

**Schedule 1:**

**RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS**

<b>Function</b>	<b>Decision-making Body</b>	<b>Delegation of Functions</b>
<b>1.</b> Locally derived functions (i.e. from Local Acts)	(a) in relation to Whitby Harbour the Whitby Harbour Board (b) in relation to all other matters, the Leader of Council save to the extent that a function has been delegated by the Leader of Council	As set out in Schedules 2 & 3
<b>2.</b> Determination of appeals against any decision made by or on behalf of the Council	The Council/Appeals Panels/Standards Review Committee	As set out in the terms of reference of the Appeals Panel/Standards Committee
<b>3.</b> The conducting of Efficiency Reviews	The Overview and Scrutiny Committees	As set out in Article 6
<b>4.</b> Any functions relating to contaminated land.*	the Portfolio Holder who holds from time to time the Portfolio which incorporates the Environmental Service, save to the extent that a function has been delegated to the Head of Service	As set out in Schedules 2 & 3
<b>5.</b> Resolutions applying Schedule 2, Noise and Statutory Nuisance Act 1993 to the Borough *	the Portfolio Holder who holds from time to time the Portfolio which incorporates the Environmental Service, save to the extent that a function has been delegated to the Head of Service *	
<b>6.</b> Statutory Nuisances * (i) Service of abatement notices (ii) Inspection of Borough to detect statutory nuisances (iii) Investigation of complaints re statutory nuisances.	the Portfolio Holder who holds from time to time the Portfolio which incorporates the Environmental Service, save to the extent that a function has been delegated to the Head of Service *	As set out in Schedules 2 & 3
<b>7.</b> Requisitions for Information.** (i) Under Town & Country Planning Legislation (ii) Under Local Government (Miscellaneous Provisions) Act 1976	the Leader of Council, save to the extent that a function has been delegated to a Head of Service	As set out in Schedules 2 & 3
<b>8.</b> Appointments to outside bodies.	The Council, save where the appointment relates to an Executive function, in which case the Leader of	

	Council	
<b>10.</b> Any function relating to Harbours Administration and Management	In relation to Whitby Harbour, Whitby Harbour Board In relation to any other harbour, the Portfolio Holder who holds from time to time the Portfolio which incorporates the Harbour Services, save to the extent that a function has been delegated to the Harbour Master	As set out in Schedules 2 & 3
<b>11.</b> Agreements with other Local Authorities for the placing of staff at the disposal of those other authorities.	the Portfolio Holder who holds from time to time the Portfolio which incorporates the Human Resources Service, save to the extent that a function has been delegated to the Chief Executive or the Head of Human Resources	In respect of executive functions.  In all other cases

\* The decision making body will be the relevant Executive body unless the function or action involves

- (i) determining an application from a person for a licence, approval, consent, permission, or registration;
- (ii) direct regulation of a person (with substantial discretion as to the regulated action); or
- (iii) enforcement of any such license, approval, consent, permission, or direct regulation, in which event the decision making body will be the Council.

\*\* These functions are vested in the Cabinet to the extent that it is necessary to exercise them in respect of actions which are preliminary to the exercise of compulsory purchase orders. For all other purposes the function is vested in the Planning and Development Committee.