

SCHEDULE 4

Regulation 5

CIRCUMSTANCES IN WHICH FUNCTIONS ARE NOT TO BE THE RESPONSIBILITY OF AN AUTHORITY'S EXECUTIVE

<i>(1)</i> Function	<i>(2)</i> Circumstances
<p>1. The adoption or approval of a plan or strategy (whether statutory or non-statutory), other than a plan or strategy for the control of the authority's borrowing or capital expenditure or referred to in Schedule 3.</p>	<p>The authority determines that the decision whether the plan or strategy should be adopted or approved should be taken by them.</p>
<p>2. The determination of any matter in the discharge of a function which—</p> <ul style="list-style-type: none"><li data-bbox="312 831 794 898">(a) is the responsibility of the executive; and<li data-bbox="312 909 794 1003">(b) is concerned with the authority's budget, or their borrowing or capital expenditure.	<p>The individual or body by whom, by virtue of any of sections 14 to 17 of the Local Government Act 2000 or provision made under section 18 or 20 of that Act, the determination is to be made—</p> <ul style="list-style-type: none"><li data-bbox="802 909 1350 1200">(a) is minded to determine the matter contrary to, or not wholly in accordance with—<ul style="list-style-type: none"><li data-bbox="866 1010 1350 1043">(i) the authority's budget; or<li data-bbox="866 1043 1350 1200">(ii) the plan or strategy for the time being approved or adopted by the authority in relation to their borrowing or capital expenditure; and<li data-bbox="802 1200 1350 1361">(b) is not authorised by the authority's executive arrangements, financial regulations, standing orders or other rules or procedures to make a determination in those terms.
<p>3. The determination of any matter in the discharge of a function—</p> <ul style="list-style-type: none"><li data-bbox="312 1451 794 1518">(a) which is the responsibility of the executive; and<li data-bbox="312 1529 794 1662">(b) in relation to which a plan or strategy (whether statutory or non-statutory) has been adopted or approved by the authority.	<p>The individual or body by whom, by virtue of any of sections 14 to 17 of the Local Government Act 2000 or provision made under section 18 or 20 of that Act, the determination is to be made, is minded to determine the matter in terms contrary to the plan or, as the case may be, the strategy adopted or approved by the authority.</p>
