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13 January 2016

To: All Councillors

As a Member or Substitute of the **Governance and Resources Committee**, please treat this as your summons to attend the meeting on **Thursday 21 January 2016 at 6.00pm in the Council Chamber, Town Hall, Matlock.**

Yours sincerely

A handwritten signature in black ink, appearing to read "Sandra Lamb". The signature is fluid and cursive, with a large initial 'S'.

Sandra Lamb
Head of Corporate Services

AGENDA

1. APOLOGIES/SUBSTITUTES

Please advise Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence and substitute arrangements.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

Governance and Resources Committee – 05 November 2015

3. PUBLIC PARTICIPATION

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by electronic mail) **BY NO LATER THAN 12 NOON OF THE WORKING DAY PRECEDING THE MEETING.**

4. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends.

Interests that become apparent at a later stage in the proceedings may be declared at that time.

5. QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15	
To answer questions from Members who have given the appropriate notice.	
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6. CERTIFICATION OF CLAIMS AND RETURNS – ANNUAL REPORT 2014/15	4 - 6
To consider the Annual Report on Claims and Returns for work undertaken by the external auditor during 2014/15.	
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To receive the external audit progress report and technical update.	
8. INTERNAL AUDIT REPORTS CONCLUDED UNDER THE 2015/2016 OPERATIONAL AUDIT PLAN AND FOLLOW UP OF PREVIOUS RECOMMENDATIONS	29 - 44
To consider the internal audit reports produced in respect of the 2015/2016 Internal Audit Plan and also the progress made by management in implementing the agreed audit recommendations.	
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To consider the implementation of the fees and charges as recommended in Appendices 1-11 of the report as from 1 April 2016.	
10. DOCUMENT RETENTION POLICY	78 - 129
To consider approval of the document retention policy which aims to mitigate the risk of legal challenge and as such underpins the District Council's corporate aims and objectives.	
11. FREEDOM OF INFORMATION PUBLICATION SCHEME	130 - 149
To consider approval of the revised Freedom of Information Publication Scheme which aims to provide a guide to the information the Council publishes or intends to publish in the future.	
12. LAND HOLDINGS REVIEW – PHASE 2	150 - 167
To consider whether 6 sites across the District in which queries or expressions of interest have been received should be retained or sold and the terms which would apply.	
13. LAND AND PROPERTY DISPOSALS – LAND OFF KING EDWARD STREET, ASHBOURNE	168 - 173
To consider a report detailing the approach from Sainsbury's Supermarkets Limited regarding the inclusion of an area of District Council owned land in a proposed care home development on land off King Edward Street, Ashbourne.	

14. REFERRED ITEM

To consider a report from the Joint Consultative Committee in relation to the Employee Performance Management Policy – report to follow.

Members of the Committee - Councillors Deborah Botham, Albert Catt, Phil Chell, Steve Flitter, Chris Furness (Vice Chair), Alyson Hill, Neil Horton, Angus Jenkins, Tony Millward BEM, Jean Monks, Garry Purdy, Irene Ratcliffe, Lewis Rose, Mark Salt, Jacquie Stevens (Chairman), Colin Swindell, John Tibenham

Substitutes – Councillors Jason Atkin, Richard Bright, Jennifer Bower, Sue Bull, Sue Burfoot, David Chapman, Tom Donnelly, Ann Elliott, Helen Froggatt, Richard FitzHerbert, Susan Hobson, Vicky Massey, Joyce Pawley, Mike Ratcliffe, Philippa Tilbrook, Jo Wild



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Our ref DDDC / GR /S/L

Date 8 January 2016

Dear Karen

Certification of claims and returns - annual report 2014/15

Public Sector Audit Appointment requires its external auditors to prepare an annual report on the claims and returns it certifies for each client. This letter is our annual report for the certification work we have undertaken for 2014/15.

In 2014/15 we carried out certification work on only one claim/return, the Housing Benefit Subsidy claim. The certified value of the claim was £14,214,327, and we completed our work and certified the claim on 27 November 2015.

Matters arising

Our certification work on Housing Subsidy Benefit claim did not identify any issues or errors and we certified the claim unqualified without amendment.

Consequently we have made no recommendations to the Council to improve its claims completion processes. There were no recommendations made last year and there are no further matters to report to you regarding our certification work.



KPMG LLP
Certification of claims and returns - annual report 2014/15
Date 8 January 2016

Certification work fees

Public Sector Audit Appointments set an indicative fee for our certification work in 2014/15 of £7,190. Our actual fee was the same as the indicative fee, and this compares to the 2013/14 fee for this claim of £7,190.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'J.R. Cornett', with a horizontal line underneath.

John Cornett
Director
KPMG LLP



This report is addressed to the Authority and has been prepared for the sole use of the Authority. We take no responsibility to any member of staff acting in their individual capacities, or to third parties. We draw your attention to the Statement of Responsibilities of auditors and audited bodies, which is available on Public Sector Audit Appointment's website (www.psaa.co.uk).

External auditors do not act as a substitute for the audited body's own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

We are committed to providing you with a high quality service. If you have any concerns or are dissatisfied with any part of KPMG's work, in the first instance you should contact John Cornett, the engagement lead to the Authority, who will try to resolve your complaint. If you are dissatisfied with your response please contact the national lead partner for all of KPMG's work under our contract with Public Sector Audit Appointments Limited, Andrew Sayers, by email to andrew.sayers@kpmg.co.uk After this, if you are still dissatisfied with how your complaint has been handled you can access PSAA's complaints procedure by emailing generalenquiries@psaa.co.uk, by telephoning 020 7072 7445 or by writing to Public Sector Audit Appointments Limited, 3rd Floor, Local Government House, Smith Square, London, SW1P 3HZ.

BACK TO AGENDA



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Item No. 7

External audit progress report and technical update

**Derbyshire Dales District
Council**

January 2016

This report provides the Governance and Resources Committee with an overview on progress in delivering our responsibilities as your external auditors.

The report also highlights the main technical issues which are currently having an impact in local government.

If you require any additional information regarding the issues included within this report, please contact a member of the audit team.

We have flagged the articles that we believe will have an impact at the Authority and given our perspective on the issue:

- High impact
- Medium impact
- Low impact
- For info

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Progress report

This document provides the Governance and Resources Committee with a high level overview on progress in delivering our responsibilities as your external auditors.

At the end of each stage of the audit we issue certain deliverables, including reports and opinions. A summary of progress against these deliverable is provided in Appendix 1 of this report.

Area of responsibility	Commentary
Audit Team	We have refreshed our audit team this year with the introduction of John Cornett as the Relationship Manager, Simon Lacey as the Manager and Katie Scott as the Assistant Manager.
Certification of claims and returns	Since the last meeting of the Governance and Resources Committee we have completed our audit of your Housing Benefit Subsidy claim and issued the audit certificate on the 27 November 2015. We have also completed our Certification of Claims and Returns – Annual Report 2014/15 and included this on the agenda.
2015/16 Planning	<p>We are about to start work on planning the 2015-16 audit and our work over the coming quarter will include:</p> <ul style="list-style-type: none"> • ongoing liaison with finance staff to discuss relevant current and emerging issues in respect of the accounts and value for money; • Meeting with Senior Officers as part of the detailed planning process to better understand the current and longer term issues that the council is addressing; • liaising with internal audit with a view to maximising audit efficiency (whilst recognising the differences in our roles); and • updating our risk assessment and developing our detailed draft Audit Plan which we expect to submit to the next Governance and Resources Committee. This will set out the scope of the audit in more detail. <p>At this stage our planning is likely to include particular focus on:</p> <ul style="list-style-type: none"> • The Authority's arrangements in relation to the Value for Money criteria; • The impact on our audit of any changes to the accounts as a result of central guidance; and • Any learning opportunities from the 2014/15 audit which we can use to improve the process in 2015/16.



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KPMG resources

Area	Comments
<p>KPMG/Shelter report: Fix the housing shortage or see house prices quadruple in 20 years</p>	<p>Without a radical programme of house building, average house prices in England could double in just ten years to £446,000 at current prices, according to research. In twenty years they could quadruple, with the average house price estimated to rise to over £900,000 at current prices by 2034 if current trends continue.</p> <p>The research from KPMG and Shelter also reveals that more than half of all 20-34 year olds could be living with their parents by 2040, as soaring housing costs caused by the shortage of affordable homes leave more and more people priced out of a home of their own.</p> <p>The warning comes in a landmark report from KPMG and Shelter outlining how the 2015 government can turn the tide on the nation's housing shortage within a single parliament. With recent government figures showing that homeownership in England has been falling for over a decade, the consequences of our housing shortage are already being felt.</p> <p>The report sets out a blueprint for the essential reforms that will increase the supply of affordable homes and stabilise England's rollercoaster housing market. It calls on politicians to commit to an integrated range of key measures, including:</p> <ul style="list-style-type: none"> ■ giving planning authorities the power to create 'New Homes Zones' that would drive forward the development of new homes. Combined with infrastructure, this would be led by local authorities, the private sector and local communities, and self-financed by sharing in the rising value of the land; ■ unlocking stalled sites to speed up development and stop land being left dormant, by charging council tax on the homes that should have been built after a reasonable period for construction has passed; ■ introducing a new National Housing Investment Bank to provide low cost, long term loans for housing providers, as part of a programme of innovative ways to finance affordable house building; ■ helping small builders to get back into the house building market by using government guarantees to improve access to finance; and ■ fully integrating new homes with local infrastructure and putting housing at the very centre of City Deals, to make sure towns and cities have the power to build the homes their communities need. <p>To read the report, visit www.kpmg.com/UK/en/IssuesAndInsights/ArticlesPublications/Pages/building-the-homes-we-need-programme-2015.aspx</p> <p>For more information, please contact John Cornett – 07854 479507 – john.cornett@kpmg.co.uk</p>

Area	Comments
<p>KPMG publication titled: Value of Audit – Perspectives for Government</p>	<p>What does this report address?</p> <p>This report builds on the <i>Global Audit campaign – Value of Audit: Shaping the future of Corporate Reporting</i> – to look more closely at the issue of public trust in national governments and how the audit profession needs to adapt to rebuild this trust. Our objective is to articulate a clear opinion on the challenges and concepts critical to the value of audit in government today and in the future and how governments must respond in order to succeed.</p> <p>Through interviews with KPMG partners from nine countries (Australia, Canada, France, Germany, Japan, the Netherlands, South Africa, the UK and the US) as well as some of our senior government audit clients from Canada, the Netherlands and the US, we have identified a number of challenges and concepts that are critical to the value of audit in government today and in the future.</p> <p>What are the key issues?</p> <ul style="list-style-type: none"> ■ The lack of consistent accounting standards around the world and the impacts on the usefulness of government financial statements. ■ The importance of trust and independence of government across different markets. ■ How government audits can provide accountability thereby enhancing the government’s controls and instigating decision-making. ■ The importance of technology integration and the issues that need to be addressed for successful implementation ■ The degree of reliance on government financial reports as a result of differing approaches to conducting government audits <p>The <i>Value of Audit: Perspectives for Government</i> report can be found on the KPMG website at https://home.kpmg.com/xx/en/home/insights.html</p> <p>The <i>Value of Audit: Shaping the Future of Corporate Reporting</i> can be found on the KPMG website at www.kpmg.com/sg/en/topics/value-of-audit/Pages/default.aspx</p>



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Technical update

Area	Level of impact	Comments	KPMG perspective
<p>New local audit framework</p>	<p>● Medium</p>	<p>The Local Audit and Accountability Act 2014 included transitional arrangements covering the audit contracts originally let by the Audit Commission in 2012 and 2014. These contracts covered the audit of accounts up to 2016/17, and gave the Department for Communities and Local Government (DCLG) the power to extend these contracts to 2019/20.</p> <p>DCLG have now announced that the audit contracts for large local government bodies (including district, unitary and county councils, police and fire bodies, transport bodies, combined authorities and national parks) will be extended to include the audit of the 2017/18 financial statements. From 2018/19, local government bodies will need to appoint their own auditors; it is not yet clear whether there will be a sector-led body that is able to undertake this role on behalf of bodies.</p> <p>NHS and smaller local government bodies (town and parish councils, and internal drainage boards), will not have their contracts extended, and will have to appoint their own auditors for 2017/18, one year earlier than for larger local government bodies.</p>	<p><i>We understand guidance is being prepared by CIPFA on the request of the NAO.</i></p> <p><i>We will also be preparing a briefing note for clients.</i></p>

Area	Level of impact	Comments	KPMG perspective
Reporting developments – Infrastructure assets	<p style="text-align: center;">●</p> <p style="text-align: center;">Medium</p>	<p>CIPFA/LASAAC, the group that produce the <i>Code of Practice for Local Authority Accounting</i>, have confirmed that transport infrastructure assets owned by local authorities will be required to be included in the accounts from 2016/17. This would require prior period adjustments for 2015/16, including the opening position at 1 April 2015.</p> <p>The changes require local authorities to recognise the value of all transport infrastructure assets using the depreciated replacement cost method, i.e. the cost required to replace the asset with a new replacement depreciated over the life of the existing asset. Transport infrastructure assets include:</p> <ul style="list-style-type: none"> ■ roads, bridges, roundabouts and traffic calming measures; ■ footways, footpaths and cycle tracks; ■ tunnels and underpasses; and ■ water supplies and drainage systems, as they support the assets identified above. <p>Even non-highway authorities will be affected to the extent that footways etc are material to their accounts. Railway assets are not currently included in the proposals, although it is possible that these may be included in subsequent periods.</p> <p>CIPFA have issued a <i>Code of Practice on Transport Infrastructure Assets</i> which contains the requirements to be included in the Local Authority Code. This is available to purchase from the CIPFA website.</p> <p>Local authorities should have developed a project plan to identify all of the relevant transport infrastructure they own and a timetable for valuing these. CIPFA expects authorities to have undertaken the 1 April 2015 valuations by 31 December 2015.</p> <p>The Whole of Government Accounts submission includes unaudited data on transport infrastructure assets. 2013/14 data indicates assets of over £400 billion will be accounted for on local authority balance sheets. However, only 93% of authorities provided this information, and of these less than 70% used actual inventory data to complete the return. This indicates that the sector faces a significant challenge in accurately identifying the assets it owns and will have to account for.</p>	<p><i>The Committee may wish to enquire of officers whether a project plan has been developed to address the requirements and review progress against this on a regular basis.</i></p>

Area	Level of impact	Comments	KPMG perspective
CIPFA survey on infrastructure assets	<p style="text-align: center;">●</p> <p style="text-align: center;">Medium</p>	<p>On 26 August CIPFA sent a letter to Treasurers' Societies and Directors' of Finance groups for onward circulation to authorities drawing attention to CIPFA's survey to assess the readiness of bodies for the introduction of depreciated replacement cost (DRC) for highways infrastructure assets in 2016/17.</p> <p>The letter from CIPFA's Chief Executive is available here: www.cipfa.org/~media/files/policy%20and%20guidance/local%20authority%20transport%20infrastructure/150826-tia-survey-letter-signed-rw.pdf?la=en</p> <p>The online survey tool can be found here: www.surveymonkey.com/r/NGC8MXH</p> <p>CIPFA is encouraging responses from both accountants and highways engineers, either jointly or separately. The letter has also been sent to the Highways Asset Management and Financial Information Group (HAMFIG) to bring this to the attention of relevant authorities' highways engineers.</p>	<p><i>The Committee may wish to enquire of officers whether the online survey has been completed and any gaps be amended in the project plan</i></p>

Area	Level of Impact	Comments	KPMG perspective
NAO report – Local Government New Burdens	<p style="text-align: center;">●</p> <p style="text-align: center;">Low</p>	<p>This report from the NAO considers how well central government has applied the New Burdens Doctrine. This sets out how the government would ensure that new requirements that increased local authorities' spending did not lead to excessive council tax increases. The focus of this report is more on central government but includes findings that may also be of interest to local government bodies.</p> <p>The report is available from the NAO website at www.nao.org.uk/report/local-government-new-burdens/</p>	<p><i>The Committee may wish to review the report to understand what impact this could have at the local government level</i></p>

Area	Level of Impact	Comments	KPMG perspective
<p>Local Audit and Accountability Act 2014 – provisions affecting auditors’ work from 1 April 2015</p>	<p>● Low</p>	<p>With effect from 1 April 2015, certain provisions of the <i>Local Audit and Accountability Act 2014</i> (LAAA 2014) came into force and are applicable to auditors’ work for the year 2015/16. Whilst the <i>Audit Commission Act 1998</i> is transitionally saved for audit work on 2014/15, insofar as auditors are engaged in planning work for 2015/16, or possibly considering public interest reports (PIRs) to be made during 2015/16, they need to be aware of the provisions of LAAA 2014 that are already in force.</p> <p>Provisions affecting auditors’ work with effect from 1 April 2015 are:</p> <p>1) New duty to publish PIRs on audited bodies’ websites</p> <p>Under the new audit regime, there is an emphasis on the publication of relevant information on the relevant authority’s website. The following provisions are relevant to auditors carrying out work on 2015/16 if they decide to issue a public interest report during the audit.</p> <p>Under Schedule 7 LAAA 2014, the following matters must be published on the relevant authority’s website (if it has one):</p> <ul style="list-style-type: none"> ■ PIRs (relating to the relevant authority or a connected entity); ■ notice of a meeting to consider a PIR/written recommendation; and ■ notice summarising those decisions approved by the auditor as a result of consideration of the PIR/recommendation. <p>Where the relevant authority does not have a website, it is instead generally required to make the relevant publication “in such manner as it thinks is likely to bring the notice or report to the attention of persons who live in its area”. This could be, for example, in a local newspaper (as was required in certain cases under the previous legislation).</p>	<p><i>The Committee need to be aware of the provisions that are in place from 1 April 2015</i></p>

