



NORTH HERTFORDSHIRE DISTRICT COUNCIL

Retention Schedule – Regulatory Services

**Building Control
Development Management
Strategic Planning
Environmental Protection
Housing
Parking
Economic Development**

February 2020

Document Control

Retention Schedule

Organisation	North Hertfordshire District Council
Title	Retention Schedule
Author	Directorate – Regulatory
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Owners	Ian Fullstone
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Revision History

Revision Date	Version	Previous Version	Description of Revision
October 2018	1.0		
December 2018	1.1	1.0	DM4 and DM5 updated
October 2019 – January 2020	2.0	1.1	Annual review
February 2020	2.1	2.0	SP5 Updated

Document Approvals

This document requires the following approvals:

Sponsor Approval	Name	Date
	Ian Fullstone	15/01/2020

Document Distribution

Contributors

Name	Job Title	Email Address
Regulatory Service Areas	Technical Support Manager	Jenny.donovan@north-herts.gov.uk

1. Introduction

The Council's Approach to Data Management

In response to the requirements of the General Data Protection Regulations in particular Principle (e) storage limitation: 'You must not keep personal data for longer than you need it. You need to think about – and be able to justify – how long you keep personal data. This will depend on your purposes for holding the data. You need a policy setting standard retention periods wherever possible, to comply with documentation requirements. You should also periodically review the data you hold, and erase or anonymise it when you no longer need the data. You can keep personal data for longer if you are only keeping it for public interest archiving, scientific or historical research or statistical purposes.

This Retention Schedule provides a generic guidance on when data should be deleted once it is no longer in use.

The Retention Schedule is regularly reviewed in light of new guidance and best practice. Revisions may also be prompted by changes in legislation, formal guidance and relevant case law.

Further information on the Data Protection Act 2018 and associated legislation, the Freedom of Information Act 2005 and Environmental Information Regulations 2004 can be found on the Information Commissioner's Office (ICO) and the Department of Environment Food and Rural Affairs (DEFRA) websites:-

<https://ico.org.uk/>

<http://www.defra.gov.uk/corporate/policy/opengov/eir/guidance/index.htm>

The IT Departments Information & Asset Management has been charged with managing the Council's approach to Data Protection, Data Quality Issues, Data Sharing Agreements and Data Retention. The Information & Asset Team will review and manage the data retention practices within the authority and provide guidance on the legislative provisions that have a bearing on this work.

The introduction of the Data Protection Act 2018 brought about a fundamental shift in how local authorities, et al. approach the acquisition, storage, use and deletion of data, particularly when it contains personal information. This change in culture, from one that resulted in the hoarding of data to one that views data as both an asset and a potential liability, continues as local authorities face competing pressures as regards their duties under Data Protection legislation and those associated with freedom of information law.

3. Responsibilities of All Officers

The appropriate management of personal data is a responsibility of all employees of North Hertfordshire District Council. Accordingly, all Officers of the Regulatory directorate should take reasonable steps to ensure that personal and sensitive data is managed with regard to the principles of the Data Protection Act 2018 and the content of this Policy. Any breaches of this document should be report to the Service Director, Regulatory and the Data Controller without delay.

Ian Fullstone – Service Director – Regulatory - Ian.Fullstone@north-herts.gov.uk

Howard Crompton – Data Controller - DataController@north-herts.gov.uk

4. Review of this Document

This Policy will be reviewed on a regular basis to ensure that it reflects best practice. Revisions may also be prompted by changes in legislation, formal guidance and relevant case law.

Any operational problems experience in connection with the implementation of this policy should be direct to the Service Director, Regulatory so that remedial options can be identified in a timely fashion.

