

# APPENDIX 1

## (ANNEX 1)

*These are Council functions by law (see Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) (Regulations) 2001). The functions listed are not all district council functions. However, if the Council acts as agent for the County Council in respect of a County function the Regulations apply in the same way as for other functions. Many of these Council functions will have been delegated to a committee or an officer and those delegations are specified below.*

### A FUNCTIONS RELATING TO TOWN AND COUNTRY PLANNING AND DEVELOPMENT CONTROL

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1	Power to determine applications for planning permission	Sections 70(1)(a) and (b) and 72, Town and Country Planning Act (T&CPA)1990
2	Power to determine applications to develop land without compliance with conditions previously attached	Section 73, T&CPA 1990
3	Power to grant planning permission for development already carried out	Section 73A, T&CPA 1990
4	Power to decline to determine application for planning permission	Section 70A, T&CPA 1990
5	Duties relating to the making of determinations of planning applications	Sections 69, 76 and 92, T&CPA 1990 and Articles 8, 10-13, 15-22, 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 and Directions made thereunder
6	Power to determine application for planning permission made by a local authority, alone or jointly with another person/body	Section 316, T&CPA 1990 and the Town and Country Planning General Regulations 1992
7	Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights	Parts 6,7,11,17,19,29,21-24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995
8	Power to enter into agreement regulating development or use of land	Section 106, T&CPA 1990
9	Power to issue a certificate of existing or proposed lawful use or development	Sections 191(4) and 192(2), T&CPA 1990
10	Power to serve a completion notice	Section 94(2), T&CPA 1990

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11	Power to grant consent for the display of advertisements	Section 220, T&CPA 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992
12	Power to authorise entry on to land	Section 196A, T&CPA 1990
13	Power to require the discontinuance of a use of land	Section 102, T&CPA 1990
14	Power to serve a planning contravention notice, breach of condition notice or stop notice	Section 171C, 187A and 183(1), T&CPA 1990
15	Power to issue a temporary stop notice	Section 171E, T&CPA 1990
16	Power to issue an enforcement notice	Section 172, T&CPA 1990
17	Power to apply for an injunction restraining a breach of planning control	Section 187B, T&CPA 1990
18	Power to determine applications for hazardous substances consent, and related powers	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990
19	Duty to determine conditions to which old mining permissions, relevant planning 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	Paragraph 2(6)(a) of Schedule 12 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 and paragraph 6(5) of Schedule 14 to that Act
20	Power to require proper maintenance of land	Section 215(1), Town and Country Planning Act 1990
21	Power to determine application for listed building consent, and related powers	Sections 16(1) & (2), 17, 27(2) and 33(1), Planning (Listed Buildings and Buildings in Conservation Areas) (LB&BCA) Act 1990
22	Power to determine applications for conservation area consent	Section 16(1), Planning (LB&BCA) Act 1990, as applied by Section 74(3) of that Act
23	Duties relating to applications for listed building consent and Conservation Area consent	Sections 13(1) and 14(1), Planning (LB&BCA) Act 1990 and Regulations 3-6 and 13, Town and Country Planning (LB&BCA) Regulations 1990 and paragraphs 8, 15 and 22 of Department of the Environment Circular 14/97
24	Power to serve a building preservation notice, and related powers	Sections 3(1) and 4(1), Planning (LB&BCA) Act 1990
25	Power to issue enforcement notice in relation to demolition of unlisted building in a Conservation Area	Section 38, Planning (LB&BCA) Act 1990
26	Power to acquire a listed building in need of repair and power to serve a repairs notice	Sections 47 and 48, Planning (LB&BCA) Act 1990
27	Power to apply for an injunction in relation to a listed building	Section 44A, Planning (LB&BCA) Act 1990 (b)