Area	Level of Impact	Comments	KPMG perspective
<p>Local Audit and Accountability Act 2014 – provisions affecting auditors’ work from 1 April 2015 (continued)</p>	<p>● Low</p>	<p>2) Prohibition on disclosure</p> <p>The prohibition against disclosure that was previously to be found in section 49 of the <i>Audit Commission Act 1998</i> has been repealed and replaced by provisions in Schedule 11 of LAAA 2014. This change has not been transitionally introduced and auditors and local authority bodies need to be aware that this applies to all audits, irrespective of the year. Thus, any reference to the prohibition against disclosure needs to be to Schedule 11 and not section 49. There are no material differences between the two sets of provisions.</p> <p>3) Connected entities</p> <p>LAAA 2014 introduces a new concept into the audit regime, “connected entities”. Connected entities are bodies that are separate to the relevant authority, but are associated with the authority in such a manner that requires the authority to record financial information relating to the entity in its accounts.</p> <p>The full definition of “connect entities” is set out in paragraph 8 of Schedule 4 LAAA 2014.</p> <p>For the purposes of this Act, an entity (“E”) is connected with a relevant authority at any time if E is an entity other than the relevant authority and the relevant authority considers that, in accordance with proper practices in force at that time:</p> <ul style="list-style-type: none"> ■ the financial transactions, reserves, assets and liabilities of E are to be consolidated into the relevant authority's statement of accounts¹ for the financial year in which that time falls; ■ the relevant authority's share of the financial transactions, reserves, assets and liabilities of E is to be consolidated into the relevant authority's statement of accounts for that financial year; or ■ the relevant authority's share of the net assets or net liabilities of E, and of the profit or loss of E, are to be brought into the relevant authority's statement of accounts for that financial year. 	<p><i>The Committee need to be aware of the provisions that are in place from 1 April 2015</i></p>

Area	Level of Impact	Comments	KPMG perspective
<p>Local Audit and Accountability Act 2014 – provisions affecting auditors’ work from 1 April 2015 (continued)</p>	<p>● Low</p>	<p>3) Connected entities (continued)</p> <p>Authorities have a number of duties in relation to their connected entities under LAAA 2014 beyond those which are expanded on below:</p> <ul style="list-style-type: none"> ■ Auditors have a right to access documents (at all reasonable times) relating to connected entities, as well as those relating to the “parent” relevant authority. The auditor can inspect, copy or take away documents. The auditor can also require people who are in possession or are accountable for the document (or have been in the past) to provide the auditor with any information or explanation that may be needed, and can require a meeting with such persons. Where a document is stored electronically, the auditor can require assistance from the relevant person at the connected entity or relevant authority in accessing the document. The connected entity must provide the auditor with such facilities and information as are reasonably required to carry out the audit functions. ■ The right to information and explanation, or to require a meeting, extends in relation to connected entities to: <ul style="list-style-type: none"> – any persons elected or appointed to an entity; – any employee of the entity; and – an auditor of the accounts of the entity. <p>Many of the provisions on PIRs and written recommendations in Schedule 7 apply to connected entities. Accordingly, auditors must consider whether a PIR should be made on any matter coming to their attention during the audit and relating to the authority and/or a connected entity. Similarly, an auditor may make a written recommendation to a relevant authority relating to a connected entity.</p>	<p><i>The Committee need to be aware of the provisions that are in place from 1 April 2015</i></p>

Area	Level of Impact	Comments	KPMG perspective
Local Audit and Accountability Act 2014 – provisions affecting auditors’ work from 1 April 2015 (continued)	<p style="text-align: center;">●</p> <p style="text-align: center;">Low</p>	<p>4) Power to call for information: exception for legally professionally privileged information</p> <p>Section 22(12) LAAA 2014 clarifies that the auditor’s right to information and documents cannot be used to compel disclosure of legally privileged information. If a person would be entitled to refuse to produce documents in legal proceedings in reliance on the doctrine of legal professional privilege, they are equally entitled to refuse to provide the relevant information or documents to the auditor. This is a notable new provision and auditors will need to bear this in mind in requesting sight of an audited body’s own legal advice. Any provision of such will be voluntary and cannot be compelled.</p>	<p><i>The Committee need to be aware of the provisions that are in place from 1 April 2015</i></p>

Area	Level of Impact	Comments	KPMG perspective
<p>The Local Government Association’s 2015 Spending Review submission</p>	<p>● Medium</p>	<p>In June 2015, the Local Government Association (LGA) set out proposals for the Government to consider as part of the Spending Review, aimed at streamlining public services, growth generating investment and social care and health – all while saving the public purse almost £2 billion a year by the end of the Parliament.</p> <p>The submission focusses on five core issues originally highlighted in A Shared Commitment, published in early 2015. The LGA hopes that local government can work with central government to balance the nation’s books while improving public services and the local economic environment by delivering new, transformed and high-quality local services while at the same time reducing costs to the public sector.</p> <p>The LGA believes the Spending Review should:</p> <ul style="list-style-type: none"> ■ enable wider integration of social care and health services to deliver savings and improve outcomes This requires the annual £700 million funding gap in social care services to be closed and a transformation fund worth £2 billion in each year of the Spending Review period be created to allow new ways of working to become commonplace. The Spending Review should also implement a single place-based budget for delivering all local services through a Local Public Services Fund as part of at least five devolution deals; ■ promote growth and productivity by accepting the case for further devolution of powers and funding that stretches beyond 25 November. The LGA is calling for devolution of, or local influence over, more than £60 billion of growth, skills and infrastructure funding over the Spending Review period, including: <ul style="list-style-type: none"> – the components for an ambitious and effective Local Growth Fund with agreed settlements in devolution deals that last until 2020/21 – a central-local partnership to deliver effective and targeted skills and employment initiatives – unlocking the ability of councils to contribute to the Government’s target of 275,000 affordable homes built over the lifetime of the Parliament. ■ help councils adequately resource and deliver high quality public services by transforming the business rate mechanism and providing a four year local government finance settlement; and ■ help councils focus on driving efficiency and value for money through an assessment of the impact of unfunded cost burdens that core council budgets are going to face over the Spending Review period. 	<p><i>The Committee may wish to seek assurances that the impact for their Authority is understood.</i></p>

Area	Level of Impact	Comments	KPMG perspective
<p>NAO report – Devolving responsibilities to cities in England: Wave 1 City Deals</p>	<p>● Low</p>	<p>Wave 1 City Deals encouraged cities to develop capacity to manage devolved funding and increased responsibility. The report finds it is too early to tell whether the deals will have any overall impact on growth, and that the government and the cities could have worked together in a more structured way to agree a consistent approach to evaluating the deals’ impact. There have been early impacts from some of the individual programmes agreed in the deals. It has, however, taken longer for cities and departments to implement some of the programmes that required more innovative funding or assurance mechanisms.</p> <p>The government has set out its ambition to continue devolving responsibility for local growth to cities and other local places. The report highlights that both the government and local places can learn from the experience of Wave 1 City Deals to manage devolution to local places effectively.</p> <p>The report is available on the NAO website www.nao.org.uk/report/devolving-responsibilities-to-cities-in-england-wave-1-city-deals/</p>	<p><i>The Committee may wish to seek assurances how their Authority fit into the emerging City Deals.</i></p>

Area	Level of Impact	Comments
<p>Proposed changes to business rates and core grant</p>	<p>● For Information</p>	<p>The Chancellor of the Exchequer has proposed some radical reforms of local government finance. The proposals are that by the end of the decade, councils will retain all locally raised business rates but will cease to receive core grant from Whitehall.</p> <p>The Chancellor set out the landmark changes in a speech to the Conservative party conference in Manchester, saying it was time to face up to the fact that “the way this country is run is broken”.</p> <p>Under the proposals, authorities will be able to keep all the business rates that they collect from local businesses, meaning that power over £26 billion of revenue from business rates will be devolved, he said</p> <p>The uniform national business rate will be abolished, although only to allow all authorities the power to cut rates. Cities that choose to move to systems of combined authorities with directly elected city wide mayors will be able to increase rates for specific major infrastructure projects, up to a cap, likely to be set at 2p on the rate.</p> <p>The system of tariffs and top-ups designed to support areas with lower levels of business activity will be maintained in its present state.</p>



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Appendix

Appendix 1 – 2015/16 Audit deliverables

Deliverable	Purpose	Timing	Status
Planning			
Fee letter	Communicate indicative fee for the audit year	April 2015	Done
External audit plan	Outline our audit strategy and planned approach Identify areas of audit focus and planned procedures	February 2016	TBC
Interim			
Interim report	Details and resolution of control and process issues. Identify improvements required prior to the issue of the draft financial statements and the year-end audit. Initial VFM assessment on the Council's arrangements for securing value for money in the use of its resources.	If Required	TBC
Substantive procedures			
Report to those charged with governance (ISA+260 report)	Details the resolution of key audit issues. Communication of adjusted and unadjusted audit differences. Performance improvement recommendations identified during our audit. Commentary on the Council's value for money arrangements.	September 2016	TBC
Completion			
Auditor's report	Providing an opinion on your accounts (including the Annual Governance Statement). Concluding on the arrangements in place for securing economy, efficiency and effectiveness in your use of resources (the VFM conclusion).	September 2016	TBC
WGA	Concluding on the Whole of Government Accounts consolidation pack in accordance with guidance issued by the National Audit Office.	September 2016	TBC
Annual audit letter	Summarise the outcomes and the key issues arising from our audit work for the year.	November 2016	TBC
Certification of claims and returns			
Certification of claims and returns report	Summarise the outcomes of certification work on your claims and returns for Government departments.	January 2017	TBC



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BACK TO AGENDA

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GOVERNANCE AND RESOURCES COMMITTEE
21st JANUARY 2016

Report of the Head of Resources

**INTERNAL AUDIT REPORTS CONCLUDED UNDER THE 2015/2016
OPERATIONAL AUDIT PLAN AND FOLLOW UP OF PREVIOUS
RECOMMENDATIONS**

SUMMARY

This report asks the Committee to consider the internal audit reports produced in respect of the 2015/2016 Internal Audit Plan and also to consider the progress made by management in implementing the agreed audit recommendations.

RECOMMENDATION

That the Committee note the findings and conclusions of the internal audit reviews and follow up of the implementation of previous recommendations.

WARDS AFFECTED

All of the District

STRATEGIC LINK

The internal audit reviews test and report on the effectiveness of internal control systems within service functions and support the Council's core values of providing value for money and quality of service. The implementation of audit recommendations also therefore contributes to achieving the Council's Aims, Priorities and Targets.

1 BACKGROUND

- 1.1 The 2015/16 Operational Audit Plan was approved by Corporate Committee on 19 March 2015. It provides a framework by which service functions are reviewed to test and report on the adequacy and effectiveness of risk management systems and the internal control environment within the Council. This supports the Annual Governance Statement by contributing to the economic, efficient and effective use of resources.
- 1.2 The Committee's terms of reference also require that it "considers the reports produced in accordance with the Audit Plan and responses to the recommendations made therein".

2 REPORT

- 2.1 Attached, as Appendix 1, is a summary of reports issued covering the period 8th August to the 4th December 2015, for audits included in the 2015/16 Internal Audit Plan.
- 2.2 Reports are issued as Drafts with five working days being allowed for the submission of any factual changes, after which time the report is designated as a Final Report. Fifteen working days are allowed for the return of the Implementation Plan.

2.3 The Appendix shows for each report a summary of the Overall Audit Opinion of the audit and the number of recommendations made / agreed where a full response has been received. Appendix 1 also shows the number of recommendations, analysed between High, Medium and Low priority.

2.4 The overall opinion column of Appendix 1 gives an overall assessment of the reliability of the internal controls examined in accordance with the classifications shown in the following table:

<i>Control Level</i>	<i>Definition</i>
Good	A few minor recommendations (if any).
Satisfactory	Minimal risk; a few areas identified where changes would be beneficial.
Marginal	A number of areas have been identified for improvement.
Unsatisfactory	Unacceptable risks identified, changes should be made.
Unsound	Major risks identified; fundamental improvements are required.

2.5 Eight reports have been issued, one with a good opinion, five with a satisfactory opinion, one with a marginal opinion and one with an unsatisfactory opinion. Sixteen recommendations have been made and accepted.

The marginal report was in relation to recruitment and selection. The main points arising included:-

- There were gaps in evidence to confirm that 2 references are taken up for every appointment including casual appointments.
- Recruitment monitoring forms were not being returned to HR so it couldn't be verified that procedures were being followed in terms of shortlisting, interviewing, retaining supporting notes etc.
- In some cases the induction checklist had not been signed and returned to Human Resources as evidence that induction has taken place

The recommendations made have been implemented.

The unsatisfactory report related to sports development – active everyone. Internal audit were asked by the manager of the service to review the controls and procedures in place. The main points arising included:-

- Income not being banked promptly
- Income not being banked intact – being used to purchase refreshments etc. for the programme
- Poor quality records (registers)

All of the recommendations made have been implemented.

- 2.6 In respect of the audits being reported, it is confirmed that there are no issues arising that relate to fraud that need to be brought to the Committee's attention.
- 2.7 Attached at Appendix 2 is the current position at 5th January 2016, of internal audit recommendations made as a consequence of audit reviews. 18 recommendations have been satisfactorily implemented since the last report, 19 recommendations are in the process of being implemented, 12 recommendations have not passed their implementation date and 1 remains outstanding. Appendix 2 gives a commentary next to each recommendation of the progress made.

3. RISK ASSESSMENT

3.1 Legal

Each review concludes with an assessment of the relevant risk. As no rule of law has been breached the legal risk is therefore low.

3.2 Financial

There are no financial considerations arising from the report.

4 OTHER CONSIDERATIONS

In preparing this report the relevance of the following factors is also been considered prevention of crime and disorder, equality of opportunity, environmental health, legal and human rights, financial personal and property considerations.

