

Appendix 1
Council ([Non-Executive](#)) Functions

Functions relating to town and country planning and development control

A	Function	Statutory Provision	Function exercised by:
1 to 4	[No longer in the Regulations].		
5	Power to determine application for planning permission or permission in principle.	Sections 59A(1)(b), 70(1)(a) and (b) and 72, Town and Country Planning Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy
6	Power to determine applications to develop land without compliance with conditions previously attached.	Section 73, Town and Country Planning Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy
7	Power to grant planning permission for development already carried out.	Section 73A, Town and Country Planning Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy
8	Power to decline to determine application for planning permission or	Section 70A, Town and Country Planning Act 1990	Planning Sub-Committee and Group Director,

A	Function	Statutory Provision	Function exercised by:
	permission in principle.		Climate, Homes and Economy
9	Duties relating to the making of determinations of planning applications.	Sections 69, 76 and 92, 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	Planning Sub-Committee and Group Director, Climate, Homes and Economy
10	Power to determine application for planning permission or permission in principle made by a local authority, alone or jointly with another person.	Section 316, Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492)	Planning Sub-Committee and Group Director, Climate, Homes and Economy
11	Power to make determinations, give approval and agree certain other matters relating to the exercise of permitted development rights.	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)	Planning Sub-Committee and Group Director, Climate, Homes and Economy

A	Function	Statutory Provision	Function exercised by:
12	Power to enter into agreement regulating development or use of land.	Section 106, Town and Country Planning Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy
13	Power to issue a certificate of existing or proposed lawful use or development.	Sections 191(4) and 192(2), Town and Country Planning Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy
14	Power to serve a completion notice.	Section 94(2), Town and Country Planning Act 1990	Group Director, Climate, Homes and Economy
15	Power to grant consent for the display of advertisements.	Section 220, Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992	Group Director, Climate, Homes and Economy
16	Power to authorise entry onto land.	Section 196A, Town and Country Planning Act 1990	Group Director, Climate, Homes and Economy

A	Function	Statutory Provision	Function exercised by:
17	Power to require the discontinuance of a use of land.	Section 102, Town and Country Planning Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy
18	Power to serve a planning contravention notice, breach of condition notice or stop notice.	Sections 171C, 187A and 183(1), Town and Country Planning Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy
18A	Power to issue a temporary stop notice.	Section 171E of the Town and Country Planning Act 1990	Group Director, Climate, Homes and Economy
19	Power to issue an enforcement notice.	Section 172, Town and Country Planning Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy
20	Power to apply for an injunction restraining a breach of planning control.	Section 187B, Town and Country Planning Act 1990	Group Director, Climate, Homes and Economy
21	Power to determine applications for hazardous substances	Sections 9(1) and 10, Planning (Hazardous Substances) Act 1990	Group Director, Climate, Homes and Economy

A	Function	Statutory Provision	Function exercised by:
	consent, and related powers.		
22	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.	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 and paragraph 6(5) of Schedule 14 to that Act	Group Director, Climate, Homes and Economy
23	Power to require proper maintenance of land.	Section 215(1), Town and Country Planning Act 1990	Group Director, Climate, Homes and Economy
24	Power to determine application for listed building consent, and related powers.	Sections 16(1) and (2), 17 and 33(1), Planning (Listed Buildings and Conservation Areas) Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy
25	[No longer in the Regulations]		

A	Function	Statutory Provision	Function exercised by:
26	Duties relating to applications for listed building consent.	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 (S.I 1990/1590) and paragraphs 8, 15 and 26 of Department of Environment, Transport and the Regions Circular 01/01	Planning Sub-Committee and Group Director, Climate, Homes and Economy
27	Power to serve a building preservation notice, and related powers.	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy
28	Power to issue enforcement notice in relation to demolition of listed building in conservation area	Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy

A	Function	Statutory Provision	Function exercised by:
29	Powers to acquire a listed building in need of repair and to serve a repairs notice.	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990	Planning Sub-Committee and Group Director, Climate, Homes and Economy
30	Power to apply for an injunction in relation to a listed building.	Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990	Group Director, Climate, Homes and Economy
30A	Power to authorise stopping up or diversion of highway.	Section 247 of the Town and Country Planning Act 1990	Group Director, Climate, Homes and Economy
31	Power to execute urgent works.	Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990	Group Director, Climate, Homes and Economy
32	Duty to enter land in Part 2 of the brownfield land register	Regulation 3 of the Town and Country Planning (Brownfield Land Register) Regulations 2017	Group Director, Climate, Homes and Economy