Classification: NULBC **UNCLASSIFIED**

28	Power to execute urgent works	Section 54, Planning (LB&BCA) Act 1990
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**B LICENSING AND REGISTRATION FUNCTIONS**  
**(INSOFAR AS NOT COVERED BY ANY OTHER PARAGRAPH)**

	FUNCTION	LEGISLATION
1	Power to issue licences authorising the use of land as a caravan site ('site licences')	Section 3(3), Caravan Sites and Control of Development Act 1960
2	Power to licence the use of moveable dwellings and campsites	Section 269(1), Public Health Act 1936
3	Power to licence hackney carriages	Town Police Clauses Act 1847, as extended by Section 171 of the Public Health Act 1875, and Section 15 of the Transport Act 1985, and Sections 47,57,58,60 & 79 of the Local Government (Miscellaneous Provisions) Act 1976
4	Power to licence private hire vehicles	Sections 47,57,58,60 & 79 of the Local Government (Miscellaneous Provisions) Act 1976
5	Power to licence drivers of hackney carriages and private hire vehicles	Sections 47,57,58,60 & 79 of the Local Government (Miscellaneous Provisions) Act 1976
6	Power to licence operators of hackney carriages and private hire vehicles	Sections 55-58, 62 & 79 of the Local Government (Miscellaneous Provisions) Act 1976
7	Power to register pool promoters	Schedule 2 to the Betting, Gaming and Lotteries Act 1963 (as saved for certain purposes by the Gambling Act Order)
8	Power to grant track betting licences	Schedule 3 to the Betting, Gaming and Lotteries Act 1963 [as saved for certain purposes by the Gambling Act Order]
9	Power to licence inter-track betting schemes	Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963 [as saved for certain purposes by the Gambling Act Order]
10	Power to grant permits in respect of premises with amusement machines	Schedule 9 of the Gaming Act 1968 [as saved for certain purposes by the Gambling Act Order]

Classification: NULBC **UNCLASSIFIED**

11	Power to register societies promoting lotteries	Schedule 1 of the Lotteries and Amusements Act 1976 (c.32) (as saved for certain purposes by the Gambling Act Order)
12	Power to grant permits in respect of premises where amusements with prizes are provided	Schedule 3 of the Lotteries and Amusements Act 1976 (c) [as saved for certain purposes by the Gambling Act Order].
13	Functions relating to licensing	Sections 5 to 8 of the Licensing Act 2003
14	Duty to comply with requirement to provide information to the Gambling Commission	Section 29 of the 2005 Act
15	Functions relating to the exchange of information	Section 39 of the 2005 Act
16	Functions relating to occasional use notices	Section 39 of the 2005 Act
17	Power to resolve not to issue casino licences	Section 166 of the 2005 Act
18	Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises	Section 304 of the 2005 Act
19	Power to make order disapplying Sections 279 or 282(1) of the 2005 Act in relation to specified premises	Section 284 of the 2005 Act
20	Power to institute criminal proceedings	Section 346 of the 2005 Act
21	Power to exchange information	Section 350 of the 2005 Act
22	Functions relating to the determination of fees for premises licences	The Gambling (Premises Licence fees) (England and Wales) Regulations 2007 (SI 2007/479)
23	Functions relating to the registration of small society lotteries	Part 5 of Schedule 11 to the 2005 Act
24	Power to licence Sex Shops and Sex Cinemas	The Local Government (Miscellaneous Provisions) Act 1982, Section 2 and Schedule 3
25	Power to licence premises for acupuncture, tattooing, ear-piercing and electrolysis. cosmetic piercing and skin colouring	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982, Section 120, Local Government Act 2003
26	Power to licence pleasure boats and pleasure vessels	Section 94 of the Public Health Acts Amendment Act 1907
27	Power to licence market and street trading	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982, Part III of the London Local Authorities Act 1990 and Section 6 of the London Local Authorities Act 1994.
28	Duty to keep list of persons entitled to sell non-medicinal poisons	Sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972