5 CONTACT INFORMATION

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6 BACKGROUND PAPERS

None

7 ATTACHMENTS

Appendix 1 - Summary of Internal Audit Reports Issued – 8th August 2015 to 4th December 2015

Appendix 2 – Review of outstanding audit recommendations at 5th January 2016

BACK TO AGENDA

DERBYSHIRE DALES DISTRICT COUNCIL

Internal Audit Consortium - Report to Governance and Resources Committee

Summary of Internal Audit Reports Issued – 8th August 2015 to 4th December 2015

Report Ref	Report Title	Scope and Objectives	Overall Opinion	Date		Number of Recommendations	
				Report Issued	Response Due	Made	Accepted
D011	Improvement Grants	To ensure that the issue of disabled facilities grants is properly controlled.	Good	11/08/2015	1/09/2015	0	0
D012	Recruitment and Selection	To ensure that there is an up to date policy and that procedures are followed	Marginal	20/08/2015	10/09/2015	3H	3
D013	Sports Development – active everyone	Requested by manager to review procedures	Unsatisfactory	25/08/2015	15/09/2015	4 (3H 1M)	4
D014	Agricultural Business Centre - Recharges	To ensure that recharges are billed in a timely and accurate fashion	Satisfactory	29/09/2015	20/10/2015	0	0

Report Ref	Report Title	Scope and Objectives	Overall Opinion	Date		Number of Recommendations	
				Report Issued	Response Due	Made	Accepted
D015	Non Domestic Rates	To ensure that bills are raised in a timely and accurate fashion and that there are adequate arrears recovery procedures in place	Satisfactory	8/10/2015	29/10/2015	4 (2H 2M)	4
D016	Creditors	To ensure that invoices are paid in a timely and accurate fashion in accordance with the purchase order	Satisfactory	20/10/2015	10/11/2015	2M	2
D017	Council Tax	To ensure that Council Tax bills are raised promptly and accurately and that there are recovery procedures in place	Satisfactory	3/12/2015	24/12/2015	1H	1

Report Ref	Report Title	Scope and Objectives	Overall Opinion	Date		Number of Recommendations	
				Report Issued	Response Due	Made	Accepted
D018	Transparency Agenda	To ensure that the requirements of the Transparency Code 2015 are being met	Satisfactory	3/12/2015	24/12/2015	2 (1H 1M)	2

REVIEW OF OUTSTANDING AUDIT RECOMMENDATIONS AT 5TH JANUARY 2015

	Recommendation satisfactorily implemented
	Recommendation partially implemented – work in progress
	Target date not reached
	Recommendation remains outstanding

SERVICE	RECOMMENDATIONS	COMMENT
Cash & Bank April 2014	Responsibility for alarms testing be reassigned. It is also recommended that procedures regarding reaction to incidents, currently assigned to officers from the revenues and benefits sections be reviewed and revised prior to the relocation of those officers to Chesterfield under the Arvato partnership arrangement (High)	Complete
Gifts & Hospitality May 2014	In addition to being notified of a change in procedure, employees also be reminded of their obligation to register receipt of gifts or hospitality (Medium)	30 June 2014 Considered low risk to be completed by 31 March 2015 – target date re-set to 30 June 2015. In progress, waiting for everybody to accept the code of conduct recently sent out and will remind people then (17.11.15).
Transport Street Cleansing & Public Conveniences May 2014	Produce and distribute revised driver's procedures packs and obtain signatures of recipients to confirm receipt, understanding and commitment to comply (High)	Driver's handbook revised and at print for distribution once complete

Members Allowances September 2014	To ensure the consistency and accuracy of payroll system data and to comply with personnel security standards, corporate starters and leavers forms should be completed to set up and close payroll system records to confirm eligibility and authorisation (High)	Complete
	Claims should be submitted within the required timescales relating to the relevant financial year to ensure that expenses are accounted for and published accurately (High)	Ongoing – checks undertaken found that some claims were still being submitted after the relevant accounting period
	Members should be required to produce a current copy of their vehicle insurance certificate to confirm business use cover on an annual basis (Medium)	Complete
Creditors November 2014	Consideration be given to the production of an exception report to identify changes to critical data for management review or alternatively Arvato line management authorisation of those changes (Medium)	Complete
	Credit cards should be signed for by each named holder (Low)	Complete
Benefits November 2014	Training be provided by accountancy to enable the benefits manager to undertake reconciliations of receipts against overpayments to update the ledger (High)	Complete
Data Protection January 2015	Comprehensive data protection training should be provided to all officers and Members of the Council following which refresher training should be provided at an agreed reasonable frequency with the requirement to sign a declaration of understanding	Training to be mandatory for employees and members, by 31 October 2015 or on induction, then every two years. Member training & ICT online training including security awareness have been

	and acceptance of their responsibilities and the consequences of failure to comply.	carried out. An e-learning platform, which includes data protection training, is being procured.
	Discussions be held with the NHS procurement partners to ensure that data protection issues be included in any future tender exercises for new systems (Medium)	Target date 31 March 2015, rescheduled to 31 January 2016 – In progress awaiting response from NHS
	The document retention policy should be reviewed and updated to include procedures for the destruction of data (High)	Target date 30 June 2015 rescheduled to 31 January 2016 . This comprehensive policy has been updated and was considered by CLT in December 2015. It is currently being reviewed again by senior managers prior to CLT approval of the final version.
	Once revised the document retention policy should be publicised and held centrally to ensure that all officers are able to comply (Medium)	Target date 31 July 2015 rescheduled to 31 January 2016
	Once revised and approved, the policy should be reviewed regularly to ensure that it is fit for purpose (Medium)	Agreed to be subject to annual review once revised
	The revised document retention policy should consider electronic and written data independently to ensure that any differences are documented (Medium)	Target date 30 June rescheduled to 31 January 2016
	Guidance should be included within the data retention policy relating to the destruction of data according to the classification of the data (confidential or not) (Medium)	Target date 30 June rescheduled to 31 January 2016
	Retention of credit card data be included in the revised data retention policy (Medium)	Target date 30 June rescheduled to 31 January 2016

	<p>Fair processing notice text should be drafted and provided to all asset owners for inclusion on all data collection application forms to ensure compliance with data protection requirements and consistency across the authority (Medium)</p>	<p>Target date 31 March 2015 – target date rescheduled to 31 January 2016</p>
	<p>Fair processing notice text to include grounds for consent e.g. By submitting data to us and/or using our web site you give your consent that all personal data that you submit may be processed by us in the manner and for the purposes described in the following fair processing notice (Medium)</p>	<p>Target date 31 March 2015 - target date rescheduled to 31 January 2016</p>
	<p>All forms used to collect personal data be reviewed to ensure that they include a corporately approved fair processing notice and a consent clause including forms used by external service providers who collect data on behalf of the Council e.g. Arvato – benefit forms, council tax applications for discounts and exemptions etc. (Medium)</p>	<p>Head of Resources to advise asset owners - Target date 31 March 2015 - target date rescheduled to 31 January 2016</p>
	<p>A Data Protection message be included on creditor remittance advice notes referring creditors to the Council's website for terms and conditions and fair processing information (full text cannot be included on the remittance advice due to the 120 character limit in the text field) (Medium)</p>	<p>Target date 31 March 2015 - target date rescheduled to 31 January 2016</p>
	<p>Asset owners identified in the Data Asset Register should ensure that all data within their remit is reviewed and maintained in accordance with the revised data retention policy once it has been documented and approved (Medium)</p>	

	Pending collection for disposal, confidential data should be securely stored. The arrangement should be agreed and documented in the revised data retention policy (High)	Complete
	A procedure for responding to subject access requests be documented to ensure that there is a consistent approach that complies with ICO checklist (High)	In Progress. Target date 31 March 2015 - target date rescheduled to 31 January 2016
Asset Management February 2015	The Asset Management Plan should be reviewed and revised as soon as practicable (Medium)	Agreed. Waiting for information from 2015 Condition Surveys which will make the AMP more relevant than relying on historic information. Target date 31 March 2016
Treasury Management February 2015	The Financial Strategy should be reviewed, updated and approved by Council (Medium)	Target Date November 2015 rescheduled to March 2016 to reflect Local Government Finance Settlement for 2016/17.
Arc Leisure March 2015	A pricing policy for the sale of goods should be documented to ensure consistency across the centres. A procurement review should also be undertaken to ensure consistency with suppliers to ensure that the best discounts on purchases are achieved where similar products are stocked (Medium)	A consistent pricing policy has been implemented in the short term. Longer term the procedure is under review, new company being looked at for new saleable system which would address pricing consistency, slow moving stock and stock takes. Will be looked at after the outcome of the leisure review.
	The policy should include the procedure for addressing slow moving items to ensure that goods are sold at the best price in good condition (Medium)	Complete

	All staff responsible for raising billing requests should be made aware of the importance of accounting for income accurately including taking into account price increases and allocating income to the correct period – monthly billing should be undertaken to ensure that income is acknowledged in the relevant month (for budgeting purposes) but it is essential that it is acknowledged in the correct financial period (High)	Low value involved, doesn't justify high risk. Payment is an upfront 9 weeks and will be charged made at the current price at time of billing. Staff will be updated on procedures and to be more consistent when billing Target Date 1 March 2016
NNDR November 2015	Requests from Arvato to Communications department to update the website should be made annually in accordance with changes notified in the Government's information letter to reflect the explanatory notes included with bills (High)	Target Date March 2016
	Following the implementation and trial of the Corporate Fraud software, a meeting be arranged to agree and prioritise visits to confirm empty property status (Medium)	Target Date dependent upon implementation of fraud software
	An officer responsible for the reconciliation tasks be nominated to enable access to relevant information held on accountancy's x-drive. These reconciliations should be undertaken on a monthly basis. (Medium)	Complete
	Diarised accounts should be reviewed and updated to ensure that where appropriate recovery procedures are re-instated and pursued or where there is no chance of recovery, debts are scheduled	Target date 30.11.2015 In progress

	for write-off (Medium)	
Cemeteries June 2015	Consider applying charges for searches undertaken dependent upon the number of requests received and the cost effectiveness of raising a charge against officer time spent (Low)	Target date 01.04.2016
Creditors October 2015	A review of users be undertaken to ensure that system status reflects employment status (Medium)	Target date 31.01.2016
	Procedures for electronic purchases should be reviewed and revised in accordance with changes to the process (Medium)	Target date 31.01.2016
Recruitment & Selection October 2015	Recruiting managers to be reminded of their responsibility to return the Monitoring forms to HR to enable compliance with the procedure to be monitored by HR. Officers responsible for recruitment be reminded of the requirement to maintain adequate notes relating to shortlisting and interviews in the event of requests for feedback and/or challenges regarding appointments, being received (High)	Target date 01.12.2015
	It should be ensured that recruiting managers obtain 2 references are obtained for every appointment, including casual appointments. (High)	In progress
	Recruiting managers be reminded of their responsibility to ensure that receipt of induction should be held on all employee's files to acknowledge their acceptance and agreement and to provide evidence in support of any potential disciplinary issues relating to non-compliance with policies or procedures included (High)	Target date 01.12.2015

Debtors July 2015	A report be specified and run to coincide with the debt recovery timetable to identify accounts with incorrect methods of payment to ensure that all outstanding debts are subject to recovery action (High)	Complete
Expenses & Allowances August 2015	Procedural guidance for processing claims be documented to ensure that in the absence of experienced officers, claims could be processed (Low)	Target date of 31.12.2015
	Officers be required to provide their driving licence (paper counterpart) for annual review to confirm their ability to carry out Council business safely and legally. 5.8.15 Since the report was issued the paper counterpart driving licence has been scrapped therefore it has been agreed to reword the recommendation accordingly - Officers be required to provide their driving licence 'check code' obtained from gov.uk to HR & Payroll for annual review to confirm their ability to carry out Council business safely (Medium)	Target date 31.12.2015 In Progress.
Freedom of Information June 2015	Where officers do not comply with FOI requests within the statutory timescale, the request be escalated to the Head of Service (Medium)	Complete
Insurance June 2015	Following the implementation of recommendations made in the Data Protection audit of 2014/15 relating to the document retention policy, once the policy has been documented, approved and uploaded centrally, an instruction to all staff be issued stressing the importance of the maintenance of comprehensive	Implementation pending approval of Document Retention Policy

	records retained in accordance with the retention periods stated to support potential claims (High)	
Markets June 2015	Consideration be given to applying recharges if considered significant, where applicable, as part of the markets review (Low)	Target date April 2016
Sports Development August 2015	An attendance register be designed with corporate branding and used for each class held. The register should record the date, class, coach's name, amount collected per person and be totalled for submission with the income to verify the accuracy of receipts. A similar register should be completed for non-chargeable activities for submission to Sports Development for retention in accordance with document retention guidance, in support of attendance figures and proof of attendance should any incidents or accidents occur. (High)	Complete
	Going forwards income be remitted at the Council's leisure centres at the earliest opportunity following the class. A receipt should be attached to the register and the register submitted to Sports Development for retention in accordance with the Document Retention guidance. A duplicate receipt should be issued to the coach responsible for remitting the income for their retention in confirmation. (High)	Complete
	Cash floats issued to be used for providing change at classes and purchasing sundry items as required. Receipts in support of purchases to be retained with	Complete

	the remaining cash balance to total £30 at all times, floats will be subject to spot checks. Receipts should be submitted periodically to the cash office at the town hall for reimbursement to replenish floats. (High)	
	Moving forwards, the cash receipts held totalling £16.05 should be submitted to Matlock cash office with a completed and coded petty cash voucher for reimbursement. The £16.05 added to the £5.48 remaining cash held should be remitted to the income code used, i.e. £21.53 to 9330 128 A87 (High)	Complete
Transparency Agenda December 2015	All contracts and agreements let, should be included in the contracts register to ensure that potential providers are aware of the expiry date and their ability to submit (High)	A review of the contracts data base has recently taken place. Its continuing accuracy depends on contributions from all Departments. Monthly reminders will be issued and the register will be refreshed at the end of each month. Target Date – 31.1.16
	Under the open data webpage – replicate the headings as they appear in The Code and insert a link to the relevant webpage where the data or document that it is contained within is stored. In addition to improving the ease of navigation it may also reduce the number of queries and requests regarding the situation (Medium)	The web site is about to be transferred to a mobile platform and improvements are being made in terms of search capabilities and categorisation of information. The timescale for implementation will enable the two streams of work to dovetail. Target Date – 31.3.16

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GOVERNANCE AND RESOURCES COMMITTEE
21 January 2016

Report of the Heads of Environmental, Community Development,
Regulatory and Corporate Services

FEES AND CHARGES – 2016/2017

SUMMARY

This report details recommendations in respect of fees and charges in relation to Environmental Services: Leisure; Stall Markets; Environmental Health, Licensing and Land Charges.

RECOMMENDATION

That the fees and charges recommended in Appendices 1 – 11 of the report are approved and implemented with effect from 1 April 2016. Fees have been increased by 3% as recommended by the Corporate Leadership Team.

WARDS AFFECTED

All

STRATEGIC LINK

The Council charges reasonable fees to cover the cost of services that are provided to make progress in delivering its Aims and Priorities.

1 BACKGROUND

The Committee is asked to consider an annual review of the fees and charges for services provided across the Council in areas such as Environmental, Community Development, Regulatory and Corporate Services.

It is proposed that the fees are increased with effect from 1st April 2016 by approximately 3%, with VAT applied, (current rate 20%) and rounded up or down as appropriate.

Appendices 1 – 11 contain schedules of the existing and recommended charges.

2 REPORT

Environmental Services

Appendix 1 details the existing and proposed fees and charges for Pest Control and Stray Dog Service.

A new fee is proposed for the Pest Control service. A charge of £15 is proposed for advice only visits. On occasion residents book a visit for a treatment only to find when a visit is undertaken that the pest cannot be treated, for example mortar bees etc. A charge for wasps would be applied in these circumstances and a part refund is often

given when a visit has been undertaken and costs incurred. It is recommended that an advice only charge be introduced. This will cover the cost of the visit for advice to be given and the pests identified. If the resident decides to have the pest treated the advice only charge will be deducted from the cost of the treatment and outstanding fee paid prior to treatment being undertaken.

The Stray Dog service is currently provided under contract by a privately run animal boarding kennel, Crowfoot Kennels.

Appendix 2 details the existing and recommended fees and charges for waste and recycling collection services.

The charges applied to waste containers will be subject to a review in 2016 and a separate report brought to a future committee.

Appendix 3 details the existing and recommended fees and charges in respect of cemeteries and burials.

It is recommended that a new fee be introduced to cover the administration costs involved in undertaking burial record searches to trace family members. A fee of £15 per named search is recommended.

Appendix 4 details the existing and recommended fees and charges in respect of the Clean and Green cesspool and septic tank emptying service.

It is recommended that an additional charge be introduced on jobs where excess piping is required to reach the tank. The recommended fee is £30.00 per empty.

Appendix 5 details the existing and recommended fees and charges in respect of livestock markets, farmer's markets and room hire at the Agricultural Business Centre.

Corporate Services

Appendix 6 details the current fees and those recommended for the various elements of a property search undertaken by land charges.

The fees for the LLC 1 element of the search are exempt from VAT. However VAT must now be applied to all other aspects of a search from 1 February. The revised schedule of fees reflects that element plus an increase to reflect inflation – which is the first increase in 3 years.

The level of fees charged by the District Council must accord with the Local Authorities (England) (Charges for Property Searches) Regulations 2008. The Regulations specify that the charge made in connection with a property search must not amount to more than the actual cost of providing the service. No increase is proposed for this next financial year to maintain market share and to comply with the charging regulations.

The appendix also incorporates an updated schedule of fees to recharge officer time spent in the preparation of Planning Obligations and other legal agreements.

Regulatory Services

Appendix 7 details the existing fees and charges and, those recommended for approval with effect from 1st April 2016 in respect of food hygiene, private sector housing and private water supplies.

Appendix 8 details the existing fees and charges and, those recommended for approval with effect from 1st April 2016 in respect of licensing.

If the proposed increases to the Taxi Licensing fees are approved, the information must be published in at least one local newspaper for a period of 28 days. All Taxi and Private Hire Vehicle Owner/Operators licensed by the District Council must also be informed of any proposed increases to the fees. Any relevant objections received must be reported back to a meeting of this Committee within 2 months, for consideration.

Community Development

Appendix 9 details the existing fees and charges and those recommended for approval with effect from 1st April 2016 in respect of stall markets. A trial promotion is to be implemented in the new financial year to attract more traders to stand on Matlock indoor, Ashbourne and Wirksworth market's, this will be a limited offer of £10 per stall.

Appendix 10 details the existing fees and charges and, those recommended for approval with effect from 1st April 2016 in respect of parks/recreation ground leisure services.

Appendix 11 outlines the existing fees and charges together with those recommended by the fees and charges review team for approval with effect from 1st April 2016 in Leisure Services.

Memberships

In order to stay competitive in the market it is recommended members approve the following:

- a) To freeze the price of Fitness Freedom, Gym and Swimming memberships. The review highlighted the Fitness Freedom pass is currently £7 per month above average.
- b) Include Climbing into the Fitness Freedom Membership to create a better offer for customers and increase participation in the climbing wall.
- c) To offer a reduced membership price for Bakewell Swimming Pool's Fitness Suite due to limited equipment and fitness offer (Currently 11 stations).
- d) To simplify the membership package offer by removing couple memberships as it can be perceived as complicated. This will reduce the number of memberships from 32 to 20. The review showed it was not a popular offer elsewhere. Current members will continue with their membership until it expires or cancelled.

