

## Part 3 – Responsibility for Functions

### 3.1 COUNCIL FUNCTIONS

3.1.1 These are local authority functions which cannot be the responsibility of the Executive. The following tables specify the delegation of Council functions to Committees and chief officers. Where the delegation is to be exercised by a Committee/chief officer, the matters reserved to the Committee are specified in the relevant Committee's functions and terms of reference set out in section 3.3.

#### 3.1.1.1 A - Functions relating to Town and Country Planning

FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT	DELEGATION OF FUNCTION
1. -		
2. -		
3. -		
4. -		
5. Power to determine application for planning permission.	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
6. Power to determine applications to develop land without compliance with conditions previously attached.	Section 73 of the Town and Country Planning Act 1990.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
7. Power to grant planning permission for development already carried out.	Section 73A of the Town and Country Planning Act 1990.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
8. Power to decline to determine application for planning permission.	Section 70A of the Town and Country Planning Act 1990.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>

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FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT	DELEGATION OF FUNCTION
<p><b>9.</b> Duties relating to the making of determinations of planning applications.</p>	<p>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 thereunder.</p> <p><b><u>[Section 76 has been repealed and the Regulations have been revoked and replaced with the Town and Country Planning (Development Management Procedure) (England) Order 2010 (S.I. 2010/2184)]</u></b></p>	<p>Development Committee/ Corporate Director, <del>Development and Renewal, Place</del></p>
<p><b>10.</b> Power to determine application for planning permission made by a local authority, alone or jointly with another person.</p>	<p>Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492).</p>	<p>Development Committee/ Corporate Director, <del>Development and Renewal, Place</del></p>
<p><b>11.</b> Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.</p>	<p>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).</p>	<p>Development Committee/ Corporate Director, <del>Development and Renewal, Place</del></p>
<p><b>12.</b> Power to enter into agreement regulating development or use of land.</p>	<p>Section 106 of the Town and Country Planning Act 1990.</p>	<p>Development Committee/ Corporate Director, <del>Development and Renewal, Place</del></p>
<p><b>13.</b> Power to issue a certificate of existing or proposed lawful use or development.</p>	<p>Sections 191(4) and 192(2) of the Town and Country Planning Act 1990.</p>	<p>Development Committee/ Corporate Director, <del>Development and Renewal, Place</del></p>
<p><b>14.</b> Power to serve a completion notice.</p>	<p>Section 94(2) of the Town and Country Planning Act 1990</p>	<p>Development Committee/ Corporate Director, <del>Development and Renewal, Place</del></p>

15. Power to grant consent for the display of advertisements.	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992. <b><u>[The Regulations have been revoked and replaced with the Town and Country Planning (Control of Advertisements) (England) Order 2007 (S.I. 2007/783)]</u></b>	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
16. Power to authorise entry onto land.	Section 196A of the Town and Country Planning Act 1990.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
17. Power to require the discontinuance of a use of land.	Section 102 of the Town and Country Planning Act 1990.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
18. Power to serve a planning contravention notice, breach of condition notice or stop notice.	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
18A. Power to issue a temporary stop notice.	Section 171E of the Town and Country Planning Act 1990.	Corporate Director, <del>Development and Renewal of Place</del>
19. Power to issue an enforcement notice.	Section 172 of the Town and Country Planning Act 1990.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
20. Power to apply for an injunction restraining a breach of planning control.	Section 187B of the Town and Country Planning Act 1990.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
21. Power to determine applications for hazardous substances consent, and related powers.	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990.	Licensing Committee/ Corporate Director, <del>Communities, Localities and Culture, Place</del>
22. Duty to determine conditions to which old mining permissions, relevant planning	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>

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.	to the Environment Act 1995 (c. 25) and paragraph 6(5) of Schedule 14 to that Act.	
23. Power to require proper maintenance of land.	Section 215(1) of the Town and Country Planning Act 1990.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
24. 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 Conservation Areas) Act 1990	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
<del>25. Power to determine applications for conservation area consent.</del>	<del>Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as applied by section 74(3) of that Act.</del>	<del>Development Committee/ Corporate Director, Development and Renewal, Place</del>
26. Duties relating to applications for listed building consent <del>and conservation area consent.</del>	Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regulations 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (SI 1990/1519) and paragraphs 8, 15 and 26 of the Department of the Environment Transport and the Regions Circular 01/01.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
27. 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.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
28. Power to issue enforcement notice in relation to demolition of listed building in conservation area.	Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
29. Powers to acquire a listed building in need of repair and to serve a	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	Development Committee/ Corporate Director, <del>Development</del>

repairs notice.		<del>and Renewal, Place</del>
<b>30.</b> Power to apply for an injunction in relation to a listed building.	Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990.	Development Committee/ Corporate Director, <del>Development and Renewal, Place</del>
<b>31.</b> Power to execute urgent works.	Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990	Corporate Director, <del>Development and Renewal, Place</del>

### 3.1.1.2 B - Licensing and Registration Functions

FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT	DELEGATION OF FUNCTION
1. 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	Corporate Director, <del>Development and Renewal, Place</del>
2. Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936	Corporate Director, <del>Development and Renewal, Place</del>
3. Power to license hackney carriages and private hire vehicles.	(a) as to hackney carriages, the Town Police Clauses Act 1847 and section 15 of the Transport Act 1985; and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976; (b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.	Not applicable to London borough councils - <del>this function is performed by Transport for London (the Public Carriage Office) Greater London Authority functions</del>
4. Power to license drivers of hackney carriages and private hire vehicles.	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.	Not applicable to London borough councils - <del>this function is performed by Transport for London (the Public Carriage Office) Greater London Authority functions</del>
5. Power to license drivers of hackney carriages and private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.	Not applicable to London borough councils - <del>this function is performed by Transport for London (the Public Carriage Office) Greater London Authority functions</del>

FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT	DELEGATION OF FUNCTION
6. Power to register pool promoters.	Schedule 2 to the Betting, Gaming and Lotteries Act 1963 as saved for certain purposes by article 3 (3) (c) of the Gambling Act 2005 (Commencement No 6 and Transitional Provisions) Order 2006 (hereafter called the Gambling Act Order). <b>[This area of law is now governed by the Gambling Act 2005]</b>	If objection - Licensing Committee If no objection - Corporate Director, <del>Communities, Localities and Culture, Place</del>
7. Power to grant track betting licenses	Schedule 3 to the Betting, Gaming and Lotteries Act 1963 as saved for certain purposes by article 3 (3) (d) and 4 of the Gambling Act Order. <b>[This area of law is now governed by the Gambling Act 2005]</b>	If objection - Licensing Committee If no objection - Corporate Director, <del>Communities, Localities and Culture, Place</del>
8. Power to license inter-track betting schemes	Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963 as saved for certain purposes by article 3 (3) (d) and 4 of the Gambling Act Order. <b>[This area of law is now governed by the Gambling Act 2005]</b>	If objection - Licensing Committee If no objection - Corporate Director, <del>Communities, Localities and Culture, Place</del>
9. Power to grant permits in respect of premises with amusement machines.	Schedule 9 to the Gaming Act 1968 as saved for certain purposes by article 3 (3)(e) of the Gambling Act Order. <b>[This area of law is now governed by the Gambling Act 2005]</b>	If objection - Licensing Committee If no objection - Corporate Director, <del>Communities, Localities and Culture, Place</del>
10. Power to register societies wishing to promote lotteries.	Schedule 1 to the Lotteries and Amusements Act 1976 as saved for certain purposes by article 5(2)(a) and (3) of the Gambling Act Order. <b>[This area of law is now</b>	If objection - Licensing Committee If no objection - Corporate Director, <del>Communities, Localities and Culture, Place</del>

	<b><u>governed by the Gambling Act 2005]</u></b>	
<b>11.</b> Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976 as saved for certain purposes by article 5(2) (d) and (5) of the Gambling Act Order. <b><u>[This area of law is now governed by the Gambling Act 2005]</u></b>	If objection - Licensing Committee If no objection - Corporate Director, <b><u>Communities, Localities and Culture, Place</u></b>
<b>12.</b> Power to issue cinema and cinema club licences.	Section 1 of the Cinema Act 1985 <b><u>[This area of law is now governed by the Licensing Act 2003]</u></b>	If objection - Licensing Committee If no objection - Corporate Director, <b><u>Communities, Localities and Culture, Place</u></b>
<b>13.</b> Power to issue theatre licences.	Sections 12 to 14 of the Theatres Act 1968 <b><u>[This area of law is now governed by the Licensing Act 2003]</u></b>	If objection - Licensing Committee If no objection - Corporate Director, <b><u>Communities, Localities and Culture, Place</u></b>
<b>14.</b> Power to issue entertainments licences.	Section 12 of the Children and Young Persons Act 1933, section 52 of, and Schedule 12 to, the London Government Act 1963, section 79 of the Licensing Act 1964, sections 1 to 5 and 7 of, and Parts I and II of the Schedule to, the Private Places of Entertainment (Licensing) Act 1967 and Part I of, and Schedules 1 and 2 to, the Local Government (Miscellaneous Provisions) Act 1982 <b><u>[This area of law is now governed by the Licensing Act 2003]</u></b>	If objection - Licensing Committee If no objection - Corporate Director, <b><u>Communities, Localities and Culture, Place</u></b>
<b>14A.</b> <u>Functions relating to licensing</u> Any function of a licensing authority.	<u>Sections 5 to 8 of the Licensing Act 2003 and any regulations or orders made under that Act.</u>	Council/Licensing Committee/Licensing Sub- Committee/ Corporate Director, <b><u>Communities, Localities and Culture, Place</u></b>

<b>14AZA.</b> Powers and functions relating to late night levy requirements.	Chapter 2 and Part 2 of the Police Reform and Social Responsibility Act 2011 and any regulations made under that Chapter	Council
<b>14AA.</b> Duty to comply with requirement to provide information to Gambling Commission.	Section 29 of the Gambling Act 2005.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>14AB.</b> Functions <del>in relation</del> relating to exchange of information.	Section 30 of the Gambling Act 2005.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>14AC.</b> Functions <del>in relation</del> relating to occasional use notices.	Section 39 of the Gambling Act 2005	Corporate Director, <del>Place, Communities, Localities and Culture</del>
<b>14B.</b> Power to resolve not to issue a casino premises licence.	Section 166 of the Gambling Act 2005.	Licensing Committee
<b>14C.</b> Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises.	Section 304 of the Gambling Act 2005.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>14CA.</b> Power to make Order disapplying Section 279 or 282(1) of the Gambling Act 2005.in relation to specified premises.	Section 284 of the Gambling Act 2005.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>14D.</b> Power to institute criminal proceedings	Section 346 of the Gambling Act 2005.	Corporate Director, <del>Communities, Localities and Culture</del> Director of Law, Probity and, Governance
<b>14E.</b> Power to exchange information.	Section 350 of the Gambling Act 2005.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>14F.</b> Functions relating to the determination of fees for premises licences.	The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (SI 2007/479).	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>14G</b> Functions relating to the registration and regulation of small	Part 5 of Schedule 11 to the Gambling Act 2005	Corporate Director, <del>Communities, Localities and Culture, Place</del>