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29	Power to licence dealers in game and the killing and selling of game	Sections 5, 6, 17, 18 and 21-23 of the Game Act 1831; Sections 2-16 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 Government Act 1972
30	Power to register and licence premises for the preparation of food	Section 19 of the Food Safety Act 1990
31	Power to licence scrap yards	Section 1, Scrap Metal Dealers Act 1964
32	Power to issue, amend or replace safety certificates (whether general or special) for sports grounds	The Safety of Sport Grounds Act 1975
33	Power to licence 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
34	Power to licence 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 Act 1964 and 1970; Section 1 of the Breeding of Dogs Act 1973, and Sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999
35	Power to register animal trainers and exhibitors	Section 1 of the Performing Animals (Regulation) Act 1925
36	Power to licence zoos	Section 1 of the Zoo Licensing Act 1981
37	Power to licence dangerous wild animals	Section 1 of the Dangerous Wild Animals Act 1976
38	Power to licence knackers' yards	Section 4 of the Slaughterhouses Act 1974 and the Animal By-products Order 1999
39	Power to licence 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
40	Power to approve premises for the solemnisation of marriages	Section 46A of the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995

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41	Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to:  (a) an exchange of lands effected by an order under section 19(3) of, or para. 6(4) of Schedule 3 to, the Acquisition of Land Act 1981; or  (b) an order under Section 147 of the Inclosure Act 1845.	Regulation 6 of the Commons Registration (New Land) Regulations 1969.
42	Power to register variation of rights of common	Regulation 29 of the Commons Registration (General) Regulations 1966
43	Power to grant consent for the operation of a loudspeaker	Schedule 2 to the Noise and Statutory Nuisance Act 1993
44	Power to grant a street works licence	Section 50 of the New Roads and Street Works Act 1991
45	Power to licence agencies for the supply of nurses	Section 2 of the Nurses Agencies Act 1957
46	Power to issue licences for the movement of pigs	Article 12 of the Pigs (Records, Identification and Movement) Order 1995
47	Power to licence the sale of pigs	Article 13 of the Pigs (Records, Identification and Movement) Order 1995
48	Power to licence collecting centres for the movement of pigs	Article 14 of the Pigs (Records, Identification and Movement) Order 1995
49	Power to issue a licence to move cattle from a market	Article 5(2) of the Cattle Identification Regulations 1998
50	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
51	Power to permit deposit of builder's skip on highway	Section 139 of the Highways Act 1980
52	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
53	Power to licence planting, retention and maintenance of trees etc. in part of highway	Section 142 of the Highways Act 1980
54	Power to authorise erection of stiles etc. on footpaths or bridleways	Section 147 of the Highways Act 1980
55	Power to licence works in relation to buildings etc. which obstruct the highway	Section 169 of the Highways Act 1980
56	Power to consent to temporary deposits or excavations in streets	Section 171 of the Highways Act 1980

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57	Power to dispense with obligation to erect hoarding or fence	Section 172 of the Highways Act 1980
58	Power to restrict the placing of rails, beams etc. over highways	Section 178 of the Highways Act 1980
59	Power to consent to construction of cellars etc. under street	Section 179 of the Highways Act 1980
60	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
61	Power to sanction use of parts of buildings for storage of celluloid	Section 1 of the Celluloid and Cinematograph Film Act 1922
62	Power to approve meat product premises	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994
63	Power to approve premises for the production of minced meat or meat preparations	Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995
64	Power to approve dairy establishments	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995
65	Power to approve egg product establishments	Regulation 5 of the Egg Products Regulations 1993
66	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
67	Power to approve fish products premises	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998
68	Power to approve dispatch or purification centre	Regulation 11 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998
69	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
70	Power to approve factory vessels and fishery product establishments	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998
71	Power to register auction and wholesale markets	Regulation 26 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998
72	Duty to keep register of food business premises	Regulation 5 of the Food Premises (Registration) Regulations 1991

