

Title of Report:	Amended Retention and Disposal Schedule
Committee Report Submitted To:	Planning Committee
Date of Meeting:	26 October 2022
For Decision or For Information	For Decision In Committee

Linkage to Council Strategy (2021-25)	
Strategic Theme	Improvement and Innovation
Outcome	Council maintains its performance as the most efficient of NI's local authorities
Lead Officer	Head of Planning

Budgetary Considerations	
Cost of Proposal	No additional costs – within spec for new Planning Portal
Included in Current Year Estimates	yes
Capital/Revenue	capital
Code	34001 2399
Staffing Costs	No additional costs

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

1.0 Background

1.1 Ten of the local Councils in Northern Ireland and the Department for Infrastructure (DfI) have been working collaboratively to deliver a new Planning Portal. The management of the regional Planning IT System is a shared service amongst the ten councils and DfI. It will be serviced by the Intelligent Client Function (“ICF”) in Belfast City Council on behalf of all Planning Authorities, in accordance with a Service Level Agreement previously agreed. It is anticipated that the new Portal will be live by early December 2022.

2.0 Details

2.1 The introduction of the new Planning Portal has involved new retention and disposal rules to be set within the system. As a result, the ten councils have been working collaboratively and with DfI to establish a regionally agreed approach to planning records. There has also been engagement with PRONI who has stated that all planning authorities should be applying the same rules across the board to make it easier for citizens to understand.

2.2 As a result of this work, it has been determined that an addendum should be added to each council’s wider Retention and Disposal Schedules in order to take account of the changes brought about by the Planning Portal. PRONI has indicated that it will be up to each council to go through the process of officially clearing these changes with their respective committees and PRONI individually.

2.3 Causeway Coast and Glens Borough Council (CCGBC) already has an agreed planning retention and disposal schedule and in the main, the amendments arising from the proposed amendments align with the current schedule.

2.4 As a holder of public records, CCGBC is subject to the Public Records Act (NI) 1923 which requires public bodies to operate a Retention and Disposal Schedule. The schedule is the mechanism by which CCGBC has the legal authority to dispose of its records. Without an operating schedule, no records (regardless of format) should be disposed of. In the event there is a class of records held by the Public Authority which is not identified on the schedule, it is important that these are included in the next iteration of the schedule, or in an addendum to a current schedule.

2.5 Any iterations to a schedule must be quality assured and agreed by PRONI. Once finalised, the schedule is laid before the Northern Ireland Assembly in order to meet the requirements of the Public Records Act (Northern Ireland) 1923. As the Assembly is not currently sitting and the implementation of the Portal is imminent, it has been determined that the best course of action is for CCGBC to seek the Planning Committee’s approval in respect of the regionally agreed planning schedule so that it is in a position to apply the schedule as soon as the Portal is live.

2.6 The amended Schedule is attached at Appendix 1.

3.0 Recommendation:

3.1 IT IS RECOMMENDED that the Committee agrees to the amendments made to the Retention and Disposal Schedule.

Appendix 1
Retention and Disposal Policy for Planning Records (2022)

PLANNING - Paper and Electronic Records				
Sub-work Area – Basic Work Activities	Type of Records	Statutory provisions/Authority	Retention Period	Action at end of administrative life of record (and retention period)
Development Management	<p>All Planning Registers:</p> <ul style="list-style-type: none"> • Register for Applications* • Register for Simplified Planning Zones and Enterprise Zones • Register of Enforcement Notices • Register of Orders and Directions <p>*This includes Section 26 (Regionally Significant Applications), Section 29 (Call-In Applications) and EIA Assessments & Statements.</p>	<p>Section 242 (1) of the Planning Act (Northern Ireland) 2011</p> <p>Articles 24, 25, 26 and 27 of the Planning (General Development Procedure) Order (Northern Ireland) 2015</p> <p>The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017</p>	Permanent	Permanent retention by Council
	<p>Planning Application files including related Appeal, Public Inquiry and Judicial Review records.</p> <p>Case Types included: Advertisement; Conservation Area Consent; Discharge of Condition; Request for EIA Determination; Determination - Listed Buildings Consent; Section 26 Determination; Full; Hazardous Substance Consent; Hazardous Substances Deemed Consent; Listed Building Consent; Certificate of Lawfulness (Existing); Certificate of Lawfulness (Proposed); Modify or Discharge a Planning Agreement; Non Material Change; Outline; Proposal of Application Notice; Reserved Matters; Review of Mineral Permissions; Section 54 Application; Transboundary Application;</p>	<p>The Planning Act (Northern Ireland) 2011</p> <p>Period of retention determined by Council/DfI</p>	6 years (from date of last paper / action on the file once case is closed / concluded)	Destroy
	<p>Tree Preservation Order; Urgent Crown Development; Urgent Crown Listed Building Consent; and Works on Protected Trees.</p>	<p>The Planning Act (Northern Ireland) 2011</p>	Permanent	Permanent retention by Council and copied to PRONI at aged 20 years.
	<p>Preliminary Enquiries and Pre-Application Discussions (PADs)</p>	<p>Non-statutory</p> <p>Period of retention determined by Council/DfI</p>	6 years (from date of last paper / action on the file once case is closed / concluded)	Destroy
	<p>Permitted Development Notifications</p>	<p>The Planning Act (Northern Ireland) 2011</p> <p>Parts 14, 16, 18 and 32 of the Schedule to the Planning (General Permitted Development) Order (Northern Ireland) 2015</p> <p>Period of retention determined by Council/DfI</p>	6 years (from date of last paper / action on the file once case is closed / concluded)	Destroy

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	Invalid applications	The Planning Act (Northern Ireland) 2011 Period of retention determined by Council/DfI	6 years (from date of last paper / action on the file once case is closed / returned)	Destroy
	Third party representations on Planning Application files, including related Appeal, Public Inquiry and Judicial Review records	The Planning Act (Northern Ireland) 2011 Period of retention determined by Council/DfI	3 years (from date of last paper / action on the file once case is closed / concluded)	Destroy
	Applications for Certificate of Alternative Development Value (CADVs)	The Certificates of Alternative Development Value Regulations (Northern Ireland) 2015 The Land Compensation (Northern Ireland) Order 1982 Period of retention determined by Council/DfI	6 years (from date of last paper / action on the file once case is closed / concluded)	Destroy
Enforcement	Register of Enforcement Notices	Section 242 (1) of the Planning Act (Northern Ireland) 2011 Article 26 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017	Permanent	Permanent retention by Council
	Enforcement Files	The Planning Act (Northern Ireland) 2011 Period of retention determined by Council/DfI	2 years (from date of last paper / action on the file once case is closed / concluded)	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 (Northern Ireland) 2015 Period of retention determined by Council/DfI	Retention by Council for 6 years	Destroy
	Published Plan	The Planning (Local Development Plan) Regulations (Northern Ireland) 2015	Permanent	Permanent retention by Council
	Records associated with the preparation of Publications (Conservation Area Design Booklets, Design Guides etc)	The Planning (Local Development Plan) Regulations (Northern Ireland) 2015 Period of retention determined by Council/DfI	Retention by Council for 6 years	Destroy

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	Publications (Conservation Area Design Booklets, Design Guides etc)	The Planning (Local Development Plan) Regulations (Northern Ireland) 2015	Permanent	Permanent retention by Council
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