Functions relating to licensing and registration (in so far as not covered by any other paragraph of Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000)

B	Function	Statutory Provision	Function exercised by:
1	Power to issue licences authorising the use of land as a caravan site ('site licences').	Section 3(3), the Caravan Sites and Control of Development Act 1960	Group Director, Climate, Homes and Economy
2	Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936	Group Director, Climate, Homes and Economy
3	Power to licence hackney carriages and private hire vehicles.	<p>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 of the Local Government (Miscellaneous Provisions) Act 1976;</p> <p>b) as to private hire vehicles, sections 48, 57, 58, 60, 79 of the Local Government</p>	Not applicable to the London Borough of Hackney

B	Function	Statutory Provision	Function exercised by:
		(Miscellaneous Provisions) Act 1976	
4	Power to license drivers of hackney carriages and private hire vehicles	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976	Not applicable to the London Borough of Hackney
5	Power to license operators of hackney carriages and private vehicles	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976	Not applicable to the London Borough of Hackney
6	Power to register pool promoters.	Schedule 2 to the Betting, Gambling and Lotteries Act 1963 as saved for certain purposes by article 3(3)(c) of the Gambling Act Order	Group Director, Climate, Homes and Economy
7	Power to grant track betting licences	Schedule 3 to the Betting, Gaming and Lotteries Act 1963 [as saved for certain purposes by article 3(3)(d) of the Gambling Act Order	Not applicable to the London Borough of Hackney

B	Function	Statutory Provision	Function exercised by:
8	Power to license inter-track betting schemes	Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963 [as saved for certain purposes by article 3(3)(e) of the Gambling Act Order	Not applicable to the London Borough of Hackney
9	Power to grant permits in respect of premises with amusement machines.	Schedule 9, Gaming Act 1968 as saved for certain purposes by article 4(2)(1) and (m) of the Gambling Act Order	Group Director, Climate, Homes and Economy
10	Power to register societies wishing to promote lotteries.	Schedule 1 to the Lotteries and Amusements Act 1976 as saved for certain purposes by article 5(2)(a) and (3) of the Gambling Act Order	Group Director, Climate, Homes and Economy
11	Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976 as saved for certain purposes by article 5(2)(d) and (5) of the Gambling Act Order	Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
12	Power to issue cinema and cinema club licences.	Section 1 of the Cinema Act 1985	Group Director, Climate, Homes and Economy
13	Power to issue theatre licences.	Sections 12-14 of the Theatres Act 1968	Group Director, Climate, Homes and Economy
14	Power to issue entertainments licences.	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	Group Director, Climate, Homes and Economy
14A	Any function of a licensing authority.	Licensing Act 2003 and any regulations or orders made under that Act	Licensing Committee and Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
14AZA	Powers and functions relating to late night levy requirements.	Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 (c. 13) and any regulations made under that Chapter	Licensing Committee and Group Director, Climate, Homes and Economy
14AA	Duty to comply with requirement to provide information to Gambling Commission.	Section 29 of the Gambling Act 2005	Licensing Committee and Group Director, Climate, Homes and Economy
14AB	Functions relating to exchange of information.	Section 30 of the Gambling Act 2005	Licensing Committee and Group Director, Climate, Homes and Economy
14AC	Functions relating to occasional use notices.	Section 39 of the Gambling Act 2005	Licensing Committee and Group Director, Climate, Homes and Economy
14B	Power to resolve not to issue a casino premises licence.	Section 166 of the Gambling Act 2005	Full Council