73	Power to register food business premises	Regulation 9 of the Food Premises (Registration) Regulations 1991
74	Power to register premises or stalls for the sale of goods by way of competitive bidding	
75	Power to licence persons to collect for charitable 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
76	Power to register Motor Salvage Operators	Vehicles (Crime) Act 2001 and Motor Salvage Operators Regulations 2002
77	Power to grant licences	Scrap Metal Dealers Act

### **C FUNCTIONS RELATING TO HEALTH AND SAFETY AT WORK**

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1	Functions under any of the “relevant statutory provisions” within the 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.	Part I of the Health and Safety at Work etc. Act 1974

### **D FUNCTIONS RELATING TO ELECTIONS**

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1	Duty to appoint an electoral registration officer	Section 8(2) of the Representation of the People Act 1983
2	Power to assign officers in relation to requisitions of the registration officer	Section 52(4) of the Representation of the People Act 1983
3	Functions in relation to the parishes and parish councils	Part II of the Local Government and Rating Act 1997 and subordinate legislation under that Part
4	Power to dissolve small parish councils.	Section 10 of the Local Government Act 1972
5	Power to make orders for grouping parishes, dissolving groups and separating parishes from groups	Section 11 of the Local Government Act 1972



6	Duty to appoint returning officer for local government elections	Section 35 of the Representation of the People Act 1983
7	Duty to provide assistance at European Parliamentary elections	Paragraph 4(3) and (4) of Schedule 1 to the European Parliamentary Elections Act 1978
8	Duty to divide constituency into polling districts	Section 18 of the Representation of the People Act 1983
9	Power to divide electoral divisions into polling districts at local government elections	Section 31 of the Representation of the People Act 1983
10	Powers in respect of holding of elections	Section 39(4) of the Representation of the People Act 1983
11	Power to pay expenses properly incurred by electoral registration officers	Section 54 of the Representation of the People Act 1983
12	Power to fill vacancies in the event of insufficient nominations	Section 21 of the Representation of the People Act 1983
13	Duty to declare vacancy in office in certain cases	Section 86 of the Local Government Act 1972
14	Duty to give public notice of a casual vacancy	Section 87 of the Local Government Act 1972
15	Power to make temporary appointments to parish councils	Section 91 of the Local Government Act 1972
16	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
17	Duty to consult on a change of scheme for elections	Sections 33, 39(2), 38(2) and 40(2) of the 2007 Act
18	Duties relating to publicity	Sections 35, 41 & 42 of the 2007 Act
19	Duties relating to notice to Electoral Commission	Sections 36 and 42 of the 2007 Act
20	Power to alter years of ordinary elections of parish councillors	Section 53 of the 2007 Act

**E. FUNCTIONS RELATING TO NAME AND STATUS OF AREAS AND INDIVIDUALS**

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1	Power to change the name of a county, district or London borough	Section 74 of the Local Government Act 1972

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2	Power to change the name of a parish	Section 75 of the Local Government Act 1972
3	Power to confer title of honorary alderman or to admit to be an honorary freeman	Section 249 of the Local Government Act 1972
4	Power to petition for a charter to confer borough status	Section 245b of the Local Government Act 1972

### **E(A) FUNCTIONS RELATING TO CHANGING GOVERNANCE ARRANGEMENTS**

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1	Duty to draw up proposals	Section 33E(2) of the 2000 Act
2	Duty to consult prior to drawing up proposals	Section 33E(6) of the 2000 Act
3	Duty to implement new governance arrangements	Sections 33G and 33H of the 2000 Act
4	Duty to comply with direction given by the Secretary of State	Section 33I of the 2000 Act
5	Duty to hold referendum	Section 33K(2) of the 2000 Act
6	Duty to publish notice if proposals not approved in referendum	Section 33K(6) of the 2000 Act
7	Duty to obtain written consent of elected mayor	Section 33N of the 2000 Act

