

10. Local Choice Functions

Local Choice functions are set out in Schedule 2 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. These functions may be, but need not be, the responsibility of the Executive. It is up to Full 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 table below:

| LOCAL CHOICE FUNCTION | STATUS OF FUNCTION | 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 | All Directors | N/a |
| 2. Other than those reserved to a Non-Executive committee, the determination of appeals against any decision made by or on behalf of the authority. | Executive | All Directors in relation to decisions taken in their directorate | N/a |
| 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 | Director of Corporate Services | N/a |
| 4. The making of arrangements pursuant to subsection (1) of section 67 of, and Schedule 18 to, the 1998 Act (reviews of exclusion of pupils). This is now s.51A of the Education Act 2002 | Executive | Director of Corporate Services | 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 | Director of Corporate Services | 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 | Director of Corporate Services | |
| 7. Any function relating to contaminated land. | Executive | Director of Neighbourhoods | N/a |
| 8. The discharge of any function relating to the control of pollution or the management of air quality | Executive | Director of Neighbourhoods | N/a |
| 9. The service of an abatement notice in respect of a statutory nuisance | Executive | Director of Neighbourhoods | N/a |
| 10. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area | Executive | Director of Neighbourhoods | N/a |
| 11. The inspection of the authority's area to detect any statutory nuisance | Executive | Director of Neighbourhoods | N/a |
| 12. The investigation of any complaint as to the existence of a statutory nuisance | Executive | Director of Neighbourhoods | N/a |
| 13. The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land | Executive | Director of Regeneration | N/a |

| LOCAL CHOICE FUNCTION | STATUS OF FUNCTION | DELEGATION TO OFFICERS | DELEGATION TO NON-EXECUTIVE COMMITTEES |
|---|-----------------------------|-------------------------------|--|
| 14.The making of agreements for the execution of highways works | Executive | Director of Neighbourhoods | N/a |
| 15.The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions Act 1976 | Executive | All Directors | N/a |
| 16.The appointment of any individual - (a) to any office other than an office in which they are 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 | Executive and Non-Executive | N/a | The Leader where the appointment relates to Executive powers. The Council 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 | All 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 | Non-Executive | N/a | Harbour Committee |
| 19.Functions under sections 106, 110, 111 and 113 of the Local Government and Public Health Act 2007 relating to local area agreements | Executive | Chief Executive | N/a |