

West Sussex County Council Planning and Highways Retention Schedule

Introduction

The county council's record retention and disposal schedule for Planning and Highways has been developed by the Planning and Highways department in collaboration with the Records Management Service. The schedule applies to both hard copy and electronic records.

This retention schedule identifies Planning and Highways record types. Each of these record types has then been allocated a retention period based on legislation, business need, best practice, or a combination of these.

The schedule is a vital tool to ensure the council complies with the Data Protection Act 2018 and UK GDPR.

Why this schedule is important

Planning and Highways produce many types of record. It is vital that these are organised in a manner that makes them retrievable and retained for a suitable period of time.

The council has a legal duty not to retain information longer than is necessary, as outlined in the [Principle \(c\): Data minimisation](#) of UK GDPR. It is also important that council resources are not being used to store records and data that are no longer required, whilst also ensuring these are not destroyed or deleted too soon. Having a fully implemented, comprehensive and regularly updated retention schedule enables the council to meet these legislative duties.

A further explanation as to why a retention schedule is important can be found on the Information Commissioner's Office website as part of [Principle \(e\): Storage Limitations](#) of UK GDPR.

Using the Record Retention and Disposal Schedule

The retention schedule is not based on the current directorates and business units of the council, but rather the overall functions and activities. This means it will remain relevant in the event of future re-structuring or renaming of directorates and business units.

- Definition of terms

Term	Definition
Function	The top-level function within the County Council, e.g. Children's Services
Activity	The activity within the function, e.g. social care
Code	A unique code given to each record type
Record Type	The different types of record used to carry out the activity, e.g. case file
Retention Period	The number of years the record type should be retained before being reviewed for destruction or permanent archive
Retention Period Calculated From	The point at which the retention period begins. This may be the date of birth or the last contact with an individual, the end of a contract, or something else
Statutory Provision / Justification	The reason for the retention period. This is usually based on legislation, business need, best practice or a combination of these
Contains Personal Data?	Yes/No - Does the record type contain any of the following information about an individual: name, address, telephone number, email address or any other information that could identify the individual?
Action	A description of what happens once the retention period is up. This will usually be that the record will be reviewed for destruction or further retention, or appraised for permanent preservation in the County Archives
Additional Notes	Any additional information or caveats relating to the record type, the retention period or the action
File plan	List of functions, activities, and record types to form the main reference tool of the retention schedule

- When should information be retained beyond agreed retention schedule?

Information may occasionally be retained beyond the agreed retention period. The 'Retention Period Calculated From' date may begin again if:

- a case has been re-opened;
- a new case activity has occurred;
- it is felt there is an ongoing business or care need to retain the record; or
- an inquiry or police investigation require a record or group of records to be retained

Destruction process

Paper records authorised for destruction are confidentially destroyed. Electronic records are deleted from council systems.

What items go into permanent archive?

When a record has been designated for destruction or deletion it may be randomly selected or appraised by an archivist from the West Sussex Record Office to determine if it holds historical value. If this is the case, it may be retained permanently in the council's corporate archive.

Limitations

Many types of record do not have specified retention periods in law or in official local government guidance. To develop this schedule, departments have reviewed and provided updates for their areas to establish a 'best practice' retention period where there is not one in legislation. Further, a review of the best practices adopted by some other local authorities was conducted during the creation of the schedule.

Deleting information from a system is not always a straightforward matter. Where an IT system does not allow for part-deletion of a record, the Council will consider data protection legislation and guidance from the Information Commissioner's Office (ICO).

The Retention Schedule

Planning and Highways

PH1 – Service Wide

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH1.1	All documents not covered in team-specific schedules	6 years	Date approved	Limitation Act 1980	No	Destruction/deletion	
PH1.2	General Enquiries or Correspondence - All other matters not covered in team-specific schedules	1 year	Year of enquiry	Best practice	Yes	Destruction/deletion	