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society lotteries		
15. Power to license sex shops and sex cinemas.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3 <u>[On 26 March 2014 the Council resolved that Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009 shall apply in the London Borough of Tower Hamlets area and which shall come into force on 1 June 2014 and therefore this power relates to all sex establishments (i.e. a sexual entertainment venue, sex cinema, a hostess bar, or a sex shop)]</u>	<u>If objection - Licensing Committee</u> <u>If no objection - Corporate Director, Place</u>
16. Power to license performances of hypnotism.	The Hypnotism Act 1952	If objection - Licensing Committee If no objection - Corporate Director, <u>Communities, Localities and Culture, Place</u>
17. Power to license premises for acupuncture, tattooing, ear- piercing and electrolysis	<del>London Local Authorities Act 1991</del> <u>Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982</u> <u>[The Council has adopted the provisions of Part II of the London Local Authorities Act 1991 to become effective from 13 July 1992 and therefore it is this legislation that contains the power to Licence]</u>	If objection - Licensing Committee If no objection - Corporate Director, <u>Communities, Localities and Culture, Place</u>
18. Power to license pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907.	Not applicable to London borough councils - <u>this function is performed by the</u>

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		Port of London Authority <del>function</del>
19. 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	Not applicable to London borough councils – <del>this function is performed by the Security Industry Authority function</del>
20. Power to license market and street trading.	<del>Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982,</del> Part III of the London Local Authorities Act 1990 and section 6 of the London Local Authorities Act 1994  <del>[The Council adopted the provisions of Part III of the London Local Authorities Act 1990 to become effective from 11 March 1991 and therefore it is this legislation that contains the power to Licence]</del>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
21. Power to license night cafes and take-away food shops.	<del>Licensing Act 2003, Section 2 of the Late Night Refreshment Houses Act 1969, Part II of the London Local Authorities Act 1990 and section 5 of the London Local Authorities Act 1994</del>  <del>[This area of law is now governed by the Licensing Act 2003]</del>	If objection - Licensing Committee If no objection - Corporate Director, <del>Communities, Localities and Culture, Place</del>
22. <del>Duty to keep list of persons entitled to sell non-medicinal poisons.</del>	<del>Sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972</del>	Corporate Director, <del>Communities, Localities and Culture</del>
23. Power to license dealers in game and the killing and selling of game.	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831; sections 2 to 16 of the Game Licensing Act 1860, section 4 of the Customs and Inland Revenue Act 1883, sections 12(3) and 27 of the Local Government Act 1874, and section 213 of the Local	<del>Corporate Director, Communities, Localities and Culture</del> <u>Not a local authority function</u>

	Government Act 1972 <b><u>[These provisions have been repealed and this is no longer a function undertaken by local authorities]</u></b>	
<b>24.</b> Power of register and license premises for the preparation of food.	Section 19 of the Food Safety Act 1990.	Corporate Director, Communities, <del>Localities</del> <del>and Culture, Place</del>
<b>25.</b> Power to license scrap yards.	Section 1 of the Scrap Metal Dealers Act 1964 <b><u>[This area of law is now governed by the Scrap Metal Dealers Act 2013]</u></b>	Corporate Director, Communities, <del>Localities</del> <del>and Culture, Place</del>
<b>26.</b> Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	The Safety of Sports Grounds Act 1975	Corporate Director, Communities, <del>Localities</del> <del>and Culture, Place</del>
<b>27.</b> Power to issue, cancel, amend or replace safety certificates (whether general or special) for sports grounds.	Part III of the Fire Safety and Safety of Places of Sport Act 1987.	If objection - Licensing Committee If no objection - Corporate Director, <del>Communities, Localities</del> <del>and Culture, Place</del>
<b>28.</b> Power to issue fire certificates	Section 5 of the Fire Precautions Act 1971 <b><u>[This Act has been repealed and this is no longer a function undertaken by local authorities.]</u></b>	Not a Local Authority function
<b>29.</b> Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999	If objection - Licensing Committee If no objection - Corporate Director, <del>Communities, Localities</del> <del>and Culture, Place</del>
<b>30.</b> 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 section 1 of the Animal Boarding Establishments Act 1963; the Riding Establishments Acts 1964 and 1970 (1964 and 1970); section 1 of the Breeding of Dogs Act 1973, and sections 1 and 8 of the Breeding and Sale of Dogs	If objection - Licensing Committee If no objection - Corporate Director, <del>Communities, Localities</del> <del>and Culture, Place</del>

