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Committee for Development, Planning and Transportation (CDPT) Charter

2019 – 2020

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**PART 1. PURPOSE**

The Committee is appointed by Burlescombe Parish Council (BPC) to assist the Council in its duty of (i) overseeing local development, (ii) responding to planning applications, and (iii) administering matters of transport.

 **PART 2. MEMBERSHIP**

1. The Committee shall be comprised of at least three members appointed by Burlescombe Parish Council. Committee members shall serve at the pleasure of the Council and for such term as the Council determines. The Council shall designate one Committee member as the Committee's chair (“the Chair”).

**PART 3. OPERATIONS**

1. The Committee shall hold regular meetings at least four times per year and report to the Council on a regular basis. Meetings shall include any participants the Committee deems appropriate and shall be of sufficient duration and scheduled at such times as the Committee deems appropriate to properly discharge its responsibilities.
2. The meetings of the Committee for Development, Planning and Transportation (CDPT) will permit public and press attendance and will be required to give advanced public notice.
3. The Committee may form and delegate to one or more subcommittees all or any portion of the Committee’s authority, duties and responsibilities, and may establish such rules as it determines necessary or appropriate to conduct the Committee’s business.
4. The Committee shall have direct access to, and complete and open communication with, the Council’s councillors and may obtain advice and assistance from internal legal or other advisors to assist it. The Committee may also retain legal or other advisors as deemed appropriate by the Council.
5. The Council shall provide for appropriate funding to the Committee, for the payment of (i) ordinary administrative expenses of the Committee that are necessary or appropriate in carrying out its duties and responsibilities and (ii) remuneration to legal and other advisors retained by the Committee.
6. The Committee shall review and assess annually its performance and report the results to the Council.
7. The Committee shall review and assess annually the adequacy of this charter and, if appropriate, recommend changes to the charter to the Council.

