

2013 No. 2190

LOCAL GOVERNMENT, ENGLAND

**The Local Authorities (Functions and Responsibilities)
(England) (Amendment) Regulations 2013**

<i>Made</i>	- - - -	<i>1st September 2013</i>
<i>Laid before Parliament</i>		<i>6th September 2013</i>
<i>Coming into force</i>	- -	<i>1st October 2013</i>

The Secretary of State, in exercise of the powers conferred by sections 9D, 9DA and 105 of the Local Government Act 2000(a), makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2013 and come into force on 1st October 2013.

Amendment

2. Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000(b) is amended in accordance with regulations 3 of these Regulations.

3. In paragraph B (licensing and registration functions)—

- (a) in column (1) for item “14A Functions relating to licensing” substitute “14A Any function of a licensing authority”;
- (b) in column (2), in relation to the entry relating to item 14A, for “Sections 5 to 8 of the Licensing Act 2003 (c. 17)” substitute “Licensing Act 2003 (c. 17) and any regulations or orders made under that Act”; and
- (c) insert after item 14A—
 - (i) in column (1) “14AZA Powers and functions relating to late night levy requirements”; and
 - (ii) in column (2), in relation to the entry relating to item 14AZA “Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 (c. 13) and any regulations made under that Chapter”.

(a) 2000 c. 22. Sections 9D and 9DA were inserted into the Local Government Act 2000 by section 21 of, and Schedule 2 to, the Localism Act 2011 (c.20). Section 105 was amended by section 100(3) of, and Schedule 3 to, the Local Government Act 2003 (c.26), and by section 191(5) of the Local Government and Public Involvement in Health Act 2007 (c. 28) and paragraph 70 of Schedule 3 to the Localism Act 2011.

(b) S.I. 2000/2853, to which relevant amendments have been made by S.I. 2004/2748. There are other amendments not relevant to these Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 1A of the Local Government Act 2000 provides that the functions of a local authority in England operating executive arrangements (in the form of an elected mayor and cabinet, or a leader and cabinet) must be discharged by the executive unless those functions are specified not to be the responsibility of the authority's executive by virtue of regulations made under section 9D.

The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (S.I. 2000/2853) ("the 2000 Regulations") specify functions that are not to be the responsibility of an authority's executive or are to be the responsibility of such an executive only to a limited extent or only in specified circumstances.

These Regulations amend Schedule 1 to the 2000 Regulations in respect of the existing functions exercised by authorities under the Licensing Act 2003 and new functions exercised by authorities in relation to the late night levy requirements under Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011.

No impact assessment has been prepared in relation to these Regulations as they do not have an impact on business or charities, and have no impact on the public sector beyond that of the 2000 Regulations which they amend.

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