B	Function	Statutory Provision	Function exercised by:
14C	Power to designate officer to a licensing authority as an authorised person for a purpose relating to premises.	Section 304 of the Gambling Act 2005	Licensing Committee and Group Director, Climate, Homes and Economy
14CA	Power to make order disapplying section 279 or 282 (1) of the 2005 Act in relation to specified premises.	Section 284 of the Gambling Act 2005	Licensing Committee and Group Director, Climate, Homes and Economy
14D	Power to institute criminal proceedings.	Section 346 of the Gambling Act 2005	Licensing Committee and Group Director, Climate, Homes and Economy
14E	Power to exchange information.	Section 350 of the Gambling Act 2005	Licensing Committee and Group Director, Climate, Homes and Economy
14F	Functions relating to the determination of fees for premises licences.	The Gambling (Premises License Fees) (England and Wales) Regulations 2007 (S.I. 2007/479)	Licensing Committee and Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
14G	Functions relating to the registration and regulation of small society lotteries.	Part 5 of Schedule 11 to the Gambling Act 2005	Licensing Committee and Group Director, Climate, Homes and Economy
15	Power to license sex shops and sex cinemas.	The Local Government (Miscellaneous Provisions) Act 1982, Section 2 and Schedule 3.	Licensing Committee and Group Director, Climate, Homes and Economy
16	Power to license performances of hypnotism.	The Hypnotism Act 1952	Licensing Committee and Group Director, Climate, Homes and Economy
17	Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis.	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982	Licensing Committee and Group Director, Climate, Homes and Economy
18	Power to license pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907	Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
19	Power to register door staff.	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	Group Director, Climate, Homes and Economy
20	Power to license market and street trading.	Part III of the London Local Authorities Act 1990 and section 6 of the London Local Authorities Act 1994	Group Director, Climate, Homes and Economy
21	Power to license night cafes and take-away food shops.	Part II of the London Local Authorities Act 1990 and section 5 of the London Local Authorities Act 1994	Group Director, Climate, Homes and Economy
22	[No longer in Regulations]		

B	Function	Statutory Provision	Function exercised by:
23	Power to license dealers in game and the killing and selling of game.	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	Group Director, Climate, Homes and Economy
24	Power to register and license premises for the preparation of food.	Section 19 of the Food Safety Act 1990	Group Director, Climate, Homes and Economy
25	Power to license scrap yards.	Section 1 of the Scrap Metal Dealers Act 1964	Group Director, Climate, Homes and Economy
26	Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	The Safety of Sports Grounds Act 1975	Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
27	Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.	Part III of the Fire Safety and Safety of Places of Sport Act 1987	Group Director, Climate, Homes and Economy
28	Power to issue fire certificates.	Section 5 of the Fire Precautions Act 1971	Group Director, Climate, Homes and Economy
29	Power to grant or renew a licence for a licensable activity under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (selling animals as pets, providing or arranging for the provision of boarding for cats or dogs, hiring out horses, breeding dogs or keeping or training animals for exhibition).	Regulation 4 of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018	Group Director, Climate, Homes and Economy
30-31	[No longer in the Regulations]		

B	Function	Statutory Provision	Function exercised by:
32	Power to license zoos.	Section 1 of the Zoo Licensing Act 1981	Group Director, Climate, Homes and Economy
33	Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976	Group Director, Climate, Homes and Economy
34	Power to license knackers' yards.	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999 (S.I. 1999/646)	Group Director, Climate, Homes and Economy
35	Power to license the employment of children.	Part II of the Children and Young Persons Act 1933; Byelaws made under that Act and Part II of the Children and Young Persons Act 1963	Group Director, Children and Education
36	Power to approve premises for the solemnisation of marriages.	Section 46A of the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995 (S.I. 1995/510)	Group Director, Finance and Corporate Resources

