

# SANDBACH TOWN COUNCIL

## PLANNING, CONSULTATION & ENVIRONMENT COMMITTEE:

### TERMS OF REFERENCE



**SANDBACH  
TOWN COUNCIL**

**Approved by Council: 14<sup>th</sup> June 2023**

**Review Date AGM May 2027**

**To be reviewed annually at the first Committee meeting each Council year**

This document supersedes the Terms of Reference/Delegation dated 7<sup>th</sup> December 2017.

10 Members of the Authority

Quorum = 4

Provides a strategic overview of environmental and regeneration issues within the town and in the context of the wider locality. Considers and provides a formal observation on planning applications in Sandbach, and other aspects of planning control. Comments on specific environmental consultations within designated response time including highway issues, licensing, gaming, tree preservations, signage and environmental matters. Formally responds to consultations from Cheshire East Council and other statutory bodies but it has no executive power beyond this role.

**Meetings:** Approximately every 4 weeks.

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

<b>Function of the Council Column 1</b>	<b>Delegation of Function Column 2</b>
<p><b>Strategic Planning</b></p> <p>1. Making observations on Local Plan, or Waste and Mineral Plans</p> <p>2. Making observations on supplementary planning documents or non-statutory plans.</p> <p>3. To oversee the Council's role in preparing, reviewing and monitoring the Neighbourhood Plan and to approve spend in relation to the Neighbourhood Plan, in accordance with the Council's financial regulations.</p> <p>4. Planning Guidance and Policy by the Town Council</p> <p>5. <b>Planning and Development Control</b> To make observations on all Cheshire East Borough Council Planning applications; Listed Building applications; Conservation Area consents; Certificates of Existing or Proposed Lawful Use or Development; Display of Advertisement Regulations; and development involving telecommunications, including prior notification determinations</p> <p>6. Referring any Planning enforcement issue to the principal Council</p> <p>7. To make observations on all planning aspects and licensing aspects of waste applications or mineral applications.</p>	<ul style="list-style-type: none"> <li>• Council on the advice of Committee for Local Plan.</li> <li>• Committee for Waste &amp; Mineral Plans.</li>   <li>• Committee</li>   <li>• Committee</li> <li>• Approval of Plan reserved to Council.</li>   <li>• Committee to oversee and recommend Approval reserved to Council</li>   <li>• Committee</li> <li>• Town Clerk after consultation with the Chair &amp; Vice Chair, if there is not time for reference to Committee, subject to reporting the matter to the next meeting.</li> <li>• Town Clerk to submit approved observations</li> <li>• Committee may decide that with a major or particularly controversial application, to make recommendations for determination by Council.</li>   <li>• Town Clerk</li>   <li>• Committee</li> <li>• Town Clerk after consultation with Chair &amp; Vice Chair, if there is not time for reference to Committee, subject to reporting the matter to the next meeting.</li> </ul>