Climbing Wall (Wirksworth Leisure Centre only)

Reduce general admission costs to increase attendance in the climbing wall. The review showed the climbing wall is slightly above average, however over the last few years climbing specific centres have opened up within the region.

Introduce a discounted monthly cash membership of £25. Currently the offer is £36 with a 6 month commitment. Climbers generally like to climb outdoors and only use indoor walls for learning or due to bad weather and don't like to be committed to 6 months. We currently have 25 Members for the climbing wall.

Meeting Room Hire

Reduce cost of meeting rooms to maximise usage as the review highlighted they are underutilised and high costs deter potential bookings.

Club and User Higher

Introduce a new 10- week 'block booking' charge for pay-as-you-go customers who wish to reserve a regular slot. Currently they have to ring up weekly to book the same slot. The 10-week period would still allow the leisure centre management team to amend timetables in order to meet demand.

Remove the option of concessionary prices to those who hire the facility to make personal monetary gain from the District Council facilities. Concessionary prices will only be available to those clubs who can provide evidence they are a constituted club.

Create a consistent charge for pool hire, the review showed the District Council pool hire is low and inconsistent. Remove club concession price as there is currently full price, full club price and concession club price. The District Council doesn't offer concession on concessions in any other area. Due to the higher number of lanes this will affect Arc Leisure Matlock clubs more than other pools.

Introduce a charge per lane in line with other authorities around Derbyshire. This would require a gradual rise over 3 years for those clubs who hire the whole pool at Arc Leisure Matlock. It's worth noting people hiring less than half the pool would receive a reduced cost. Lane hire would be reduced from £13.40 to £9.00.

Reduce the cost of squash at Ashbourne Leisure Centre from £9.20 to £7.50 as the current cost is much higher than our competitors.

3 RISK ASSESSMENT

3.1 Legal

Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to provide and charge for recreational facilities in its area.

Section 93 of the Local Government Act 2003 enables the Council to charge for a discretionary service where the recipient agrees to its provision.

The risk in relation to the report's recommendations is therefore low.

3.2 Financial

The income resulting from the recommended revised fees and charges will be included in the draft revenue spending proposals for the financial year 2016/2017 to be considered at the 3rd March 2016 meeting of the full Council. The proposed increase of 3% is higher than the current level of inflation. However, the additional income that this increase will generate plays an important part in balancing the Council's budget given the cut in Government funding that is proposed for 2016/17.

4 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5 CONTACT INFORMATION

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6 BACKGROUND PAPERS

None.

7 ATTACHMENTS

Appendix 1	Pest and Dog Control	Schedule of Fees
Appendix 2	Waste – Household and Commercial	Schedule of Fees
Appendix 3	Cemeteries	Schedule of Fees
Appendix 4	Clean & Green Services	Schedule of Fees
Appendix 5	Agricultural Business Centre	Schedule of Fees
Appendix 6	Land Charges	Schedule of Fees
Appendix 7	Environmental Health	Schedule of Fees
Appendix 8(a)(b)(c)	Licensing	Schedule of Fees
Appendix 9	Stall Markets	Schedule of Fees

Appendix 10	Parks & Recreation Grounds	Schedule of Fees
Appendix 11	Leisure Services	Schedule of Fees

BACK TO AGENDA

PEST AND DOG CONTROL

PEST CONTROL				
DOMESTIC PREMISES	Existing Charge 2015-2016 inclusive VAT	Proposed Charge 2016-2017 exclusive of 20% VAT	Proposed Charge 2016-2017 inclusive of 20% VAT and rounded	
50% concession charges to those in receipt of housing benefit or Council tax benefit who are also aged 65 and over. The concession applies to one treatment from each category per financial year.				
	(concessions in brackets) £	(concessions in brackets) £	+ %age	Rounded
			(Concession in brackets)	
Rats Charge: up to 3 visits	24.50 (12.25)	21.00 (10.50)	25.24 (12.62)	25.25 (12.60)
Mice Charge: up to 3 visits	49.00 (24.50)	42.08 (21.04)	50.47 (25.24)	50.50 (25.25)
Wasps Charge: per visit	61.15 (30.60)	52.50 (26.25)	62.98 (31.52)	63.00 (31.50)
Cockroaches Charge: up to 4 visits	73.35 (36.70)	63.00 (31.50)	75.55 (37.80)	75.60 (37.80)
Ants Charge: per visit	61.15 (30.60)	52.50 (25.50)	62.98 (31.52)	63.00 (31.50)
Bedbugs Charge: up to 2 visits	73.35 (36.70)	63.00 (31.50)	75.55 (37.80)	75.60 (37.80)
Fleas Charge: per visit	61.15 (30.60)	52.50 (26.25)	62.98 (31.52)	63.00 (31.50)
Non public health pests Charge: up to 2 visits	79.35 (39.65)	68.08 (34.04)	81.73 (40.84)	81.70 (40.85)
Advice Only charge per visit	-	15.00 (no concession)	-	-

PEST CONTROL				
COMMERCIAL PREMISES	Existing Charge 2015-2016 inclusive VAT	Proposed Charge 2016-2017 exclusive of 20% VAT	Proposed Charge 2016-2017 inclusive of 20% VAT and rounded	
	£	£	£	
			+ %age	Rounded
Rats and Mice (includes one revisit to remove bait)	130.75 per hour (minimum charge)	112.25	134.67	134.70
Insect Pests	65.80 per hour (minimum charge)	56.50	67.77	67.80

Note: Rats and Mice and Insect Pests

Commercial premises are liable for a minimum charge equal to 1 hour.

Where treatment takes more than 1 hour additional whole hours are charged at the hourly rate and part hours are charged pro rata in 15 minute bands.

DOG CONTROL	Existing Charge 2015-2016 £	Proposed Charge 2016-2017 £ Outside the scope of VAT	
		+ %age	Rounded
These charges are plus Vet's Fees if necessary, and VAT on Vet's Fees.			
STRAY DOGS Penalty for stray dogs collected or returned by Dog Warden	53.90	55.52	55.50
Above penalty charge plus kennel fees as follows:			
Each day or part day	14.00 Daily kennel fee (or part day)	14.40 Daily kennel fee (or part day)	

WASTE – HOUSEHOLD

The following fees are outside the scope of VAT

TRADE WASTE		Existing Charge 2015-2016	Proposed Charge 2016-2017	
GREEN SACKS			+% age	rounded
Per pack of 25		61.75	63.60	63.60
WHEELED BINS				
Commercial Per lift:	1100 litre capacity	16.50	17.00	17.00
	660 litre capacity	11.30	11.64	11.65
	360 litre capacity	7.50	7.73	7.75
	240 litre capacity	6.00	6.18	6.20
Commercial Recycling:	240 litre capacity	3.20	3.30	3.30
Schools & Not- for-profit Organisations NB Collection charge only per lift:	1100 litre capacity	8.40	8.65	8.65
	660 litre capacity	7.20	7.42	7.40
	360 litre capacity	5.15	5.30	5.30
	240 litre capacity	4.85	5.00	5.00

HOUSEHOLD WASTE	Existing Charge 2015-16		Proposed Charge 2016-17			
	Charge	Concession	+% age		rounded	
			Charge	Concession	Charge	Concession
Up to 3 items	19.10	9.55	19.67	9.84	19.70	9.85
Up to 6 items	31.00	15.50	31.93	15.97	32.00	16.00
Electrical item One item	16.35	8.20	16.84	8.45	16.90	8.45
Electrical items 2-3 items	21.75	10.90	22.40	11.23	22.40	11.20

* 50% concession charges to those in receipt of Housing Benefit or Council Tax Benefit who are also aged 65 and over. The concession applies to one bulky and one electrical collection per financial year.

COMPOSTING	Existing Charge 2015-16 £	Proposed Charge 2016-17 £	
Outside the scope of VAT unless stated		+%age	rounded
Supply of 240 litre wheeled bin (Collection free thereafter)	55.65	57.32	57.30
WHEELED BINS FOR NEW PROPERTIES			
140 litre grey wheeled bin (green bin given free if possible with grey bin)	36.00	37.08	37.10
240 litre grey wheeled bin (green bin given free if possible with grey bin)	42.00	43.26	43.25
ABANDONED SHOPPING TROLLEYS			
Return of shopping trolley	34.80	35.84	35.85

BACK TO AGENDA

CEMETERIES

These charges apply to purchasing the Exclusive Right of Burial (including ashes) before or after death of a resident in the Derbyshire Dales District Council area and in the case of a stillborn child where one of the parents was resident at the time of interment.

Double Fees

Where the Exclusive Right of Burial is purchased for a non-resident of the Derbyshire Dales, fees for all services will be doubled ie for all interments; for the Right to Erect a Memorial; for the right to fix plaques or reserve spaces in a Garden of Remembrance; for the erection of memorials and for additional inscriptions. The fees will not be doubled where the Exclusive Right of Burial was purchased at the single fee at an earlier date. The appropriate Officer of the Council has the discretion to waive these double fees when there are grounds to do so, i.e. past residency in the District or other connections.

(NB: All fees for cemeteries fall outside the scope of VAT, with the exception of Memorial plaques)

EXCLUSIVE RIGHT OF BURIAL	Existing Charge 2015/2016 £	Proposed Charge 2016/2017 £	
Earthen Graves			
For the exclusive right of burial for a period not exceeding 100 years:			
		+ % age	Rounded
a) grave size 2.4m x 1.2m	571.65	588.80	588.80
b) grave size 2.4m x 2.4m	1075.20	1107.46	1107.50
Garden of Remembrance			
For the exclusive right of burial of cremated remains for a period not exceeding 100 years, in an earthen grave not exceeding 450mm x 600mm	184.00	189.52	189.50

INTERMENTS

The fees indicated:

- a) include the digging of the grave;
- b) apply only where the interment is made between the hours of:
 - 9:30am – 3.30pm, Mondays – Thursdays;
 - 9.30am – 3pm, Fridays (excluding Bank and public holidays)';
 - or on the certificate of a Coroner or Registered Medical Practitioner that immediate interment is necessary.
- c) Interments outside these hours or on other days may be possible, but would be subject to an additional charge as follows:

Burials (excludes Bank and Public holidays)

9.30am – 11.30am, Saturdays **£209.10** (£203.00 in 2015/16)

Ashes

9.30am – 11.30am, Saturdays **£46.50** (£45.10 in 2015/16)

- d) apply provided that the interment is made within fifteen minutes of the time arranged with Derbyshire Dales District Council. If not, an additional charge of **£14.00** (£13.60 in 2015/16) is payable per fifteen minutes.

INTERMENT IN ANY GRAVE	Existing Charge 2015/2016 £	Proposed Charge 2016/2017 £	
		+ %age	Rounded
All of the following fees for cemeteries fall outside the scope of VAT)			
a) of the body of a stillborn child or of a child whose age at the time of death did not exceed one month .	No charge	No charge	
b) of the body of a child whose age at the time of death exceeded one month but did not exceed 16 years .	101.55	104.60	104.60
c) of the body of a person whose age at the time of death exceeded 16 years .	641.75	661.00	661.00
Interment in existing vault or bricked grave	Daywork rates apply	Daywork rates apply	
Interment of cremated remains	135.20	139.26	139.20
Turfing of grave after interment on request	42.60	43.88	43.80
SCATTERING OF ASHES			
In the case of purchased graves, or in the Garden of Remembrance: Fee for right to scatter ashes	47.50	48.93	48.90
LONG-TERM MEMORIALS IN GARDENS OF REMEMBRANCE			
Please Note: Within the designated lawn sections, only one stone vase or block is permitted per plot, not exceeding 200mm in height and 200mm in width.			
Right to Erect a Memorial on a grave for cremated remains with respect to which an exclusive right of burial has been granted	61.75	63.60	63.60

LONG-TERM MEMORIALS IN GARDENS OF REMEMBRANCE	Existing Charge 2015/2016 £	Proposed Charge 2016/2017 £	
		+ %age	Rounded
Supply of a memorial plaque (150mm x 75mm) at ground level including fixing	61.75 plus cost of plaque & VAT on the plaque	63.60 plus cost of plaque & VAT on the plaque	63.60 plus cost of plaque & VAT on the plaque
Supply of a stone slab level with the surrounding ground for the fixing of a memorial plaque including installation	79.00 (no VAT)	81.37	81.40
Supply of a plaque 150mm x 75mm for the memorial wall, including fee for space and fixing	61.75 plus cost of plaque & VAT on the plaque	63.60 plus cost of plaque & VAT on the plaque	63.60 plus cost of plaque & VAT on the plaque
Reservation of up to 3 plaque spaces under the first plaque on the memorial wall (fee per space)	16.00 (no VAT)	16.48	16.50
Permission for erection of a vase not exceeding 300mm in height, including first inscription	61.75 (no VAT)	63.60	63.60
Permission for kerb or border stones enclosing a space not exceeding 450mm x 600mm including first inscription	61.75 (no VAT)	63.60	63.60
Permission for each inscription after the first on vases, kerbs, border stones, etc.	47.00 (no VAT)	48.41	48.40
LONG-TERM MEMORIALS ON EARTHEN GRAVES			
Please Note: Within the designated lawned sections, the only long-term memorial permitted on a grave is a single headstone.			
	Existing	+ %age	Rounded
Right to Erect a Memorial on a grave in respect of which an exclusive right of burial has been granted	152.55 (no VAT)	157.13	157.10
Permission for a memorial headstone not exceeding 1 metre in height and 900mm in width, and including the cost of the foundation already provided	220.05 (no VAT)	226.65	226.60
Permission for a memorial headstone not exceeding 1 metre in height and 900mm in width, in those areas where no concrete foundation is provided	71.25 (no VAT)	73.39	73.40

LONG-TERM MEMORIALS ON EARTHEN GRAVES	Existing Charge 2015/2016 £	Proposed Charge 2016/2017 £	
	Existing	+ %age	Rounded
Permission for a flat stone or tablet, level with surrounding ground not exceeding 2.4m x 1.2m, including first inscription	75.35 (no VAT)	77.61	77.60
Permission for kerb or border stones enclosing a space not exceeding 2.4m x 1.2m, including first inscription	129.95 (no VAT)	133.85	133.80
Permission for a vase not exceeding 300 mm in height, including first inscription	61.75 (no VAT)	63.60	63.60
Permission for each inscription after the first	47.00 (no VAT)	48.41	48.40
ASSISTED BURIALS			
Standard Charge (Minimum)	421.90	434.56	434.50
RECORD SEARCHES			
Record Searches	-	-	15.00

CLEAN & GREEN CLEANSING SERVICES

Cesspool and Septic Tank Emptying (includes disposal costs)	Existing Charge 2015/16	Proposed Charge 2016/2017	
		+ %age	Rounded
Domestic premises per tank up to 4,500 litres	£290.25 (Zero rated VAT)	298.96	299.00
		(Zero rated VAT)	
Commercial premises per tank up to 4,500 litres	£307 (Zero rated VAT)	316.21	316.00
		(Zero rated VAT)	
Industrial premises per tank up to 4,500 litres	£362.50 (+ VAT/rounded = £422.30)	£362.50 exc VAT £434.97 inc VAT	£362.50 + VAT = £435.00
Charge for extra piping to reach tank	---	---	30.00

Appendix 5
AGRICULTURAL BUSINESS CENTRE

Livestock Markets and Farmers' Markets	Existing Charge 2015/2016 (shown including VAT)	Recommended Charges 2016/2017 (shown excluding VAT)	Recommended Charges 2016/17 (shown rounded and including VAT)
Livestock Vehicle Parking	No charge	No charge	No charge
Livestock Vehicle Washing:			
Small Trailer	3.10	2.67	3.20
Landrover and Trailer	5.90	5.08	6.10
All Other Vehicles – Per Deck	12.00	10.33	12.40
Livestock Markets Hire			
Livestock penning hire per 10 pens per hour	28.60	24.58	29.50
Sales ring hire per hour	28.60	24.58	29.50
Concourse display areas per market per 13m ²	31.90	27.42	32.90
Farmers' Markets			
Farmers' Market Stalls			
4.5 foot stall	15.50	13.33	16.00
6 foot stall	19.70	16.92	20.30
9 foot stall (Standard)	30.80	26.42	31.70
12 foot stall	39.30	33.75	40.50
2 foot extension table	4.20	3.58	4.30
Farmers' Market Parking			
Parking for Farmers' Market Traders (per vehicle)	3.70	3.17	3.80
Room Hire			
Conference Room			
Hire per Day	225.20	193.33	232.00
Hire per Half Day	116.70	100.17	120.20
Hire per Hour	37.90	32.50	39.00
Hire per Evening/Weekend	20% applied to charges for half day/full day		
	Maximum discount for non-commercial local organisations 40%		
Meeting Room 1			
Hire per Day	116.70	100.17	120.20
Hire per Half Day	60.10	51.67	62.00
Hire per Hour	19.00	16.33	19.60
Hire per Evening/Weekend	20% applied to charges for half day/full day		
	Maximum discount for non-commercial local organisations 40%		
Meeting Room 2 & 3			
Hire per Day	58.70	50.42	60.50
Hire per Half Day	30.40	26.08	31.30
Hire per Hour	11.40	9.83	11.80
Hire per Evening/Weekend	20% applied to charges for half day/full day		
	Maximum discount for non-commercial local organisations 40%		
Concourse			
Hire per Day	225.20	193.33	232.00
Hire per Half Day	116.70	100.17	120.20
Hire per Hour	37.90	32.50	39.00
Hire per Evening/Weekend	20% applied to charges for half day/full day		
	Maximum discount for non-commercial local organisations 40%		

