

## PART 3 – RESPONSIBILITY FOR FUNCTIONS

### APPENDIX 1 – Responsibility for Non-Executive Council Functions

Function	Responsibility
<p style="text-align: center;"><b>Functions relating to town and country planning and development control</b></p> <ol style="list-style-type: none"> <li>1. Power to determine application for planning permission.</li> <li>2. Power to determine applications to develop land without compliance with conditions previously attached.</li> <li>3. Power to grant planning permission for development already carried out.</li> <li>4. Power to decline to determine application for planning permission.</li> <li>5. Duties relating to the making of determinations of planning applications.</li> <li>6. Power to determine application for planning permission made by a local authority, alone or jointly with another person.</li> <li>7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.</li> <li>8. Power to enter into agreement regulating development or use of land.</li> <li>9. Power to issue a certificate of existing or proposed lawful use or development and power to revoke such a certificate.</li> <li>10. Power to serve a completion notice.</li> <li>11. Power to grant consent for the display of advertisements.</li> <li>12. Power to authorise entry onto land.</li> <li>13. Power to require the discontinuance of a use of land.</li> <li>14. Power to serve a planning contravention notice, breach of condition notice or stop notice.</li> <li>15. Power to issue an enforcement notice.</li> <li>16. Power to apply for an injunction restraining a breach of planning control.</li> <li>17. Power to determine applications for hazardous substances consent, and related powers.</li> <li>18. 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.</li> <li>19. Power to require proper maintenance of land.</li> <li>20. Power to determine application for listed building consent, and related powers.</li> <li>21. Power to determine applications for conservation area consent.</li> </ol>	<p><b>Planning Committee</b></p>

<ol style="list-style-type: none"> <li>22. Duties relating to applications for listed building consent and conservation area consent.</li> <li>23. Power to serve a building preservation notice, and related powers.</li> <li>24. Power to issue enforcement notice in relation to demolition of unlisted building in conservation area.</li> <li>25. Powers to acquire a listed building in need of repair and to serve a repairs notice.</li> <li>26. Power to apply for an injunction in relation to a listed building.</li> <li>27. Power to execute urgent works.</li> <li>28. Power related to mineral working</li> <li>29. Power related to footpaths and bridleways (in respect of section 257 of the Town and Country Planning Act 1990).</li> <li>30. Power as to certification of appropriate alternative development.</li> <li>31. Duties in relation to purchase notices</li> <li>32. Powers related to blight notices</li> <li>33. Powers relating to the preservation of trees.</li> <li>34. Powers relating to the protection of important hedgerows</li> </ol>	
<p><b>Functions relating to Licensing and registration</b></p> <ol style="list-style-type: none"> <li>1. Power to issue licences authorising the use of land as a caravan site (“site licences”).</li> <li>2. Power to license the use of moveable dwellings and camping sites.</li> </ol>	<p><b>Public Protection Committee / Shared Regulatory Service Joint Committee</b></p>
<ol style="list-style-type: none"> <li>3. Power to license hackney carriages and private hire vehicles.</li> <li>4. Power to license drivers of hackney carriages and private hire vehicles.</li> <li>5. Power to license operators of hackney carriages and private hire vehicles.</li> </ol>	<p><b>Public Protection Committee</b></p>
<ol style="list-style-type: none"> <li>6. Power to register pool promoters.</li> <li>7. Power to grant track betting licences.</li> <li>8. Power to license inter-track betting schemes.</li> <li>9. Power to grant permits in respect of premises with amusements machines.</li> <li>10. Power to register societies wishing to promote lotteries.</li> <li>11. Power to grant permits in respect of premises where amusements with prizes are provided.</li> <li>12. Power to issue entertainments licences.</li> </ol>	<p><b>Licensing Committee</b></p>
<ol style="list-style-type: none"> <li>13. Power to license sex shops and sex cinemas.</li> <li>14. Power to license performances of hypnotism.</li> </ol>	<p><b>Public Protection Committee /</b></p>

<ul style="list-style-type: none"> <li>15. Power to license premises for acupuncture, tattooing ear piercing and electrolysis.</li> <li>16. Power to license pleasure boats and pleasure vessels.</li> <li>17. Power to license market and street trading.</li> <li>18. Duty to keep list of persons entitled to sell non-medicinal poisons.</li> <li>19. Power to license dealers in game and the killing and selling of game.</li> <li>20. Power of register and license premises for the preparation of food.</li> <li>21. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.</li> <li>22. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.</li> <li>23. Duty to promote fire safety.</li> <li>24. Power to license premises for the breeding of dogs.</li> <li>25. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.</li> <li>26. Power to register animal trainers and exhibitors.</li> <li>27. Power to license zoos.</li> <li>28. Power to license dangerous wild animals.</li> <li>29. Power to enforce regulations in relation to animal by-products.</li> </ul>	<p><b>Shared Regulatory Service Joint Committee</b></p>
<ul style="list-style-type: none"> <li>30. Power to license the employment of children.</li> </ul>	<p><b>Public Protection Committee</b></p>
<ul style="list-style-type: none"> <li>31. Power to approve premises for the solemnisation of marriages and the registration of civil partnerships.</li> <li>32. Power to issue a permit to conduct charitable collections.</li> <li>33. Power to grant consent for the operation of a loudspeaker.</li> <li>34. Power to grant a street works licence.</li> <li>35. Duty to register the movement of pigs.</li> <li>36. Power to enforce regulations in relation to the movement of pigs.</li> <li>37. Power to issue a licence to move cattle from a market.</li> <li>38. Power to sanction use of parts of buildings for storage of celluloid.</li> <li>39. Duty to enforce and execute Regulations (EC) No 852/2004 and 853/2004 in relation to food business operators as further specified in regulation 5 of the Food (Hygiene) (Wales) Regulations 2006.</li> </ul>	<p><b>Public Protection Committee / Shared Regulatory Service Committee</b></p>