PH2 – County Highways

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH2.1	Pre-application advice case file. Only relates to paid advice; all other enquiries under 'General Enquiries'.	7 years	Year of advice	Best practice	Yes	Destruction/deletion	
PH2.2	Planning Applications - Correspondence with applicants	Permanent		Best practice	No	n/a	
PH2.3	Planning Applications - Correspondence with third parties containing personal data	1 year	Date of correspondence	GDPR	Yes	Destruction/deletion	
PH2.4	Consultation Responses - Highway Authority responses to consultations by planning authorities	Permanent		Town & Country Planning Act 1990	No	n/a	
PH2.5	Consultation Responses - Highway Authority responses to consultations on Goods Vehicle Operator Licences (VOL)	Permanent		Best practice	Yes	n/a	
PH2.6	Planning appeal documentation	Permanent		Best practice	Yes	n/a	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH2.7	Land-Use Planning: Development Consent Orders - Discharge of requirement documentation - application and supporting information, officer report, and decision notices	Permanent		Planning Act 2008	Yes	n/a	
PH2.8	Land-Use Planning: Development Consent Orders - Discharge of requirement - consultee responses	Permanent		Planning Act 2008	Yes	n/a	
PH2.9	Land-Use Planning: Development Consent Orders - Discharge of requirement - third party representations	4 years	Date of decision	Planning Act 2008	Yes	Destruction/deletion	

PH3 – County Planning

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH3.1	Pre-application advice case file. Only relates to paid advice; all other enquiries under 'General Enquiries'.	7 years	Year of advice	Best Practice	Yes	Destruction/deletion	Planning applications and appeals privacy notice
PH3.2	Environmental Impact Assessment and Habitats Regulation Assessment - All documentation, including screening and scoping, and Appropriate Assessment	Permanent	n/a	Best Practice	Yes	n/a	
PH3.3	Planning application and case files - application and supporting information, publicity and consultation, officer or committee report, statutory notices, legal agreements, and decision notices	Permanent	n/a	Town & Country Planning Act 1990	Yes	n/a	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH3.4	Planning application/order and case files - consultee responses	7 years	Date of decision	Town & Country Planning Act 1990	Yes	Destruction/deletion	Planning applications and appeals privacy notice
PH3.5	Planning application/order and case files - third party representations	4 years	Date of decision	Town & Country Planning Act 1990 Openness Regulations 2014 re delegated decisions and 1972 Local Government Act re committee decisions	Yes	Destruction/deletion	Planning applications and appeals privacy notice
PH3.6	Public planning register	Permanent	n/a	Town & Country Planning Act 1990	Yes	n/a	
PH3.7	Planning Appeals - Planning appeal documentation	Permanent	n/a	Best Practice	Yes	n/a	Planning - minerals and waste privacy notice
PH3.8	Planning Compliance - Planning monitoring records, including post-decision correspondence	Permanent	n/a	Town & Country Planning Act 1989	Yes	n/a	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH3.9	Planning enforcement documentation	Permanent	n/a	Town & Country Planning Act 1990	Yes	n/a	
PH3.10	Consultation Responses - County Planning Authority, and Minerals and Waste Planning Authority responses to consultations by planning authorities and other regulatory bodies	Permanent	n/a	Town & Country Planning Act 1990	No	n/a	
PH3.11	Development Consent Orders - Discharge of requirement documentation - application and supporting information, officer report, and decision notices	Permanent	n/a	Planning Act 2008	Yes	n/a	
PH3.12	Development Consent Orders - Discharge of requirement - consultee responses	Permanent	n/a	Planning Act 2008	Yes	n/a	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH3.13	Development Consent Orders - Discharge of requirement - third party representations	4 years	Date of decision	Planning Act 2008	Yes	Destruction/deletion	

PH4 - Environment and Heritage

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH4.1	Aerial photographs	Permanent	n/a	Best practice	No	Scan and deliver to Record Office	
PH4.2	Arboriculture - Tree Wardens' Network: Member contacts	Until requested to remove	From sign up	GDPR	Yes	Annual review of membership	
PH4.3	Arboriculture - Tree Forum Contacts	Until requested to remove	From sign up	GDPR	Yes	Annual review of membership	
PH4.4	Archaeology - Listed buildings information	Permanent (retain principle set in the permanent archives at the Record Office)	n/a	Best practice	No	Retain principle set in the permanent archives at the Record Office	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH4.5	Archaeology - Records relating to the maintenance and management of listed buildings	6 years	Life of building	Best practice	No	To be reviewed by Record Office for potential permanent preservation	
PH4.6	Archaeology - Preservation orders made on heritage sites	Life of the site covered by the order	On listing	Best practice	No	To be reviewed by Record Office for potential permanent preservation	
PH4.7	Ecology - Ecological Grey Literature. Local Wildlife Sites evidence.	Hard copy kept until scanned.	From receipt	Best Practice & GDPR	Possible	Redact personal information	Copy of scans to go to Sussex Biodiversity Records Centre
PH4.8	Historic Environment Record	Permanent	n/a	Levelling Up and Regeneration Act 2023	No	A snapshot at agreed intervals should be taken for inclusion in the Archives at the Record Office	This is a working document which is constantly changing.
PH4.9	Correspondence with developers, etc.	1 year	Date of correspondence	Best practice	Yes	Destruction/deletion	Relates primarily to the provision of HER data.
PH4.10	Correspondence with third parties containing personal data	1 year	Date of correspondence	GDPR	Yes	Destruction/deletion	Relates primarily to the provision of HER data.

