

## SCHEDULE 2

Regulation 3(1)

### FUNCTIONS WHICH MAY BE (BUT NEED NOT BE) THE RESPONSIBILITY OF AN AUTHORITY'S EXECUTIVE

1. Any function under a local Act other than a function specified or referred to in regulation 2 or Schedule 1.

#### Commencement Information

**I1** Sch. 2 para. 1 in force at 16.11.2000, see [reg. 1\(1\)](#)

2. The determination of an appeal against any decision made by or on behalf of the authority.

#### Commencement Information

**I2** Sch. 2 para. 2 in force at 16.11.2000, see [reg. 1\(1\)](#)

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<sup>(1)</sup>.

#### Commencement Information

**I3** Sch. 2 para. 3 in force at 16.11.2000, see [reg. 1\(1\)](#)

[<sup>F1</sup>4. The making of arrangements in relation to appeals against the exclusion of pupils from maintained schools.

#### Textual Amendments

**F1** Sch. 2 paras. 4-6 substituted (23.11.2004) by [The Local Authorities \(Functions and Responsibilities\) \(Amendment No. 3\) \(England\) Regulations 2004 \(S.I. 2004/2748\)](#), [reg. 1\(1\)](#), [Sch. Pt. 2](#)

5. The making of arrangements pursuant to sections 94(1), (1A) and (4) of the 1998 Act (admissions appeals).

#### Textual Amendments

**F1** Sch. 2 paras. 4-6 substituted (23.11.2004) by [The Local Authorities \(Functions and Responsibilities\) \(Amendment No. 3\) \(England\) Regulations 2004 \(S.I. 2004/2748\)](#), [reg. 1\(1\)](#), [Sch. Pt. 2](#)

6. The making of arrangements pursuant to section 95(2) of the 1998 Act (children to whom section 87 applies: appeals by governing bodies).]

(1) 1998 c. 14. Section 34(4) replaces section 63(3) of the Social Security Administration Act 1992. The Council Tax Benefit Regulations 1992 (S.I.1992/1814) and the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971), to which there are amendments not relevant to these Regulations, continue to have effect, by virtue of section 17(2)(b) of the Interpretation Act 1978 (c. 30), notwithstanding the repeal of section 63(3) of the Social Security Administration Act 1992.

**Changes to legislation:** There are currently no known outstanding effects for the The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, SCHEDULE 2. (See end of Document for details)

**Textual Amendments**  
F1 Sch. 2 paras. 4-6 substituted (23.11.2004) by [The Local Authorities \(Functions and Responsibilities\) \(Amendment No. 3\) \(England\) Regulations 2004 \(S.I. 2004/2748\)](#), reg. 1(1), **Sch. Pt. 2**

7. The making of arrangements under section 20 (questions on police matters at council meetings) of the Police Act 1996<sup>(2)</sup> for enabling questions to be put on the discharge of the functions of a police authority.

**Commencement Information**  
I4 Sch. 2 para. 7 in force at 16.11.2000, see [reg. 1\(1\)](#)

8. The making of appointments under paragraphs 2 to 4 (appointment of members by relevant councils) of Schedule 2 (police authorities established under section 3) to the Police Act 1996.

**Commencement Information**  
I5 Sch. 2 para. 8 in force at 16.11.2000, see [reg. 1\(1\)](#)

F<sup>2</sup>9. ....

**Textual Amendments**  
F2 Sch. 2 para. 9 omitted (1.4.2008) by virtue of [The Local Authorities \(Functions and Responsibilities\) \(England\) \(Amendment\) Regulations 2008 \(S.I. 2008/516\)](#), regs. 1(1)(b), **7(a)**

