

Forest Heath District Council

Part 3 – Functions and Responsibilities

The various parts of this section of the Constitution set out the responsibility for functions. These are divided between the Council and/or its Committees, and the Cabinet (the executive). In both cases they are subject to the onward delegation to employees set out in the Scheme of Delegation to Officers.

Section 1 - Responsibility for Local Choice Functions

The table below sets out the Council's decisions on who will be responsible for functions where there is a choice whether these are functions of Council or Cabinet.* These are also subject to the onward delegation to employees set out in the Scheme of Delegation to Officers.

Local Choice Function	Who is Responsible?
1. Any function under a local Act	Cabinet
2. The determination of an appeal against any decision made by or on behalf of the Authority	Council
3. Any function relating to contaminated land.	Council
4. The discharge of any function relating to the control of pollution or the management of air quality.	Council
5. The service of an abatement notice in respect of a statutory nuisance.	Council
6. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area.	Council
7. The inspection of the Authority's area to detect any statutory nuisance.	Council
8. The investigation of any complaint as to the existence of a statutory nuisance.	Council

Local Choice Function	Who is Responsible?
9. The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.	Council
10. The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	Council
11. The making of agreements for the execution of highways works	Council
12. The appointment of any individual:	
(a) to any office other than an office in which he is employed by the Authority;	Council
(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	

**In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended.*