**PART 4. AUTHORITY, DUTIES AND RESPONSIBILITES**

1. The Committee is hereby granted the authority, duty and responsibility, subject to the ratification by the Council, to:
	1. provide allotment gardens where demand is unsatisfied, and it is deemed by the Committee reasonable to provide them, in accordance with statutory provision *Small Holdings and Allotments Act of 1908, Subsections (23), (26)* and *(42)*;
	2. provide public baths and washhouses, in accordance with statutory provision the *Public Health Act of 1936, Subsections (221)* through *(223)* and *(227)*;
	3. grant the power to acquire, maintain and provide for, as well as agree to maintain, burial grounds, cemeteries and crematoria, in accordance with the *Open Spaces Act of 1906, Subsections (9)* and *(10);* the *Local Government Act of 1972, Section (214), Subsection (6);* and,the *Parish Councils & Burials Authorities (Miscellaneous Provisions) Act of 1970, Section (1)*;
	4. provide and maintain bus shelters, in accordance with the L*ocal Government (Miscellaneous Provisions) Act of 1953, Section (4)*;
	5. provide bus services by the means of granting monies (though not by means of a capital nature) for bus services appearing to be for the benefit of people living in the Council’s area or community bus service area, in accordance with the *Local Government Rating Act of 1997*;
	6. to establish and maintain or to assist others in car-sharing schemes for the benefit of persons in the Council’s area, in accordance with the *Local Government Rating Act of 1997*;
	7. to use the land owned by the Council for another purpose other than what it was acquired for, in accordance with the *Local Government Act of 1972, Section (126)*;
	8. provide public clocks, in accordance with the *Parish Councils Act of 1957, Section (2)*;
	9. maintain closed churchyards, in accordance with the *Local Government Act of 1972, Section (215)*;
	10. enclose commons and common pastures so as to regulate and manage and to provide common pasture, in accordance with the *Enclosure Act of 1845;* the *Local Government Act of 1972, Section (8), Subsection (4);* and, *Smallholdings and Allotments Act of 1908, Section (34)*;
	11. install and maintain equipment with the view of preventing and detecting crime in the area of the Council as well as the ability to make grants of money to police authorities, in accordance with the *Local Government Rating Act of 1997*;
	12. administer ponds and ditches, in accordance with the *Public Health Act of 1936, Section 260*;
	13. appoint school Governors, in accordance with the *Education (No. 2) Act of 1986, Section (4)*;
	14. the powers to maintain public footpaths, bridleways and roads and public places in accordance with, and as afforded to them respectively by, the *Highways Act of 1980, Subsections (30), (43), (47), (50), (72), (96), (116), (130), and (301)*; the *Road Traffic Regulations Act of 1984 Subsections (57)* and *(63),* and *Section (72)*; the *Parish Councils Act of 1957 (Section 3)*; the *Local Government and Rating Act of 1997, Section (30)*; and, the *Litter Act of 1983, Subsection (56)*, to:
		1. repair and maintain public footpaths and bridleways;
		2. light roads and public places;
		3. provide litter bins;
		4. provide parking places for vehicles, bicycles and motor cycles;
		5. enter into agreement as to dedication and/or widening;
		6. provide roadside seats, shelters and omnibus shelters;
		7. advise and warn the District Council about protection of rights of way and roadside waste;
		8. consent or decline the discontinuation of maintenance of highways at the public’s expense, or for stopping up or diversion of highways;
		9. provide traffic signs and other notices;
		10. plant trees and maintain roadside verges; and,
		11. fund traffic calming measures.
	15. to investigate the need for public passenger transport; the use and need for roads; and, the management and control of traffic, in accordance with the *Local Government Rating Act of 1997*;
	16. to acquire land by agreement, to appropriate land, to dispose of the power to accept gifts of land, in accordance with the *Local Government Act of 1972, Sections (124), (126), (127), (139)*;
	17. to deal with offensive ditches, in accordance with the *Public Health Act of 1936, Section (260)*;
	18. to acquire land and maintain it, in accordance with the *Public Health Act of 1936, Section (164)* and *Open Spaces Act of 1906, Subsections (9)* and *(10)*;
	19. to provide public conveniences, in accordance with the *Public Health Act of 1936, Section (87)*;
	20. to acquire land for or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them, in accordance with the *Public Health Act of 1875, Section (164)*; the *Local Government Act of 1972, Schedule (14), Paragraph (27)*; the *Public Health Acts: Amendment Act of 1890, Section (44)*; and, the *Open Spaces Act of 1906 Sections (9) and (10);*
	21. to provide gymnasiums, in accordance with the L*ocal Government (Miscellaneous Provisions) Act of 1953, Section (54)*;
	22. to make arrangement with licensed taxi or hire car operators whereby they are reimbursed for giving fare concessions to persons resident in the Council area eligible to receive travel concessions under schemes established by the County or District under the *Transport Act of 1985*, in accordance with the *Local Government Rating Act of 1997*;
	23. the right to be notified of all planning applications, in accordance with the *Town and County Planning Act of 1990, Schedule (1), Paragraph (8)*;
	24. the power to contribute to expenditure by highways authority in constructing, removing or maintaining traffic calming works, if it will be of benefit to the area, in accordance with the *Local Government Rating Act of 1997*;
	25. to make and erect ornamental village signs under the powers to encourage visitors to the locality, in accordance with the *Local Government Act of 1972, Section (144)*;
	26. to maintain, repair, protect and adapt war memorials, in accordance with the *War Memorial (Local Authorities’ Powers) Act of 1923, Section (1),* as extended by the *Local Government Act of 1948, Section (133)*; and,
	27. to utilise wells, springs, or streams and provide facilities for obtaining water therefrom, in accordance with the *Public Health Act of 1936, Section (125)*.

**PART 5. REPORTING**

1. The Committee for Development, Planning and Transportation (CDPT), through its Chair, will provide appropriate written reports to the Council on its activities and issues arising.

**PART 6.**  **CHARTER AMENDMENTS**

1. These Terms of Reference and the effectiveness of the Committee for Development, Planning and Transportation (CDPT) will be reviewed annually. Any changes that are considered necessary will be recommended to the Council for approval.