	(Welfare) Act 1999.	
<b>31.</b> Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulation) Act 1925.	Corporate Director, Communities, <del>Localities</del> <del>and Culture, Place</del>
<b>32.</b> Power to license zoos.	Section 1 of the Zoo Licensing Act 1981.	If objection - Licensing Committee If no objection - Corporate Director, <del>Communities, Localities</del> <del>and Culture, Place</del>
<b>33.</b> Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976	Corporate Director, <del>Communities, Culture</del> <del>and Localities, Place</del>
<b>34.</b> Power to license knackers' yards.	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999 (S.I. 1999/646). <b><u>[These provisions have been repealed and this is no longer a function undertaken by local authorities]</u></b>	<del>Not a local authority function</del> Corporate Director, <del>Communities, Localities and Culture</del>
<b>35.</b> Power to license the employment of children.	Part II of the Children and Young Persons Act 1933 byelaws made under that Part, and Part II of the Children and Young Persons Act 1963	Corporate Director, <del>Education, Social Care</del> <del>and Wellbeing of Children's</del>
<b>36.</b> Power to approve premises for the solemnisation of marriages.	Section 46A of the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995 (S. I. 1995/510). <b><u>[The Regulations were revoked by the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (S.I. 2005/3168)]</u></b>	Chief Executive <del>[NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014.]</del>
<b>37.</b> Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to -	Regulation 6 of the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843). <b><u>[The Regulations have been revoked and such applications are now under</u></b>	Corporate Director, <del>Development and Renewal, Place</del>

(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) or (b) an order under section 147 of the Inclosure Act 1845 (c. 8 & 9 Vict. c. 118).	<a href="#"><u>the Commons Registration (England) Regulations 2014 (S.I. 2014/3038)</u></a>	
<b>38.</b> Power to register variation of rights of common.	Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471).	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>39.</b> Power to license persons to collect for charitable purposes and other causes.	Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 and section 2 of the House to House Collections Act 1939.	Not a Local Authority function
<b>40.</b> Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993	Corporate Director, <del>Communities, Localities and Culture of Place</del>
<b>41.</b> Power to grant a street works licence.	Section 50 of the New Roads and Street Works Act 1991	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>42.</b> Power to licence agencies for the supply of nurses.	Section 2 of the Nurses Agencies Act 1957. <a href="#"><u>[This Act has been repealed]</u></a>	Not a Local Authority function
<b>43.</b> Power to issue licences for the movement of pigs.	Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (S.I. 1995/11). <a href="#"><u>[These Regulations have been revoked and this is no longer a function undertaken by local authorities]</u></a>	<del>Not a local authority function</del> Corporate Director, <del>Communities, Localities and Culture</del>
<b>44.</b> Power to license the sale of pigs.	Article 13 of the Pigs (Records, Identification and Movement) Order 1995. <a href="#"><u>[These Regulations have been revoked and this is no longer a function undertaken by local authorities]</u></a>	<del>Not a local authority function</del> Corporate Director, <del>Communities, Localities and Culture</del>
<b>45.</b> Power to license collecting centres for the movement of pigs.	Article 14 of the Pigs (Records, Identification and Movement) Order 1995.	<del>Not a local authority function</del> Corporate Director, <del>Communities,</del>

	<b><u>[These Regulations have been revoked and this is no longer a function undertaken by local authorities]</u></b>	Localities and Culture
<b>46.</b> Power to issue a licence to move cattle from a market.	Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998/871). <b><u>[These Regulations have been revoked and this is no longer a function undertaken by local authorities]</u></b>	<del>Not a local authority function</del> Corporate Director, Communities, Localities and Culture
<b>46A.</b> Power to grant permission for provision, etc. of services, amenities, recreation and refreshment facilities on highway, and related powers.	Sections 115E, 115F and 115K of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>47.</b> Power to permit deposit of builder's skip on highway.	Section 139 of the Highways Act 1980	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>47A.</b> Duty to publish notice in respect of proposal to grant permission under section 115E of the highways Act 1980.	Section 115G of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>48.</b> Power to license planting, retention and maintenance of trees etc. in part of highway.	Section 142 of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>49.</b> Power to authorise erection of stiles etc. on footpaths or bridleways.	Section 147 of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>50.</b> Power to license works in relation to buildings etc. which obstruct the highway.	Section 169 of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>51.</b> Power to consent to temporary deposits or excavations in streets.	Section 171 of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>52.</b> Power to dispense with obligation to erect hoarding or fence.	Section 172 of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>53.</b> Power to restrict the	Section 178 of the Highways	Corporate Director,

placing of rails, beams etc. over highways.	Act 1980.	<del>Communities, Localities and Culture, Place</del>
54. Power to consent to construction of cellars etc. under street.	Section 179 of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
55. 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.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
56. Power to sanction use of parts of buildings for storage of celluloid	Section 1 of the Celluloid and Cinematograph Act 1922. <b><u>[This Act has been repealed and this is no longer a function undertaken by local authorities]</u></b>	<del>Not a local authority function</del> Corporate Director, <del>Communities, Localities and Culture</del>
57. Power to approve meat product premises.	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994. <b><u>[This area of law is now governed by the Food Hygiene (England) Regulations 2013 (S.I. 2005/3280)]</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
58. Power to approve premises for the production of minced meat or meat preparations.	Regulation 4 of the Minced Meat and Meat <del>Products Preparations</del> (Hygiene) Regulations 1995. <b><u>[This area of law is now governed by the Food Hygiene (England) Regulations 2013 (S.I. 2005/3280)]</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
59. Power to approve dairy establishments.	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995. <b><u>[This area of law is now governed by the Food Hygiene (England) Regulations 2013 (S.I. 2005/3280)]</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
60. Power to approve egg product establishments	Regulation 5 of the Egg Products Regulations 1993. <b><u>[This area of law is now governed by the Food Hygiene (England)</u></b>	Corporate Director, <del>Communities, Culture and Localities, Place</del>

