

SCHEDULE 2

Regulation 11

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

1. Any function under a local Act other than a function specified or referred to in Schedule 1.
2. The determination of an appeal against any decision made by or on behalf of the authority.
3. Functions in relation to the revision of decisions made in connection with claims for housing benefit or council tax benefit and for appeals against such decisions under section 68 of and Schedule 7 to the Child Support, Pensions and Social Security Act 2000(1).
4. The making of arrangements in relation to appeals against the exclusion of pupils in maintained schools under section 52 of the Education Act 2002.
5. The making of arrangements pursuant to section 94(1), (1A) and (4) of, and Schedule 24 to, the School Standards and Framework Act 1998 (admission appeals).
6. The making of arrangements pursuant to section 95(2) of the School Standards and Framework Act 1998 (children to whom section 87 applies: appeals by governing bodies).
7. The making of arrangements under section 20 (questions on police matters at council meetings) of the Police Act 1996 for enabling questions to be put on the discharge of the functions of a police authority.
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.
9. The conducting of best value reviews in accordance with the provisions of any order for the time being having effect under section 5 (best value reviews) of the Local Government Act 1999(2).
10. Any function relating to contaminated land(3).
11. The discharge of any function relating to the control of pollution or the management of air quality(4).
12. The service of an abatement notice in respect of a statutory nuisance(5).
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).
14. The inspection of the authority's area to detect any statutory nuisance(7).
15. The investigation of any complaint as to the existence of a statutory nuisance.
16. The obtaining of information under section 330 of the Town and Country Planning Act 1990(8) as to interests in land.
17. The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976(9).

(1) 2000 c. 19.

(2) 1999 c. 27.

(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 Act 1990 (c. 43) and the Clean Air Act 1993 (c. 11).

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

(6) Section 80(1) of the Environmental Protection Act 1990.

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

(8) 1990 c. 8.

(9) 1976 c. 57.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- 18.** The making of agreements for the execution of highways works⁽¹⁰⁾.
- 19.** 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 revocation of any such appointment.
- 20.** Power to make payments or provide other benefits in cases of maladministration etc.⁽¹¹⁾.
- 21.** The discharge of any function by an authority acting as a harbour authority.
- 22.** Functions in respect of the calculation of council tax base in accordance with any of the following—
- (a) the determination of an item for T in section 33(1) and 44(1) of the Local Government Finance Act 1992;
 - (b) the determination of an amount for item TP in sections 34(3), 45(3) 48(3) and 48(4) of the Local Government Finance Act 1992;
 - (c) the determination of an amount required for determining an amount for the item mentioned in paragraph (a) or (b) above.
- 23.** Licensing functions in accordance with Part 2 of the Licensing Act 2003 except section 6.
- 24.** Functions in respect of gambling in accordance with any of the following—
- (a) prescribing of fees in accordance with section 212 of the Gambling Act 2005;
 - (b) making an order disapplying section 279 or section 282(1) of the Gambling Act 2005 in accordance with section 284 of the Gambling Act 2005;
 - (c) authorised persons in accordance with section 304 of the Gambling Act 2005;
 - (d) prosecutions by a licensing authority in accordance with section 346 of the Gambling Act 2005.

⁽¹⁰⁾ Section 278 of the Highways Act 1980 (c. 66), substituted by the New Roads and Street Works Act 1991 (c. 22), section 23.

⁽¹¹⁾ Section 92 of the Local Government Act 2000