B	Function	Statutory Provision	Function exercised by:
37	<p>Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to:</p> <p>a) an exchange of lands affected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981; or</p> <p>b) an Order under section 147 of the Inclosure Act 1845.</p>	Regulation 6 of the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843)	Group Director, Climate, Homes and Economy
38	Power to register variation of rights of common.	Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471)	Group Director, Climate, Homes and Economy
39	Power to license persons to collect for charitable and other causes.	Section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916 and Section 2 of the House to House	Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
		Collections Act 1939	
40	Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993	Group Director, Climate, Homes and Economy
41	Power to grant a street works licence.	Section 50 of the New Roads and Street Works Act 1991	Group Director, Climate, Homes and Economy
42	Power to license agencies for the supply of nurses.	Section 2 of the Nurses Agencies Act 1957	Group Director, Climate, Homes and Economy
43	Power to issue licences for the movement of pigs.	Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (S.I 1995/11)	Group Director, Climate, Homes and Economy
44	Power to license the sale of pigs.	Article 13 of the Pigs (Records Identification and Movement) Order 1995	Group Director, Climate, Homes and Economy
45	Power to license collecting centres for the movement of pigs.	Article 14 of the Pigs (Records, Identification and Movement) Order	Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
		1995	
46	Power to issue a licence to move cattle from a market.	Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998/871)	Group Director, Climate, Homes and Economy
46A	Power to grant permission for provision etc. of services, amenities, recreation and refreshment facilities on a highway, and related powers.	Sections 115E, 115F and 115K of the Highways Act 1980 and Part 1 of the Business and Planning Act 2020	Group Director, Climate, Homes and Economy
47	Power to permit the deposit of builder's skip on highway.	Section 139 of the Highways Act 1980	Group Director, Climate, Homes and Economy
47A	Duty to publish notice in respect of proposals to grant permission under section 115E of the Highways Act 1980.	S.115G Highways Act 1980	Group Director, Climate, Homes and Economy
48	Power to license planting, trees etc in part of the highway.	Section 142 of the Highways Act 1980	Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
49	Power to authorise erection of stiles, etc on footpaths or bridleways.	Section 147 of the Highways Act 1980	Group Director, Climate, Homes and Economy
50	Power to license works in relation to buildings etc which obstruct the highway.	Section 169 of the Highways Act 1980	Group Director, Climate, Homes and Economy
51	Power to consent to temporary deposits or excavations in streets.	Section 171 of the Highways Act 1980	Group Director, Climate, Homes and Economy
52	Power to dispense with obligation to erect hoarding or fence.	Section 172 of the Highways Act 1980	Group Director, Climate, Homes and Economy
53	Power to restrict the placing of rails, beams etc. over highways.	Section 178 of the Highways Act 1980	Group Director, Climate, Homes and Economy
54	Power to consent to construction of cellars etc. under street.	Section 179 of the Highways Act 1980	Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
55	Power to consent to the making of openings into cellars etc. under streets, and pavement lights and ventilators.	Section 180 of the Highways Act 1980	Group Director, Climate, Homes and Economy
56	Power to sanction the use of parts of buildings for storage of celluloid.	Section 1 of the Celluloid and Cinematograph Film Act 1992	Group Director, Climate, Homes and Economy
57	Power to approve meat product premises.	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994 (S.I. 1994/3082)	Group Director, Climate, Homes and Economy
58	Power to approve premises for the production of minced meat or meat preparation.	Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995 (S.I. 1995/3205)	Group Director, Climate, Homes and Economy
59	Power to approve dairy establishments.	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995 (S.I. 1995/1086)	Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
60	Power to approve egg product establishments.	Regulation 5 of the Egg Product Regulations 1993 (S.I. 1993/1520)	Group Director, Climate, Homes and Economy
61	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.	Schedule 1A to the Food Safety (General Food Hygiene) Regulations 1995 (S.I. 1995/1763)	Group Director, Climate, Homes and Economy
62	Power to approve fish products premises.	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 (S.I.1998/994)	Group Director, Climate, Homes and Economy
63	Power to approve dispatch or purification centres.	Regulation 11 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998	Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
64	Power to register fishing vessels on board which shrimps or molluscs are cooked.	Regulations 21 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998	Not applicable to London Borough of Hackney
65	Power to approve factory vessels and fishery products establishments	Regulations 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998	Not applicable to London Borough of Hackney
66	Power to register auction and wholesale markets.	Regulation 26 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998	Group Director, Climate, Homes and Economy
67	Duty to keep register of food business premises.	Regulation 5 of the Food Premises (Registration) Regulations 1991 (S.I. 1991/2828)	Group Director, Climate, Homes and Economy
68	Power to register food business premises.	Regulation 9 of the Food Premises (Registration) Regulations 1991	Group Director, Climate, Homes and Economy

