

SANDBACH TOWN COUNCIL

ASSETS AND SERVICES COMMITTEE: TERMS OF REFERENCE

Approved by Council: 13 September 2023

Review Date: AGM May 2027



This document supersedes the Terms of Reference/Delegation dated May 2012.

10 Members of the Authority

Quorum = 4

Responsible for the council's assets and service provision, including the markets, Small Common Car Park, Town Hall and adjoining public conveniences.

Meetings: Per Council approved timetable.

All non-committee members may attend meetings of the Committee except for confidential and speak on ward issues at the Chairman's discretion, but are unable to vote.

Function of Committee Column 1		Delegation of Functions Column 2
Leisure & Recreation		
1.	Power to maintain land for open spaces, Public Health Act 1875, S164; Open Spaces Act 1906, S9 &10.	<ul style="list-style-type: none"> • Committee for management overview • Town Clerk for operational management
2.	Power to acquire land for or to provide recreation grounds, public walks, parks, pleasure grounds and to manage and control them. Power to provide gymnasiums, playing fields, & boating pools; Local Government Act 1972, Sch. 14; Public Health Acts Amendment Act 1890,S44, Local government (Miscellaneous Provisions)Act S19; Public Health Act 1961,s54.	<ul style="list-style-type: none"> • Acquisition to Council • Committee for management overview & development within budget & policy • Town Clerk for operational management
3.	Management and enhancement of parks, playing fields, play areas and public open spaces.	<ul style="list-style-type: none"> • Committee for management overview & development within budget & policy • Town Clerk for operational management • Grants to Finance, Policy & Governance Committee
4.	Liaison or partnership with other organisations which have an interest in recreational facilities in the town.	<ul style="list-style-type: none"> • Committee for management overview • Town Clerk for operational management
Public Realm & Public Facilities		
5.	To contribute to the improvement of the public realm, both directly and by supporting and coordinating the contribution of other partners.	<ul style="list-style-type: none"> • Committee for management overview within budget. • Town Clerk for operational management.
6.	To manage the Ranger service to ensure a response resource which supports and enhances the general public realm services as a 'top up' service to CEC.	<ul style="list-style-type: none"> • Committee for management overview • Town Clerk for operational management.
7.	Matters relating to street cleaning, litter, fly posting, graffiti.	<ul style="list-style-type: none"> • Committee for management overview • Town Clerk for operational management.
8.	Fixed penalty notices for littering, graffiti & fly posting (adoptive). Dog Control Orders, Clean Neighbourhoods & Environment Act 2005 (if adopted).	<ul style="list-style-type: none"> • Committee for management overview within budget & policy • Operational Management to Town Clerk. • Council to adopt legislation if required
9.	Provision of litter receptacles, Litter Act 1983, S5 & 6	<ul style="list-style-type: none"> • Committee for management overview within budget • Town Clerk for operational management.
10.	Provision and maintenance of street furniture and signs	<ul style="list-style-type: none"> • Committee for management overview • Town Clerk for routine management.

11.	Power to provide & maintain public conveniences, Public Health Act 1936, s87.	<ul style="list-style-type: none"> • Committee for management overview within budget & policy • Town Clerk for operational management
12.	Power to maintain, repair, protect & alter war Memorials; War Memorials (Local authorities Powers) Act 1923, S11 as extended by Local Government Act 1948 S133. (From C&E Committee)	<ul style="list-style-type: none"> • Committee for management overview within policy and budget • Operational management to Town Clerk
13.	To deal with issues involving ancient monuments and areas of archaeological interest, (From C&E Committee)	<ul style="list-style-type: none"> • Committee for management overview within policy and budget • Operational management to Town Clerk
14.	To promote and support floral and planting Initiatives, Local Government Act 1972. s 144 (From C&E Committee)	<ul style="list-style-type: none"> • Committee for management overview within policy and budget • Operational management to Town Clerk
15.	Power to provide baths and wash-houses under S 221,222,223 & 227 of Public Health Act 1936	<ul style="list-style-type: none"> • Committee for management overview within budget & policy • Town Clerk for operational management
16.	Waste and recycling	<ul style="list-style-type: none"> • Committee for management overview within budget & policy • Town Clerk for operational management
Bus Shelters		
17.	Power to provide & maintain bus shelters, Local Government (Miscellaneous Provisions) Act 1953 S4.	<ul style="list-style-type: none"> • Committee for management overview within budget & policy • Town Clerk for operational management
Markets		
18.	To oversee the power to operate and protect the town's markets under the Food Act 1984 s50-61 or Charter Rights (Letters Patent) 1527.	<ul style="list-style-type: none"> • Management overview to Committee within policy & budget • Operational management to Town Clerk
19.	Setting of all fees and charges relation to the Markets.	<ul style="list-style-type: none"> • Committee
Clocks		
20.	Power to provide & maintain public clocks, Parish Councils Act 1957, S2	<ul style="list-style-type: none"> • Committee for management overview • Operational management to Town Clerk
Allotments		
21.	To provide allotments where there is a proven need, improve land and let rights under S 23, 26, &42 of the Small Holding & Allotments Act 1908.	<ul style="list-style-type: none"> • Committee for management overview & development. • Town Clerk for operational Management
Non-Strategic Highways & Transport		
22.	Power to maintain footpaths & bridleways.	<ul style="list-style-type: none"> • Committee for management overview within Council policy • Town Clerk for operational management
23.	Powers to provide parking places for vehicles & cycles.	<ul style="list-style-type: none"> • Committee for management overview within Council policy • Town Clerk for operational management
24.	Improve off street parking & on street parking enforcement.	<ul style="list-style-type: none"> • Committee for management overview within Council policy • Town Clerk for operational management
25.	Power to provide roadside seats & shelters.	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management
26.	Power to enter into agreement as to dedication & widening of highways.	<ul style="list-style-type: none"> • Committee within budget & policy.

