

Responsibility for Local Choice Functions

SECTION 1: RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

Local Choice Functions¹	Decision Making Body	Delegation of functions to Committees or officers (to the extent set out below or Section 2C for Council (non-executive) functions and section 3D for executive functions)
Functions under a local Act (other than one specified or referred to in Reg 2 or Schedule 1 of the Regulations 2000)	Executive Board	The relevant Director for the function concerned.
To determine appeals against any decision of the authority.	Executive Board generally ² except in respect of matters referred under the terms of reference of the Personnel Panel ³ , the Licensing & Regulatory Panels and the Employment Committee.	The Director of Resources ⁴
To appoint review boards under the Social Security Act 1998 ⁵	Full Council	Assistant Chief Executive (Corporate Governance)
To make arrangements for appeals against exclusion of pupils from maintained schools	Full Council	Assistant Chief Executive (Corporate Governance)
To make arrangements for appeals regarding school admissions ⁶	Full Council	Assistant Chief Executive (Corporate Governance)
To make arrangements for appeals by governing bodies ⁷	Full Council	Assistant Chief Executive (Corporate Governance)
To make arrangements to enable questions to be put at Council	Full Council	Assistant Chief Executive (Corporate Governance)

¹ Local Authorities (Functions and Responsibilities) Regulations 2000, Schedule 2

² Including appeals in relation to access to information by Members under s100F Local Government Act 1972, Regulation 17 Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, and the common law "need to know" rules

³ Hearings will not be commenced by this Panel after 31st August 2005 when alternative arrangements for appeals will be introduced as agreed by the Corporate Governance and Audit Committee on 10th May 2005

⁴ In relation to arrangements for employee appeals, save those dealt with by the Employment Committee

⁵ s34(4) Social Security Act 1998

⁶ s94(1), (1A) and (4) School Standards and Framework Act 1998

⁷ s95(2) School Standards and Framework Act 1998

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meetings on the discharge of the functions of a police authority ⁸		
To appoint Members to police authorities ⁹	Full Council	

⁸ s20 Police Act 1996

⁹ Paragraphs 2 to 4 of Schedule 2 Police Act 1996

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Any function relating to contaminated land ¹¹	Executive Board	Director of City Development
The control of pollution or the management of air quality ¹²	Executive Board	Director of Environment and Neighbourhoods and the Chief Officer (Environmental Services)
To serve an abatement notice in respect of a statutory nuisance ¹³	Executive Board	Director of Environment and Neighbourhoods and the Chief Officer (Environmental Services)
To pass a resolution that Schedule 2 of the Noise and Statutory Nuisance Act 1993 should apply in the authority's area ¹⁴	Executive Board	Director of Environment and Neighbourhoods and the Chief Officer (Environmental Services)
To inspect the authority's area to detect any statutory nuisance ¹⁵	Executive Board	Director of Environment and Neighbourhoods and the Chief Officer (Environmental Services)
To investigate any complaint about the existence of a statutory nuisance ¹⁶	Executive Board	Director of Environment and Neighbourhoods and the Chief Officer (Environmental Services)
To obtain information about interests in land ¹⁷	Executive Board	Director of City Development
To obtain particulars of persons interested in land ¹⁸	Executive Board	All Directors in pursuance of their delegated authority

¹¹ Part IIA Environmental Protection Act 1990 and subordinate legislation

¹² Pollution Prevention and Control Act 1999; Part IV Environment Act 1995; Part I Environmental Protection Act 1990; Clean Air Act 1993

¹³ s80(I) Environmental Protection Act 1990

¹⁴ s8 Noise and Statutory Nuisance Act 1993

¹⁵ s79 Environmental Protection Act 1990

¹⁶ s79 Environmental Protection Act 1990

¹⁷ s330 Town and Country Planning Act 1990

¹⁸ s16 Local Government (Miscellaneous Provisions) Act 1976

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To make arrangements for the execution of highways works ¹⁹	Executive Board	Director of City Development and the Chief Officer Highways and Transportation
<p>To appoint any individual</p> <p>(a) to any office other than an office in which he is employed by the authority</p> <p>(b) to any body other than –</p> <p>(i) the authority;</p> <p>(ii) a joint Committee of two or more authorities; or</p> <p>(c) to any Committee or sub Committee of such a body</p> <p>and to revoke any such appointment</p>	Full Council	<p>Act as Appointing Body for the purposes of making appointments to:</p> <ul style="list-style-type: none"> • West Yorkshire Joint Services Committee • West Yorkshire Police Authority joint committee (appointments panel) • West Yorkshire Fire and Rescue Authority • West Yorkshire Passenger Transport Authority • West Yorkshire Debt Management Joint Advisory Group • West Yorkshire Pension Fund Investment Panel
<p>To appoint any individual to any body other than –</p> <ul style="list-style-type: none"> • the authority; or • a joint Committee of two or more authorities 	Member Management Committee	In accordance with the Member Appointments to Outside Bodies Procedure Rules and delegations provided by Full Council, determination of which outside bodies should have Member representation and, by determining the category of each such outside body, determination of how such appointments should be made
<p>To appoint any individual to any body other than –</p> <ul style="list-style-type: none"> • the authority; or • a joint Committee of two or more authorities 	Member Management Committee	In accordance with the Appointments to Outside Bodies Procedure Rules and delegations provided by Full Council, act as the appointing body for the purposes of making appointments to outside bodies categorised as Strategic and Key Partnership Outside Bodies

¹⁹ s278 Highways Act 1980

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To appoint any individual to any body other than – <ul style="list-style-type: none"> • the authority; or • a joint Committee of two or more authorities 	Area Committees	In accordance with the Appointments to Outside Bodies Procedure Rules and delegations provided by the Member Management Committee, act as the appointing body for the purposes of making appointments to outside bodies categorised as Community and Local Engagement Bodies
To make agreements with other local authorities for the placing of staff at the disposal of those other authorities	Executive Board	
Functions relating to local area agreements ⁵	Executive Board	

⁵ Sections 106,110,111 and 113 of the Local Government and Public Involvement in Health Act 2007