This Statutory Instrument corrects an error in S.I. 2000/2853 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2026 No. 1076

LOCAL GOVERNMENT, ENGLAND

The Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2026

Made - - - -	*12th October 2026*
Laid before Parliament	*13th October 2026*
Coming into force - -	*2nd November 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 9D of the Local Government Act 2000(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2026 and come into force on 2nd November 2026.

(2) These Regulations extend to England and Wales.

Amendment of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000

2. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000(**b**) are amended in accordance with regulations 3 and 4.

Amendment of Schedule 1 (functions not to be the responsibility of an authority's executive)

3.—(1) Schedule 1 is amended as follows.

(2) For paragraph A (functions relating to town and country planning and development control) substitute the new paragraph A in the Schedule to these Regulations.

(3) In paragraph I (miscellaneous functions), in column (2), in relation to the entry relating to item 47, for "the Trees Regulations 1999" substitute "the Town and Country Planning (Trees) Regulations 1999".

(**a**) 2000 c. 22. Section 9D was inserted by paragraph 1 of Schedule 2 to the Localism Act 2011 (c. 20).
(**b**) S.I. 2000/2853; relevant amending instruments are S.I. 2004/2211, S.I. 2005/929, S.I. 2007/2593, S.I. 2013/2148, S.I. 2017/403, S.I. 2017/1309.

Amendment of Schedule 2 (functions which may be (but need not be) the responsibility of an authority's executive)

4. At the end of Schedule 2, insert—

"23. Any function of a local planning authority relating to the making, or revocation of, a local development order under sections 61A to 61D of and Schedule 4A to the Town and Country Planning Act 1990 and article 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (S.I. 2015/595).

24. Any powers of entry of the local planning authority under section 324 of the Town and Country Planning Act 1990.

25. Any powers of entry of the local planning authority under section 88 of the Planning (Listed Buildings and Conservation Areas) Act 1990.".

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Minister of State
12th October 2026 Ministry of Housing, Communities and Local Government

SCHEDULE

Regulation 3(2)

Schedule 1: new paragraph A

A. Functions relating to town and country planning and development control	
1. Functions of a local planning authority relating to control over development (other than a function relating to the making, or revocation, of a local development order).	Part 3 (excluding sections 61A to 61D and Schedule 4A) of the Town and Country Planning Act 1990 (c. 8)(**a**).
2. Functions of a local planning authority relating to enforcement.	Part 7 of the Town and Country Planning Act 1990(**b**).
3. Powers relating to the proper maintenance of land.	Chapter 2 of Part 8 of the Town and Country Planning Act 1990(**c**).
4. Powers relating to advertisements.	Chapter 3 of Part 8 of the Town and Country Planning Act 1990(**d**) and the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (S.I. 2007/783).
5. Powers to remedy the defacement of premises.	Chapter 4 of Part 8 of the Town and Country Planning Act 1990(**e**).
6. Powers to determine an application for planning permission or permission in principle made by a local authority, alone or jointly with another person.	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492).
7. Functions of a local planning authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 other than a function relating to the making, or revocation, of a local development order.	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (S.I. 2015/595) including any Directions issued pursuant to that Order but not including article 38.
8. Functions of a local planning authority under the Town and Country Planning (General Permitted Development) (England) Order 2015.	The Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596) including any directions issued pursuant to that Order.
9. Functions of a local planning authority relating to permission in principle.	The Town and Country Planning (Permission in Principle) Order 2017 (S.I. 2017/402).
10. Functions of a local planning authority relating to listed buildings.	Part 1 and sections 81A and 81B of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)(**f**) including any directions issued pursuant to those provisions.

(**a**) Part 3 of the Town and Country Planning Act 1990 comprises sections 55 to 106D and Schedules 3 to 9.
(**b**) Part 7 of the Town and Country Planning Act 1990 comprises sections 171A to 196E.
(**c**) Chapter 2 of Part 8 of the Town and Country Planning Act 1990 comprises sections 215 to 219.
(**d**) Chapter 3 of Part 8 of the Town and Country Planning Act 1990 comprises sections 220 to 225E.
(**e**) Chapter 4 of Part 8 of the Town and Country Planning Act 1990 comprises sections 225F to 225J.
(**f**) Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 comprises sections 1 to 68 and Schedules 1 to 3.

11. Duties relating to applications for listed building consent.	The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (S.I. 1990/1519).
12. Functions of a local planning authority relating to brownfield land.	The Town and Country Planning (Brownfield Land Register) Regulations 2017 (S.I. 2017/403).
13. 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 (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.
14. Power to determine applications for hazardous substances consent, and related powers.	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c. 10).
15. Power to determine an application for a certificate of appropriate alternative development.	Part 3 of the Land Compensation Act 1961 (c. 33)(**a**).

(**a**) Part 3 of the Land Compensation Act 1961 comprises sections 17 to 22.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the 2000 Regulations"). They apply in relation to local authorities in England.

Part 1A of the Local Government Act 2000 provides that, for an English local authority that operates executive arrangements, the discharge of its functions is to be the responsibility of an executive of the authority, unless otherwise specified. In the 2000 Regulations, Schedule 1 specifies functions which are not be the responsibility of an authority's executive, and Schedule 2 specifies functions which may be (but not need be) the responsibility of an authority's executive.

Regulation 3 amends Schedule 1 of the 2000 Regulations by the substitution of a new paragraph A. The new paragraph A updates and consolidates the existing paragraph A, in setting out which planning-related functions of a local authority are not to be the responsibility of an executive of that authority.

Regulation 4 amends Schedule 2 to the 2000 Regulations to the effect that a local authority may decide whether their functions as local planning authority relating to—

(a) the making or revocation of a local development order; and

(b) powers of entry in section 324 of the Town and Country Planning Act 1990 and section 88 of the Planning (Listed Buildings and Conservation Areas) Act 1990,

should be the responsibility of their executive.

A full impact assessment has not been produced for these Regulations as no, or no significant, impact on the private sector, voluntary sector or public sector is foreseen. An explanatory memorandum is published alongside this instrument at www.legislation.gov.uk.

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