Building Control:

Activity	Examples of Documents	Personal Data Included	Retention Period	Rationale for Retention Period	Responsible Officer
The process of approving building regulation applications (site works commenced)	<p>Approved/accepted proposals and design principles;</p> <p>Records of any work carried out by professional consultants;</p> <p>Records of consultations;</p> <p>Records of site inspections;</p> <p>Client design and contractor details;</p> <p>Certificates and notices including Completion, Fire and Final certificates;</p> <p>Associated pre-application advice;</p>	Yes	<p>Destroy 15 years after completion of last action on application*</p> <p>Documents held by Hertfordshire Building Control.</p>	MHCLG Best Practice Guidance	Service Director – Regulatory

Development Management:

Activity	Examples of Documents	Personal Data Included	Retention Period	Rationale for Retention Period	Responsible Officer
Public Registers	As required by legislation including the enforcement notice register	Yes	Permanent retention* *Unless otherwise set by legislation	Town & Country Planning Act 1990	Service Director – Regulatory
The processes related to planning appeals	Appeal files	Yes	Permanent retention	Town & Country Planning Act 1990	Service Director – Regulatory
The processing of pre-applications where no planning application is received	Application files and background information	Yes	Destroy 6 years from last action	Town & Country Planning Act 1990 Best practice	Service Director – Regulatory
The process of enforcement	Application files and background information	Yes	Destroy 3 years after any decision not to enforce	Town & Country Planning Act 1990	Service Director – Regulatory
The process of enforcement	Application files and background information	Yes	Destroy 6 years after compliance with any enforcement notice.	Town & Country Planning Act 1990	Service Director – Regulatory
Tree Preservation Orders	All records relating to tree preservation orders	Yes	Permanent retention	Town & Country Planning Act 1990	Service Director – Regulatory

Conservation Areas and Historic Assets	Buildings at Risk All records relating to the development of conservation areas	No	Permanent retention	Town & Country Planning (Listed Buildings and Conservation Areas) Act 1990	Service Director – Regulatory
The processing of 'High Hedge' applications	Application files and background information	Yes	Permanent retention	Part 8 of Anti-Social Behaviour Act 2003	Service Director – Regulatory
The processing of applications in relation to the planning legislation	Application files and background information Planning obligations and background information Decision notices Pre-application advice Representations	Yes	Permanent retention* *Unless otherwise set by legislation	Town & Country Planning Act 1990	Service Director – Regulatory

Strategic Planning:

Activity	Examples of Documents	Personal Data Included	Retention Period	Rationale for Retention Period	Responsible Officer
Adopted Plans and Strategies	Local Plan	No	Permanent retention	Planning & Compulsory Purchase Act 2004	Service Director – Regulatory
Plans and Strategies	Town Centre Plans Supplementary Planning Documents Master Plans Action Plans		Destroy 2 years after revocation of the (parent) document and / or the completion or adoption of the successor document	Best practice Planning & Compulsory Purchase Act 2004	Service Director – Regulatory

	<p>Neighborhood Plans</p> <p>Authority Monitoring Reports</p> <p>Statutory Inspector's Reports relating to the above</p> <p>Evidence studies relating to the above</p> <p>Conservation Area reviews</p>				
Processes relating to Neighborhood Planning	All records relating to the development and implementation of Neighborhood Development Plans not covered by SP1*	Yes	Destroy 6 months after expiration of High Court challenge period to the plan's adoption or withdrawal	Best Practice The Localism Act 2011	Service Director – Regulatory
Regeneration Projects	<p>Town Centre redevelopments</p> <p>End of scheme reports</p> <p>Drawings</p> <p>H & S Liability</p>	No	Destroy 15 years implementation of project, or where no further action 15 years after closing date (unless service manager extends retention period)	Best Practice	Service Director – Regulatory
Processes relating to Strategic Planning	All records relating to the development and	Yes	Destroy 6 months after expiration of High Court	Best practice Planning & Compulsory Purchase Act	Service Director – Regulatory