B	Function	Statutory Provision	Function exercised by:
69	Power to issue near beer license.	Sections 16 to 19 and 21 of the London Local Authorities Act 1995 and, to the extent that it does not have effect by virtue of regulation 2(3), section 3, section 25 of that Act	Group Director, Climate, Homes and Economy
70	Power to register premises or stalls for the sale of goods by way of competitive bidding.	Section 28 of the Greater London Council (General Powers) Act 1984	Group Director, Climate, Homes and Economy
71	Power to register motor salvage operators.	Part I of the Vehicles (Crime) Act 2001	Group Director, Climate, Homes and Economy
72	Functions relating to the registration of common land and town or village greens	Part I of the Commons Act 2006 and the Commons Registration (England) Regulations 2008 (S.I. 2008/1961)	Group Director, Climate, Homes and Economy

Functions relating to health and safety at work

C	Function	Statutory Provision	Function exercised by:
1	Functions under any of the “relevant statutory provisions” within the meaning of Part I (health, safety and welfare in connection with work and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority’s capacity as an employer.	Part 1 of the Health and Safety at Work etc Act 1974	Group Director, Climate, Homes and Economy

Functions relating to elections

D	Function	Statutory Provision	Function exercised by:
1	Duty to appoint an electoral registration officer.	Section 8(2) of the Representation of the People Act 1983	Full Council
2	Power to assign officers in relation to requisitions of the registration officer.	Section 52(4) of the Representation of the People Act 1983	Chief Executive
3	Functions in relation to parishes and parish councils.	Part II of the Local Government and Rating Act 1997 and subordinate legislation under that Act	Currently not applicable to London
4	Power to dissolve small parish councils	Section 10 of the Local Government Act 1972	Currently not applicable to London
5	Power to make orders for grouping parishes, dissolving groups and separating parishes from groups	Section 11 of the Local Government Act 1972	Currently not applicable to London

D	Function	Statutory Provision	Function exercised by:
6	Duty to appoint returning officer for local government elections	Section 35 of the Representation of the People Act 1983	Full Council
7	Duty to divide constituency into polling districts.	Section 18A and 18E of, and Schedule A1 to the Representation of the People Act 1983	Chief Executive
8	Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983	Chief Executive
9	Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983	Chief Executive
10	Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983	Chief Executive
11	Power to fill vacancies in the	Section 21 of the Representation of the People Act 1985	Full Council

D	Function	Statutory Provision	Function exercised by:
	event of insufficient nominations		
12	Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972	Chief Executive
13	Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972	Chief Executive
14	Power to make temporary appointments to parish councils.	Section 91 of the Local Government Act 1972	Currently not applicable to London.
15	[No longer in the Regulations]		
16	Power to submit proposals to the Secretary of State for an order under Section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000	Section 10 of the Representation of the People Act 2000	Chief Executive

D	Function	Statutory Provision	Function exercised by:
17	Duty to consult on change of scheme for elections.	Sections 33(2), 38(2) and 40(2) of the Local Government and Public Involvement in Health Act 2007	Chief Executive
18	Duties relating to publicity.	Sections 35, 41 and 52 of the Local Government and Public Involvement in Health Act 2007	Chief Executive
19	Duties relating to notice to Electoral Commission.	Sections 36 and 42 of the Local Government and Public Involvement in Health Act 2007	Chief Executive
20	Power to alter years of ordinary election of parish councillors.	Section 53 of the Local Government and Public Involvement in Health Act 2007	Currently not applicable to London
21	Functions relating to change of name of electoral area.	Section 59 of the Local Government and Public Involvement in Health Act 2007	Full Council

Functions relating to name and status of areas and individuals

E	Function	Statutory Provision	Function exercised by:
1	Power to change the name of a county, district or London Borough.	Section 74 of the Local Government Act 1972	Full Council
2	Power to change the name of a parish.	Section 75 of the Local Government Act 1972	Currently not applicable to London
3	Conferring the title of Honorary Alderman or to admit to be an honorary freeman.	Section 249 of the Local Government Act 1972	Full Council
4	Power to petition for a charter to confer borough status	Section 245(b) of the Local Government Act 1972	Currently not applicable to London

Functions relating to changing governance arrangements

EA	Function	Statutory Provision	Function exercised by:
1 to 7	[No longer in the Regulations]		