LAND CHARGES

Application type	Existing Charges 2015/16	Proposed Charges 2016/17
Official Search Fee (LLC1 + Con29R)	£100.00	£117.00
LLC1 only	£30.00	£31.00
Con29R	£70.00	£86.00*
Con 29O (per question)	£10.00	£12.00*
Additional Parcel of Land	£11.00	£13.50*
Written enquiries (solicitors own questions)	£12.00	£14.50*
Personal Search of the Register	£00.00	£00.00

*VAT now required on all CON 29 fees

LEGAL

Charge	Existing 2015/16	Proposed 2016/17
Legal Fees for S106 Agreements (recovery of officer time)	£65 per hour	£480 minimum charge then £65 per hour after 4 hours
Authorising proof of life for overseas pensioners	-	£25

ENVIRONMENTAL HEALTH				
FOOD HYGIENE	Existing Charge 2015-2016 inclusive VAT	Proposed Charge 2016-2017 exclusive of 20% VAT	Proposed Charge 2016-2017 inclusive of 20% VAT (where applicable) and rounded	
	£	£	+ %age	Rounded
FOOD HYGIENE COURSES	83.40	71.67	85.90	86.00
Basic Food Hygiene Course - Charge per Candidate				
FOOD PREMISES REGISTER				
Photocopying of Register				
Per entry	3.70	3.17	3.81	3.80
Whole Register	904.10	775.83	931.22	931.00
HEALTH CERTIFICATES	40.00	N/A	41.20	41.00
Standard Charge (VAT not applicable)				
HOUSING (VAT not applicable)				
HOUSES IN MULTIPLE OCCUPATION	429.70	N/A	442.59	442.50
HMO Licensing				
HOUSING ENFORCEMENT NOTICES				
Housing Act 2004 sections 11 & 12 Improvement Notice	238.40	N/A	245.55	245.50

HOUSING	Existing Charge 2014-2015 inclusive VAT	Proposed Charge 2015-2016 exclusive of 20% VAT	Proposed Charge 2015-2016 inclusive of 20% VAT (where applicable) and rounded	
HOUSING ENFORCEMENT NOTICES (VAT not applicable)	£	£	+ %age	Rounded
Housing Act 2004 sections 20 & 21 Prohibition Order	238.40	N/A	245.55	245.50
Housing Act 2004 sections 28 & 29 Hazard Awareness Notice	238.40	N/A	245.55	245.50
Housing Act 2004 section 40 Emergency Remedial Action	238.40	N/A	245.55	245.50
Housing Act 2004 section 43 Emergency Prohibition Order	238.40	N/A	245.55	245.50
Housing Act 1985 section 265 Demolition Order	238.40	N/A	245.55	245.50
PRIVATE WATER SUPPLIES				
VAT not applicable	£	£	+ %age	Rounded
Risk Assessment	356.00	N/A	366.68	366.50
Sampling Visit	48.10	N/A	49.54	49.50
Investigation	77.80	N/A	80.13	80.00
Granting an authorisation	36.40	N/A	37.49	37.50
Analysing a sample under Regulation 10	Lab Charge	Lab Charge	-	Lab Charge
Analysing a check monitoring sample	Lab Charge	Lab Charge	-	Lab Charge
Analysing an audit monitoring sample	Lab Charge	Lab Charge	-	Lab Charge

ANIMAL WELFARE & MISCELLANEOUS LICENSING

(The following fees fall outside the scope of VAT with the exception of Vets' Fees)

An average increase of 3% is proposed for the following fees:

ANIMAL WELFARE	Existing Charge 2015/2016	Proposed Charge 2016/2017 rounded + inclusive of VAT where applicable
Animal Boarding Establishments Act 1963 Licence to operate a boarding establishment	£90.00 Plus Vet Fees and VAT on Vets Fees and arrangement fee of £15.00 + VAT	£93.00 Plus Vet Fees and VAT on Vets Fees and arrangement fee of £15.50 + VAT
Pet Animals Act 1951 Licence to operate a retail pet shop	£90.00 Plus Vet Fees and VAT on Vets Fees and arrangement fee of £15.00 + VAT	£93.00 Plus Vet Fees and VAT on Vets Fees and arrangement fee of £15.50 + VAT
Riding Establishment Acts 1964 and 1970 Licence to operate a riding establishment	£112.00 Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of £15.00 + VAT	£115.00 Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of £15.50 + VAT
Dangerous Wild Animals Act 1976 Licence to keep a dangerous wild animal as defined in Schedule	£124.00 Plus Vet Fees and VAT on Vets Fees and arrangement fee of £15.00 + VAT	£128.00 Plus Vet Fees and VAT on Vets Fees and arrangement fee of £15.50 + VAT
Breeding of Dogs Act 1973 Licence to operate a dog breeding establishment	£90.00 Plus Vet Fees and VAT on Vets Fees and arrangement fee of £15.00 + VAT	£93.00 Plus Vet Fees and VAT on Vets Fees and arrangement fee of £15.50 + VAT

ANIMAL WELFARE	Existing Charge 2015/2016	Proposed Charge 2016/2017 rounded + inclusive of VAT where applicable
Zoo Licensing Act 1981 Licence to operate a Zoo	£270.00 Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of £15.00 + VAT	£278.00 Plus annual Vet Fees and VAT on Vets Fees and arrangement fee of £15.50 + VAT
MISCELLANEOUS	Existing Charge 2015/2016	Proposed Charge 2016/2017 (VAT not applicable)
Local Government (Miscellaneous Provisions) Act 1982 as amended by Local Government Act 2003 Registration of Persons and Premises to allow Practice of Acupuncture, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis	£72.00 (separate registrations required for person and premises)	£74.00 (separate registrations required for person and premises)
Local Government (Miscellaneous Provisions) Act 1982 Licence to Operate a Sex Establishment	£1,780.00	£1,833.00
Licence to Operate a Sex Entertainment Venue	£1,780.00	£1,833.00
Public Health Acts Amendment Act 1907 Licence to Operate Pleasure Boats	£33.00	£34.00
Pleasure Boat and Vessel Licence	£33.00	£34.00
Scrap Metal Dealers Act 2013 Site Licence (3 years)	£275.00	£283.00
Collectors Licence (3 years)	£153.00	£158.00

Hackney Carriage and Private Hire – Taxi Licensing

(All of these fees fall outside the scope of VAT). An average increase of 3% is proposed for the following fees:

	Existing Charge 2015/2016	Proposed Charge 2016/2017 + %age and Rounded
Private Hire Operator's Licence (Renewable every 5 years from 1st October 2015 – legislative change)		
Application Fee	£400.00 new fee set 1st October 2015.	No increase
Criminal Record Disclosure (Basic)	Fee set by Disclosure and Barring Service (DBS) or Disclosure Scotland. (DDDC may charge an admin fee of £2.10 if assisting).	
** Operator will only need a basic criminal record check, if not a licensed driver with the District Council and have a current Enhanced Disclosure Certificate.		
Vehicle Licence (Renewable every year)		+ %age and Rounded
	Existing Charge	
Hackney Carriage Licence Application Fee	£290.00	£298.00
Private Hire Vehicle Licence	£290.00	£298.00
Vehicle FULL Re-test (3 or more items requiring attention)	£58.00	£60.00
Vehicle MINOR re-test (2 items or less requiring attention)	£27.00	£28.00
Vehicle Transfer	£28.50	£29.50
Meter Test (if seal is broken – requiring checking at Testing Depot)	£28.50	£29.50
Vehicle Licence (miscellaneous charges)	Existing Charge	+ %age and Rounded
Breaking an Appointment (without 24 hours notification)	£28.50	£29.50
Trailer and Top Box Test	£28.50	£29.50
Driver's Licence (Renewable every 3 years from 1st October 2015) – legislative change		+ %age and Rounded
Application for new/renewal of Driver's Licence	£160.00 new fee set 1 st October 2015.	No change
DVLA Check (every year)	£8.00 required every year. Fee set by checking company.	No change
DBS Enhanced Criminal Records Check (due every 3 years)	DBS Fee of £44.00 plus £8.00 Admin Fee set by Derbyshire County Council and £2.00 Admin Fee set by DDDC.	Increase DDDC Fee £2.10
Driver's Knowledge Test/Resit	£28.50	£29.50

	Existing Charge 2015/2016	Proposed Charge 2016/2017
Sundries/Replacement	Price include VAT	
Driver's Badge	£3.10	£3.20
Driver's Badge Holder	£3.10	£3.20
Council Door Stickers (for front doors)	£9.25	£9.50
Licence plate for rear of vehicle	£8.25	£8.50
Licence plate fixings for rear licence plate	£2.10	£2.15
Licence plate for inside windscreen	£6.15	£6.35
Plastic wallet for windscreen plate	£1.50	£1.55
Duplicate licence (paper copy)	£10.50	£10.80

BACK TO AGENDA

GAMBLING LICENSING

(The following fees fall outside the scope of VAT). An average increase of 3% is proposed for the following fees:

GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS	Maximum Fees prescribed by regulations (Gambling Act 2005)	Existing Charge 2015/16	Proposed Charge 2016/2017 plus %age and Rounded
Small Casino	£	£	£
New application	8,000.00	£6,777.00	£6,980.00
1 st Annual Fee ***	50% of annual fee	£2,235.00	£2,300.00
Annual Fee	5,000.00	£4,470.00	£4,600.00
Variation	4,000.00	£3,318.00	£3,420.00
Transfer	1,800.00	£1,405.00	£1,450.00
Reinstatement	1,000.00	£1,000.00 (max)	£1,000.00 (max)
Provisional Statement	8,000.00	£7,020.00	£7,230.00
Licence for Provisional Statement Holders	3,000.00	£2,552.00	£2,628.00
Large Casino			
New application	10,000.00	£8,297.00	£8,545.00
1 st Annual Fee ***	50% of annual fee	£4,148.00	£4,273.00
Annual Fee	10,000.00	£8,297.00	£8,546.00
Variation	5,000.00	£4,100.00	£4,223.00
Transfer	2,150.00	£1,660.00	£1,710.00
Reinstatement	2,150.00	£1,660.00	£1,710.00
Provisional Statement	10,000.00	£8,170.00	£8,415.00
Licence for Provisional Statement Holders	5,000.00	£4,100.00	£4,223.00
Bingo Club			
New application	3,500	£2,935.00	£3,023.00
1 st Annual Fee ***	50% of annual fee	£427.00	£440.00
Annual Fee	1,000	£854.00	£880.00
Variation	1,750	£1,465.00	£1,510.00
Transfer	1,200	£976.00	£1,005.00
Reinstatement	1,200	£976.00	£1,005.00

*** 1st Annual Fee is due 30 days after licence is granted, and annual fee is due on anniversary date of grant

GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS	Maximum Fees prescribed by regulations (Gambling Act 2005)	Existing Charge 2015/16	Proposed Charge 2016/2017 plus % age and Rounded
Bingo Club (cont'd)			
Provisional Statement	3,500	£2,808.00	£2,890.00
Licence for Provisional Statement Holders	1,200	£976.00	£1,005.00
Betting Premises (excluding tracks)			
New application	3,000.00	£2,298.00	£2,370.00
1 st Annual Fee ***	50% of annual fee	£255.00	£263.00
Annual Fee	600.00	£510.00	£526.00
Variation	1,500.00	£1,145.00	£1,180.00
Transfer	1,200.00	£893.00	£920.00
Reinstatement	1,200.00	£893.00	£920.00
Provisional Statement	3,000.00	£2,298.00	£2,370.00
Licence for Provisional Statement Holders	1,200.00	£893.00	£920.00
Betting Tracks			
New application	2,500.00	£1,914.00	£1,970.00
1 st Annual Fee ***	50% of annual fee	£383.00	£395.00
Annual Fee	1,000.00	£766.00	£790.00
Variation	1,250.00	£1,021.00	£1,050.00
Transfer	950.00	£766.00	£790.00
Reinstatement	950.00	£766.00	£790.00
Provisional Statement	2,500.00	£1,914.00	£1,970.00
Licence for Provisional Statement Holders	950.00	£801.00	£825.00
Family Entertainment Centre (FEC)			
New application	2,000.00	£1,531.00	£1,575.00
1 st Annual Fee ***	50% of annual fee	£319.00	£329.00
Annual Fee	750.00	£638.00	£658.00

*** 1st Annual Fee is due 30 days after licence is granted, and annual fee is due on anniversary date of grant thereafter.

GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS	Maximum Fees prescribed by regulations (Gambling Act 2005)	Existing Charge 2015/16	Proposed Charge 2016/2017 plus %age and Rounded
Family Entertainment Centre (FEC)			
Variation	1,000.00	£766.00	£790.00
Transfer	50.00	£50.00 (max)	£50.00 (max)
Reinstatement	950.00	£766.00	£790.00
Provisional Statement	2,000.00	£1,531.00	£1,577.00
Licence for Provisional Statement Holders	950.00	£766.23	£790.00
Adult Gaming Centre (AGC)			
New application	2,000.00	£1,531.00	£1,577.00
1 st Annual Fee ***	50% of annual fee	£382.50	£394.00
Annual Fee	1,000.00	£765.00	£788.00
Variation	1,000.00	£765.00	£78.00
Transfer	1,200.00	£1,020.00	£1,050.00
Reinstatement	1,200.00	£1,020.00	£1,050.00
Provisional Statement	2,000.00	£1,531.00	£1,577.00
Licence for Provisional Statement Holders	1,200.00	£1,020.00	£1,044.00

*** 1st Annual Fee is due 30 days after premises licence is granted, and annual fee is due on anniversary date of grant thereafter.

GAMBLING ACT 2005 PREMISES LICENCES APPLICATIONS	Maximum Fees prescribed by regulations (Gambling Act 2005)	Existing Charge 2015/16	Proposed Charge 2016/2017 plus %age and Rounded
Occasional Use Notices (OUNs)	No Fee Permitted	No Fee Permitted	No Fee Permitted
Temporary Use Notices (TUNs)	500.00	£297.00	£306.00
Notification of Change of Details	50.00	£45.00	£46.25
Copy of Licence/Notice	25.00	£19.00	£19.50

STALL MARKETS

(All Stall Market charges are exempt from VAT)

	Existing Charge 2015/16 £	Proposed Charge 2016/17 £	
		+ %age	Rounded
Bakewell Market			
9ft Stall	25.50	26.27	26.30
12ft Stall	33.20	34.20	34.20
Butcher's Lorry	74.90	77.15	77.20
Fast Food Catering Trailer	37.40	38.52	38.50
Fish Van	22.30	22.97	23.00
Hot Drinks Trailer	33.20	34.20	34.20
Charges per additional foot	3.80	3.91	3.90
Wirksworth Market			
8ft Stall	15.20	15.66	15.70
Fish Trailer	25.10	25.85	25.90
Ashbourne Market			
9ft Stall	19.00	19.57	19.50
12ft Stall	23.10	23.79	23.80
Charges per additional foot	3.10	3.19	3.20
Matlock Market			
Tuesday Market	20.30	20.91	20.90
Friday Market	22.40	23.07	23.00
Large Internal cabin	175.90	181.18	181.20
Greengrocer (external cabin)	233.20	240.20	240.20
Small Internal Cabin	99.30	102.28	102.30
Butcher (Cabin)	99.30	102.28	102.30

(All Stall Market charges are exempt from VAT)

	Existing Charge 2015/16 £	Proposed Charge 2016/17 £	
		+ %age	Rounded
CASUAL TRADERS			
(stall fee as above to be added to this fee)	2.70	2.78	2.80
CHARITY MARKET STALL – NOT FOR PROFIT ORGANISATIONS			
Hire of stall	8.60	8.89	8.90
TRADER PARKING			
Parking for Stall Market Traders (per vehicle)	3.70	3.81	3.80