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH4.11	Project documentation – Historic Environment Record	5 years	End of project	Best practice	No	Confidential destruction	
PH4.12	Archaeological Reports/Source Material Files/Designation Files	Permanent digitally. Hard copy until archived - see notes	n/a	Best practice	No	Confidential destruction	All paper copies to be kept until entered onto the HER and a digital copy made where necessary. Once d1 so, paper copy to go to the Records Office for storage. All electronic copies to be kept permanently.
PH4.13	Local Nature Recovery Strategy					n/a	To be determined
PH4.14	Landscape - Land Management Guidelines (Character Areas and evidence)	Hard copy kept until scanned. Digital copy kept until review.	From receipt	Best practice	No	Destruction/deletion	Copy of scans to go to Sussex Biodiversity Records Centre

PH5 - Flood Risk Management

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH5.1	Recording flood events and investigations	Permanent	n/a	Best Practice	Yes	n/a	
PH5.2	Ordinary Watercourses: Pre-Application Advice - Pre-planning application advice case file. Only relates to paid advice; all other enquiries under 'General Enquiries'.	7 years	Year of advice	Best Practice	Yes	Destruction/deletion	
PH5.3	Ordinary Watercourse: Consents - Application and case files - application and supporting information, officer or committee report, statutory notices, and decision notices	15 years	Date of decision	Land Drainage Act 1991	Yes	Destruction/deletion	
PH5.4	Ordinary watercourse enforcement documentation	15 years	Date of decision	Land Drainage Act 1991	Yes	Destruction/deletion	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH5.5	Local Flood Risk Management Strategy - All documentation, including consultee responses and third-party representations	Operational purposes (see note)	n/a	Flood and Water Management Act 1990	Yes	Destruction/deletion	Retention to keep people informed about preparation and implementation (until advised otherwise).
PH5.6	Guidance - All documentation, including any consultee responses and third-party representations	Operational purposes (see note)	n/a	Flood and Water Management Act 1990	Yes	Destruction/deletion	Retention to keep people informed about preparation and implementation (until advised otherwise).
PH5.7	Land-Use Planning: Pre-Application Advice - Pre-planning application advice case file. Only relates to paid advice; all other enquiries under 'General Enquiries'.	7 years	Year of advice	Best Practice	Yes	Destruction/deletion	
PH5.8	Land-Use Planning: Planning Appeal documentation	7 years	Date of decision	Best Practice	Yes	Destruction/deletion	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH5.9	Land-Use Planning: Consultation Responses Lead Local Flood Authority responses to consultations by planning authorities and other regulatory bodies	1 year	Date of decision	Town & Country Planning Act 1990	No	Destruction/deletion	All formal responses will be retained by the relevant LPA
PH5.10	Land-Use Planning: Development Consent Orders Discharge of requirement documentation - application and supporting information, officer report, and decision notices	Permanent	n/a	Planning Act 2008	Yes	n/a	
PH5.11	Land-Use Planning: Development Consent Orders Discharge of requirement - consultee responses	Permanent	n/a	Planning Act 2008	Yes	n/a	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH5.12	Land-Use Planning: Development Consent Orders Discharge of requirement - third party representations	4 Years	Date of decision	Planning Act 2008	Yes	Destruction/deletion	