Functions relating to community governance

EB	Function	Statutory Provision	Function exercised by:
1	Duties relating to community governance reviews	Section 79 of the Local Government and Public Involvement in Health Act 2007	Full Council
2	Functions relating to community governance petition	Sections 80, 83 to 85 of the Local Government and Public Involvement in Health Act 2007	Full Council
3	Functions relating to terms of reference of review.	Sections 81(4) to (6) of the Local Government and Public Involvement in Health Act 2007	Full Council
4	Power to undertake community governance review.	Section 82 of the Government and Public Involvement in Health Act 2007	Full Council
5	Functions relating to the making of recommendations.	Sections 87 to 92 of the Local Government and Public Involvement in Health Act 2007	Full Council

EB	Function	Statutory Provision	Function exercised by:
6	Duties when undertaking review.	Sections 93 to 95 of the Local Government and Public Involvement in Health Act 2007	Full Council
7	Duty to publicise outcome of review.	Section 96 of the Local Government and Public Involvement in Health Act 2007	Chief Executive
8	Duty to send two copies of order to Secretary of State and Electoral Commission.	Section 98(1) of the Local Government and Public Involvement in Health Act 2007	Chief Executive
9	Power to make agreements about incidental matters.	Section 99 of the Local Government and Public Involvement in Health Act 2007	Chief Executive

Byelaws

F	Function	Statutory Provision	Function exercised by:
1	Making, amending, revoking, re-enacting or enforcing bylaws .	Any provision of any enactment (including a local Act) whenever passed and section 14 of the Interpretation Act 1978	Full Council

Functions relating to smoke free premises etc

FA	Function	Statutory Provision	Function exercised by:
1	Duty to enforce Chapter 1 and Regulations under it.	Section 10(3) of the Health Act 2006	Group Director, Climate, Homes and Economy
2	Power to authorise officers.	Section 10(5) of, and paragraph 1 of Schedule 2 to the Health Act 2006	Group Director, Climate, Homes and Economy
3	Functions relating to fixed penalty notices.	Paragraphs 13, 15 and 16 of Schedule 1 to the Health Act 2006 and the Smoke-Free (Vehicle Operators and Penalty Notices) Regulations 2007 (S.I. 2006/760)	Group Director, Climate, Homes and Economy
4	Power to transfer enforcement functions to another enforcement authority.	Smoke-Free (Premises and Enforcement) Regulations 2006 (S.I. 2006/3368)	Group Director, Climate, Homes and Economy

Local or Personal Bills

G	Function	Statutory Provision	Function exercised by:
1	Power to promote or oppose local or personal bills.	Section 239 of the Local Government Act 1972	Full Council

Functions relating to pensions etc.

H	Function	Statutory Provision	Function exercised by:
1	Functions relating to local government pensions, etc.	Regulations under Sections 7, 12 or 24 of the Superannuation Act 1972	<p>Pensions Committee within Terms of Reference.</p> <p>All other functions - Group Director, Finance and Corporate Resources.</p> <p>Decisions on individual exercise of discretion - Chief Executive and all Group Directors after consultation with Group Director, Finance and Corporate Resources.</p>
2	Functions under the Fire-fighters Pension Scheme reflecting to pensions etc as respects pensions employed by the Fire and Rescue authorities pursuant to Section 1 of the Fire and Rescue Services Act 2004	Section 34 and 36 of the Fire and Rescue Services Act 2004	Not applicable to London Borough of Hackney

Miscellaneous functions

I	Function	Statutory Provision	Function exercised by:
Part I: Functions relating to public rights of way			
1	Power to create a footpath, bridleway or restricted byway by agreement.	Section 25 of the Highways Act 1980	Group Director, Climate, Homes and Economy
2	Power to create footpaths, bridleways and restricted byways.	Section 26 of the Highways Act 1980	Group Director, Climate, Homes and Economy
3	Duty to keep a register of information with respect to maps, statements and declarations.	Section 31A of the Highways Act 1980	Group Director, Climate, Homes and Economy
4	Power to stop up footpaths, bridleways and restricted byways.	Section 118 of the Highways Act 1980	Group Director, Climate, Homes and Economy
5	Power to determine application for public path extinguishment order.	Sections 118ZA and 118C(2) of the Highways Act 1980	Group Director, Climate, Homes and Economy

