

Appendix one town and country planning, development control, licensing and registration functions

Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Town and country planning and development control		
Power to determine application for planning permission.	Planning and Regulatory committee and chief executive	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990
Power to determine applications to develop land without compliance with conditions previously attached.	Chief executive	Section 73 of the Town and Country Planning Act 1990
Power to grant planning permission for development already carried out.	Chief executive	Section 73A of the Town and Country Planning Act 1990
Power to decline to determine application for planning permission.	Chief executive	Section 70A of the Town and Country Planning Act 1990
Duties relating to the making of determinations of planning applications.	Chief executive	Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419) and directions made thereunder
Power to determine application for planning permission made by a local authority, alone or jointly with another person.	Planning and regulatory committee	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492)
Power to make determinations, give approvals and agree certain other matters relating to the exercise	Chief executive	Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418)

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
of permitted development rights.		
Power to enter into agreement regulating development or use of land.	Chief executive	Section 106 of the Town and Country Planning Act 1990
Power to issue a certificate of existing or proposed lawful use or development.	Chief executive	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990
Power to serve a completion notice.	Chief executive	Section 94(2) of the Town and Country Planning Act 1990
Power to grant consent for the display of advertisements.	Chief executive	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992 (S.I. 1992/666)
Power to authorise entry onto land.	Chief executive	Section 196A of the Town and Country Planning Act 1990
Power to require the discontinuance of a use of land.	Chief executive	Section 102 of the Town and Country Planning Act 1990
Power to serve a planning contravention notice, breach of condition notice or stop notice.	Chief executive	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990
Power to issue a temporary stop notice.	Chief executive	Section 171E of the Town and Country Planning Act 1990
Power to issue an enforcement notice.	Chief executive	Section 172 of the Town and Country Planning Act 1990
Power to apply for an injunction restraining a breach of planning control.	Chief executive	Section 187B of the Town and Country Planning Act 1990

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Power to determine applications for hazardous substances consent, and related powers.	Planning and regulatory committee and chief executive	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990
Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Chief executive	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991 (c. 34), paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c. 25) and paragraph 6(5) of Schedule 14 to that Act
Power to require proper maintenance of land.	Chief executive	Section 215(1) of the Town and Country Planning Act 1990
Power to determine application for listed building consent, and related powers.	Planning and regulatory committee and chief executive	[Sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990
Duties relating to applications for listed building consent.	Chief executive	[Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and [regulations 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (S.I. 1990/1519)] 9 and [paragraphs 8, 15 and 26 of Department of the Environment, Transport and the Regions Circular 01/01] 10 .]
Power to serve a building preservation notice, and related powers.	Chief executive	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Power to issue enforcement notice in relation to demolition of [listed] 11 building in conservation area.	Chief executive	[Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990
Powers to acquire a listed building in need of repair and to serve a repairs notice.	Chief executive	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990
Power to apply for an injunction in relation to a listed building.	Chief executive	Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990
Power to authorise stopping up or diversion of highway.	Chief executive	Section 247 of the Town and Country Planning Act 1990
Power to execute urgent works.	Chief executive	Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990
Licensing and registration		
Power to issue licences authorising the use of land as a caravan site ("site licences").	Chief executive	Section 3(3) of the Caravan Sites and Control of Development Act 1960
Power to license the use of moveable dwellings and camping sites.	Chief executive	Section 269(1) of the Public Health Act 1936
Power to license hackney carriages and private hire vehicles.	Chief executive	(a) as to hackney carriages, the Town Police Clauses Act 1847, as extended by section 171 of the Public Health Act 1875, and section 15 of the Transport Act 1985 and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
	Chief executive	(b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
Power to license drivers of hackney carriages and private hire vehicles.	Chief executive	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
Power to license operators of hackney carriages and private hire vehicles.	Chief executive	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
Power to register pool promoters.	Chief executive	Schedule 2 to the Betting, Gaming and Lotteries Act 1963
Power to grant track betting licences.	Chief executive	Schedule 3 to the Betting, Gaming and Lotteries Act 1963
Power to license inter-track betting schemes.	Chief executive	Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963
Power to grant permits in respect of premises with amusement machines.	Chief executive	Schedule 9 to the Gaming Act 1968
Power to register societies wishing to promote lotteries.	Chief executive	Schedule 1 to the Lotteries and Amusements Act 1976
Power to grant permits in respect of premises where amusements with prizes are provided.	Chief executive	Schedule 3 to the Lotteries and Amusements Act 1976 14
Power to issue cinema and cinema club licences.	Chief executive	Section 1 of the Cinema Act 1985
Power to issue theatre licences.	Chief executive	Sections 12 to 14 of the Theatres Act 1968