	<b><u>Regulations 2013 (S.I. 2005/3280)</u></b>	
<b>61.</b> 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). <b><u>[This area of law is now governed by the Food Hygiene (England) Regulations 2013 (S.I. 2005/3280)]</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>62.</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). <b><u>[This area of law is now governed by the Food Hygiene (England) Regulations 2013 (S.I. 2005/3280)]</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>63.</b> Power to approve dispatch or purification centres.	Regulation 11 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998. <b><u>[This area of law is now governed by the Food Hygiene (England) Regulations 2013 (S.I. 2005/3280)]</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>64.</b> Power to register fishing vessels on board which shrimps or molluscs are cooked.	Regulation 21 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998. <b><u>[This area of law is now governed by the Food Hygiene (England) Regulations 2013 (S.I. 2005/3280)]</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>65.</b> Power to approve factory vessels and fishery product establishments.	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998. <b><u>[This area of law is now governed by the Food Hygiene (England)</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>

	<b><u>Regulations 2013 (S.I. 2005/3280)</u></b>	
<b>66.</b> Power to register auction and wholesale markets.	Regulation 26 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998. <b><u>[This area of law is now governed by the Food Hygiene (England) Regulations 2013 (S.I. 2005/3280)]</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>67.</b> Duty to keep register of food business premises.	Regulation 5 of the Food Premises (Registration) Regulations 1991 (S.I. 1991/2828). <b><u>[This area of law is now governed by the Food Hygiene (England) Regulations 2013 (S.I. 2005/3280)]</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>68.</b> Power to register food business premises.	Regulation 9 of the Food Premises (Registration) Regulations 1991. <b><u>[This area of law is now governed by the Food Hygiene (England) Regulations 2013 (S.I. 2005/3280)]</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>69.</b> Power to issue near beer licence.	Sections 16 19 and 21 of the London Local Authorities Act 1995 and, to the extent that it does not have effect by virtue of regulation 2(3), section 25 of that Act <b><u>[Repealed by virtue of section 35 of the London Local Authorities Act 2007 as Council resolved under section 2 of the Local Government (Miscellaneous Provisions) Act 1982 that Schedule 3 to the Act of 1982 as amended by section 27 of the Policing and Crime Act 2009 is to apply to its area]</u></b>	If objection - Licensing Committee If no objection - Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>70.</b> Power to register	Section 28 of the Greater	Corporate Director,

premises or stalls for the sale of goods by way of competitive bidding	London Council (General Powers) Act 1984	<u>Communities, Localities and Culture, Place</u>
<b>71.</b> Power to register motor salvage operators	Part 1 of the Vehicles (Crime) Act 2001 <b>[This area of law is now governed by the Scrap Metal Dealers Act 2013]</b>	If objection - Licensing Committee If no objection - Corporate Director, <u>Communities, Localities and Culture, Place</u>
<b>72.</b> Functions relating to the registration of common land and town or village greens	Part 1 of the Commons Act 2006 and the Commons Registration (England) Regulations 2008 (SI 2008/1961) <b>[The Regulations have been revoked and the Commons Registration (England) Regulations 2014 (S.I. 2014/3038) are now the appropriate Regulations]</b>	Corporate Director, <u>Development &amp; Renewal Place</u>
<del><b>73.</b> Functions relating to the discharge of Licensing functions, except any function conferred on the licensing authority under Section 5 of the Licensing Act 2003</del>	<del>Licensing Act 2003</del>	<del>Licensing Committee/Licensing Sub-Committee/Corporate Director, <u>Communities, Localities and Culture</u> where function delegated by Licensing Committee pursuant to Section 7 Licensing Act 2003</del>
<del><b>74.</b> Functions relating to the discharge of Licensing functions conferred on the licensing authority under Section 5 Licensing Act 2003</del>	<del>Section 5 Licensing Act 2003</del>	<del>Council</del>

### 3.1.1.3 C - Functions relating to health and safety at work

FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT	DELEGATION OF FUNCTION
Functions under any of the "relevant statutory provisions" within the	Part I of the Health and Safety at Work etc. Act 1974	Corporate Director, <u>Communities, Localities and Culture, Place</u>

<p>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.</p>		
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### 3.1.1.4 D - Functions relating to elections

FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT	DELEGATION OF FUNCTION
1. Duty to appoint an electoral registration officer.	Section 8(2) of the Representation of the People Act 1983 (c. 2).	<del>This function is currently the subject of the Directions made by the Secretary of State and it is for the DCLG Commissioners to appoint General Purposes Committee</del>
2. Power to assign officers in relation to requisitions of the registration officer.	Section 52(4) of the Representation of the People Act 1983.	<del>Service Head, Democratic Services</del> Chief Executive (as Returning Officer, Electoral Registration Officer)
3. Functions in relation to parishes and parish councils.	Part II of the Local Government and Rating Act 1997 and subordinate legislation under that Part.	<del>Not applicable to London borough councils</del> Council
4. Power to dissolve small parish councils.	Section 10 of the Local Government Act 1972	<del>Not applicable to London borough councils</del> Council
5. Power to make orders for grouping parishes, dissolving groups and separating parishes from groups.	Section 11 of the Local Government Act 1972	<del>Not applicable to London borough councils</del> Council
6. Duty to appoint returning officer for local government elections.	Section 35 Representation of the People Act 1983	<del>This function is currently the subject of the Directions made by the Secretary of State and it is for the DCLG Commissioners to appoint General Purposes Committee</del>
7. Duty to provide assistance at European Parliamentary elections.	Section 6 (7) and (8) of the European Parliamentary Elections Act 2002.	General Purposes Committee
8. Duty to divide constituency into polling districts.	Section 18A to 18E of and Schedule A1 to the Representation of the People Act 1983.	<del>Chief Executive Service Head, Democratic Services</del> (as Returning Officer, Electoral Registration Officer)