I	Function	Statutory Provision	Function exercised by:
6	Power to make a rail crossing extinguishment order.	Section 118A of the Highways Act 1980	Group Director, Climate, Homes and Economy
7	Power to make a special extinguishment order.	Section 118B of the Highways Act 1980	Group Director, Climate, Homes and Economy
8	Power to divert footpaths, bridleways and restricted byways.	Section 119 of the Highways Act 1980	Group Director, Climate, Homes and Economy
9	Power to make a public path diversion order.	Sections 119ZA and 119C(4) of the Highways Act 1980	Group Director, Climate, Homes and Economy
10	Power to make a rail crossing diversion order.	Section 119A of the Highways Act 1980	Group Director, Climate, Homes and Economy
11	Power to make a special diversion order.	Section 119B of the Highways Act 1980	Group Director, Climate, Homes and Economy

I	Function	Statutory Provision	Function exercised by:
12	Power to require applicant for order to enter into agreement.	Section 119C (3) of the Highways Act 1980	Group Director, Climate, Homes and Economy
13	Power to make an SSSI diversion order.	Section 119D of the Highways Act 1980	Group Director, Climate, Homes and Economy
14	Duty to keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the Highways Act 1980.	Section 121B of the Highways Act 1980	Group Director, Climate, Homes and Economy
15	Power to decline to determine certain Applications.	Section 121C of the Highways Act 1980	Group Director, Climate, Homes and Economy
16	Duty to assert and protect the rights of the public to use and enjoyment of highways.	Section 130 of the Highways Act 1980	Group Director, Climate, Homes and Economy
17	Duty to serve notice of proposed action in relation to obstruction.	Section 130A of the Highways Act 1980	Group Director, Climate, Homes and Economy

I	Function	Statutory Provision	Function exercised by:
18	Power to apply for variation of order under section 130B of the Highways Act 1980.	Section 130B(7) of the Highways Act 1980	Group Director, Climate, Homes and Economy
19	Power to authorise temporary disturbance of surface of footpath, bridleway or restricted byway.	Section 135 of the Highways Act 1980	Group Director, Climate, Homes and Economy
20	Power temporarily to divert footpath, bridleway or restricted byway.	Section 135A of the Highways Act 1980	Group Director, Climate, Homes and Economy
21	Functions relating to the making good of damage and the removal of obstructions.	Section 135B of the Highways Act 1980	Group Director, Climate, Homes and Economy
22	Powers relating to the removal of things so deposited on highways as to be a nuisance.	Section 149 of the Highways Act 1980	Group Director, Climate, Homes and Economy

I	Function	Statutory Provision	Function exercised by:
23	Power to extinguish certain public rights of way.	Section 32 of the Acquisition of Land Act 1981	Group Director, Climate, Homes and Economy
24	Duty to keep definitive map and statement under review.	Section 53 of the Wildlife and Countryside Act 1981	Group Director, Climate, Homes and Economy
25	Power to include modifications in other orders.	Section 53A of the Wildlife and Countryside Act 1981	Group Director, Climate, Homes and Economy
26	Duty to keep register of prescribed information with respect to applications under section 53(5) of the Wildlife and Countryside Act 1981.	Section 53(B) of the Wildlife and Countryside Act 1981	Group Director, Climate, Homes and Economy
27	[No longer in the Regulations]		
28	Power to prepare map and statement by way of consolidation of definitive map and statement.	Section 57A of the Wildlife and Countryside Act 1981	Group Director, Climate, Homes and Economy

I	Function	Statutory Provision	Function exercised by:
29	Power to designate footpath as cycle track	Section 3 of the Cycle Tracks Act 1984	Group Director, Climate, Homes and Economy
30	Power to extinguish public right of way over land acquired for clearance	Section 294 of the Housing Act 1981	Group Director, Climate, Homes and Economy
31	Power to authorise stopping-up or diversion of footpath, bridleway or restricted byway.	Section 257 of the Town and Country Planning Act 1996	Group Director, Climate, Homes and Economy
32	Power to extinguish public rights of way over land held for planning purposes.	Section 258 of the Town and Country Planning Act 1990	Group Director, Climate, Homes and Economy
33	Power to enter into agreements with respect to means of access	Section 35 of the Countryside and Rights of Way Act 2000	Group Director, Climate, Homes and Economy
34	Power to provide access in absence of agreement.	Section 37 of the Countryside and Rights of Way Act 2000	Group Director, Climate, Homes and Economy