PH6 - Information Management

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH6.1	Developer Contributions - Records relating to negotiation and calculation of development contributions	Permanent	n/a	Limitation Act 1980 (section 2)	No	n/a	
PH6.2	Highway Boundaries - Records relating to the management of Highways Land enquiries - highway boundary ownership and legal information that accompanies customer enquiries	Permanent	n/a	Limitation Act 1980 (section 2)	No	n/a	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH6.3	Highway Boundaries - Enquiries from the public retained as part of the determination of a highway boundary	Permanent	n/a	Limitation Act 1980 (section 2)	Yes	n/a	Personal information is redacted
PH6.4	Local Land Charges - Updates to LLC files such as stopping ups, DMMOs, landowner deposits	7 years	Date of change	Local Land Charges Act 1975 - best practice	No	Destruction/deletion	Challenges can be made up to 7 years after spotting an error
PH6.5	Local Land Charges - Search responses to enquiries as part of conveyancing transaction	7 years	Date of response	Local Land Charges Act 1975 - best practice	No	Destruction/deletion	Challenges can be made up to 7 years after spotting an error
PH6.6	Site Monitoring - Residential Land Availability (RLA) and Commercial and Industrial Land Availability (CILLA) site visit surveys	1 year	Date of submissions to government	Best Practice	No	Destruction/deletion	
PH6.7	Site Monitoring - Planning permission lists	Permanent	n/a	Best Practice	No	n/a	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH6.8	S106 Legal Agreements - Case files relating to S106 Agreements	Permanent	n/a	Limitation Act 1980 (section 2)	No	n/a	
PH6.9	S106 Legal Agreements - S106 Legal Agreements	Permanent	n/a	Town and Country Planning Act 1990	Signatures - redacted	n/a	Official copy held with Legal Services/ Records Management. Copy saved locally for ease of reference only.

PH7 - Planning Policy and Infrastructure

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH7.1	Plan-Making - Planning policy documents and supporting documentation, including public consultation material and technical reports	Permanent	n/a	Town and Country Planning Act 1990	No	n/a	
PH7.2	Plan-Making - Statements of Common Ground and Memorandums of Understanding with other plan-making authorities	Permanent	n/a	Town and Country Planning Act 1990	No	n/a	
PH7.3	Plan-Making - Correspondence with industry, developers, etc about plan-making, including technical submissions	Permanent	n/a	Town and Country Planning Act 1990	No	n/a	
PH7.4	Plan-Making - All information submitted in responses to consultations on policy documents	Permanent unless informed otherwise	n/a	Town and Country Planning Act 1990 and GDPR	Yes	n/a	Planning - minerals and waste privacy notice

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH7.5	Plan-Making - Correspondence with third parties containing personal data	Permanent unless informed otherwise	n/a	Town and Country Planning Act 1990 and GDPR	Yes	n/a	Planning - minerals and waste privacy notice
PH7.6	Plan-Making - Personal information (including names and contact details) retained on a database for the purpose of keeping people informed about plan-making	Permanent unless informed otherwise	n/a	Town and Country Planning (Local Planning) (England) Regulations 2012 and GDPR	Yes	n/a	Planning - minerals and waste privacy notice
PH7.7	Plan Monitoring - All information submitted in relation to monitoring and review	Permanent unless informed otherwise	n/a	Town and Country Planning Act 1990 and GDPR	Yes	n/a	
PH7.8	Consultation Responses - Responses to consultations on planning policy documents by planning authorities, and town and parish councils	6 years	End of plan period	Limitation Act 1980 (section 2)	No	Destruction/deletion	

PH8 Transport Planning and Policy

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH8.1	Transport Policy - Transport Plans	6 years	End of plan period	Limitation Act 1980 (section 2)	No	Records Office to review for potential permanent preservation	
PH8.2	Transport Policy - Local transport guidance	6 years	Date guidance superseded	Limitation Act 1980 (section 2)	No	Destruction/deletion	
PH8.3	Transport Planning - Highways & transport improvement schemes & initiatives (aband1d or completed)	6 years	Date of completion or abandonment	Limitation Act 1980 (section 2)	No	Destruction/deletion	
PH8.4	Transport Planning - Transport survey data and analysis	6 years	Current date	Limitation Act 1980 (section 2)	No	Destruction/deletion	
PH8.5	Development Planning - Records relating to developments (aband1d or completed)	6 years	Date of completion or abandonment	Limitation Act 1980 (section 2)	No	Destruction/deletion	
PH8.6	Development Planning - Development-related schemes & initiatives	6 years	Date of completion or abandonment	Limitation Act 1980 (section 2)	No	Destruction/deletion	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
PH8.7	Development Planning - Development plan transport studies	6 years	End of plan period	Limitation Act 1980 (section 2)	No	Destruction/deletion	