

SCHEDULE 4

Regulation 5(1)

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

Commencement Information

II Sch. 4 in force at 16.11.2000, see **reg. 1(1)**

(1) <i>Function</i>	(2) <i>Circumstances</i>
<p>1. The adoption or approval of a plan or strategy (whether statutory or non-statutory), other than a plan or strategy of a description referred to in regulation 4(1)(b) or 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> <p>(a) is the responsibility of the executive; and</p> <p>(b) is concerned with the authority's budget, or their borrowing or capital expenditure.</p>	<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> <p>(a) is minded to determine the matter contrary to, or not wholly in accordance with—</p> <p>(i) the authority's budget; or</p> <p>(ii) the plan or strategy for the time being approved or adopted by the authority in relation to their borrowing or capital expenditure; and</p> <p>(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>
<p>3. The determination of any matter in the discharge of a function—</p> <p>(a) which is the responsibility of the executive; and</p> <p>(b) in relation to which a plan or strategy (whether statutory or non-statutory) has been adopted or approved by the authority.</p>	<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>

Changes to legislation:

There are currently no known outstanding effects for the The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, SCHEDULE 4.