I	Function	Statutory Provision	Function exercised by:
Part II: Other miscellaneous functions			
35	Functions relating to sea fisheries	Section 1,2,10 and 19 of the Sea Fisheries Regulation Act 1966	Not applicable to the London Borough of Hackney
36	Power to make standing orders.	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972	Full Council
37	Power to appoint staff and to determine the terms and conditions on which they hold office (including procedures for dismissal).	Section 112 of the Local Government Act 1972	Chief Executive and Appointments Sub-Committees for chief officer posts. Full Council for dismissal of specified statutory senior officers.
38	Power to make standing orders as to contracts	Section 135 of the Local Government Act 1972	Full Council
39	Duty to make arrangements for proper administration of financial affairs etc.	Section 151 of the Local Government Act 1972	Full Council

Appendix 1

Council (Non-Executive) Functions

1.0 - 4 September 2023

I	Function	Statutory Provision	Function exercised by:
40	Power to appoint officers for particular purposes (appointment of ‘proper officers’).	Section 270(3) of the Local Government Act 1972	Full Council
41	Power to make limestone pavement order.	Section 34(2) of the Wildlife and Countryside Act 1981	Group Director, Climate, Homes and Economy
42	Power to make closing order with respect to take-away food shops.	Section 4 of the Local Government (Miscellaneous Provisions) Act 1982	Group Director, Climate, Homes and Economy
43	Duty to designate officer as the Head of the Authority’s Paid Service , and to provide staff, etc.	Section 4(1) of the Local Government and Housing Act 1989	Full Council
44	Duty to designate Officer as the Monitoring Officer and to provide staff, etc.	Section 5(1) of the Local Government and Housing Act 1989	Full Council
44A	Duty to provide staff, etc, to a person	Section 82A(4) and (5) of the Local	Chief Executive

I	Function	Statutory Provision	Function exercised by:
	nominated by the Monitoring Officer.	Government Act 2000	
44B	Powers relating to overview and scrutiny committees (voting rights of co-opted Members).	Paragraphs 12 and 14 of Schedule 1 to the Local Government Act 2000	Full Council
45	Duty to approve the authority's statement of accounts, income and expenditure and balance sheet, or record of payment and receipts (as the case may be).	The Accounts and Audit Regulations 1996 (S.I. 1996/590)	Audit Committee
46	Powers relating to the protection of important hedgerows.	The Hedgerows Regulations 1997 (S.I. 1997/1160)	Group Director, Climate, Homes and Economy
47	Powers relating to the preservation of trees.	Sections 197 to 214D of the Town and Country Planning Act 1990, and the Trees Regulations 1999 (S.I. 1999/1892)	Group Director, Climate, Homes and Economy

I	Function	Statutory Provision	Function exercised by:
47A	Powers relating to complaints about high hedges.	Part 8 of the Anti-Social Behaviour Act 2003	Group Director, Climate, Homes and Economy
48	Power to make payments or provide other benefits in cases of maladministration etc.	Section 92 of the Local Government Act 2000	Chief Executive and Group Directors
49	Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption.	Section 13(2) of the Criminal Justice and Police Act 2001	Corporate Committee
50	Power to make or revoke an order designating a locality as an alcohol disorder zone.	Section 16 of the Violent Crime Reduction Act 2006	Group Director, Climate, Homes and Economy
51	Power to apply for an enforcement order against unlawful works on common land.	Section 41 of the Commons Act 2006	Group Director, Climate, Homes and Economy

I	Function	Statutory Provision	Function exercised by:
52	Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference.	Section 45(2)(a) of the Commons Act 2006	Group Director, Climate, Homes and Economy
53	Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens	Section 45(2)(b) of the Commons Act 2006	Group Director, Climate, Homes and Economy