	implementation of strategic planning policy documents not covered by SP1		challenge period to the plan's adoption or withdrawal Or Destroy 5 years after the last activity on a document which has not subsequently progressed to adoption	2004	
Processes relating to Monitoring	Monitoring records	No	Retention of records for so long as they relate to the time period of the current and / or emerging Local Plan.	Best Practice	Service Director – Regulatory
Natural Environment	All records relating to Area of Outstanding Natural Beauty applications	No	Destroy 6 months after expiration of High Court challenge period to the (non-) designation of the Area of Outstanding Natural Beauty	Best Practice Countryside and Rights of Way Act 2000	Service Director – Regulatory
Street Naming and Numbering	All records relating to street naming and numbering	Yes	Destroy 10 years after implementation	Best Practice Town Improvement Clauses Act 1847	Service Director – Regulatory
Street Nameplates	All correspondence relating to the installation of Street Nameplates	Yes	Destroy 1 year after installation	Best Practice	Service Director – Regulatory

Public Right of Way, diversion orders	Order Application files	No Yes	Permanent retention Destroy 10 years after implementation	Town & Country Planning Act 1990 Best Practice	Service Director – Regulatory
The giving of general advice	All records in electronic format MP/Member Enquiries	Yes	Destroy 3 years from last action where no subsequent application is received	Best practice	Service Director – Regulatory
Government Returns	Evidence base for returns	No	Destroy 7 years from submission	Best Practice Town & Country Planning Act 1990 Planning & Compulsory Purchase Act 2004 The Self-build and Custom Housebuilding Act 2015	Service Director – Regulatory
Road Closure (Town Police Clauses Act 1847 (TPCA))	Application file	Yes	Destroy 5 years after the end of the closure	Best practice Road Closure (Town Police Clauses Act 1847 (TPCA))	Service Director – Regulatory
Safety Advisory Group	Minutes and associated background information	Yes	Destroy after 5 years unless HoS extends retention period	Best practice	Service Director – Regulatory

Environmental Protection:

Activity	Examples of Documents	Personal Data Included	Retention Period	Rationale for Retention Period	Responsible Officer
Inspections	Programmed food safety inspections, health and safety inspections, HMO	Yes	Destroy 6 years after case closed unless there is	Food Law Code of Practice	Service Director – Regulatory

	inspections		subsequent correspondence		
Samples	Food related sample records	No	Destroy after 6 years	Food Law Code of Practice	Service Director – Regulatory
Water samples	Water sample records	No	Destroy after 30 years	Legislative requirement	Service Director – Regulatory
Accident records	Accident reports	Yes	Destroy 6 years after completed date		Service Director – Regulatory
Service Requests	Complainant details, alleged perpetrator details	Yes	Destroy 6 years after completed date	Operational efficiency	Service Director – Regulatory
Food poisoning and infectious disease cases	Personal details of affected parties including medical details	Yes	Destroy after 6 years	Operational efficiency	Service Director – Regulatory
Planning	Planning consultations	No	Destroy 10 years after case closed	Operational efficiency	Service Director – Regulatory
Grants	Renovation grants, renovation loans, Home Repair Assistance Grants, Disabled facilities grants	Yes	Reclaimable DFGs – destroy 10 years after completed. Other grants – destroy 6 years after completed	Operational efficiency	Service Director – Regulatory
Licensing	Environmental permits records	Yes	Environmental permits – destroy 6 years after closure date	Operational efficiency	Service Director – Regulatory
Licensing	Environmental permit records	Yes	Environmental permits – destroy 6 years after closure date	Operational efficiency	Service Director – Regulatory

Licensing	House in multiple occupation (HMO) records	Yes	HMO records – destroy 6 years after closure date	Operational efficiency	Service Director – Regulatory
Licensing	Skin piercing registrations	Yes	Destroy 6 years after closure date	Operational efficiency	Service Director – Regulatory
Premises	Premises records are generally a collection of data held in other modules but in some cases premises may be the primary location that data is held	Yes	Destroy 6 years after closure date unless associated with PWS or Grants	Operational efficiency	Service Director – Regulatory
Contacts			Deleted whenever there are no linked records	Operational practicability	Service Director – Regulatory

Housing:

