



Subject:	Retention and Disposal schedule for all planning records
Date:	16 th January 2018
Reporting Officer:	Keith Sutherland
Contact Officer:	Helen Richmond, ext. 2263

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report
1.1	The purpose of the paper is to seek Committee agreement to the appended Retention and Disposal Schedule for all planning records (Appendix 1).
2.0	Recommendation
2.1	Members are asked to <ul style="list-style-type: none">agree the attached Retention and Disposal Schedule as set out in Appendix 1.
3.0	Main Report
3.1	Councils have been working together with the Department for Infrastructure (DfI) and the Public Records Office (PRONI) to agree a consistent approach to the retention and disposal of all planning records. The attached Retention and Disposal Schedule (R&DS) for planning records has been developed and agreed with officers from the Planning Services across the different councils. It now requires the agreement of the individual councils as part of a standardised approach for all planning records.
3.2	<u>Main Changes from previous R&DS</u> The schedule has been updated to take account all types of planning records including electronic records and new types of planning records e.g. Planning Performance Agreements, Section 76 agreements, Tree Preservation Order (TPO) works and consents, Discharge of Conditions etc. The Planning Registers will be retained permanently and Planning Applications retained for 6 years (after date of last paper on the file).
3.3	The time period for the retention of enforcement files is proposed as 1 year after closure. This retention period has been selected to ensure consistency with other legal requirements including the Rehabilitation of Offenders Act and the Data Protection Act which states that

	<p>information should not be held any longer than is absolutely necessary.</p> <p>3.4 For Development Planning it is proposed to reduce the timescale from 10 to 6 years after file closure in relation to the retention of background records associated with all aspects of the preparation and publication of local development plans, from plan initiation through to plan adoption stages. It is considered that this time period links appropriately with the legal requirement (Regulation 26 - The Planning (Local Development Plan) Regulations (NI) 2015) that a council must carry out a review of its local development plan every five years and no later than five years from the date that the local policies plan was first adopted or approved.</p> <p><u>Next Steps</u></p> <p>3.5 If agreed, the R&DS will be presented to PRONI for endorsement. Before it can be incorporated into the Belfast City Council's overarching R&DS and implemented however it must be laid before the Assembly for 10 working before it becomes operational. PRONI will arrange for this to happen. Unfortunately as the Assembly is not sitting, the planning addendum cannot become operational and no records can be destroyed. All councils are in this position as are other government bodies.</p> <p>3.6 In the event that an Assembly is up and running again, PRONI will lay the signed addendum before the assembly and have this operational within 5-6 weeks depending on assembly holidays etc.</p> <p>3.7 As the R&DS also applies to electronic records, policy processes will have to be agreed with DfI on the disposal and retention of electronic records held on the planning portal for which they are responsible.</p> <p>Finance and Resource Implications</p> <p>3.8 Since the transfer of planning powers, PRONI has deferred endorsement of the Council R&DS in anticipation of a consistent agreement across councils for planning records. This has resulted in a build-up of planning records requiring review. Once the R&DS has been ratified, Planning Service (Business Support) will be required to implement a review of its records. The wider resource requirements for Planning Service Business support is currently under review and the requirement to implement the agreed R&DS will be taken into account in the consideration of additional resource.</p> <p>Asset and Other Implications</p> <p>3.9 None noted.</p> <p>Equality or Good Relations Implications</p> <p>3.10 There are no relevant equality or good relations implications attached to this report</p>
4.0	Appendices
4.1	Appendix 1 – Draft Retention and Disposal Schedule for all planning records

Appendix 1 – Draft Retention and Disposal Schedule for all planning records

PLANNING - Paper and Electronic Records				
Work Areas	Example of Records	Statutory provisions/Authority	Retention Period	Action at end of administrative life of record (and retention period)
Development Management	Public Register as per Section 242	Planning Act (NI) 2011	Permanent	Permanent retention by Council
	Planning Applications Files to include but not exclusive to:- Outline / Full / Reserved Matters / Pre Application Discussion / Pre Application Enquiry / Non Material Change / Certificate of Lawful Use or Development / Proposal of Application Notice / Listed Building Consent / Advertising Consent / Discharge of Condition / Hazardous Substance Consent / TPOs)		6 years (after date of last paper in the file)	Destroy
	Public Register of Section 26 (Regionally Significant Applications) & Section 29 (Call-In Applications)	Planning Act (NI) 2011	Permanent	Permanent retention by Council
	Applications for Certificate of Alternative Development Value (CADVs)	The Certificates of Alternative Development Value Regulations (NI) 2015	6 years (after date of last paper in the file)	Destroy
	EIA Assessment Register	The Planning (Environmental Impact Assessment) Regulations (NI) 2017	Permanent	Permanent retention by Council
Enforcement	Register of Enforcement Notices	Planning Act (NI) 2011	Permanent	Permanent retention by Council
	Enforcement Files	Planning Act (NI) 2011	1 year after Case Close	Destroy
Development Plan	Records associated with all aspects of the process, preparation and publication of development plans from plan initiation to plan adoption stages.	The Planning (Local Development Plan) Regulations (NI) 2015	Background Information - 6 years after plan adoption	Destroy
			Published Plan	Permanent Retention by Council. Transfer a copy to PRONI after 6 years
	Records associated with Publications (Conservation Area Design Booklets, Design Guides etc.)	The Planning (Local Development Plan) Regulations (NI) 2015	Background Information - 6 years after publication.	Destroy
			Publications	Permanent Retention by Council. Transfer a copy to PRONI after 6 years