
STATUTORY INSTRUMENTS

2006 No. 886

LOCAL GOVERNMENT, ENGLAND

**The Local Authorities (Functions and Responsibilities)
(Amendment) (England) Regulations 2006**

<i>Made</i>	- - - -	<i>22nd March 2006</i>
<i>Laid before Parliament</i>		<i>29th March 2006</i>
<i>Coming into force</i>	- -	<i>21st April 2006</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 13 and 105 of the Local Government Act 2000⁽¹⁾, makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Local Authorities (Functions and Responsibilities) (Amendment) (England) Regulations 2006 and shall come into force on 21st April 2006.

(2) These Regulations apply in relation to local authorities in England.

Amendment

2.—(1) The Local Authorities (Functions and Responsibilities) (England) Regulations 2000⁽²⁾ are amended as follows.

(2) In regulation 1(3) (citation, commencement, application and interpretation), at the end add ““the 2005 Act” means the Gambling Act 2005 (c. 19).“.

(3) Schedule 1 (functions not to be the responsibility of an authority’s executive) is amended in accordance with Part 1 of the Schedule to these Regulations.

(4) Schedule 3 (functions not to be the sole responsibility of an authority’s executive) is amended in accordance with Part 2 of the Schedule to these Regulations.

(1) 2000 c. 22. For the application of sections 13 and 105 of the Local Government Act 2000 to Wales, see section 106 of that Act.
(2) S.I. 2000/2853, to which relevant amendments have been made by S.I. 2001/2212, S.I. 2002/1916, S.I. 2004/2748 and S.I. 2005/929. There are other amendments not relevant to these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the First Secretary of State

22nd March 2006

Phil Woolas
Minister of State
Office of the Deputy Prime Minister

SCHEDULE

Regulation 2(3) and (4)

PART 1

SCHEDULE 1 AMENDMENTS

1. In paragraph B (licensing and registration functions) of Schedule 1, after item 14A insert—
 - (a) in column (1)—

“14B Power to resolve not to issue a casino premises licence”; and
 - (b) in column (2), in relation to the entry in column (1) for item 14B—

“Section 166 of the 2005 Act.”.
2. For the cross-heading to paragraph F substitute—

“F Power to make, amend, revoke, re-enact or enforce byelaws.”.

PART 2

SCHEDULE 3 AMENDMENTS

3. In Schedule 3(3)—
 - (a) in column (1), for the words, “Children’s Services Plan”, substitute “Children and Young People’s Plan”;
 - (b) in column (2), for the entry relating to the words substituted by paragraph (a), substitute “Children and Young People’s Plan (England) Regulations 2005.”;
 - (c) in column (1), omit the words “Community Care Plan”;
 - (d) in column (2), omit the entry relating to the words omitted by paragraph (c);
 - (e) in column (1), for the words “Early Years Development Plan”, substitute “Licensing Authority Policy Statement”;
 - (f) in column (2), for the entry relating to the words substituted by paragraph (c), substitute “section 349 of the 2005 Act.”;
 - (g) in column (1), omit the words “Education Development Plan”; and
 - (h) in column (2), omit the entry relating to the words omitted by paragraph (e).

(3) See section 64 of, and Part 1 of Schedule 5 to, the Children Act 2004 (c. 31) which repeal paragraph 1A of Schedule 2 to the Children Act 1989 (c. 41); the Community Care Plans (Disapplication) (England) Order 2003 (S.I. 2003/1716) which disapplies sections 46(1) and (2) of the National Health Service and Community Care Act 1990 (c. 19) in relation to local authorities within the meaning of section 46(3) of that Act; and sections 6 and 120 of the School Standards and Framework Act 1998 (c. 31).

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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.

These Regulations amend the 2000 Regulations to specify the power to resolve not to issue a casino licence and the function of enforcing byelaws as functions which are not to be the responsibility of the executive. They also amend the 2000 Regulations in respect of functions relating to certain plans and strategies which are to be the shared responsibility of the authority and the executive.

Regulation 2(3) of, and Part 1 of Schedule 1 to, these Regulations amend Schedule 1 to the 2000 Regulations (functions not to be the responsibility of an authority’s executive) so that the power to resolve not to issue a casino premises licence under section 166 of the Gambling Act 2005 is not to be the responsibility of the executive and the power to enforce byelaws is also not to be the responsibility of the executive.

Regulation 2(4) of, and Part 2 of Schedule 2 to, these Regulations amend Schedule 3 to the 2000 Regulations (functions not to be the sole responsibility of an authority’s executive) by substituting for the reference to a children’s services plan a reference to a children and young people’s plan and for the reference to an early years development plan a reference to a licensing authority policy statement. Functions relating to the children and young people’s plan and the licensing authority policy statement are thus to be the shared responsibility of the authority and the executive. The provisions referred to also amend Schedule 3 by removing references to a community care plan and an education development plan which, along with the children’s service plan and the early years development plan, local authorities are no longer required to prepare and publish.