Parks & Recreation Ground Fees 2016-17			
ACTIVITY	Existing Charge 2015/16 (including VAT where applicable)	Proposed Charge 2016/17 (exc VAT)	Actual Charge 2016/17 (rounded and includes 20% VAT where applicable)
Putting Greens per person [VAT applicable]			
Full	£2.46	£2.54	£3.05
Concession	£1.29	£1.33	£1.60
Tennis/Hard Court Area [VAT applicable]			
Hire per tennis court per hour			
Full	£6.80	£5.83	£7.00
Concession	£3.40	£2.92	£3.50
Hire of hard court area per hour			
Full	£13.60	£11.67	£14.00
Concession	£6.80	£5.83	£7.00
Bowling Greens [VAT applicable]			
Per person per hour			
Full	£3.40	£2.92	£3.50
Concession	£1.75	£1.50	£1.80
Reservation for exclusive use of green per match			
Full	£26.30	£22.50	£27.00
Concession	£13.15	£11.25	£13.50
Reservation per club per match			
Full	£6.00	£5.17	£6.20
Full Concession	£3.00	£2.58	£3.10
Season Ticket			
Full	£42.45	£36.46	£43.75
Full Concession	£21.20	£18.17	£21.80
Lease per season of Bakewell Bowling Green			
Special	£82.60	Exempt from VAT	£85.00
Sports Pitches and Pavilions [VAT applicable]			
Hire of pitch per session (inc marking out, preparation and use of pavilion – Football and Rugby)			
Full	£39.40	£33.75	£30.50
Concession	£19.70	£16.92	£20.30
Hire of pitch per session (inc marking out, preparation and use of pavilion) – Cricket			
Full	£41.10	£35.25	£42.30
Concession	£20.60	£17.67	£21.20
Hire of pitch for training only			
Full	£30.90	£26.50	£31.80
Concession	£15.45	£13.25	£15.90
Hire of changing facilities			
Full	£13.50	£11.58	£13.90
Concession	£6.80	£5.83	£7.00
Hire of Croquet Lawn			
Full	£20.85	£17.92	£21.50
Concession	£10.45	£8.96	£10.75
Hire of Artificial Cricket wicket (inc hire of changing facilities)			
Full	£30.55	£26.25	£31.50
Concession	£15.20	£13.00	£15.60
Use of Recreation Grounds for Highland Gathering, Carnivals etc			
Special	FREE	FREE	FREE

LEISURE SERVICES

ACTIVITY	Current Charge 2015-2016 (Including VAT)	VAT CODE R2 = add VAT RX = exempt RS = outside scope	Actual Charge 2016-2017 (Including VAT)
Cash Memberships			
Fitness Freedom (12 Months)			
Full	396.00	R2	396.00
Concession	268.00	R2	268.00
Fitness Suite (12 Months)			
Full	288.00	R2	288.00
Concession	195.00	R2	195.00
Bakewell Full	288.00	R2	200.00
Bakewell Concession	195.00	R2	134.00
Swimming (12 Months)			
Full	185.00	R2	185.00
Concession	124.00	R2	124.00
Climbing (6 Months)			
Full	182.00	R2	125.00
Concession	123.00	R2	83.75
Active Leisure			
Annual Membership	6.00	R2	6.20
Replacement Card	2.80	R2	2.85
Non-Member Charge	0.50	R2	0.50
Direct Debit Memberships			
Fitness Freedom			
Full	39.60	R2	39.60
Concession	26.80	R2	26.80
Fitness Suite			
Full	28.80	R2	28.80
Concession	19.50	R2	19.50
Bakewell Full	28.80	R2	20.00
Bakewell Concession	19.50	R2	13.40
Swimming			
Full	18.50	R2	18.50
Concession	12.40	R2	12.40
Climbing			
Full	36.40	R2	25.00
Concession	24.60	R2	16.75
Use of Pool			
Swimming			
Full	3.65	R2	3.75
Concession	2.45	R2	2.50
Under 3	0.00	-	0.00
Family (2 Full and up to 2 children)			
Special	10.10	R2	10.40
Additional children	1.05	R2	1.10
Splash-Out – Inflatable Sessions			
Full	3.65	R2	3.75
Concession	⁷⁴ 2.45	R2	2.50

ACTIVITY	Charge 2016-2017 (excluding VAT)	VAT CODE R2 = add VAT RX = exempt RS = outside scope	Actual Charge (includes 20% VAT where applicable)
12 for the price of 10 swims			
Full	37.50	R2	36.50
Concession	25.00	R2	24.50
Swimming Lessons			
Per Lesson			
Full	5.95	RX	6.10
Concession	4.85	RX	5.00
One to One	19.50	RX	20.10
Direct Debit (Swimming Lessons)			
Concession	18.60	RX	19.15
Fitness Suite			
Joining Fee			
Full	25.75	R2	26.50
Concession	25.75	R2	26.50
One Month Gym Pass (Cash)			
Full	39.15	R2	40.30
Concession	26.25	R2	27.00
Use of fitness Suite			
Full	6.20	R2	6.40
Concession	4.10	R2	4.20
One to One Tuition	19.50	RX	20.10
Exercise Referral Scheme	Free	RX	Free
Miscellaneous			
Fitness Class			
Full	4.70	RX	4.85
Concession	3.10	RX	3.20
Shower & Change			
Special	1.35	R2	1.40
Sports			
10 week Block Booking Fee	New	-	10.00
Badminton/Short Tennis/Short Mat Bowling			
Full	9.65	R2	10.00
Concession	6.50	R2	6.70
Table Tennis			
Full	7.40	R2	7.60
Concession	4.95	R2	5.10
Squash			
Full	9.20	R2	7.50
Concession	6.30	R2	5.00
Sporting Hire of Halls			
Main Hall			
Full	42.40	R2	43.50
Concession	28.40	R2	29.25
Minor Hall			
Full	21.40	R2	22.00
Concession	14.40	R2	14.80
Clubs & Business Bookings/hire			
6 Month Club Affiliation	35.00	R2	36.00

ACTIVITY	Charge 2016-2017 (excluding VAT)	VAT CODE R2 = add VAT RX = exempt RS = outside scope	Actual Charge (includes 20% VAT where applicable)
Hire of Hall Non-Constituted Clubs			
Main Hall	New	-	43.50
Minor Hall/ Arc Studio	New	-	22.00
Swimming Pool			
Main Pool per Lane			
Private Hire	24.90	R2	25.65
Full Club	19.40	R2	13.40
Concession Club	13.00	R2	9.00
Meeting Rooms / Community Room/ Viewing Area			
Arc Leisure Matlock	35.00	R2	15.00
Ashbourne Leisure Centre	35.00	R2	20.00
Wirksworth Leisure Centre	35.00	R2	15.00
Out of Hours Hire of Rooms/Areas (All Centres)			
Main Hall			
Special	67.60	RX	69.50
Minor Hall			
Special	39.80	RX	41.00
Climbing Room (Wirksworth Leisure Centre)			
Use of Walls (Inc Bouldering)			
Full	7.70	R2	5.00
Concession	5.15	R2	3.35
Child under 14(Maximum of 2 per Adult)	New	R2	2.00
12 for the price of 10 Climb			
Full	77.00	R2	50.00
Concession	51.50	R2	33.50
Basic Tuition			
Full	19.60	RX	20.20
Concession	13.15	RX	13.50
Climbing Lesson			
Full	5.90	RX	6.10
Concession	4.85	RX	5.00
One to One instruction			
	19.50	RX	20.10
Hire of Staff per hour (not eligible for concessions)			
Leisure Attendant/Lifeguard			
Full	22.60	R2	23.30
Level 1 Sports Coach	25.20	RX	26.00
Level 2 Sports Coach	28.70	RX	29.50
Hire Areas/Equipment			
Pool Party (includes lifeguards, pool & viewing area)			
Inc. Inflatable	205.00	R2	211.00
Exc. Inflatable	127.00	R2	131.00
Sports Hall Inflatable (inc 1 attendant)			
Special	44.50	R2	45.80
Racket/Bat / Kwik Cricket / Belay Device			
Special	1.85	R2	1.90

ACTIVITY	Charge 2016-2017 (excluding VAT)	VAT CODE R2 = add VAT RX = exempt RS = outside scope	Actual Charge (includes 20% VAT where applicable)
Hire of Cricket Nets			
Per booking	12.40	R2	12.75
Coaching Course per session (Trampoline, Football)			
Full	5.95	RX	6.10
Concession	4.85	RX	5.00
Holiday Leisure Pass			
3-day Fitness Suite	11.00	R2	11.30
3-day Fitness Suite & Swim	13.80	R2	14.20
3-day Swim	5.50	R2	5.60

BACK TO AGENDA

GOVERNANCE AND RESOURCES COMMITTEE
21 JANUARY 2016

Report of the Head of Corporate Services

DOCUMENT RETENTION POLICY

SUMMARY

This report seeks approval of a Document Retention Policy.

RECOMMENDATION

That the Document Retention Policy is approved.

WARDS AFFECTED

All

STRATEGIC LINK

The Retention Policy is a governance tool which aims to mitigate the risk of legal challenge and as such underpins all of the District Council's corporate aims and objectives.

1. BACKGROUND

- 1.1 In the 2014/15 Internal Audit Operational Plan a review of the Council's arrangements and procedures for complying with data protection requirements was undertaken.
- 1.2 The audit report dated 15 January 2015 identified that although the Council had a data retention schedule it was considered to be out-of-date. It was found that the review and revision of the policy had yet to be undertaken and the current guidance did not include procedures for the destruction of data or the secure storage of confidential waste awaiting collection for destruction. It also suggested that asset owners should be made aware of their responsibility for ensuring that data is destroyed in accordance with the retention periods.
- 1.3 The Council's Solicitor has undertaken a full review of the Council's retention policy and schedule. The recommendations of the audit report have been considered and have resulted in a draft revised policy and a detailed retention schedule. This has

been developed in consultation with Heads of Services and the Information Governance Board.

2. THE POLICY

- 2.1 The policy attached as Appendix 1, identifies types of recorded information collected by the Council from individuals and organisations which is held as 'hard' paper copies and/or electronically. It specifies the need to retain specific documents for certain periods of time. This may be to fulfil statutory or other regulatory requirements, provide evidence in respect of agreements in a dispute, meet operational needs, the preservation of documents of historic value or other reasons.
- 2.2 The policy also identifies the importance of retention periods being adhered to as the untimely destruction of documents could cause the Council difficulties in defending litigious claims, operational problems, to breach the Freedom of Information or Data Protection Acts or suffer embarrassment.
- 2.3 The draft policy has been developed to provide Officers with clear guidance on when documents should be retained or disposed. These guidelines prescribe minimum and permanent retention periods. It is proposed that the policy will be reviewed at regular intervals and at least every three years.
- 2.4 In accordance with the audit recommendations:
- A 'Responsible Officer' (asset owner) has been designated for each set of documents. This person is responsible for making the decision to dispose of a document and considering the method of disposal. The Responsible Officer may delegate the operational aspects of this function to one or more senior officers within the Department. However it is suggested that in doing so they should ensure that such Officer is fully conversant with the Policy and is also familiar with the operational requirements of the Department in relation to document retention/disposal.
 - A clear procedure on disposal has been developed which includes keeping a record of destroyed information. An example Disposal Certificate and guidance can be found in appendix 1 of the draft policy.
 - The draft policy provides guidance on the disposal and the storage of confidential waste prior to disposal. Blue confidential waste bins have been introduced for use by all staff which are located in the photocopying rooms.

3. RISK ASSESSMENT

3.1 Legal

There draft policy complies with all legal requirements in terms of retention periods and aims to mitigate the legal risk of challenge. The overall risk is therefore considered to be low.

3.2 Financial

There are no financial considerations arising from the report.

4. OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5. CONTACT INFORMATION

Sarah Gee, Senior Solicitor or Katie Hamill, Solicitor on 01629 761309

Email sarah.gee@derbyshiredales.gov.uk or Katie.hamill@derbyshirdales.gov.uk

6. BACKGROUND PAPERS

None

7. ATTACHMENTS

Appendix 1 - Document Retention Schedule

BACK TO AGENDA

Corporate Policy on Document Retention and Document Management

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Corporate Policy on Document Retention and Document Management

1. Introduction:

1.1 In the course of carrying out Derbyshire Dales District Council's various functions and activities, the Council collects information from individuals and external organisations and generates a wide range of data/information which is recorded. These records can take many forms; for example:

- Letters received from third parties
- Copy letters which have been sent out
- File attendance notes
- Invoices
- Completed application forms
- Plans/drawings
- Registers
- Tenders and Contracts
- E-mail Communications
- Surveys
- Performance information e.g. beneficiary data
- Photographs
- Tape recordings

1.2 Many of the above can be retained as 'hard' paper copies or in electronic form. Retention of specific documents may be necessary to:

- Fulfil statutory or other regulatory requirements
- Evidence events/agreements in a dispute
- Meet operational needs
- Ensure the preservation of documents of historic value

1.3 The untimely destruction of documents could cause the Council:

- Difficulties in defending litigious claims
- Operational problems
- To breach the Freedom of Information or Data Protection Acts.
- To suffer embarrassment

1.4 The effective management of records of all formats depends as much on their efficient disposal as well as their long term preservation. As a Local Authority we must be consistent in the way we handle and dispose of our information. These guidelines will assist the Council in meeting local needs whilst providing a consistent approach to record keeping across Government.

2. The Retention/Disposal Policy

2.1 Any decision whether to retain or dispose of a document should be taken in accordance with this retention/disposal policy.

2.2 Where a retention period has expired in relation to a particular document a review should always be carried out before a final decision is made to dispose of the document. Such reviews need not necessarily be detailed or time consuming.

2.3 In the event that a decision is taken to dispose of a particular document or a set of documents, then consideration should be given to the method of disposal.

3. Roles and Responsibilities

3.1 Responsible Officers may delegate the operational aspects of this function to one or more senior officers within the Department. However in doing so they should ensure that such Officer is fully conversant with the Policy and is also familiar with the operational requirements of the Department in relation to document retention/disposal. Responsible Officers are expected to be proactive in carrying out or instigating audits of existing documentation that may be suitable for disposal.

4. Disposal

4.1 A record of destroyed records should be maintained.

Corporate Policy on Document Retention and Document Management

Enough detail should be recorded to identify which records have been destroyed on a certain date. An example Disposal Certificate and guidance is appended as Appendix 1.

4.2 Disposal can be achieved by a range of processes:

- Confidential Waste
- Physical destruction on site (e.g. Shredding, Deletion – where computer files are concerned)
- Migration of documents to an authorised contractor for confidential waste disposal

4.3 Responsible Officers must take into account that under no circumstances should paper documents containing personal data be simply binned or deposited into refuse bins. To do so could result in unauthorised disclosure of information to third parties and render the Council liable to prosecution or other enforcement action under the Data Protection Act. Such documents should be destroyed on site (e.g. shredding) or placed into the locked Confidential Waste refuse bins provided which can be located in the photocopier rooms. When the bins are full, the Caretaker will remove the confidential waste bags within the bin and place them into the locked external green container for collection by DDDC's authorised contractor.

4.4 Officers should only dispose of Confidential Waste in the secure refuse bins. Non-confidential documents can be disposed of within the blue recyclable bins in each office. Confidential Waste is waste containing personally identifiable information or waste which is commercially sensitive. If Officers are unsure of whether waste is confidential they should consult the Legal Department.

5. The Data Protection Act:

5.1 Responsible Officers need to be aware that under the Data Protection Act, personal data processed for any purpose must not be kept for any longer than is necessary for that purpose. This is a matter for reasonable judgement and common sense as to how long personal data should be retained.

6. Standard Operating Procedure:

6.1 There are some records that do not need to be kept at all; the Records Management Society has defined types of records which staff may routinely destroy in the normal course of business.

This usually relates to information that is duplicated, unimportant or only of short-term facilitative value.

Unimportant records include:

- Compliment slips
- Catalogues and trade journals
- Telephone message slips
- Non-acceptance of invitations
- Requests for stock information such as maps, plans or advertising material
- Out of date distribution lists
- Duplicate copies

6.2 Duplicated and superseded material such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed as being unimportant.

6.3 This does not apply to records or information that could be used as evidence. If you are in any doubt please consult the Legal Department.

Corporate Policy on Document Retention and Document Management

7. Format of Records – Hard copy or Electronic:

7.1 Record retention policies were primarily created to define retention periods for paper records, however these record retention guidelines are relevant to all records whether they are electronic, paper or records which have been transferred to another format such as microfiche.

8. Reviewing the Schedule:

These guidelines prescribe minimum and permanent retention periods. The guidance will be reviewed at regular intervals (at least every three years).

Corporate Policy on Document Retention and Document Management

KEY CONSIDERATIONS:

1. Is the retention to fulfil statutory or other regulatory requirements?

There is very little specific legislation that stipulates mandatory retention periods for documents in Local Government. The pieces of legislation that do, either directly or indirectly impose minimum retention periods are as follows:

- Tax Legislation: Minimum retention period for certain financial records are imposed by statutes such as the VAT Act 1994 and the Taxes Management Act 1970.
- Statutory Register: Various Local Government Statutes required to be kept of certain events, notifications or transactions.
- Audit Commission Act 1988 – this provides auditors with a right of access to every document relating to the Council that appears necessary for the purpose of carrying out the auditor’s function under the Act.
- The Local Government Act (Section 225). Any document deposited with ‘the proper officer’ of the Council in accordance with Statute should be retained permanently.
- Part VA of the Local Government Act 1972 – governs public access to certain documents relating to Council and Committee meetings

2. Is retention required to evidence events in a case of dispute?

Where a dispute arises or litigation has been commenced it is important that the Council has access to all correspondence and other documents that is relevant to the matter. Without this information there is a danger that the Council’s position will be compromised and a possibility that a claim might succeed.