10. Any function relating to contaminated land<sup>(3)</sup>.

**Commencement Information**  
I6 Sch. 2 para. 10 in force at 16.11.2000, see [reg. 1\(1\)](#)

11. The discharge of any function relating to the control of pollution or the management of air quality<sup>(4)</sup>.

**Commencement Information**  
I7 Sch. 2 para. 11 in force at 16.11.2000, see [reg. 1\(1\)](#)

12. The service of an abatement notice in respect of a statutory nuisance<sup>(5)</sup>.

(2) 1996 c. 16.  
(3) Part IIA of the Environmental Protection Act 1990 (c. 43) and subordinate legislation under that Part.  
(4) See the Pollution Prevention and Control Act 1999 (c. 24), Part IV of the Environment Act 1995 (c. 25), Part I of the Environmental Protection Act 1990 (c. 43) and the Clean Air Act 1993 (c. 11).  
(5) Section 80(1) of the Environmental Protection Act 1990.

**Commencement Information**

**I8** Sch. 2 para. 12 in force at 16.11.2000, see [reg. 1\(1\)](#)

**13.** The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area(**6**).

**Commencement Information**

**I9** Sch. 2 para. 13 in force at 16.11.2000, see [reg. 1\(1\)](#)

**14.** The inspection of the authority's area to detect any statutory nuisance(**7**).

**Commencement Information**

**I10** Sch. 2 para. 14 in force at 16.11.2000, see [reg. 1\(1\)](#)

**15.** The investigation of any complaint as to the existence of a statutory nuisance(**8**).

**Commencement Information**

**I11** Sch. 2 para. 15 in force at 16.11.2000, see [reg. 1\(1\)](#)

**16.** The obtaining of information under section 330 of the Town and Country Planning Act 1990(**9**) as to interests in land.

**Commencement Information**

**I12** Sch. 2 para. 16 in force at 16.11.2000, see [reg. 1\(1\)](#)

**17.** The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976(**10**).

**Commencement Information**

**I13** Sch. 2 para. 17 in force at 16.11.2000, see [reg. 1\(1\)](#)

**18.** The making of agreements for the execution of highways works(**11**).

**Commencement Information**

**I14** Sch. 2 para. 18 in force at 16.11.2000, see [reg. 1\(1\)](#)

**19.** The appointment of any individual—

(6) Section 8 of the Noise and Statutory Nuisance Act 1993 (c. 40).

(7) Section 79 of the Environmental Protection Act 1990.

(8) Section 79 of the Environmental Protection Act 1990.

(9) 1990 c. 8.

(10) 1976 c. 57.

(11) Section 278 of the Highways Act 1980 (c. 66), substituted by the New Roads and Street Works Act 1991 (c. 22), section 23.

**Changes to legislation:** There are currently no known outstanding effects for the The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, SCHEDULE 2. (See end of Document for details)

- (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 revocation of any such appointment.

**Commencement Information**

**I15** Sch. 2 para. 19 in force at 16.11.2000, see [reg. 1\(1\)](#)

[<sup>F3</sup>20. The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities.]

**Textual Amendments**

**F3** Sch. 2 paras. 20, 21 inserted (10.7.2001) by [The Local Authorities \(Functions and Responsibilities\) \(England\) \(Amendment\) Regulations 2001 \(S.I. 2001/2212\)](#), [reg. 1\(3\)](#), [Sch. Pt. 2](#) (with [reg. 1\(4\)\(5\)](#))

[<sup>F3</sup>21. 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.)

**Textual Amendments**

**F3** Sch. 2 paras. 20, 21 inserted (10.7.2001) by [The Local Authorities \(Functions and Responsibilities\) \(England\) \(Amendment\) Regulations 2001 \(S.I. 2001/2212\)](#), [reg. 1\(3\)](#), [Sch. Pt. 2](#) (with [reg. 1\(4\)\(5\)](#))

[<sup>F4</sup>22. Functions under sections 106, 110, 111 and 113 of the 2007 Act relating to local area agreements.]

**Textual Amendments**

**F4** Sch. 2 para. 22 inserted (31.3.2008) by [The Local Authorities \(Functions and Responsibilities\) \(England\) \(Amendment\) Regulations 2008 \(S.I. 2008/516\)](#), [regs. 1\(1\)\(a\)](#), [7\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, SCHEDULE 2.