

Appendix 1 – Proposed Responsibility for Local Choice Functions

*The following local choice functions are to be exercised by the Leader/Executive or an officer, provided that they are within the Council’s agreed policies and budgetary framework.

	Function	Decision Maker	Further Delegation
1	Any function under a local act (other than that specified in Regulation 2 of the Local Authorities (Functions and Responsibilities) (England) Regulations (as amended) or Schedule 1 thereto.	Leader/Executive	Authority to undertake some of these functions has been delegated to officers in accordance with the Council’s scheme of delegation set out in this Part of the Constitution
2	The determination of any appeal (<i>where a right of appeal to the Council exists either by law or where the Council has expressly determined there shall be a right of appeal</i>) against any decision made by or on behalf of the Council (other than staffing, <i>planning</i> or licensing matters).	Leader/Executive	
3	The appointment of review boards under regulations under Section 34(4) (determination of claims and reviews) of the Social Security Act 1998.	Leader/Executive	
4	Any function relating to contaminated land	Leader/Executive	
5*	The discharge of any function relating to the control of pollution or the management of air quality.	Leader/Executive	
6	The service of an abatement notice in respect of a statutory nuisance.	Leader/Executive	
7	The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Borough.	Leader/Executive	
8	The inspection of the Borough to detect any statutory nuisance.	Leader/Executive	
9	The investigation of any complaint as to the existence of a statutory nuisance.	Leader/Executive	
10	The obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land.	Leader/Executive	
11	The obtaining of particulars of persons interested in land under Section 16 of	Leader/Executive	

	the Local Government (Miscellaneous Provisions) Act 1976.		
12	<p>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: (ii) the authority; (iii) 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.</p> <p><i>(For the avoidance of doubt, (a) above does not apply to joint posts between Waverley and Guildford Borough Councils)</i></p>	<p>(a) Executive (b) Council</p>	
13	The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities	Council	