The Limitation Act 1980 specifies time limits for commencing

litigation. The starting point is that the retention period is the length of time that has to elapse before a claim is barred plus an additional 3 months to allow to service of any claim. The main time limits that are directly relevant are:

- Claims founded on simple contract (other than personal injury) cannot be brought after the expiration of 6 years from the date on which the cause of action occurred.
- Compensation claims for personal injury are barred on expiry of 3 years from the date on which:
 - a) the cause of action occurred
 - b) the injured person first had knowledge or the injury, its cause and the identity of the responsible person.
- Compensation Claims for personal injury in respect of a minor are barred on expiry of 3 years from the date of their 18th birthday.

3. Is retention required to meet the operational needs of the department?

In some case retention may be desirable when though no minimum period applies. Responsible Officers should be open to the danger of discarding documents or records that might be useful for future reference purposes (e.g. training) as precedence or performance management. A professional judgement must be made as to the usefulness of a document.

4. Is retention required because the document or record is of historical interest or intrinsic value?

In most cases this consideration will not be applicable. However, it is possible that some documents currently in Council Storage will be of historic interest or have monetary value. Appropriate enquiries should always be made before disposal with relevant departments such as the Derbyshire Records Office.

Corporate Policy on Document Retention and Document Management

DEMOCRATIC PROCESS:

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Elections</u>					
Summary certification of those eligible to vote	Permanent	<ul style="list-style-type: none"> Electoral Register 	Electronic or Hard Copy	Common Practice	Democratic Services Officer
Voting (Local Elections only)	Destroy 6 months from close of poll	<ul style="list-style-type: none"> Ballot papers 	Hard Copy	Statutory	Democratic Services Officer
Declaration of results (Local Elections Only)	Destroy 6 months from date of election	<ul style="list-style-type: none"> Consolidated Returns of Votes Received 	Hard Copy	Statutory	Democratic Services Officer
Parliamentary Election	12 months			Statutory	Democratic Services Officer
European Parliamentary Election	12 months			Statutory	Democratic Services Officer
Record of Election Expenses	12 months or 24 months for Parish Council and Local Government Elections	<ul style="list-style-type: none"> Expenses 	Hard Copy	Statutory	Democratic Services Officer
<u>Council and Committee Meetings</u>					
The process of preparing business for Council consideration and making the record of discussion, debate and resolutions	Permanent	<ul style="list-style-type: none"> Council Minutes Agendas Indexes Committee Minutes 	Electronic or Hard Copy		Democratic Services Officer
	Destroy after 6 years	<ul style="list-style-type: none"> Business papers Council Notice Papers and Proceedings 			

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
Minute Taking	Destroy after the date of confirmation of the minutes	<ul style="list-style-type: none"> • Draft/Rough Minutes • Audio Tapes 	Hard Copy		Democratic Services Officer
<u>Partnership, Agency and External Meetings</u>					
The Process of preparing business for partnership and agency consideration and making the record of discussion, debate and resolution where the Local Authority owns the record	Permanent Destroy after 6 years	<ul style="list-style-type: none"> • Documents establishing the committee • Minutes • Agendas • Council Reports • Recommendations • Supporting Documents such as Council briefing and discussion papers 	Hard Copy	Common Practice	Democratic Services Officer
The Process of preparing for business for External Committees consideration and making the record of discussion, debate and resolution, where the Local authority does not own the record	Destroy 3 years after last action	<ul style="list-style-type: none"> • Documents establishing the committee • Reports • Recommendations • Supporting Documents such as briefings and discussion papers 	Hard Copy	Common practice	Democratic Services Officer

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Honours and Submissions</u>					
The process of preparing of honours submission	Destroy after 5 years after last action	<ul style="list-style-type: none"> Honours nomination form Covering documentation Letters of support Referral for comment from Lord Lieutenant 	Hard Copy	Common Practice	Democratic Services Officer
<u>Political Parties Papers</u>	Destroy 3 years after last action	<ul style="list-style-type: none"> Leader of opposition papers Leader of Council Papers 	Hard Copy	Common Practice	Democratic Services Officer

MANAGEMENT AND ADMINISTRATION:

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Corporate Planning and Reporting</u>					
The corporate planning and reporting activities of Local Authorities	Permanent	<ul style="list-style-type: none"> Corporate Plans Strategies and Action Plans Annual Reports Emergency Plan 	Hard Copy	Common Practice	Corporate Director
The process of preparing business for strategic consideration and making the record of discussion, debate and resolutions	Permanent	<ul style="list-style-type: none"> Strategic management team minutes 	Hard Copy	Common Practice	Relevant Head of Service

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Statutory Returns</u>					
The process of preparing information to be passed on to Central Government as part of statutory requirements	Destroy 7 years from closure	<ul style="list-style-type: none"> • Reports to Central Government 	Electronic or Hard Copy	Common Practice	Head of Corporate Services
<u>Policy, Procedures, Strategy and Structure</u>					
Activities that develop policies, procedures, strategies and structures for Local Authorities	Permanent	<ul style="list-style-type: none"> • Policy, Procedure, precedent, Instructions • Asset Management Plan • Community Strategy • Community Safety Plan • Completed Questionnaires • Focus Group Notes • Partner responses to Consultants 	Electronic or Hard Copy	Common Practice	Relevant Head of Service
The process of monitoring and reviewing strategic plans, policies or procedures to assess their compliance with the guidelines	Destroy 5 years from closure			Common Practice	Relevant Head of Service

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Public Consultation</u>					
The process of consulting the public and staff in the development of significant policies of the Local Authority	Destroy 5 years from process	<ul style="list-style-type: none"> Local Plan Representations 		Common Practice	Relevant Head of Service
The process of consulting the public and staff of minor policies of the Local Authority	Destroy 1 year from process	<ul style="list-style-type: none"> Leisure surveys 		Common Practice	Relevant Head of Service
<u>Information Management</u>					
The activity whereby standards, authorities, restraints and verifications are introduced and maintained to manage information effectively	Permanent	<ul style="list-style-type: none"> Classification schemes Registers Indexes Authorised Lists of File Headings 	Hard Copy	Common Practice	Head of Resources
The management of collections of records transferred to the archives	Permanent	<ul style="list-style-type: none"> Accession registers Depositor files 	Electronic or Hard Copy	Common Practice	Relevant Head of Service
The process that records the disposal of records	Destroy 12 years after last action	<ul style="list-style-type: none"> Disposal certificates 	Hard Copy	Common Practice	Relevant Head of Service
Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer

Corporate Policy on Document Retention and Document Management

Enquiries and Complaints

The management in summary form of enquiries and complaints directed to council	Permanent	<ul style="list-style-type: none"> • Indexes • Registers 	Electronic or Hard Copy	Common Practice	Head of Corporate Services
The management of enquiries, submissions and complaints which result in significant changes to policies or procedures	Destroy 6 years after the closure of the file	<ul style="list-style-type: none"> • Reports • Returns • Correspondence 	Electronic or Hard Copy	Common Practice	Head of Corporate Services
The management of detailed responses on council actions, policy and procedures	Destroy 6 years after administrative use is concluded	<ul style="list-style-type: none"> • Reports • Returns • Correspondence • Ombudsman 	Electronic or Hard Copy	Common Practice	Head of Corporate Services
The management of routine responses on council actions, policy or procedure	Destroy 2 years after administrative use	<ul style="list-style-type: none"> • Printed Material • Form Letters • FOI responses 	Electronic or Hard Copy	Common Practice	Head of Corporate Services

Quality and Performance management

The process of monitoring or reviewing the quality, efficiency or performance of a Local Authority service or unit	Destroy 5 years from closure	<ul style="list-style-type: none"> • Best Value Review • Service Review 			Head of Resources
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Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
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Corporate Policy on Document Retention and Document Management

The process of assessing the quality, efficiency or performance of a Local Authority service or unit	Destroy 2 years from closure	<ul style="list-style-type: none"> Assessment form 	Electronic or Hard Copy	Common Practice	Relevant Head of Service
<u>Public relations</u>					
The process of designing setting information for publication	Destroy 3 years from last action		Electronic or Hard Copy		Communications and Marketing Manager
<u>Media Relations</u>					
The process of interaction with the media	Destroy 3 years from closure				Communications and Marketing Manager
Media publications concerning Local Authorities	Permanent	<ul style="list-style-type: none"> Press cuttings Media reports 	Electronic or Hard Copy	Common Practice	Communications and Marketing Manager
<u>Marketing</u>					
The process of developing and promotion of Local Authorities' campaigns and events	Permanent		Electronic or Hard Copy		Relevant Head of Service
Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer

Corporate Policy on Document Retention and Document Management

Civical and Royal Events					
The recording of ceremonial events and civic occasions	Permanent	<ul style="list-style-type: none"> • Visitor Book • Audio Tapes • Video Tapes • Photographs • Newspaper Clippings 	Hard Copy	Common Practice	Relevant Head of Service
The process of organising a ceremonial event or civic occasion	Destroy 7 years after administrative use is concluded		Electronic or Hard copy	Common Practice	Relevant Head of Service

HOUSING:

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Housing Provisions</u>					
The registration of individual housing applications	Permanent	<ul style="list-style-type: none"> • Council Housing Register 	Hard Copy		Head of Housing
The process for applying for council housing (unsuccessful applicants)	Destroy 7 years after closure	<ul style="list-style-type: none"> • Council housing application forms and supporting material • Applications for transfer of tenancy and supporting paper 	Electronic or Hard Copy	Common Practice	Head of Housing
Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer

Corporate Policy on Document Retention and Document Management

The process for managing the tenancy of an individual tenant	Destroy 12 years after termination of tenancy	<ul style="list-style-type: none"> • Correspondence regarding tenancy • Tenancy Files • Council Housing application forms and supporting material • Application for transfer of tenancy and supporting papers • Application for emergency housing or referral from another agency 	Electronic or Hard Copy	Common Practice	Head of Housing
Information on type of housing stock required	Destroy 4 years after last action				Head of Housing
Records of sites/buildings which may be developed for Affordable housing	Permanent	<ul style="list-style-type: none"> • Plans and correspondence 	Electronic or Hard Copy	Common Practice	Head of Housing
Homeless Application Records	Destroy 4 years from the date of permanent re-housing for accepted applications, 4 years from the latest action for other applications	<ul style="list-style-type: none"> • Correspondence 	Electronic or Hard Copy	Common Practice	Head of Housing

BACK TO AGENDA

Corporate Policy on Document Retention and Document Management

LEGAL:

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Litigation:</u>					
The process of managing, undertaking or defending for or against litigation on behalf of the Local Authority	<p>Destroy 7 years after last action.</p> <p>Major Litigation – offer to archivist to review</p>	<ul style="list-style-type: none"> • Criminal Case File • Civil Case File • Correspondence 	Hard Copy	Statutory – Limitation Act	Senior Solicitor
<u>Advice:</u>					
The process of providing legal advice on a point of law	<p>Destroy 7 years after last action</p> <p>Major Precedent – offer to archivist to review</p>		Electronic or Hard Copy	Common Practice	Senior Solicitor
<u>Contracts:</u>					
Capital Contracts	Permanent		Hard Copy		Senior Solicitor
Contracts not under seal	Destroy 7 years after terms of contract have expired		Hard Copy	Common Practice	Senior Solicitor
Contracts under seal	Destroy 13 years after terms of the contract have expired		Hard Copy	Common Practice	Senior Solicitor
Non –contractual agreements	Destroy 7 years after agreement expires or is terminated	<ul style="list-style-type: none"> • Concordant 	Hard Copy	Common Practice	Senior Solicitor
Contract Register	Permanent		Hard Copy		

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
Contract Documents	7 years after last date of expiry of the contracts	<ul style="list-style-type: none"> • Funding applications • Grant offer letters • Beneficiary data 	Hard Copy	Common Practice	Senior Solicitor
<u>Conveyance:</u>					
The process of changing ownership of land and property	Destroy 12 years after closure		Electronic or Hard Copy		Senior Solicitor
Leases	Permanent		Hard Copy		Senior Solicitor
Licences	Permanent		Hard Copy		Senior Solicitor
Easements	Permanent		Hard Copy		Senior Solicitor
Unregistered Title Documents	Permanent		Hard Copy		Senior Solicitor
Land Charge searches	Destroy after 6 years		Electronic or Hard Copy	Local Land charges Act 1975	Senior Solicitor
<u>Footpath Closure:</u>					
Footpath diversion Order	Permanent		Hard Copy	Statutory	Senior Solicitor
Footpath diversion files	Destroy 6 years after date of confirmation of Order		Electronic or Hard Copy	Common Practice	Senior Solicitor
<u>s.106 Agreements:</u>					
S.106 Agreement	Permanent		Hard Copy	Statutory	Senior Solicitor
S.106 legal file	Destroy 12 years after date of Agreement		Electronic or Hard Copy	Common Practice	Senior Solicitor

Corporate Policy on Document Retention and Document Management

PROCUREMENT

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
The process involved in the development and specification of a contract	<u>Ordinary Contracts</u> Destroy 7 years after the terms of contract have expired <u>Contracts under Seal</u> Destroy 13 years after the terms of contract have expired	<ul style="list-style-type: none"> • Tender Specification • Correspondence 	Electronic or Hard Copy	Statutory	Relevant Head of Service
The process of calling for expressions of Interest	Destroy 12 years after closure	<ul style="list-style-type: none"> • Expressions of Interest 	Electronic or Hard Copy	Common Practice	Relevant Head of Service
The process involved in the issuing and return of a tender	Destroy 1 year after start of contract	<ul style="list-style-type: none"> • Opening notice • Tender envelope • Unsuccessful tender documentation 	Hard Copy	Common Practice	Relevant Head of Service
Summary tender evaluation criteria	<u>Ordinary Contracts</u> Destroy 7 years after the terms of contract have expired <u>Contracts under Seal</u> Destroy 13 years after the terms of contract have expired	<ul style="list-style-type: none"> • Evaluation criteria 	Electronic or Hard Copy	Statutory	Relevant Head of Service

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
Successful tender document	<u>Ordinary Contracts</u> Destroy 7 years after the terms of contract have expired <u>Contracts under Seal</u> Destroy 13 years after the terms of contract have expired		Electronic or Hard Copy	Common Practice	Relevant Head of Service
Purchase Requisitions	Destroy after 7 years		Hard Copy	Common Practice	Relevant Head of Service
Approved list of Contractors	Destroy after 5 years		Electronic or Hard Copy	Common Practice	Relevant Head of Service
Delivery Notes	Destroy after 2 years		Hard Copy	Common Practice	Relevant Head of Service
Goods Received Notes	Destroy after 2 years		Hard Copy	Common Practice	Relevant Head of Service
Invoices	Destroy after 7 years		Hard Copy	Statutory	Relevant Head of Service
Evidence of Payments of EU Grants	Destroy after 30 years		Hard Copy	Statutory	Relevant Head of Service
Official Orders	Destroy after 3 years		Hard Copy	Statutory	Relevant Head of Service

Corporate Policy on Document Retention and Document Management

HUMAN RESOURCES:

