

2007 No. 1950

LOCAL GOVERNMENT, ENGLAND

**The Local Authorities (Functions and Responsibilities)
(England) (Amendment No. 3) Regulations 2007**

<i>Made</i>	- - - -	<i>10th July 2007</i>
<i>Laid before Parliament</i>		<i>10th July 2007</i>
<i>Coming into force</i>		
<i>for the purposes of regulations 1, 2(1) and (3)(m) and (n)</i>		<i>1st August 2007</i>
<i>for the purposes of all other regulations</i>		<i>1st September 2007</i>

The Secretary of State, in exercise of the powers conferred by sections 13 and 105 of the Local Government Act 2000(a), makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Local Authorities (Functions and Responsibilities) (England) (Amendment No. 3) Regulations 2007, and shall come into force—

- (a) for the purposes of regulations 1 and 2(1) and (3)(m) and (n) on 1st August 2007; and
- (b) for all other purposes on 1st September 2007.

(2) These Regulations apply in relation to local authorities in England.

Amendment

2.—(1) The Local Authorities (Functions and Responsibilities) (England) Regulations 2000(b) are amended as follows.

(2) In regulation 1(3), after the definition of the 2005 Act insert—

““the Gambling Act Order” means the Gambling Act 2005 (Commencement No 6 and Transitional Provisions) Order 2006 (S.I. 2006/3272);(c)”.

(3) In paragraph B (licensing and registration functions) of Schedule 1 (functions not to be the responsibility of an authority’s executive)—

(a) at the end of the entry in column (2) relating to item 6 insert—

“as saved for certain purposes by article 3(3)(c) of the Gambling Act Order.”;

(a) 2000 c.22. For the application of sections 13 and 105 of the Local Government Act 2000 to Wales, *see* section 106 of that Act.
(b) S.I. 2000/2853, to which relevant amendments have been made by S.I. 2004/2748, S.I. 2005/929, S.I. 2006/886, S.I. 2007/1284 and S.I. 2007/1284. There are other amendments not relevant to these Regulations.
(c) S.I. 2006/3272, to which there are amendments not relevant to these Regulations.

- (b) at the end of the entry in column (2) relating to item 7 insert—
 “as saved for certain purposes by article 3(3)(d) and (4) of the Gambling Act Order.”;
- (c) at the end of the entry in column (2) relating to item 8 insert—
 “as saved for certain purposes by article 3(3)(e) of the Gambling Act Order.”;
- (d) at the end of the entry in column (2) relating to item 9 insert—
 “as saved for certain purposes by article 4(2)(l) and (m) of the Gambling Act Order.”;
- (e) at the end of the entry in column (2) relating to item 10 insert—
 “as saved for certain purposes by article 5(2)(a) and (3) of the Gambling Act Order.”;
- (f) at the end of the entry in column (2) relating to item 11 insert—
 “as saved for certain purposes by article 5(2)(d) and (5) of the Gambling Act Order.”;
- (g) in column (1), after item 14A insert—
 “14AA Duty to comply with requirement to provide information to Gambling Commission.”;
- (h) in column (2), in relation to the entry in column (1) for item 14AA insert—
 “Section 29 of the Gambling Act Order.”;
- (i) in column (1), after item 14AA insert—
 “14AB Functions relating to exchange of information.”;
- (j) in column (2), in relation to the entry in column (1) for item 14AB insert—
 “Section 30 of the 2005 Act.”;
- (k) in column (1), after item 14AB insert—
 “14AC Functions relating to occasional use notices.”;
- (l) in column (2), in relation to the entry in column (1) for item 14AC insert—
 “Section 39 of the 2005 Act.”;
- (m) in column (1), after item 14C insert—
 “14CA Power to make order disapplying section 279 or 282(1) of the 2005 Act in relation to specified premises.”;
- (n) in column (2), in relation to the entry in column (1) for item 14CA—
 “Section 284 of the 2005 Act.”;
- (o) in the entry in column (1) for item 14E omit—
 “for offences under section 342 of the 2005 Act”;
- (p) in column (1), after item 14F insert—
 “14G Functions relating to the registration and regulation of small society lotteries.”; and
- (q) in column (2), in relation to the entry in column (1) for item 14G insert—
 “Part 5 of Schedule 11 to the 2005 Act.”.

Signed by authority of the Secretary of State for Communities and Local Government

10th July 2007

John Healey
 Minister of State
 Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (“the 2000 Regulations”). They apply in relation to local authorities in England.

Part 2 of the Local Government Act 2000 provides for the discharge of a local authority’s functions by an executive of the authority, unless those functions are specified as functions that are not to be the responsibility of the authority’s executive.

Schedule 1 to the 2000 Regulations lists functions which are not to be the responsibility of the authority’s executive. Paragraph B of Schedule 1 is concerned with functions relating to licensing and registration functions. Regulation 2 of these Regulations amends paragraph B by inserting new items which are concerned with functions under sections 29, 30, 39, 284 and 342 of, and Part 5 of Schedule 11 to, the Gambling Act 2005 (“the 2005 Act”). The effect of these amendments is that the functions in question are not to be the responsibility of the authority’s executive.

These regulations also make changes to items 6 to 11 of Schedule 1 to the 2000 Regulations in light of the repeal of the enactments specified in those items by the 2005 Act. The changes reflect the fact that those enactments are preserved for the purposes of enabling any application made under them to be determined where that application has been made but not determined before the commencement of the repeal.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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