
STATUTORY INSTRUMENTS

2007 No. 2593

**The Local Authorities (Functions and Responsibilities)
(England) (Amendment No. 4) Regulations 2007**

Amendment

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

(2) In paragraph A (functions relating to town and country planning and development control) of Schedule 1 (functions not to be the responsibility of the authority's executive)—

- (a) in the entry in column (2) relating to item 24, omit “27(2)”(2);
- (b) in the entry in column (2) relating to item 26—
 - (i) for “the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990” substitute “the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (S.I. 1990/1519)”;
 - (ii) for “paragraphs 8, 15 and 22 of Department of the Environment Circular 14/97” substitute “paragraphs 8, 15 and 26 of Department of the Environment, Transport and the Regions Circular 01/01”;
- (c) in the entry in column (1) relating to item 28, for “unlisted” substitute “listed”; and
- (d) in the entries in column (2) relating to items 24 to 31, for the “Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9)”, substitute “the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9)”.

(3) In paragraph B (licensing and registration functions) of Schedule 1 (functions not to be the responsibility of an authority's executive)—

- (a) in the entry in column (2) relating to item 14AA, for “Gambling Act Order” substitute “2005 Act”;
- (b) in the entry in column (1) relating to item 14D, omit—
“for offences under section 342 of the 2005 Act.”;
- (c) after item 14F, omit—

“FA. Functions relating to smoke-free free premises, etc

(1)

(2)

Function

Function

1. Power to enforce offences relating to the display of no-smoking signs. Section 6(5) of the 2006 Act.

(1) S.I. 2000/2853, to which relevant amendments have been made by S.I. 2004/2211, S.I. 2005/929, S.I. 2007/1284, 2007/1557 and S.I. 2007/1950. There are other amendments not relevant to these Regulations.
(2) Section 27(2) was repealed by sections 31(3), (8) and 84(6) of, and Part 2 of Schedule 19 to, the Planning and Compensation Act 1991 (c.34).

Status: This is the original version (as it was originally made).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

“FA. Functions relating to smoke-free free premises, etc

2. Power to enforce offences relating to smoking in smoke-free places. Section 7(4) of the 2006 Act.
 3. Power to enforce offence of failing to prevent smoking in smoke-free places. Section 8(4) of the 2006 Act.
 4. Power to transfer enforcement functions to another enforcement authority. Smoke-free (Premises and Enforcement) Regulations 2006 (S.I. 2006/3368).”.
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- (4) In paragraph D (functions relating to elections)—
- (a) in the entry in column (2) relating to item 7, for “Paragraph 4(3) and (4) of Schedule 1 to the European Parliamentary Elections Act 1978 (c.10)”(3), substitute “Section 6(7) and (8) of the European Parliamentary Elections Act 2002 (c.24).”;
 - (b) in the entry in column (2), relating to item 8, for “Section 18” substitute “sections 18A to 18E of, and Schedule A1 to,”(4); and
 - (c) omit item 16(5).
- (5) After paragraph F (power to make, amend, revoke, re-enact or enforce byelaws) insert—
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“FA. Functions relating to smoke-free premises, etc

(1) Function	(2) Provision of Act or Statutory Instrument
1. Duty to enforce Chapter 1 and regulations made under it.	Section 10(3) of the 2006 Act.
2. Power to authorise officers.	Section 10(5) of, and paragraph 1 of Schedule 2 to, the 2006 Act.
3. Functions relating to fixed penalty notices.	Paragraphs 13, 15 and 16 of Schedule 1 to the 2006 Act. Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007 (S.I. 2006/760).
4. Power to transfer enforcement functions to another enforcement authority.	Smoke-free (Premises and Enforcement) Regulations 2006 (S.I. 2006/3368).”.

- (3) The European Parliamentary Elections Act 1978 (c.10) was repealed by section 16 of, and Schedule 4 to, the European Parliamentary Elections Act 2002 (c.24). The relevant paragraphs of Schedule 1 to the 1978 Act are re-enacted by section 6(7) and (8) of the 2002 Act.
- (4) Section 18A to 18E of the Representation of the People Act 1983 (c.2) were substituted for section 18 of that Act by sections 16(1) and 74(2) of, and Schedule 2 to, the Electoral Administration Act 2006 (c.22).
- (5) The Local Elections (Principal Areas) Rules 1986 (S.I. 1986/2214) was revoked by S.I. 2006/3304 and the Local Elections (Parishes and Communities) Rules 1986 (S.I. 1986/2215) was revoked by S.I. 2006/3305).