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<b>9.</b> Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.	<del>Chief Executive Service Head, Democratic Services</del> (as Returning Officer, Electoral Registration Officer)
<b>10.</b> Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983.	<del>Chief Executive Service Head, Democratic Services</del> (as Returning Officer, Electoral Registration Officer)
<b>11.</b> Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.	<del>Chief Executive Service Head, Democratic Services</del> (as Returning Officer, Electoral Registration Officer)
<b>12.</b> Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.	Not applicable to London borough councils
<b>13.</b> Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Acts 1972.	<del>Chief Executive Service Head, Democratic Services</del> (as Returning Officer, Electoral Registration Officer)
<b>14.</b> Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.	<del>Chief Executive Service Head, Democratic Services</del> (as Returning Officer, Electoral Registration Officer)
<b>15.</b> Power to make temporary appointments to parish councils.	Section 91 of the Local Government Act 1972.	Not applicable to London borough councils
<b>16.</b> 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 (SI 1986/2214) and rule 48(3) of the Local Elections (Parishes and Communities) Rules 1986 (SI 1986/2215)	<del>Corporate Director, of Law, Probity and Governance</del>
<b>17.</b> 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).	<del>Chief Executive Service Head, Democratic Services</del> (as Returning Officer, Electoral Registration Officer)

<b>18.</b> Duty to consult on change of scheme for elections	Section 33-(2), 38-(2) and 40-(2) of the Local Government and Public Involvement Health <u>Act</u> 2007 <del>Act</del> (the 2007 Act)	<u>Chief Executive Service Head, Democratic Services</u> (as Returning Officer, Electoral Registration Officer)
<b>19.</b> Duties relating to publicity	Sections 35, 41 and 52 of the 2007 Act	<u>Chief Executive Service Head, Democratic Services</u> (as Returning Officer, Electoral Registration Officer)
<b>20.</b> Duties relating to notice to Electoral Commission	Section 36 and 42 of the 2007 Act	<u>Chief Executive Service Head, Democratic Services</u> (as Returning Officer, Electoral Registration Officer)
<b>21.</b> Power to alter years of ordinary elections of parish councillors	Section 53 of the 2007 Act	Not applicable
<b>22.</b> Functions relating to change of name of electoral area	Section 59 of the 2007 Act	<u>Chief Executive Service Head, Democratic Services</u> (as Returning Officer, Electoral Registration Officer)

### 3.1.1.5 E - Functions relating to name and status of areas and individuals

<b>FUNCTION</b>	<b>PROVISION OF ACT OR STATUTORY INSTRUMENT</b>	<b>DELEGATION OF FUNCTION</b>
<b>1.</b> Power to change the name of a county, district or London borough.	Section 74 of the Local Government Act 1972.	Council
<b>2.</b> Power to change the name of a parish.	Section 75 of the Local Government Act 1972.	Not applicable to London borough councils
<b>3.</b> Power to confer title of honorary alderman or to admit to be an honorary freeman.	Section 249 of the Local Government Act 1972.	Council
<b>4.</b> Power to petition for a charter to confer borough status.	Section 245b of the Local Government Act 1972.	Council

### 3.1.1.6 EB - Functions relating to community governance

FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT	DELEGATION OF FUNCTION
1. Duties relating to community governance reviews	Section 79 of the 2007 Act	Chief Executive <del>{NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014.}</del>
2. Functions relating to community governance	Sections 80, 83 to 85 of the 2007 Act	Chief Executive <del>{NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014.}</del>
3. Functions relating to terms of reference review	Section 81 (4) to (6) of the 2007 Act	Chief Executive <del>{NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014.}</del>
4. Power to undertake a community governance review	Section 82 of the 2007 Act	Chief Executive <del>{NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014.}</del>
5. Functions relating to making of recommendations	Section 87 to 92 of the 2007 Act	Chief Executive <del>{NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014.}</del>
6. Duties when undertaking review	Section 93 to 95 of the 2007 Act	Chief Executive <del>{NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014.}</del>
7. Duty to publicise outcome of review	Section 96 of the 2007 Act	Chief Executive <del>{NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014.}</del>
8. Duty to send two copies of order to Secretary of State and Electoral Commission	Section 98 (1) of the 2007 Act	Chief Executive <del>{NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014.}</del>
9. Power to make agreements about incidental matters	Section 99 of the 2007 Act	Chief Executive <del>{NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014.}</del>

### 3.1.1.7 F - Byelaws

FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT	DELEGATION OF FUNCTION
1. Power to make, amend, revoke, enforce, or re-enact byelaws.	Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978 (c. 30).	General Purposes Committee to recommend to Council

