

3A-2

Responsibility for Local Choice Functions

1 ALLOCATION OF LOCAL CHOICE FUNCTIONS

- 1.1 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) set out which functions are “non-executive” and which cannot in law be the responsibility of the Executive. These are functions which in law may be but need not be the responsibility of the Cabinet and it for full Council to decide by whom they should be exercised. The local choice functions are for convenience listed in the table below and any changes to the local choice functions prescribed from time to time shall be taken to be incorporated below.

Local Choice Functions		Decision Maker	Further Delegation
1	Any function under a Local Act not specified or referred to in regulation 2 or Schedule 1 of the 2000 Regulations.	Cabinet And (in respect of any development control functions) Planning Committee and (in respect of any licensing functions, Licensing and General Purposes Committee).	Executive Directors as per Hounslow scheme of delegation
2	The determination of any appeal against any decision made by or on behalf of the Council	Council (and in respect of any appeals relating to executive functions, Cabinet)	Audit and Governance Committee for non-executive functions and Chief Executive for both.
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.	Council	Executive Director Adults and Children
4	The making of arrangements in relation to appeals against the exclusion of pupils from maintained schools.	Cabinet	Director of Children Services

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5	The making of arrangements pursuant to sections 94(1), (1A) and (4) of the School Standards and Framework Act 1998 (admissions appeals).	Cabinet	Director Children Services/Monitoring Officer
6	The making of arrangements pursuant to section 95(2) of the 1998 Act (children to whom section 87 applies: appeals by governing bodies).	Cabinet	Director of Children Services
7	The making of appointments of Councillors under the Police Reform and Social Responsibility Act 2011.	Council	Chief Executive /Monitoring Officer
8	Any function relating to contaminated land	Cabinet	Executive Director Regeneration Housing and Environment
9	The discharge of any function relating to the control of pollution or the management of air quality enforcement of any of the above.	Cabinet	Executive Director Regeneration Housing and Environment
10	The service of an abatement notice in respect of a statutory nuisance.	Cabinet	Executive Director Regeneration Housing and Environment
11	The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.	Cabinet	Executive Director Regeneration Housing and Environment
12	The inspection of the authority's area to detect any statutory nuisance and the investigation of any complaint as to the existence of a statutory nuisance	Cabinet	Executive Director Regeneration Housing and Environment

Local Choice Functions		Decision Maker	Further Delegation
14	The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.	Planning Committee and (in respect of actions which are preliminary to the exercise of powers to make compulsory purchase orders only) Cabinet	Director of Planning and Buildings
15	The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	Cabinet (in respect of actions which are preliminary to the exercise of powers to make compulsory purchase orders only) and Planning Committee and Licensing and Regulatory Committee (in connection with each of their respective functions)	Executive Director Regeneration Housing and Environment and Director of Planning and Buildings
16	The making of agreements for the execution of highways works.	Cabinet	Executive Director Regeneration Housing and Environment
17	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,	Council except where the function to which the appointment relates is an executive function, in which case Cabinet	The Chief Executive.

Local Choice Functions		Decision Maker	Further Delegation
	and the revocation of any such appointment.		
18	The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities.	Cabinet	Head of Paid Service/ Executive Director for relevant service area.