Panel (Licensing and General Purposes Committee)

Decisions delegated to officers:

CD (C&E) – Corporate Director – Community & Environment

CD (C&E) (Dir ES Corporate Director – Community & Environment - sub-delegates to Director of Environment Services

CD (C&E) (Dir of P,D&E) Corporate Director Community & Environment – sub-delegated to Director of Planning & Enterprise  
CD (C'sS) – Corporate Director Children's Services  
HOPS – Head of Paid Service

Note 1. The functions listed are not currently delegated to officers but it is proposed that they are so delegated in future. Proposals will be included in a future report on the scheme of officer delegation.