

Part 3 – Responsibility for Functions

Section 1 – Responsibility for Local Choice Functions

Function	Decision Making Body	Membership	Delegation of Functions
1. Any function under the Sunderland Corporation Act 1972 other than a function specified or referred to in regulation 2 or schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.	Council	All members of the Council	As set out below
1.1 The power to make, repeal and amend byelaws under sections 63 and 65 of the Act.	Council	All members of the Council	None
1.2 To exercise the Council’s jurisdiction under s.14 as harbour undertakers, within the port.	The Port Board	Members of the Board	The Port Director in conjunction with the harbour master.
1.3 To exercise the duties of the Council under s.15 to provide, maintain, operate and improve the port facilities and generally under Part III of the Act.	The Port Board	Members of the Board	The Port Director

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1.4 To exercise the powers of the Council in relation to docks contained within Part V of the Act and generally in relation to all other matters under the Act including the exercise of powers pursuant to Byelaws made under sections 63 and 65.	The Port Board	Members of the Board	The Port Director, save for those matters expressly reserved to the Harbour Master.
2. The determination of an appeal against any decision made by or on behalf of the authority.	Council	All members of the Council	As set out below
2.1 Representations and complaints by an individual in respect of the discharge or failure to discharge adult social care functions relating to them.	Council	All members of the Council	Adult Services Complaints Panel.
2.2 To consider complaints of unreasonable behaviour under s.409 Education Act 1996.	Council	All members of the Council	Education Complaints Panel.

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2.3 To determine appeals and reviews in respect of matters relating to officers' employment where a right of appeal or the right to request a review exists to a committee or panel under the Council's Capability and Disciplinary Procedure, Redundancy Procedure, Grievance Procedure or any other human resources policy or procedure, to determine appeals against the Director of Human Resources and Organisational Development to refuse requests for flexible retirement and any other decisions on employment related matters where the Council has determined that there be a right of appeal or review to elected members.	Council	All members of the Council	Appeals Committee consisting of 20 members from which Appeals Panels of three members will be drawn to hear appeals.
2.4 To determine appeals under s.202 Housing Act 1996 in respect of the Council's duties to homeless persons.	Council	All members of the Council	Homelessness Appeals Panel
2.5 To determine appeals against the decision of Regulatory Committee in respect of door supervisors.	Council	All members of the Council	Licensing Appeals (Door Supervisors) Panel

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3. The making of arrangements pursuant to s.6.1(1) of, and Schedule 18 to the School Standards and Framework Act 1998 (this relates to appointing the panel from persons outside the Council and convening it for appeals against exclusion of pupils).	Council	All members of the Council	Assistant Director of Law and Governance (administrative arrangements).
4. The making of arrangements pursuant to section 94(1) and (4) of, and Schedule 24 to, the School Standards and Framework Act 1998 (this relates to constituting the admissions appeals panel from persons outside the Council).	Council	All members of the Council	Assistant Director of Law and Governance (administrative arrangements).
5. The making of arrangements pursuant to section 95(2) of and Schedule 25 to, the School Standards and Framework Act 1998 (children to whom section 87 applies; appeals by governing bodies) (this relates to setting up a panel of persons outside the Council to hear appeals regarding the admission of permanently excluded pupils).	Council	All members of the Council	Assistant Director of Law and Governance (administrative arrangements).

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6. The making of arrangements under section 20 (questions on police matters at Council meetings) of the Police Act 1996 for enabling questions to be put on the discharge of the functions of a police authority.	Council	All members of the Council	Chief Executive
7. Any function relating to contaminated land.	The Council	All members of the Council	The full extent to the Executive Director of Neighbourhoods.
8. The discharge of any function relating to the control of pollution or the management of air quality.	The Council	All members of the Council	The full extent to the Executive Director of Neighbourhoods.
9. The service of an abatement notice in respect of a statutory nuisance.	The Council	All members of the Council	The full extent to the Executive Director of Neighbourhoods in so far as they relate to housing conditions and to the management of housing.
10. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.	The Council	All members of the Council	None

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11. The inspection of the authority's area to detect any statutory nuisance.	The Council	All members of the Council	The full extent to the Executive Director of Neighbourhoods in so far as they relate to housing conditions and to the management of housing.
12. The investigation of any complaint as to the existence of a statutory nuisance.	The Council	All members of the Council	The full extent to the Executive Director of Neighbourhoods in so far as they relate to housing conditions and to the management of housing.
13. The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.	The appropriate Development Control Sub-Committee	Members of the relevant Development Control Sub-Committee	The full extent to the Executive Director of City Development and the Assistant Director of Law and Governance.
14. The obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	The Executive where the information is required in connection with the power to make a compulsory purchase order	Members of the Executive	The full extent to the Executive Director of City Development and the Assistant Director of Law and Governance.

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15. The making of agreements for the execution of highway works.	The Executive	Members of the Executive	The full extent to the Executive Director of City Development.
16. The appointment of any individual - (a) to any office other than an office in which he is employed by the authority, (b) to any body other than - (i) the authority (ii) a joint committee of two or more authorities, or (c) to any committee or sub-committee of such a body, and the relocation of any such appointment.	The Council	All members of the Council	Reserved to the Council