27.	Power to contribute financially to traffic calming Schemes; Highways Act 1980, S274A.	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management
28.	Power to provide traffic signs and other objects or devices warning of danger.	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management
29.	Power to plant trees and lay grass verges and to maintain them	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management
30.	Powers relating to car sharing schemes, taxi fare concessions & information about transport; Local Government & Rating Act 1997, S26, 28, 29	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management • Grants to Finance, Policy & Governance Committee.
31.	To support approved community transport schemes	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management • Grants to Finance, Policy & Governance Committee.
32.	Power to erect flagpoles in highway land. Highways Act 1980, s 144	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management
Street Lighting (should Council resolve to use these powers)		
33.	Power to light roads and public places. Maintenance & upgrading of Street lights. Parish Councils Act 1957 s 3: Highways Act 1980, s 301: Local Government Act 1972, Sched. 14 para 27	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management
Burial Facilities		
34.	Powers & duty for maintenance of closed church yards, Local Government Act 1972, S215	<ul style="list-style-type: none"> • Committee for management overview within budget & policy • Operational management to Town Clerk
35.	Power to maintain monuments & Memorials, Open Spaces Act 1906, Sec 9&10; Local Government Act 1972, S214; Parish Councils & Burial Authorities (Miscellaneous Provisions) Act 1970, S1.	<ul style="list-style-type: none"> • Committee for management overview within budget & policy • Operational management to Town Clerk
36.	Power to contribute towards expenses of cemeteries, Local Government Act 1972, S214. Power to provide Mortuaries, Public Health Act 1936, S198	<ul style="list-style-type: none"> • Committee for management overview within budget & policy • Operational management to Town Clerk
Public Buildings		
37.	Power to provide & encourage the use of conference facilities, Local Government Act 1972, S144	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management
38.	Power to provide public buildings & halls. Local Government Act 1972, S215	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management
39.	Power to provide and equip community buildings, Local Government Act 1972, s 133 Power to provide & equip community centres for use of clubs having athletic, social or recreational objectives, Local Government (Miscellaneous Provisions) Act 1976 S19.	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management

Heritage		
40.	To protect and promote the cultural Heritage of the Town, directly or indirectly.	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management • Grants to Finance, Policy & Governance Committee.
41.	To manage, preserve & promote the use of the Town's historic records, artefacts & treasures, Local Government (Records) Act 1962, ss1 and 4	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management
42.	To act as a hub for organisations to share information on heritage and history of the Town and surrounding area.	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management • Grants to Finance, Policy & Governance Committee.
43.	Research projects relating to the heritage and history of the Town and surrounding area.	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management • Grants to Finance, Policy & Governance Committee.
44.	To support a Museum for Sandbach.	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management • Grants to Finance, Policy & Governance Committee.
Entertainment and the Arts.		
45.	Power to provide entertainment and support for the arts, Local Government Act 1972, S145.	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management • Grants to Finance, Policy & Governance Committee.
46.	To organise, promote or support events which raise income for the Council's halls.	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management
47.	Power to promote lotteries. Lotteries and Amusements Acts 1976, S7	<ul style="list-style-type: none"> • Committee for management overview within Council policy & budget • Town Clerk for operational management

Notes:

References to Town Clerk translate to Chief Officer and / or Chief Officer's office as determined by the Chief Officer;

Any action delegated to the Town Clerk may in his/her absence be undertaken by the Assistant Town Clerk after seeking relevant advice as necessary, if the matter cannot wait until the Town Clerk returns;

Definition of "Management Overview": To recommend policy and new initiatives to Council, decide on service expansions and contractions or options within budget and policy and to ensure service objectives and relevant policies are adhered to;

Definition of "Operational Management" That part of the service which is considered necessary in the delivery of an initiative or service which is within Policy and Budget.