
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (“the 2000 Regulations”). They apply in relation to local authorities in England.

Part 2 of the Local Government Act 2000 provides for the discharge of a local authority’s functions by an executive of the authority, unless those functions are specified as functions that are not to be the responsibility of the authority’s executive.

Regulation 2 of the 2000 Regulations provides that the functions of a local authority specified in column (1) of Schedule 1 to those Regulations are not to be the responsibility of an executive of the authority.

Paragraph A of Schedule 1 to the 2000 Regulations states incorrectly the titles of the enactments that relate to the functions specified in items 24 to 31 which are concerned with listed buildings and conservation areas. Regulation 2(2) of these Regulations substitutes the correct titles and also updates the reference to the Circular referred to in item 26. Other corrections are made in relation to items 24 and 28.

Regulations 2(3)(a) to (c) and 3 correct some drafting errors contained in [S.I. 2007/1950](#). The errors relate to items 14AA and 14D of paragraph B in respect of functions under the Gambling Act 2005 about the exchange of information and prosecution of offences respectively.

Paragraph D of Schedule 1 to the 2000 Regulations specifies functions relating to elections. The enactments referred to in items 7 and 8 (relating to providing assistance at European Parliamentary elections and dividing constituencies into polling districts) have largely been re-enacted. Regulation 2(4) therefore substitutes references to the current legislation. Item 16 which relates to the determination of fees for the copying of election documents, is omitted because the function is no longer exercisable by local authorities.

Regulation 2(5) inserts in the same Schedule paragraph FA (functions relating to smoke-free premises, etc) which specifies functions under the Health Act 2006 relating to smoke-free premises, etc. As a consequence, item FA of paragraph B of that Schedule is omitted by regulation 2(3)(c).

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.