### **E(B) FUNCTIONS RELATING TO COMMUNITY GOVERNANCE**

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1	Duties relating to community governance reviews	Section 79 of the 2007 Act
2	Functions relating to community governance petitions	Sections 80, 83 to 85 of the 2007 Act
3	Functions relating to terms of reference of review	Sections 81(4) to (6)
4	Power to undertake a community governance review	Section 82 of the 2007 Act
5	Functions relating to making of recommendations	Sections 87 to 92 of the 2007 Act
6	Duties when undertaking review	Section 93 to 95 of the 2007 Act
7	Duty to publicise outcome of review	Section 96 of the 2007 Act
8	Duty to send two copies of order to Secretary of State and Electoral Commission.	Section 98(1) of the 2007 Act
9	Power to make agreements about incidental matters	Section 99 of the 2007 Act

### **F POWER TO MAKE, AMEND, REVOKE, RE-ENACT OR ENFORCE BYELAWS**

Classification: NULBC **UNCLASSIFIED**

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1	Any provision of any enactment (including a local Act), whenever passed, and Section 14 of the Interpretation	

### **F(A) FUNCTIONS RELATING TO SMOKE FREE PREMISES**

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1	Duty to enforce Chapter 1 and regulations made under it	Section 10(3) of the 2006 Act
2	Power to authorise officers	Section 10(5) of, and paragraph 1 of Schedule 2 to, the 2006 Act
3	Functions relating to fixed penalty notices	Paragraphs 13, 15 and 16 of Schedule 1 to the 2006 Act Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007 (SI 2006/760)
4	Power to transfer enforcement functions to another enforcement authority	Smoke-free (Premises and Enforcement) Regulations 2006 (SI 2006/3368)

### **G POWER TO PROMOTE OR OPPOSE LOCAL OR PERSONAL BILLS**

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1		Section 239 of the Local Government Act 1972

### **H FUNCTIONS RELATING TO PENSIONS ETC.**

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1	Functions relating to local government pensions, etc.	Regulations under Sections 7, 12 or 24 of the Superannuation Act 1972.

### **I MISCELLANEOUS FUNCTIONS**

#### **PART 1 – Relating to public rights of way**

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1	Power to create footpath or bridleway by agreement	Section 25 of the Highways Act 1980 (c.66)
2	Power to create footpaths and bridleways	Section 26 of the Highways Act 1980

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3	Duty to keep register of information with respect to maps, statements and declarations	Section 31A of the Highways Act 1980
4	Power to stop up footpaths and bridleways	Section 118 of the Highways Act 1980
5	Power to determine application for public path extinguishment order	Sections 118ZA and 118C(2) of the Highways Act 1980
6	Power to make a rail crossing extinguishment order	Section 118A of the Highways Act 1980
7	Power to make a special extinguishment order	Section 118B of the Highways Act 1980
8	Power to divert footpaths and bridleways	Section 119 of the Highways Act 1980
9	Power to make a public path diversion order	Sections 119ZA and 119C(4) of the Highways Act 1980
10	Power to make a rail crossing diversion order	Section 119A of the Highways Act 1980
11	Power to make a special diversion order	Section 119B of the Highways Act 1980
12	Power to require application for order to enter into agreement	Section 119C(3) of the Highways Act 1980
13	Power to make an SSSI diversion order	Section 119D of the Highways Act 1980
14	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
15	Power to decline to determine certain applications	Section 121C of the Highways Act 1980 Act 2000
16	Duty to assert and protect the rights of the public to use and enjoyment of highways	Section 130 of the Highways Act 1980
17	Duty to serve notice of proposed action in relation to obstruction	Section 130A of the Highways Act 1980
18	Power to apply for variation of order under section 130B of the Highways Act 1980	Section 130B(7) of the Highways Act 1980
19	Power to authorise temporary disturbance of surface of footpath or bridleway	Section 135 of the Highways Act 1980
20	Power to temporarily divert footpath or bridleway	Section 135A of the Highways Act 1980
21	Functions relating to the making good of damage and the removal of obstructions	Section 135B of the Highways Act 1980
22	Powers relating to the removal of things so deposited on highways as to be a nuisance	Section 19 of the Highways Act 1980
23	Power to extinguish certain public rights of way	Section 32 of the Acquisition of Land Act 1981 (c.67)
24	Duty to keep a definitive map and statement under review	Section 53 of the Wildlife and Countryside Act 1981 (c.69)
18	Duties relating to publicity	Sections 35, 41 & 42 of the 2007 Act
19	Duties relating to notice to Electoral Commission	Sections 36 and 42 of the 2007 Act