### 3.1.1.8 FA - Functions relating to smoke-free premises

FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT	DELEGATION OF FUNCTION
1. Duty to enforce Chapter 1 and Regulations made under it	Section 10(3) of the Health Act 2006	Corporate Director, <del>Communities, Localities and Culture, Place</del>
2. Power to authorise officers	Section 10(5) of and paragraph 1 of Schedule 2 to the Health Act 2006	Corporate Director, <del>Communities, Localities and Culture, Place</del>
3. Functions relating to fixed penalty notices	Paragraphs 13, 15 and 16 of Schedule 1 to the Health Act 2006. Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007 (SI 2007/760)	Corporate Director, <del>Communities, Localities and Culture, Place</del>
4. Power to transfer enforcement functions to another enforcement authority	Smoke-free (Premises and Enforcements) Regulations 2006 (SI 2006/3368)	Corporate Director, <del>Communities, Localities and Culture, Place</del>

### 3.1.1.9 - G Local or Personal Bills

FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT	DELEGATION OF FUNCTION
1. Power to promote or oppose local or personal Bills.	Section 239 of the Local Government Act 1972.	Council

### 3.1.1.10 H Functions relating to pensions etc.

<b>FUNCTION</b>	<b>PROVISION OF ACT OR STATUTORY INSTRUMENT</b>	<b>DELEGATION OF FUNCTION</b>
<b>1.</b> Functions relating to local government pensions, etc.	Regulations under section 7, 12 or 24 of the Superannuation Act 1972 (c. 11).	Pensions Committee
<b>2.</b> Functions under the Fireman's Pension Scheme relating to pensions, etc. as respects persons employed as members of fire brigades maintained pursuant to section 4 of the Fire Services Act 1947	Section 26 of the Fire Services Act 1947	Not applicable to London borough councils

### 3.1.1.11 I - Miscellaneous functions

FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT	DELEGATION OF FUNCTION
<b>Part I: functions relating to public rights of way</b>		
1. Power to create footpath, <del>or</del> bridleway <u>or restricted byway</u> by agreement.	Section 25 of the Highways Act 1980 (c. 66).	Corporate Director, <del>Communities, Localities and Culture, Place</del>
2. Power to create footpaths, <del>and</del> bridleways, <u>and restricted byways</u> .	Section 26 of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
3. Duty to keep register of information with respect to maps, statements and declarations.	Section 31A of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
4. Power to stop up footpaths, <del>and</del> bridleways <u>and restricted byways</u> .	Section 118 of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
5. Power to determine application for public path extinguishment order.	Sections 118ZA and 118C(2) of the Highways Act 1980. <u>[This area of law is not currently in force]</u>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
6. Power to make a rail crossing extinguishment order.	Section 118A of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
7. Power to make a special extinguishment order.	Section 118B of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture of Place</del>
8. Power to divert footpaths, <del>and</del> bridleways <u>and restricted byways</u> .	Section 119 of the Highways Act 1980	Corporate Director, <del>Communities, Localities and Culture, Place</del>
9. Power to make a public path diversion order.	Sections 119ZA and 119C(4) of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
10. Power to make a rail crossing diversion order.	Section 119A of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture of Place</del>
11. Power to make a special diversion order.	Section 119B of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
12. Power to require applicant for order to	Section 119C(3) of the Highways Act 1980.	Corporate Director, <del>Communities, Localities</del>

enter into agreement.		<del>and Culture, Place</del>
<b>13.</b> Power to make an SSSI diversion order.	Section 119D of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>14.</b> Duty to keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the Highways Act 1980.	Section 121B of the Highways Act 1980. <b>[This area of law is not currently in force]</b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>15.</b> Power to decline to determine certain applications.	Section 121C of the Highways Act 1980. <b>[This area of law is not currently in force]</b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>16.</b> Duty to assert and protect the rights of the public to use and enjoyment of highways.	Section 130 of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>17.</b> Duty to serve notice of proposed action in relation to obstruction.	Section 130A of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>18.</b> Power to apply for variation of order under section 130B of the Highways Act 1980.	Section 130B(7) of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>19.</b> Power to authorise temporary disturbance of surface of footpath, <del>or</del> <del>bridleway</del> <del>or restricted byway.</del>	Section 135 of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>20.</b> Power temporarily to divert footpath or bridleway	Section 135A of the Highways Act 1980. <b>[This area of law is not currently in force]</b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>21.</b> Functions relating to the making good of damage and the removal of obstructions.	Section 135B of the Highways Act 1980. <b>[This area of law is not currently in force]</b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>22.</b> Powers relating to the removal of things so deposited on highways as to be a nuisance.	Section 149 of the Highways Act 1980.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>23.</b> Power to extinguish certain public rights of way	Section 32 of the Acquisition of Land Act 1981 (c. 67).	Corporate Director, <del>Communities, Localities and Culture, Place</del>

