

(1) Function	(2) Provision of Act or Statutory Instrument
[50. Power to make or revoke an order designating a locality as an alcohol disorder zone.	Section 16 of the Violent Crime Reduction Act 2006 (c. 38).] ¹²⁸

Commencement

Sch. 1 para. 1: November 16, 2000

Amendments Pending

Sch. 1 para. 1: entry inserted (November 28, 2008) by SI 2008/2787 reg. 4(a)

Sch. 1 para. 1: entry inserted (November 28, 2008) by SI 2008/2787 reg. 4(b)

Sch. 1 para. 1: entry repealed (November 28, 2008) by SI 2008/2787 reg. 5

Sch. 1 para. 1: entry inserted (November 28, 2008) by SI 2008/2787 reg. 6(a)

Sch. 1 para. 1: entry inserted (November 28, 2008) by SI 2008/2787 reg. 6(b)

Sch. 1 para. 1: entry inserted (November 28, 2008) by SI 2008/2787 reg. 6(c)

Sch. 1 para. 1: entry inserted (November 28, 2008) by SI 2008/2787 reg. 6(d)

Sch. 1 para. 1: entry inserted (November 28, 2008) by SI 2008/2787 reg. 6(e)

Sch. 1 para. 1: entry inserted (November 28, 2008) by SI 2008/2787 reg. 6(f)

SCHEDULE 2**FUNCTIONS WHICH MAY BE (BUT NEED NOT BE) THE RESPONSIBILITY OF AN AUTHORITY'S EXECUTIVE****Regulation 3(1)****1.**

Any function under a local Act other than a function specified or referred to in regulation 2 or Schedule 1.

Commencement

Sch. 2 para. 1: November 16, 2000

2.

The determination of an appeal against any decision made by or on behalf of the authority.

Commencement

Sch. 2 para. 2: November 16, 2000

¹²⁸ Entry inserted by Local Authorities (Alcohol Disorder Zones) Regulations 2008/1430 Pt 6 reg.25 (June 5, 2008)

3.

The appointment of review boards under regulations under subsection (4) of section 34 (determination of claims and reviews) of the Social Security Act 1998¹²⁹.

Commencement

Sch. 2 para. 3: November 16, 2000

[4.

The making of arrangements in relation to appeals against the exclusion of pupils from maintained schools¹³⁰.]¹³¹

Commencement

Sch. 2 para. 4: November 16, 2000

[5.

The making of arrangements pursuant to sections 94(1), (1A) and (4) of the 1998 Act (admissions appeals)¹³².]¹³³

Commencement

Sch. 2 para. 5: November 16, 2000

[6.

The making of arrangements pursuant to section 95(2) of the 1998 Act (children to whom section 87 applies: appeals by governing bodies)¹³⁴.]¹³⁵

¹²⁹ Section 34(4) replaces section 63(3) of the Social Security Administration Act 1992. The Council Tax Benefit Regulations 1992 (S.I. 1992/1814) and the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971), to which there are amendments not relevant to these Regulations, continue to have effect, by virtue of section 17(2)(b) of the Interpretation Act 1978 (c.30), notwithstanding the repeal of section 63(3) of the Social Security Administration Act 1992.

¹³⁰ See, in particular, section 52 of the Education Act 2002 (c. 32) and the subordinate legislation made under that section which replace section 67 of, and Schedule 18 to, the School Standards and Framework Act 1998 (c. 31) which have been repealed.

¹³¹ Substituted by Local Authorities (Functions and Responsibilities) (Amendment No. 3) (England) Regulations 2004/2748 Sch.1(2) para.1 (November 23, 2004)

¹³² Section 94(1A) of the School Standards and Framework Act 1998 ("the SSFA 1998") was inserted by the Education Act 2002. See also subordinate legislation made under section 94(5) of the SSFA 1998, as substituted by the Education Act 2002, which replaces Schedule 24 to the SSFA 1998.

¹³³ Substituted by Local Authorities (Functions and Responsibilities) (Amendment No. 3) (England) Regulations 2004/2748 Sch.1(2) para.1 (November 23, 2004)

¹³⁴ See, in particular, subordinate legislation made under section 95(3A) of the School Standards and Framework Act 1998, as inserted by the Education Act 2002, which replaces Schedule 25 to the School Standards and Framework Act 1998 which has been repealed.

¹³⁵ Substituted by Local Authorities (Functions and Responsibilities) (Amendment No. 3) (England) Regulations 2004/2748 Sch.1(2) para.1 (November 23, 2004)

Commencement

Sch. 2 para. 6: November 16, 2000

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.

Commencement

Sch. 2 para. 7: November 16, 2000

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.

Commencement

Sch. 2 para. 8: November 16, 2000

9. [...]¹³⁶**10.**

Any function relating to contaminated land¹³⁷.

Commencement

Sch. 2 para. 10: November 16, 2000

11.

The discharge of any function relating to the control of pollution or the management of air quality¹³⁸

Commencement

Sch. 2 para. 11: November 16, 2000

12.

The service of an abatement notice in respect of a statutory nuisance¹³⁹.

¹³⁶ Revoked by Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008/516 reg.7(a) (April 1, 2008)

¹³⁷ Part IIA of the Environmental Protection Act 1990 (c.43) and subordinate legislation under that Part.

¹³⁸ See the Pollution Prevention and Control Act 1999 (c.24), Part IV of the Environment Act 1995 (c.25), Part I of the Environmental Protection Act 1990 (c.43) and the Clean Air Act 1993 (c.11).

¹³⁹ Section 80(1) of the Environmental Protection Act 1990.

Commencement

Sch. 2 para. 12: November 16, 2000

13.

The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area¹⁴⁰.

Commencement

Sch. 2 para. 13: November 16, 2000

14.

The inspection of the authority's area to detect any statutory nuisance¹⁴¹.

Commencement

Sch. 2 para. 14: November 16, 2000

15.

The investigation of any complaint as to the existence of a statutory nuisance¹⁴².

Commencement

Sch. 2 para. 15: November 16, 2000

16.

The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.

Commencement

Sch. 2 para. 16: November 16, 2000

17.

The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.

Commencement

Sch. 2 para. 17: November 16, 2000

¹⁴⁰ Section 8 of the Noise and Statutory Nuisance Act 1993 (c.40).

¹⁴¹ Section 79 of the Environmental Protection Act 1990.

¹⁴² Section 79 of the Environmental Protection Act 1990.

18.

The making of agreements for the execution of highways works¹⁴³.

Commencement

Sch. 2 para. 18: November 16, 2000

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

Commencement

Sch. 2 para. 19(a)-(c): November 16, 2000

[20.

The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities.]¹⁴⁴

[21.

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.)¹⁴⁵

[22.

Functions under sections 106, 110, 111 and 113 of the 2007 Act relating to local area agreements.]¹⁴⁶

¹⁴³ Section 278 of the Highways Act 1980 (c.66), substituted by the New Roads and Street Works Act 1991 (c.22), section 23.

¹⁴⁴ Inserted subject to the operation of arrangements as specified in SI 2001/2212 reg.1 by Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2001/2212 Sch.1(II) para.1 (July 10, 2001 except in relation to local authorities as specified in SI 2001/2212 reg.1)

¹⁴⁵ Inserted subject to the operation of arrangements as specified in SI 2001/2212 reg.1 by Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2001/2212 Sch.1(II) para.1 (July 10, 2001 except in relation to local authorities as specified in SI 2001/2212 reg.1)

¹⁴⁶ Revoked by Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008/516 reg.7(b) (March 31, 2008)