

Development Management – Governance Directorate supports the secure destruction of paper files as part of ongoing electronic records development at Epping Forest District Council

Introduction

Epping Forest District Development Management is dependent on its records in order to provide planning information efficiently, effectively and in accordance with the statutory obligations required account for its actions. There is a statutory obligation to maintain accurate planning records as well as make arrangements for their safe-keeping and secure disposal. All records created by the Planning/Building Control and Local Land Charges are classified as public records under the terms of the Public Records Act 1958 and can be made available under the Freedom of Information and Data Protection Acts.

Background

Over a period of several years Epping Forest District Council's Development Management has been implementing steps to move away from paper based office systems to Electronic Record and Document Management. Implementing electronic record keeping is an essential part of the e-government aims of both Central Government and the Council. The principles of e-government acknowledges that the benefits gained in making information available electronically principally improved public access to information, efficiency savings as a result of increased speed of work, reductions in the costs of printing, post and file storage as well as reduced carbon emissions by using less paper. With the Councils now providing a web based service to provide easily accessible information to anyone involved in the planning process - from home owners and businesses to planning professionals and Government officials, there is a need to manage planning information in a different way.

This is in line with the modernising planning services aims of the Planning Portal, provided by the Ministry of Housing, Communities and Local Government. The use of online planning and building information services and moving away from the largely paper-based planning systems is also part of the government Sustainable Communities agenda underpinned by the Planning and Compulsory Purchase Act 2004, to improve service delivery.

The Aims of the Records Management Strategy

The aims of this strategy are to ensure that:

- A systematic and planned approach to the management of Development Management's records is adopted and maintained.
- Development Management is able to manage the both the quality and quantity of planning information generated.
- Records are maintained, stored and archived in accordance with legislative requirements and conform to consistent standards of record keeping.
- Records are kept securely whilst remaining accessible.
- Records are disposed of efficiently and securely when no longer required in line with agreed retention periods.
- All sections within Development Management are aware of their responsibilities in relation to the provision of transparent and publicly accessible records.
- All staff within the Development Management are aware of the provisions of the Data Protection Act and the Freedom of Information Act in relation to all records held by Development Management.

Derived Legislation.

Planning Service records are a valuable environmental, economic and public resource. The provision of quality planning information is part of the delivery of high value evidence-based planning services that needs to be accurate, up to date, easily accessible and complete.

The primary legislation for retention of records strategy is derived mainly from:

- Data Protection Act 1998 (from May 25th 2018 – The General Data Protection Regulations).
- Freedom of Information Act 2000
- Limitations Act 1980
- Local Land Charges Act 1975
- Planning (Listed Buildings and Conservation Areas) Act 1990.
- Public Records Acts 1958 and 1967
- Section 224, Local Government Act 1972
- Town & Country Planning Act 1990 (as amended)

Scope and application

This document applies to all records held within Development Management which may include some or all of the following;

- Breaches of Planning Condition notices
- Building Control applications including BC Decision notices.
- Infrastructure Act 2015 (relating to Local Land Charges)
- Local Plan/Planning Policy
- Planning applications and Building Control Plans
- Planning Applications, including Decision Notices.
- Planning Appeals
- Planning Enforcement notices.
- Tree Preservation Orders

Accountability for Records Management

The Assistant Director Governance - Development Management is the primary responsible officer for all records within Development Management.

Epping Forest District Council – Development Management
RETENTION OF RECORDS STRATEGY updated June 2023

RECORD TYPE	SUBTYPE OF RECORD	STATUTORY DERIVATION	RETENTION PERIOD
Development Control Planning Applications	Application files	EFDC Business need guided by Town & Country Planning Act 1990 (as amended)	Permanent
Development Control Planning Application	Decision Notices (in the form of a Register)	EFDC Business need guided by Limitations Act 1980	Permanent
Enforcement Trees, Landscape and Conservation	Enforcement Notices	EFDC Business need guided by Town & Country Planning Act 1990 (as amended)	Permanent
	Heritage & Conservation	EFDC Business need guided by Town & Country Planning Act 1990 & Planning (Listed Buildings and Conservation Areas) Act 1990.	Permanent
	Hedgerow Regulations	EFDC Business need as guided by the Hedgerow Regulations 1997	Permanent
	High Hedges	EFDC Business need as guided by the Anti-social Behaviour Act 2003	Permanent
	Tree preservation orders*	EFDC Business need guided by Town & Country Planning Act 1990	Permanent
Planning Policy	Local Plan and Local Development Framework	EFDC Business need guided by Town & Country Planning Act 1990	Permanent
Building Control	Building Control Records Building Regulations Building Notices Applications Dangerous Structures	EFDC Business need as guided by the Building Act 1984	Permanent
	Contaminated Land Records	EFDC Business need as guided by the Town & Country Planning Act 1990 (as amended) and Part 2A of the Environmental Protection Act 1990 (as amended).	Permanent
Local Land Charges	Local Land Register	EFDC Business need as guided by the Local Land Charges Act 1975	Permanent
	Local Land Searches		Permanent