<b>24.</b> Duty to keep definitive map and statement under review.	Section 53 of the Wildlife and Countryside Act 1981 (c. 69).	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>25.</b> Power to include modifications in other orders.	Section 53A of the Wildlife and Countryside Act 1981.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>26.</b> 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.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<del><b>27.</b> Duty to reclassify roads used as public paths.</del>	<del>Section 54 of the Wildlife and Countryside Act 1981.</del>	<del>Corporate Director, Communities, Localities and Culture</del>
<b>28.</b> Power to prepare map and statement by way of consolidation of definitive map and statement.	Section 57A of the Wildlife and Countryside Act 1981.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>29.</b> Power to designate footpath as cycle track.	Section 3 of the Cycle Tracks Act 1984 (c. 38).	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>30.</b> Power to extinguish public right of way over land acquired for clearance.	Section 294 of the Housing Act 1981 (c. 68). <b><u>[The correct year of the Act is 1985 and not 1981 as cited in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000]</u></b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>30A.</b> Power to authorise stopping up or diversion of highway.	Section 247 of the Town and Country Planning Act 1990.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>31.</b> Power to authorise stopping-up or diversion of footpath, <del>or</del> bridleway <u>or restricted byway.</u>	Section 257 of the Town and Country Planning Act 1990.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>32.</b> Power to extinguish public rights of way over land held for planning purposes.	Section 258 of the Town and Country Planning Act 1990.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>33.</b> Power to enter into	Section 35 of the Countryside	Corporate Director,

agreements with respect to means of access.	and Rights of Way Act 2000 (c. 37).	<del>Communities, Localities and Culture, Place</del>
<b>34.</b> Power to provide access in absence of agreement.	Section 37 of the Countryside and Rights of Way Act 2000.	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>Part II: other miscellaneous functions</b>		
<b>35</b> Functions relating to sea fisheries.	Sections 1, 2, 10 and 19 of the Sea Fisheries Regulation Act 1966. <b>[This area of law is now governed by the Marine and Coastal Access Act 2003]</b>	Not applicable to London borough councils
<b>36.</b> Power to make standing orders.	Section 106 of, and para 42 of Schedule 12 to, the Local Government Act 1972 (c.70).	Council
<b>37.</b> Power to appoint staff, and subject to compliance with major policy determinations, to determine the terms and conditions on which they hold office (including procedures for their dismissal).	Section 112 of the Local Government Act 1972.	Chief Executive <del>[NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014]</del> except for those chief officer and deputy chief officer appointments reserved to the Appointments Sub-Committee
<b>38.</b> Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.	Council
<b>39.</b> Duty to make arrangements for proper administration of financial affairs etc.	Section 151 of the Local Government Act 1972.	Council
<b>40.</b> Power to appoint officers for particular purposes (appointment of "proper officers").	Section 270(3) of the Local Government Act 1972.	Council
<b>41.</b> Power to make limestone pavement order.	Section 34(2) of the Wildlife and Countryside Act 1981 (c. 69).	Corporate Director, <del>Communities, Culture and Localities, Place</del>
<b>42.</b> Power to make closing order with respect to take-away food shops.	Section 4 of the Local Government (Miscellaneous Provisions) Act 1982 (c. 30). <b>[This area of law is now</b>	Corporate Director, <del>Communities, Localities and Culture, Place</del>

	<b><u>governed by the Licensing Act 2003]</u></b>	
<b>43.</b> 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
<b>44.</b> 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
<b>44A.</b> Duty to provide staff etc. to person nominated by monitoring officer.	Sections 82A(4) and (5) of the Local Government Act 2000.	Council
<b>44B.</b> Powers relating to overview and scrutiny committees (voting rights of co-opted members).	Paragraphs 12 and 14 of Schedule 1 to the Local Government Act 2000. <b><u>[This area of law is now governed by the Paragraphs 11 and 13A of Schedule 1A to the Local Government Act 2000]</u></b>	Council
<b>45.</b> Duty to approve authority's statement of accounts, income and expenditure and balance sheet, or record of payments and receipts (as the case may be).	The Accounts and Audit Regulations 1996 (S.I. 1996/590). <b><u>[This area of law is now governed by the Accounts and Audit Regulations 2015 (S.I. 2015/ 234)]</u></b>	Audit Committee
<b>46.</b> Powers relating to the protection of important hedgerows.	The Hedgerows Regulations 1997 (S.I. 1997/1160).	Corporate Director, <del>Communities, Localities and Culture, Place</del>
<b>47.</b> 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). <b><u>[The correct name of the Regulations is the Town and Country Planning (Trees) Regulations 1999 and not as cited in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000]</u></b>	Chief Executive <del>[NB: Function allocated to Head of Paid Service until 31<sup>st</sup> October 2014.]</del>
<b>47A.</b> Powers relating to complaints about high hedges	Part 8 of the Anti-Social Behaviour Act 2003.	Corporate Director, <del>Communities, Localities and Culture, Health,</del>

		<u>Adults and Community</u>
<b>48.</b> Power to make payments or provide other benefits in cases of maladministration etc.	Section 92 of the Local Government Act 2000.	Corporate Director, <del>Communities, Localities and Culture, Governance</del>
<b>49.</b> Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption.	Section 13(2) of the Criminal Justice and Police Act 2001. <del>[Replaced by public place protection orders under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014]</del>	Council
<b>50.</b> Power to make or revoke an order designating a locality as an alcohol disorder zone.	Section 16 of the Violent Crime Reduction Act 2006 <del>[Repealed by the Police Reform and Social Responsibility Act 2011]</del>	General Purposes Committee
<b>51.</b> Power to apply for an enforcement order against unlawful works on common land	Section 41 of the Commons Act 2006	Corporate Director, <del>Development &amp; Renewal</del> Place
<b>52.</b> Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference	Section 45(2) (a) of the Commons Act 2006	Corporate Director, <del>Development &amp; Renewal</del> Place
<b>53.</b> Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens	Section 45(2) (b) of the Commons Act 2006	Corporate Director, <del>Development &amp; Renewal</del> Director of Law, Probity and Governance