Classification: NULBC **UNCLASSIFIED**

20	Power to alter years of ordinary elections of parish councillors	Section 53 of the 2007 Act
25	Power to include modifications in other orders	Section 53A of the Wildlife and Countryside Act 1981
26	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
27	Duty to reclassify roads used as public paths	Section 54 of the Wildlife and Countryside Act 1981
28	Power to prepare map and statement by way of consolidation of definitive map and statement	Section 57A of the Wildlife and Countryside Act 1981
29	Power to designate footpath as cycle track	Section 3 of the Cycle Tracks Act 1984 (c.38)
30	Power to extinguish public right of way over land acquired for clearance	Section 294 of the Housing Act 1981 (c.68)
31	Power to authorise stopping up or diversion of a highway	Section 247 / 257 of the Town and Country Planning Act 1990
32	Power to extinguish public rights of way over land for planning purposes	Section 258 of the Town and Country Planning Act 1990
33	Power to enter into agreements with respect to means of access	Section 35 of the Countryside and Rights of Way Act 2000 (c.37)
34	Power to provide access in absence of agreement	Section 37 of the Countryside and Rights of Way Act 2000

## **PART 2 – Other Miscellaneous Functions**

	<b>FUNCTION</b>	<b>LEGISLATION</b>
1	Functions relating to sea fisheries	Sections 1, 2, 10 and 19 of the Sea Fisheries Regulation Act 1966 (c.38)
2	Power to make standing orders	Section 106, and paragraph 42 of Schedule 12 of the Local Government Act 1972 (c.70)
3	Power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal)	Section 112 of the Local Government Act 1972
4	Power to make standing orders as to contracts	Section 135 of the Local Government Act 1972
5	Duty to make arrangements for proper administration of financial affairs etc.	Section 151 of the Local Government Act 1972
6	Power to appoint officers for particular purposes (appointment of 'proper officers')	Section 270(3) of the Local Government Act 1972
7	Power to make limestone payment order	Section 34(2) of the Wildlife and Countryside Act 1981 (c.39)

Classification: NULBC **UNCLASSIFIED**

8	Power to make closing order with respect to take-away food shops.	Section 4 of the Local Government (Miscellaneous Provisions) Act 1982 (c.30)
9	Duty to designate officer as the head of the authority's paid service and to provide staff	Section 4(1) of the Local Government and Housing Act 1989
10	Duty to designate officer as the monitoring officer, and to provide staff etc. including to person nominated by monitoring officer	
11	Powers relating to overview and scrutiny committees(voting rights of co-opted members)	Section 5(1) of the Local Government and Housing Act 1989, Sections 82A(4) and (5) of the Local Government Act 2000 and Paragraphs 12 and 14 of Schedule 1 to the Local Government Act 2000
12	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 2003 (S.I. 2003/533)
13	Powers relating to the protection of important hedgerows	The Hedgerows Regulations 1997 (S.I. 1997/1160)
14	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. 1999/1982)
15	Powers relating to complaints about high hedges	Part 8 of the Anti Social Behaviour Act 2003
16	Power to make payments or provide other benefits in cases of maladministration etc.	Section 22 of the Local Government Act 2000
17	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