8.	To comment on Tree Preservation applications or the making of Orders.	<ul style="list-style-type: none"> <li>• Committee</li> <li>• Town Clerk after consultation with Members, if there is not time for reference to Committee, subject to reporting the matter to the next meeting.</li> </ul>
9.	To respond to consultations from adjoining authorities outside of Cheshire East Borough.	<ul style="list-style-type: none"> <li>• Committee</li> <li>• Town Clerk after consultation with Members, if there is not time for reference to Committee, subject to reporting the matter to the next meeting.</li> </ul>
10.	To make observations on Planning policy consultation documents from Cheshire East Council or other bodies.	<ul style="list-style-type: none"> <li>• Committee, except Local Plan which is reserved for Council.</li> </ul>
11.	To make observations at the time of planning appeals and to authorise witnesses (officers, councillors or consultants) on behalf of the Council.	<ul style="list-style-type: none"> <li>• Committee</li> </ul>
12.	To make observations on Hazardous Substance applications.	<ul style="list-style-type: none"> <li>• Committee</li> </ul>
13.	To make observations on applications for amendments to planning and other related consents previously granted by any authority.	<ul style="list-style-type: none"> <li>• Committee</li> </ul>
14.	To make observations on applications for the discharge of conditions in respect of planning permissions and other related consents issued by Cheshire East Council.	<ul style="list-style-type: none"> <li>• Committee</li> </ul>
15.	Making observations on applications and other actions in relation to hedge rows.	<ul style="list-style-type: none"> <li>• Committee</li> <li>• Town Clerk after consultation with Members, if there is not time for reference to Committee, subject to reporting the matter to the next meeting.</li> </ul>
16.	Making observations and recommendations on Street naming or numbering.	<ul style="list-style-type: none"> <li>• Committee</li> </ul>
17.	To liaise with the district council on any matter relating to building control.	<ul style="list-style-type: none"> <li>• Town Clerk</li> </ul>
18.	To monitor proposals from developers under Section 106 Agreements or Community Infrastructure Levy.	<ul style="list-style-type: none"> <li>• Committee</li> </ul>
19.	To request a Cheshire East councillor to “call in” applications to be determined their Planning Committee.	<ul style="list-style-type: none"> <li>• Committee</li> </ul>
20.	To undertake the Council’s role in the making, review or management of conservation areas <b>Licensing</b>	<ul style="list-style-type: none"> <li>• Committee</li> </ul>
21.	Making observations on any matter relating to gaming or gambling	<ul style="list-style-type: none"> <li>• Committee</li> </ul>
22.	Making observations on applications and other matters under the Licensing legislation.	<ul style="list-style-type: none"> <li>• Committee</li> <li>• Town Clerk after consultation with Members, if there is not time for reference to Committee, subject to reporting the matter to the next meeting.</li> </ul>

<b>Strategic Highways &amp; Transportation</b>		
23.	To take policy lead on the Local Transport Plan and general transportation issues.	<ul style="list-style-type: none"> <li>• Committee for Management overview &amp; to advise Council.</li> <li>• Town Clerk for operational management</li> </ul>
24.	To respond to consultation on any temporary or permanent highways changes.	<ul style="list-style-type: none"> <li>• Committee</li> <li>• Town Clerk after consultation with Members, if there is not time for reference to Committee, subject to reporting the matter to the next meeting.</li> </ul>
25.	Power to complain to Highway authority as to unlawful stopping up or obstruction of highway or unlawful encroachment on roadside land.	<ul style="list-style-type: none"> <li>• Committee</li> <li>• Town Clerk after consultation with Members, if consensus view</li> </ul>
26.	Consent for ending maintenance at public expense or stopping up or diversion of highway	<ul style="list-style-type: none"> <li>• Committee</li> <li>• Town Clerk after consultation with Members, if there is not time for reference to Committee, subject to reporting the matter to the next meeting.</li> </ul>
27.	<p><b>To Consider all Incoming Consultation Documents and determine a response on behalf of Sandbach residents</b></p> <p>To undertake an initial review of all incoming consultation documents and determine:</p> <ol style="list-style-type: none"> <li>1) If Council should make a response</li> <li>2) The form of the response</li> <li>3) To allocate to another committee if appropriate</li> <li>4) To provide the response and communicate the outcome as appropriate</li> </ol>	<ul style="list-style-type: none"> <li>• Committee <ul style="list-style-type: none"> <li>• Town Clerk to co-ordinate response correspondence and inform Committee / Council as appropriate</li> </ul> </li> </ul>