<p>40. [Deleted]</p> <p>41. [Deleted]</p> <p>42. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to:</p> <ul style="list-style-type: none"> <li>(a) An exchange of lands effected by an order under Section 19(3) of, or paragraph 6 (4) of Schedule 3 to, the Acquisition of Land Act 1981 (c.67) or</li> <li>(b) An order under Section 147 of the Enclosure Act 1845 (c.8 &amp; 9 Vict.c.118).</li> </ul> <p>43. Power to register variation of rights to common.</p>	<p><b>Public Protection Committee</b></p>
<p>Functions in respect of establishing a Licensing Committee (pursuant to section 6 of the Licensing Act 2003)</p>	<p><b>Council</b></p>
<p style="text-align: center;"><b>Functions relating to Health and Safety at Work</b></p> <p>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 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.</p>	<p><b>Public Protection Committee / Shared Regulatory Service Joint Committee</b></p>

<p style="text-align: center;"><b>Functions relating to Elections</b></p> <ol style="list-style-type: none"> <li>1. Duty to appoint an electoral registration officer.</li> <li>2. Power to assign officers in relation to requisitions of the registration officer.</li> <li>3. Power to dissolve community councils.</li> <li>4. Power to make orders for grouping communities.</li> <li>5. Power to make orders for dissolving groups and separating community councils from groups.</li> <li>6. Duty to appoint returning officer for local government elections.</li> <li>7. Duty to provide assistance at European Parliamentary elections.</li> <li>8. Duty to divide constituency into polling districts.</li> <li>9. Power to divide electoral divisions into polling districts at local government elections.</li> <li>10. Powers in respect of holding of elections.</li> <li>11. Power to pay expenses properly incurred by electoral registration officers.</li> <li>12. Power to fill vacancies in the event of insufficient nominations.</li> <li>13. Duty to declare vacancy in office in certain cases.</li> <li>14. Duty to give public notice of a casual vacancy.</li> <li>15. Power to make temporary appointments to community councils.</li> <li>16. Power to determine fees and conditions for supply of copies of, or extracts from, elections documents.</li> <li>17. 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.</li> </ol>	<p><b>Council</b></p>
<p style="text-align: center;"><b>Functions relating to Name and Status of Areas and Individuals</b></p> <p>Note: The following Council functions are not delegated to any committee and will be discharged by the Council itself:-</p> <ol style="list-style-type: none"> <li>1. Power to change the name of a county or county borough.</li> <li>2. Power to change the name of a community</li> <li>3. Power to confer title of honorary alderman or to admit to be an honorary freeman</li> <li>4. Power to petition for a charter to confer county borough status.</li> </ol> <p><b>Power to make, amend, revoke or re-enact byelaws.</b></p> <p><b>Power to promote or oppose local or personal Bills.</b></p>	<p><b>Council</b></p>

<p style="text-align: center;"><b>Functions relating to Pensions</b></p> <ol style="list-style-type: none"> <li>1. Functions relating to local government pensions, etc pursuant to Regulations under Section 7, 12 or 24 of the Superannuation Act 1972</li> <li>2. Functions relating to pensions, allowances and gratuities pursuant to Regulations under Section 18(3A) of the Local Government and Housing Act 1989.</li> </ol>	<p><b>Pensions Committee</b></p>
<p style="text-align: center;"><b>Miscellaneous Functions</b></p> <ol style="list-style-type: none"> <li>1. Duty to approve authority's statement of accounts, income and expenditure and balance sheet or record of receipts and payments (as the case may be).</li> <li>2. Functions relating to sea fisheries.</li> <li>3. Power to make standing orders</li> <li>4. Power to make standing orders as to contracts.</li> <li>5. Power to consider reports from the Public Services Ombudsman for Wales.</li> <li>6. Duty to determine affordable borrowing limit.</li> <li>7. Approval of annual investment strategy in accordance with guidance</li> </ol>	<p><b>Council</b></p>
<ol style="list-style-type: none"> <li>1. Appointment and dismissal of Chief Officers, Assistant Directors, Corporate Directors and Chief Executive</li> <li>2. Power to appoint officers for particular purposes (appointment of "proper officers")</li> <li>3. Duty to designate an officer as the head of the authority's paid service, and to provide staff, etc.</li> <li>4. Duty to designate an officer as the monitoring officer and to provide staff, etc.</li> <li>5. Duty to make arrangements for proper administration of financial affairs</li> </ol>	<p><b>Appointments Committee</b></p>
<p style="text-align: center;"><b>The promotion and maintenance of high standards of conduct within the Council</b></p> <ol style="list-style-type: none"> <li>1. To advise the Council on the adoption or revision of its Code of Conduct.</li> <li>2. To monitor and advise the Council about the operation of its Code of Conduct in the light of best practice, changes in the law, guidance</li> </ol>	<p><b>Standards &amp; Ethics Committee</b></p>

<p>from the Public Services Ombudsman for Wales and recommendations of case tribunals under section 80 of the Local Government Act 2000.</p> <p>3. To determine complaints referred by the Public Services Ombudsman for Wales.</p> <p><b>Assistance to Members and Co-opted Members of the Authority</b></p> <p>To ensure that all Members of the Council have access to training in all aspects of the Member Code of Conduct, that this training is actively promoted, and that Members are aware of the standards expected from local Councillors under the Code.</p>	
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