

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

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 (“the 2000 Act”) 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, and Schedule 1 to, the 2000 Regulations are concerned with functions that are not to be the responsibility of the executive.

Section 48(6) of the 2000 Act already provides for functions relating to changing governance arrangements under Part 2 of that Act to not be the responsibility of the executive. Changes subsequently made by [S.I. 2008/516](#) to the 2000 Regulations to specify these functions in regulation 2 of, and paragraph EA of Schedule 1 to, the 2000 Regulations were therefore unnecessary. Regulations 3, 5 and 7 of these Regulations revoke the references to these functions in the 2000 Regulations.

Regulations 4 and 6 of these Regulations make other changes to Schedule 1 to the 2000 Regulations. Regulation 4 inserts into paragraph B a new item specifying functions under Part 1 of the Commons Act 2006 and under the Commons Registration (England) Regulations 2008. Regulation 6 inserts into paragraph I new items specifying functions under sections 41 and 45 of the Commons Act 2006. The effect of these amendments is that none of these functions are to be the responsibility of the executive.

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