<b>Environment &amp; Sustainability</b>		
28.	To champion and promote the environmental wellbeing of the Town.	<ul style="list-style-type: none"> <li>• Committee for management overview</li> <li>• Town Clerk for operational management</li> </ul>
29.	Conservation of the built & natural environment	<ul style="list-style-type: none"> <li>• Committee for management overview</li> <li>• Town Clerk for operational management</li> </ul>
30.	To lead on the sustainability of the Council as an organisation and to approve and action environmental audits.	<ul style="list-style-type: none"> <li>• Committee for management overview and to recommend Policy</li> <li>• Town Clerk for operational management</li> </ul>
31.	To manage the Council's carbon footprint and help reduce climate change.	<ul style="list-style-type: none"> <li>• Committee for management overview</li> <li>• Town Clerk for operational management</li> </ul>
32.	To promote environmental awareness and act as an Ambassador for the Town.	<ul style="list-style-type: none"> <li>• Committee for management overview</li> <li>• Town Clerk for operational management</li> </ul>
33.	To lead the Town and partner the community in addressing climate change, sustainability and transition to achieve net zero in the borough by 2045	<ul style="list-style-type: none"> <li>• Committee for management overview and to recommend Policy</li> </ul>

		<ul style="list-style-type: none"> <li>• Town Clerk for operational management</li> </ul>
	<b>Environmental Public Health</b>	
34.	Power to utilise well, spring or stream to provide facilities for water supply, Public Health Act 1936, S125 and power to deal with ponds & ditches, Public Health 1936, S260.	<ul style="list-style-type: none"> <li>• Committee for management overview</li> <li>• Town Clerk for operational management</li> </ul>
35.	To liaise with the relevant authorities in cases of public health/ environmental nuisance, drainage matters, pollution, or animal welfare issues.	<ul style="list-style-type: none"> <li>• Petitions to Committee</li> </ul>
36.	To make observations on any public health/ environmental licence or registration application (other than under the Licensing Act).	<ul style="list-style-type: none"> <li>• Town Clerk in other cases</li> </ul>
	<b>Housing</b>	
37.	Town Council Policy or response to consultation on Cheshire East Policy.	<ul style="list-style-type: none"> <li>• None, but on advice from Committee.</li> </ul>
38.	To lobby for a suitable mix of housing and adequate affordable homes.	<ul style="list-style-type: none"> <li>• Committee for management overview within Policy and Budget and to recommend policy to Council</li> <li>• Town Clerk for operational management</li> <li>• Planning and Consultation Committee through the Planning system.</li> </ul>
39.	To work with partners to tackle other housing matters which may affect Sandbach, including landlord supervision, design guidance, homelessness and rough sleeping.	<ul style="list-style-type: none"> <li>• Committee for management overview within Policy and Budget</li> <li>• Town Clerk for operational management</li> </ul>
	<b>Economic Wellbeing &amp; Regeneration</b>	
40.	To promote the economic wellbeing of the Town through partnership with the businesses, the community sector and with the principal council.	<ul style="list-style-type: none"> <li>• Committee for management overview within Policy and Budget.</li> <li>• Town Clerk for operational management</li> </ul>
41.	To promote tourism within the Town and power to encourage visitors. Local Government Act 1972, s144. (See power to provide conference and other facilities- Assets and Services Committee).	<ul style="list-style-type: none"> <li>• Committee for management overview within Policy and Budget.</li> <li>• Town Clerk for operational management</li> </ul>
42.	To promote regeneration in the Town and coordinate / support the work of partner organisations.	<ul style="list-style-type: none"> <li>• Committee for management overview within Policy and Budget.</li> <li>• Town Clerk for operational management</li> </ul>
43.	To lobby for sufficient high quality employment sites in the Town & support initiatives promoting inward investment.	<ul style="list-style-type: none"> <li>• Committee for management overview within Policy and Budget.</li> <li>• Town Clerk for operational management.</li> </ul>

44.	To support skills & training for local businesses and to improve the skills of the unemployed.	<ul style="list-style-type: none"> <li>• Committee for management overview within Policy and Budget.</li> <li>• Town Clerk for operational management.</li> </ul>
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Notes:

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

Any actions delegated to the Town Clerk/Proper Officer may in his/her absence be undertaken by the nominated deputy or deputies, if the matter cannot wait until the Town Clerk's return;

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.