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Power to issue entertainments licences.	Chief executive	Section 12 of the Children and Young Persons Act 1933 section 52 of, and Schedule 12 to, the London Government Act 1963, section 79 of the Licensing Act 1964 , sections 1 to 5 and 7 of, and Parts I and II of the Schedule to, the Private Places of Entertainment (Licensing) Act 1967 and Part I of, and Schedules 1 and 2 to, the Local Government (Miscellaneous Provisions) Act 1982
Any function of a licensing authority.	Chief executive	Licensing Act 2003 and any regulations or orders made under that Act
Powers and functions relating to late night levy requirements.	Chief executive	Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011and any regulations made under that Chapter
Duty to comply with requirement to provide information to Gambling Commission.	Chief executive	Section 29 of the 2005 Act
Functions relating to exchange of information.	Chief executive	Section 30 of the 2005 Act
Functions relating to occasional use notices.	Chief executive	Section 39 of the 2005 Act
Power to resolve not to issue a casino premises licence	Licensing sub committee	Section 166 of the 2005 Act
Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises.	Chief executive	Section 304 of the 2005 Act

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Power to make order disapplying section 279 or 282(1) of the 2005 Act in relation to specified premises.	Chief executive	Section 284 of the 2005 Act
Power to institute criminal proceedings	Chief executive	Section 346 of the 2005 Act
Power to exchange information	Chief executive	Section 350 of the 2005 Act
Functions relating to the determination of fees for premises licences.	Chief executive	The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007
Functions relating to the registration and regulation of small society lotteries.	Chief executive	Part 5 of Schedule 11 to the 2005 Act
Power to license sex shops and sex cinemas.	Licensing sub committee	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.
Power to license performances of hypnotism.	Chief executive	The Hypnotism Act 1952
Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis.	Chief executive	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.
Power to license pleasure boats and pleasure vessels.	Chief executive	Section 94 of the Public Health Acts Amendment Act 1907
Power to register door staff.	Chief executive	Paragraphs 1(2) and 9 of Schedule 12 to the London Government Act 1963 (c. 33) and Part V of the London Local Authorities Act 1995.

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Power to license market and street trading.	Chief executive	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982, Part III of the London Local Authorities Act 1990 (c. vii) and section 6 of the London Local Authorities Act 1994
Power to license night cafes and take-away food shops.	Licensing sub committee	Section 2 of the Late Night Refreshment Houses Act 1969
Power to license dealers in game and the killing and selling of game.	Chief executive	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831; sections 2 to 16 of the Game Licensing Act 1860, section 4 of the Customs and Inland Revenue Act 1883, sections 12(3) and 27 of the Local Government Act 1874, and section 213 of the Local Government Act 1972
24. Power of register and license premises for the preparation of food.	Licensing sub committee	Section 19 of the Food Safety Act 1990
Power to license scrap yards.	Licensing sub committee	Section 1 of the Scrap Metal Dealers Act 1964
Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	Chief executive	The Safety of Sports Grounds Act 1975
Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.	Chief executive	Part III of the Fire Safety and Safety of Places of Sport Act 1987
Power to issue fire certificates.	Chief executive	Section 5 of the Fire Precautions Act 1971

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Power to license premises for the breeding of dogs.	Chief executive	Section 1 of the Breeding of Dogs Act 1973 and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999
Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Chief executive	Section 1 of the Pet Animals Act 1951 ; section 1 of the Animal Boarding Establishments Act 1963; the Riding Establishments Acts 1964 and 1970; section 1 of the Breeding of Dogs Act 1973 and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.
Power to register animal trainers and exhibitors.	Chief executive	Section 1 of the Performing Animals (Regulation) Act 1925
Power to license zoos.	Licensing sub committee	Section 1 of the Zoo Licensing Act 1981 .
Power to license dangerous wild animals.	Chief executive	Section 1 of the Dangerous Wild Animals Act 1976
Power to license knackers' yards.	Licensing sub committee	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999
Power to license the employment of children.	Chief executive	Part II of the Children and Young Persons Act 1933 , byelaws made under that Part, and Part II of the Children and Young Persons Act 1963
Power to approve premises for the solemnisation of marriages.	Chief executive	Section 46A of the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995
Power to register common land or town or village greens, except where the power is exercisable	Chief executive	Regulation 6 of the Commons Registration (New Land) Regulations 1969

