

**PART 3(2) - RESPONSIBILITY  
FOR COUNCIL FUNCTIONS****APPENDIX 2****DISTRICT DEVELOPMENT CONTROL COMMITTEE - TERMS OF REFERENCE**

- (1) To determine, subject to paragraph (5) below:
  - (a) any development proposals of major importance to the Council or the whole District or affecting more than one Area Plans Sub-Committee;
  - (b) any departure applications or proposals for development of which the Committee approve but which would have to be notified to the Secretary of State under the prevailing Town and Country Planning (Development Plans and Consultation) Direction as being development which, by reason of its scale or nature or the location of the land would significantly prejudice the implementation of development plans, policies and proposals.
- (2) To determine any application referred by an Area Plans Sub-Committee for any reason including matters referred by a minority of members of an Area Plans Sub-Committee in accordance with the Council's Standing Orders.
- (3) To determine any recommendation of an Area Plans Sub-Committee which relates to potential decisions liable to give rise to claims for costs or compensation including development control matters and enforcement of planning requirements (including recommendations of no action) but excluding works on preserved trees.
- (4) To consider any planning application or other planning matter submitted by, or on behalf of, a Councillor of the Authority (and/or a spouse or partner thereof).
- (5) The power to determine proposals under paragraph (1) above shall be subject to any ruling by the Leader of the Council after consultation with the Chief Executive that any such matter should be determined by the Council.

**PART 3(2) - RESPONSIBILITY  
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**APPENDIX 3**

**AREA PLANS SUB-COMMITTEES - TERMS OF REFERENCE**

**Area Plans Sub-Committees**

- (1) No business shall be transacted by a Plans Sub-Committee unless at least five members of that Sub-Committee are present.
- (2) The three Sub-Committees shall be responsible for considering matters which fall within these terms of reference insofar as they relate to the electoral wards of the Epping Forest District determined in Article 10 of the Constitution.
- (3) To consider all applications (except as may be delegated to the Director of Planning and Economic Development) received for development within the District (including the Council's own proposals and plans for its own development) and, except in regard to applications referred to in items (iii) and (iv) below, to make decisions on behalf of the district planning authority thereon and to consider informal proposals for development and to give advice to prospective developers thereon.
- (4) To consider and make recommendations to the District Development Control Committee on applications for development within the District where:
  - (i) the proposals are of major importance; or
  - (ii) the Sub-Committee propose consent to development contrary to the Council's policy; or
  - (iii) the proposals would cause a substantial departure from the development or other approved plan for the area; or
  - (iv) the refusal of consent may involve the payment of compensation; or
  - (v) the District Development Committee or Council have so directed; or
  - (vi) the Sub-Committee wish for any reason to refer the application to the District Development Committee for decision.
- (5) To consider and make recommendations to the County Planning Authority upon applications for development within the District which are county matters and applications in respect of which the county planning authority directs that the decision be made by them. Provided that where any application falls within the provisions of paragraph (3) above, the recommendation be first submitted to the District Development Control Committee.
- (6) To consider any planning applications referred to the Council by other local authorities for comment.

- (7) To consider applications for planning consent initiated by the Council within the meaning of Regulation 3 of the Town and Country Planning General Regulations 1992 and associated legislation and applications affecting land in the Council's ownership and to determine such applications or make recommendations thereon to the Development Committee. (See Appendix 2).
- (8) To determine the confirmation of those tree preservation orders which are opposed.
- (9) To consider the need for enforcement action including legal proceedings under the Town and Country Planning Acts and the Civic Amenities Act, and to take such action thereon as may appear necessary.
- (10) To be responsible for the dedication, creation stopping up diversion of footpaths, bridleways and other public rights of way within the area concerned.
- (11) To report to the District Development Committee all decisions made under the provisions of items (1) to (5) above or which are subject to Operational Standing Order 11.
- (12) An Area Plans Sub-Committee is not authorised to consider or determine any planning application or other planning matter submitted by, or on behalf of a member of the Authority (and/or spouse or partner of same).