Activity	Examples of Documents	Personal Data Included	Retention Period	Rationale for Retention Period	Responsible Officer
Records relating to the prevention or relief of homelessness and the determination of homelessness applications	Case notes Electronic records	Yes	Destroy 6 years following closure of homeless-ness application	Efficient service delivery via access to records of recent dealings	Service Director – Regulatory
The process of providing housing advice	Case notes Electronic records	Yes	Destroy 6 years following closure of case	Efficient service delivery via access to records of recent	Service Director – Regulatory

				dealings	
Records relating to the registration and rehousing of applicants	Council Housing Register application Nomination records Electronic records	Yes	Destroy 6 years following closure of application	Efficient service delivery via access to records of recent dealings	Director – Regulatory
Records relating to the use of the Deposit Guarantee Scheme	Household details Financial information	Yes	Delete 6 years after end of tenancy	Efficient service delivery via access to records of recent dealings	Service Director – Regulatory
Records relating to the use of the Cash Incentive Scheme	Household details Financial information	Yes	Delete 6 years after the removal of the Council's charge on the property	Efficient service delivery via access to records of recent dealings	Service Director – Regulatory
Records relating to placements in the private rented sector	Household details Financial information	Yes	Destroy after 6 years from date of closure of case	Efficient service delivery via access to records of recent dealings	Service Director – Regulatory
Decisions on 'Help to Buy' applications and consideration of s106 eligibility certificates	Household details	Yes	Destroy 6 years after the notification of the decision/issuing of the certificate	Efficient service delivery via access to records of recent dealings	Service Director - Regulatory Services
Processes relating to the rehousing of Syrian	Household details	Yes	Destroy 6 years from closure of application	Efficient service delivery via access to	Service Director Regulatory

refugees				records of recent dealings	
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Parking:

Activity	Examples of Documents	Personal Data Included	Retention Period	Rationale for Retention Period	Responsible Officer
Parking Reviews	Traffic Regulation Orders Delegated Officer Reports/Decisions All records relating to the process of preparing and implementing parking schemes.	Yes	Permanent Retention of Traffic Regulation Orders. Destroy 1 year after expiration of High Court challenge period to implementation of a TRO	Road Traffic Act 1984 Best practice	Service Director – Regulatory
Lines and Signs	Traffic Regulation Orders Delegated Officer Reports/Decisions All Lines and signs records relating to the process of preparing and implementing line and sign works	Yes	Permanent Retention of Traffic Regulation Orders reviewed as a result of audit as per P1. Destroy 1 year after last action physical implementation	Road Traffic Act 1984 Best practice	Service Director – Regulatory
PCN (Penalty Charge Notice)	Copy of PCN's	No	Retained for 1 year and then archived	Retained for four years and then destroyed	Service Director – Regulatory
Body camera videos	Video Footage & Audio	Yes	Video automatically deleted from system after 28 days.	Video downloaded each day and automatically	Service Director – Regulatory

			If video relates to an incident it is manually deleted once incident is resolved.	stored on PC. If video contains footage of an incident that needs to be investigated then it is flagged to remain on the system until investigation is completed.	
Incident Reports	Report detailing Incidents that happen on street to CEO's	Yes	Once investigated concluded stored for three months and then destroyed	Retained by department pending investigation outcome. Copy passed to HR for CEO's personnel record	Service Director – Regulatory
Suspension Request	Request form containing individual or company details	Yes	Retained for three months and then destroyed	Retained within the department pending action. Once request has been completed filed awaiting deletion.	Service Director – Regulatory
Dispensation Request	Request form containing individual or company details	Yes	Retained for three months and then destroyed	Retained within the department pending action. Once request has been completed	Service Director – Regulatory

				filed awaiting deletion.	
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Economic Development:

Activity	Examples of Documents	Personal Data Included	Retention Period	Rationale for Retention Period	Responsible Officer
Economic Development	Action Plans and outputs	No	Retention of records for so long as they relate to the time period of the current and / or emerging Economic Development Strategy	Best practice	Service Director – Regulatory