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
solely for the purpose of giving effect to—		
(a) an exchange of lands effected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 or		
(b) an order under section 147 of the Inclosure Act 1845	Chief executive	
Power to register variation of rights of common.	Chief executive	Regulation 29 of the Commons Registration (General) Regulations 1966
Power to license persons to collect for charitable and other causes.	Chief executive	Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 and section 2 of the House to House Collections Act 1939
Power to grant consent for the operation of a loudspeaker.	Chief executive	Schedule 2 to the Noise and Statutory Nuisance Act 1993
Power to grant a street works licence.	Chief executive	Section 50 of the New Roads and Street Works Act 1991
Power to license agencies for the supply of nurses.	Chief executive	Section 2 of the Nurses Agencies Act 1957
Power to issue licences for the movement of pigs.	Chief executive	Article 12 of the Pigs (Records, Identification and Movement) Order 1995
Power to license the sale of pigs.	Chief executive	Article 13 of the Pigs (Records, Identification and Movement) Order 1995.

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Power to license collecting centres for the movement of pigs.	Chief executive	Article 14 of the Pigs (Records, Identification and Movement) Order 1995.
Power to issue a licence to move cattle from a market.	Chief executive	Article 5(2) of the Cattle Identification Regulations 1998
Power to grant permission for provision, etc of services, amenities, recreation and refreshment facilities on highway, and related powers.	Chief executive	Sections 115E, 115F and 115K of the Highways Act 1980
Power to permit deposit of builder's skip on highway.	Chief executive	Section 139 of the Highways Act 1980
Duty to publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980.	Chief executive	Section 115G of the Highways Act 1980
Power to license planting, retention and maintenance of trees etc. in part of highway.	Chief executive	Section 142 of the Highways Act 1980.
Power to authorise erection of stiles etc. on footpaths or bridleways.	Chief executive	Section 147 of the Highways Act 1980.
Power to license works in relation to buildings etc. which obstruct the highway.	Chief executive	Section 169 of the Highways Act 1980.

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Power to consent to temporary deposits or excavations in streets.	Chief executive	Section 171 of the Highways Act 1980.
Power to dispense with obligation to erect hoarding or fence.	Chief executive	Section 172 of the Highways Act 1980.
Power to restrict the placing of rails, beams etc. over highways.	Chief executive	Section 178 of the Highways Act 1980.
Power to consent to construction of cellars etc. under street.	Chief executive	Section 179 of the Highways Act 1980 67.
Power to consent to the making of openings into cellars etc. under streets, and pavement lights and ventilators.	Chief executive	Section 180 of the Highways Act 1980.
Power to sanction use of parts of buildings for storage of celluloid.	Chief executive	Section 1 of the Celluloid and Cinematograph Film Act 1922
Power to approve meat product premises.	Chief executive	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994
Power to approve premises for the production of minced meat or meat preparations.	Chief executive	Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995
Power to approve dairy establishments.	Chief executive	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995
Power to approve egg product establishments.	Chief executive	Regulation 5 of the Egg Products Regulations 1993

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods.	Chief executive	Schedule 1A to the Food Safety (General Food Hygiene) Regulations 1995
Power to approve fish products premises.	Chief executive	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998
Power to approve dispatch or purification centres.	Chief executive	Regulation 11 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.
Power to register fishing vessels on board which shrimps or molluses are cooked.	Chief executive	Regulation 21 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.
Power to approve factory vessels and fishery product establishments.	Chief executive	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.
Power to register auction and wholesale markets.	Chief executive	Regulation 26 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.
Duty to keep register of food business premises.	Chief executive	Regulation 5 of the Food Premises (Registration) Regulations 1991
Power to register food business premises.	Chief executive	Regulation 9 of the Food Premises (Registration) Regulations 1991.
Power to issue near beer licence.	N/a	Sections 16 to 19 and 21 of the London Local Authorities Act 1995 and, to the extent that it does not

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Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
		have effect by virtue of regulation 2(3), section 25 of that Act.] 71
Power to register premises or stalls for the sale of goods by way of competitive bidding.	N/a	Section 28 of the Greater London Council (General Powers) Act 1984
Power to register motor salvage operators.	Chief executive	Part I of the Vehicles (Crime) Act 2001
Functions relating to the registration of common land and town or village greens.	Chief executive	Part 1 of the Commons Act 2006 and the Commons Registration (England) Regulations 2008