

1. **RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS**

A. Local Choice Council Functions

The following are the functions that the Council has determined should be Council functions under Regulation 3(1) and Schedule 2 to the Regulations.

1. Any function under the County of Merseyside Act 1980 and other local Acts insofar as they relate to licensing, registration and regulatory functions. All other functions under these Acts shall be executive functions.
2. The determination of an appeal against any decision made by or on behalf of the Authority.
3. The making of arrangements pursuant to the relevant legislation in connection with review of permanent exclusions of pupils.
4. The making of arrangements pursuant to Section 94(1) and (4) of, and Schedule 24 to, the 1998 Act (Admission Appeals).
5. The making of arrangements pursuant to Section 95(2) of, and Schedule 25 to, the 1998 Act (Children to whom Section 87 applies : Appeals by Governing Bodies).
6. 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.
7. 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.
8. Any function relating to contaminated land.
9. The discharge of any function relating to the control of pollution or the management of air quality.
10. The service of an Abatement Notice in respect of a Statutory Nuisance.
11. The passing of a Resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area.
12. The inspection of the Authority's area to detect any statutory nuisances.
13. The investigation of any complaint as to the existence of a Statutory Nuisance.
14. The obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land.
15. The obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.

16. The appointment of an 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.
17. The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities.
18. 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 above).
19. The functions of
- (a) imposing any condition, limitation or other restrictions on an approval, consent, licence, permission or registration granted in the exercise of a function specified in Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (The Regulations);
 - (b) determining any other terms to which any such approval, consent, licence, permission or registration is subject;
 - (c) determining whether, and in what manner, to enforce any failure to comply with an approval, consent, licence, permission or registration granted in exercise of a function specified in The Regulations;
 - (d) determining whether, and in what manner, to enforce any failure to comply with a condition, limitation or other restrictions to which any such approval, consent, licence, permission or registration is granted;
 - (e) amending, modifying or varying any such approval, consent, licence, permission or registration or any condition, limitation or term to which it is subject; or
 - (f) revoking any such approval, consent, licence or registration
- are to be the responsibility of the Council.

B. Local Choice Executive Functions

The following functions are functions which the Council has determined should be executive functions under Regulation 3(1) and Schedule 2 to the Regulations.

1. All functions under the County of Merseyside Act 1980 and other local Acts except those relating to licensing, registration and regulatory functions;
2. The appointment of any individual to an office outside the Council or to a Joint Committee in connection with the discharge of functions that are the responsibility of the Cabinet, either by virtue of these arrangements or as a matter of law;
3. The making of agreements for the execution of highway works. These agreements are not enforcement or quasi-judicial matters and are appropriate to be adopted as an executive function.
4. The obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976, to the extent that it relates to the exercise of an executive function, e.g. compulsory purchase.