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Personal Administration</u>					
Summary management systems that record the monitoring and management of employees	Permanent	<ul style="list-style-type: none"> • Employment Registers for permanent, temporary or casual staff • Registers of personal files • Superannuation History • Personal History Cards 	Electronic or Hard Copy	Common Practice	Human Resources Manager
<p>Note: The summary information that this record class attempts to capture is:-</p> <p>Name DOB Date of appointment Work history details Position/designation Titles & dates held</p>					
The process of administering employees to ensure that entitlements and obligations are in accordance with agreed employment requirements.		Personal File Data: <ul style="list-style-type: none"> • Application Form/CV • Letter of Appointment • Letter of Acceptance • Acceptance Form • Medical clearance 	Electronic or Hard Copy	Common Practice	Human Resources Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<ul style="list-style-type: none"> Records containing superannuating information 	Destroy 7 years from date of last pension payment or 7 years from the date of termination of employment if non-pension contributor	<ul style="list-style-type: none"> Statement of particulars Induction Checklist Starters form Job Description Job Consultation Educational qualifications Declaration of interests Training records 			
<ul style="list-style-type: none"> Personal employment record (staff working with children or vulnerable adults, and high risk groups) 	Destroy 25 years from the date of termination of employment				
<ul style="list-style-type: none"> DBS/CRB Application Forms 	Destroy 6 months after disclosure application response from DBS/CRB				
<ul style="list-style-type: none"> Equal Opportunity Monitoring forms 	6 months then forms destroyed for unsuccessful applicants				
Salary Records	7 years from end of financial year	<ul style="list-style-type: none"> Wage, overtime, additional hours payments 			
All other records	Destroy after 7 years				Human Resources Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Employment and Industrial Relations</u>					
Identification and development of significant directions concerning industrial matters	Permanent. Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> Generic Agreements (White, Green & Purple books) Negotiations/Consultations Disputes Claims lodged by Unions Locally Agreed Procedures (Disciplinary/Grievance etc.) 	Electronic or Hard Copy	Common Practice	Human Resources Manager
Liaison processes of minor and routine industrial matters	Destroy 2 years after administrative use is concluded	<ul style="list-style-type: none"> Daily Industrial Relations Management E.g. new/updates to policies, flexible working, internet at work policy. 	Hard Copy	Common Practice	Human Resources Manager
Processing of Investigations where proved: <ul style="list-style-type: none"> Disciplinary issues 	<p>Oral Warning – 6 months.</p> <p>Written and final Warning – 1 year</p> <p>The above warnings to be removed and destroyed after the relevant time has ‘spent’.</p> <p>Warnings involving Children – Placed on personal file – Permanently</p>	<ul style="list-style-type: none"> Minutes of meetings Investigation reports Letter – formal notification of warning 	Hard Copy		Human Resources Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<ul style="list-style-type: none"> Grievance issues Dignity at work issues 	Destroy 7 years from the date of last pension payment or from date of termination of employment if non pension				Human Resources Manager
Processing Investigations which were unfounded: Disciplinary, Grievance and Dignity at Work Issues	Destroy immediately after the date for appeal	<ul style="list-style-type: none"> Disciplinary, Grievance and Dignity at Work Investigation Reports, witness statements, letters, minutes of hearing etc. 	Hard Copy	Common Practice	Human Resources Manager
<u>Equalities</u>					
The process of Investigation and reporting on specific cases to ensure that entitlements and obligations are in accordance with agreed Equalities policies	<p>Where <u>founded</u> destroy 6 years from the date of last pension payment or from the date of termination of employment if non-pension contributor</p> <p>Where <u>unfounded</u> destroy 6 months after final decision</p>			Common Practice	Human Resources Manager
<u>Occupation Health</u>					
The process of checking and ensuring the health of staff	These are treated as 'live' for current employees and are destroyed 50 years after termination	<ul style="list-style-type: none"> Health questionnaires Medical clearance Adjustment to work place Restrictions 	Electronic or Hard Copy	Common Practice	Human Resources Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
Recruitment					
The selection of an individual for an established position	Destroy 1 year after recruitment has been finalised. Relevant documents will be placed on the successful candidates personal file	<ul style="list-style-type: none"> • Advertisements • Application forms • Interview notes and any referee reports for unsuccessful applicants 	Electronic or Hard Copy	Common Practice	Human Resources Manager
'On Spec' Applications	Letters of reply are retained for 6 months only. CV is returned or destroyed	<ul style="list-style-type: none"> • CVs • Generic application forms • Letters of enquiry 			
Staff Monitoring					
Performance	Destroy 7 years from the date of termination of employment	<ul style="list-style-type: none"> • Probation reports • Performance Management records, plans and appraisals • Equality Information 	Electronic or Hard Copy		Human Resources Manager
Process of monitoring staff leave and attendance	Retain in employment file	<ul style="list-style-type: none"> • Sick Leave • Authorised absence records e.g. jury service, study leave, special leave 	Electronic or Hard Copy	Common Practice	Human Resources Manager
	Destroy 2 years after last action completed	<ul style="list-style-type: none"> • Flexitime sheets • Annual leave cards • Time Sheets 			

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Staff Retention</u>					
Financial Reward	Destroy 7 years after action completed	<ul style="list-style-type: none"> • Loyalty Payments • Long Service awards 	Hard Copy		Human Resources Manager
Other strategy	Destroy 3 years after action completed				Human Resources Manager
<u>Termination</u>					
The process of termination of staff through voluntary redundancy, dismissal and retirement	Destroy 7 years after termination If a pension is paid then records should be destroyed 7 years after last pension payment	<ul style="list-style-type: none"> • Resignation • Redundancy • Dismissal • Death • Retirement 	Hard Copy		Human Resources Manager
Car loans	Permanent		Hard Copy		Human Resources Manager
Car Leases	Held for one year after leaving and seven years after the terms of the agreement have expired				Human Resources Manager
<u>Training and Development</u>					
Routine Staff training process	Destroy 3 years after action	<ul style="list-style-type: none"> • Course bookings • Individual staff assessment of course attended • Any training materials 	Electronic or Hard Copy	Common Practice	Human Resources Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
Training (occupational health and safety training)	Destroy 50 years after training completed.	<ul style="list-style-type: none"> E.g. RIDDOR, COSHH 	Electronic or Hard Copy		Human Resources Manager
	Individual course assessment records should be destroyed once the training has been renewed every 3 years	<ul style="list-style-type: none"> Driver assessment Manual handling 	Hard Copy		
Training – Proof of completion	Retain in employment file	<ul style="list-style-type: none"> Training log Skills log Certificates Awards Exam results 	Electronic or Hard Copy		Human Resources Manager
<u>Appointment of Statutory Officers</u>					
Summary management systems that allow the monitoring and management of statutory officers in summary form	Permanent			Statutory Officers: Head of Paid Service Chief Finance Officer Monitoring Officer	Human Resources Manager
The process of selection of an individual for a statutory position	Destroy 2 years after date of appointment	<ul style="list-style-type: none"> Vacancies and Application records Interview notes Prospective staff records Registers of applicant Unsuccessful application records 			Human Resources Manager

Corporate Policy on Document Retention and Document Management

FINANCIAL MANAGEMENT:

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Accounts and Audits</u>					
The process that consolidates financial transactions on an annual basis for corporate and reporting purposes	Permanent	<ul style="list-style-type: none"> • Consolidated Annual Reports • Consolidated Financial statements • Statement of Financial Position • Operating Statements • General Ledger • Cash Flow Statements 	Hard Copy and Electronic	Common Practice	Head of Resources
Working Papers for the consolidated financial statements	Destroy after 7 years	<ul style="list-style-type: none"> • End of Year debtor/creditor listings • End of Year bank reconciliation 	Hard Copy or Electronic		
The process that supports and consolidates financial transactions on a periodic (less than annual) basis, superseding those from the previous period. Does not include subsidiary ledgers and cash books	Destroy when administrative use is concluded	<ul style="list-style-type: none"> • Consolidated Monthly and Quarterly Reports • Consolidated Monthly and Quarterly financial statements • Monthly Accrual Statements • Creditor Listings and Reports • Debtor Listing and Reports 	Hard Copy and Electronic	Common Practice	Head of Resources
<u>Financial Transaction Management</u>					
Management of the approvals process for purchase, including investigations	Destroy 7 years after the end of the financial year in which the records were created	<ul style="list-style-type: none"> • Appointments and Delegations • Audit Investigations • Arrangements for the Provision of Goods and/or Services 	Electronic or Hard Copy	Statutory	Head of Resources

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
Identification of the receipt, expenditure and write offs of public moneys	Destroy 7 years after the conclusion of the financial transaction that the record supports	<ul style="list-style-type: none"> • Allowances • Work Orders • Invoices • Credit Card Statements • Cash Books • Receipts • Cheque Counterfoils • Bank Statements • Subsidiary Ledgers (Annual) • Journals (Annual) • Vouchers 	Hard Copy or Electronic	Statutory	Head of Resources
The process of involving the provision and support for individuals using public transportation	Destroy 6 years after the conclusion of the financial transaction that the record supports	<ul style="list-style-type: none"> • Applications • Card issues • Rail Warrants 	Hard Copy	Statutory	Relevant Head of Service
The processes that balance and reconcile financial accounts	Destroy 7 years after the administrative use is concluded	<ul style="list-style-type: none"> • Reconciliation • Summaries of Accounts 	Hard Copy	Common Practice	Head of Resources
Taxation Records	Destroy 5 years after the end of the financial year in which the record was created	<ul style="list-style-type: none"> • Taxation records • Motor vehicle logs • Group Certificates • VAT Records 	Hard Copy	Statutory	Head of Resources
The processes involved in the collection of National Insurance Numbers	Destroy 2 years after the employee ceases employment	<ul style="list-style-type: none"> • Notification and input Records 	Electronic or Hard Copy	Common Practice	Head of Resources

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Payroll</u>					
Accountable processes relating to payment of employees	Destroy 7 years after the conclusion of the financial transaction that the record supports	<ul style="list-style-type: none"> • Authority Sheets • Payroll Deduction Authorities • Payroll Disbursement • Employee Pay records • Employee Taxation Records 	Electronic or Hard Copy	Statutory	Head of Resources
Non-Accountable processes relating to payment of employees	Destroy after administrative use is concluded	<ul style="list-style-type: none"> • Summary Pay records 	Electronic or Hard Copy	Common Practice	Head of Resources
<u>Financial Provisions</u>					
The process of finalising Local Authorities' Annual Budget	Permanent	<ul style="list-style-type: none"> • Annual Budget 	Electronic or Hard Copy	Common Practice	Head of Resources
The process of developing Local Authorities' Annual Budget	Destroy 7 years after Annual Budget adopted by Local Authority	<ul style="list-style-type: none"> • Draft Budgets • Departmental Budgets • Draft Estimates 	Electronic or Hard Copy	Common Practice	Head of Resources
The process of reporting which examines the budget in relation to actual revenue and expenditure	Destroy 3 years after the relevant financial year	<ul style="list-style-type: none"> • Quarterly Statements 	Hard Copy	Common Practice	Head of Resources
The activity of borrowing money to enable Local Authorities to perform its functions and exercise its powers	Destroy 7 years after the loan has been repaid	<ul style="list-style-type: none"> • Loan files 	Hard Copy	Statutory	Head of Resources

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
Summary management of loans	Permanent	<ul style="list-style-type: none"> • Loan Registers 	Electronic or Hard Copy	Common Practice	Head of Resources
Housing					
Mortgages	Last payment +7 years if signed Last payment + 13 years if sealed	<ul style="list-style-type: none"> • Mortgage agreements • Correspondence 		Statutory	Head of Resources
“Right to Buy”	Destroy 12 years after sale of house	<ul style="list-style-type: none"> • Sale documents • Agreements concerning sale 	Hard Copy	Common Practice	Head of Housing
Rent Payments	Destroy 7 years after the end of the financial year in which created	<ul style="list-style-type: none"> • Rent books • Correspondence concerning payment • Requests for payment 	Electronic or Hard Copy	Statutory	Head of Housing/Head of Resources
Home improvement Grants	Destroy 1 year after the end of the grant condition period or 6 years after the last payment whichever comes first Where plans and detailed drawings are included, with the permission of the applicant, offer to Archivist	<ul style="list-style-type: none"> • Agreement to pay loan • Details of payment • Correspondence relating to loan 	Electronic or Hard Copy	Statutory	Head of Housing/Head of Resources
The banding of domestic properties for the purpose of calculating the tax base and levying Council Tax	Valuation Lists – Permanent	<ul style="list-style-type: none"> • Valuation Lists 	Electronic or Hard Copy	Common Practice	Head of Resources

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
	Destroy 7 years after the end of the financial year it was created	<ul style="list-style-type: none"> • Correspondence • Appeals • Reports 			
<u>Non Domestic Rating List</u>					
The valuation of non-domestic hereditaments for the purpose of levying non domestic rates	Destroy 7 years after the end of the financial year in which it was created	<ul style="list-style-type: none"> • Valuation List • Correspondence • Appeals • Reports 	Electronic or Hard Copy	Common Practice	Head of Resources
<u>Council Tax and Non Domestic Rates</u>					
The activity of corresponding with Council Tax Payers in relation to the collection, administration and recovery of Council Tax and Non Domestic Rates	Destroy 7 years after last action	<ul style="list-style-type: none"> • Notices • Correspondence • Appeals • Rate Certificates • Changes of Occupancy • Recovery action 	Hard Copy	Common Practice	Benefits Manager
<u>Benefits</u>					
The administration assessment and payment of housing and Council Tax benefit	Destroy 7 years after the end of the financial year in which it was created	<ul style="list-style-type: none"> • Benefit application forms • Change of circumstance • Proof of income/capital • Appeals • Overpayment recovery • Subsidy • Claims and returns 	Electronic or Hard Copy	Common Practice	Benefits Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Summary Assets Management</u>					
The summary management reporting on the overall assets of the Local Authority	Permanent	<ul style="list-style-type: none"> • Schedules and Acquisitions • Consolidated Current Asset Reports • Annual Reports • Summary of Current Assets • Asset Registers 	Hard Copy or Electronic	Common Practice	Estates and Facilities Manager
<u>Asset Monitoring and Maintenance</u>					
Management systems that allow the monitoring and management of assets in summary form	Destroy 7 years after the conclusion of the financial transaction that the record supports	<ul style="list-style-type: none"> • Subsidiary Asset Register 	Hard Copy	Common Practice	Head of Resources
The process of reporting and reviewing assets status	Destroy 5 years after administrative use is concluded	<ul style="list-style-type: none"> • Routine Returns and Reports on Asset status • Inventories • Stocktaking • Surveys of usage • Acquisition and Disposal Reports and Proposals 	Hard Copy or Electronic	Common Practice	Head of Resources
The process of maintaining assets	Destroy 7 years after last action	<ul style="list-style-type: none"> • Garden Maintenance • Cleaning • Painting 	Hard Copy or Electronic	Common Practice	Estates and Facilities Manager
The process of maintaining plant and equipment	Destroy 2 years after sale or disposal of asset	<ul style="list-style-type: none"> • Service Records • Plant files 	Hard Copy or Electronic	Common Practice	Estates and Facilities Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Asset Acquisition and Disposal</u>					
Management of the acquisition (by financial lease or purchase) and disposal (by sale or write off) process for assets	<p><u>Assets over £50,000</u> Destroy 12 years after all obligations/entitlements are concluded.</p> <p><u>Assets under £50,000</u> Destroy 6 years after all obligations/entitlements are concluded</p>	<ul style="list-style-type: none"> • Legal documents relating to the purchase/sale • Particulars of sale documents • Board of Survey • Leases • Application for Leases, Licences and Rental Revision • Tender Documents • Conditions of Contract • Certificates of Approval 	Hard Copy	Statutory	Estates and Facilities Manager

PROPERTY AND LAND MANAGEMENT

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Property and Land Management</u>					
Reports to management on overall property of the Local Authority	Permanent	<ul style="list-style-type: none"> • Consolidated Property and Buildings Annual Reports • Summary of Local Authorities Owned Property • Site Register • Register of Leases 	Hard Copy	Common Practice	Estates and Facilities Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Property Acquisition and Disposal</u>					
Management of acquisition (by financial lease or purchase) process for real property	<u>Assets over £50,000</u> Destroy 13 years after all obligations/entitlements are concluded.		Electronic or Hard Copy	Common Practice	Estates and Facilities Manager
	<u>Assets under £50,000</u> Destroy 7 years after all obligations/entitlements are concluded				
Management of the disposals (by sale or write off) process for real property	<u>Assets over £50,000</u> Destroy 13 years after all obligations/entitlements are concluded.	<ul style="list-style-type: none"> • Legal documents relating to the sale • Particulars of sale Document • Board of Survey • Tender Documents • Conditions of Contract 	Hard Copy	Common Practice	Estates and Facilities Manager
	<u>Assets under £50,000</u> Destroy 6 years after all obligations/entitlements are concluded				
<u>Property Development and Renovation</u>					
Management <ul style="list-style-type: none"> • Buildings and estates of “special Interest” 	Permanent	<ul style="list-style-type: none"> • Project specifications • Plans • Installation Manuals • Certificates of Approval 	Hard Copy	Common Practice	Estates and Facilities Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
Management <ul style="list-style-type: none"> All other buildings and estates 	Retain for life of property or building	<ul style="list-style-type: none"> Project Specifications Plans Installation Manuals Certificates of Approval 	Electronic or Hard Copy	Common Practice	Estates and Facilities Manager
The action process involved in the development and renovation of property	Destroy 7 years after the conclusion of the transaction that record supports	<ul style="list-style-type: none"> Work orders Tender documents Conditions of Contracts 	Electronic or Hard Copy	Common Practice	Estates and Facilities Manager
<u>Leasing and Occupancy</u>					
The process of managing leased property	Destroy 15 years after the expiry of the Lease	<ul style="list-style-type: none"> Lease Agreements Rental Expenditure Authorities Valuation Queries Application of Leases, Licences and Rental Revision 	Electronic or Hard Copy	Common Practice	Estates and Facilities Manager
The process of managing the occupancy of property	Destroy 7 years after the conclusion of the transaction that the record supports	<ul style="list-style-type: none"> Requests for works, cleaning etc. 	Electronic or Hard Copy	Common Practice	Estates and Facilities Manager
<u>Housing Provision</u>					
The process of managing Local Authority Housing Estates	Destroy 4 years after last action	<ul style="list-style-type: none"> Stock monitoring records 	Electronic or Hard Copy	Common Practice	Head of Housing
<u>Systems Management</u>					
The internal process to develop and extend the capabilities of a system used to support the activities of the	Retain for the life of system				Relevant Head of Service

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
Local Authority					
The process to implement a system used to support the activities of the local authority	Destroy 7 years after last action	<ul style="list-style-type: none"> • Implementation Plan 			Relevant Head of Service
The process to support and administer a system used to support the activities of the Local authority	Destroy 5 years after the last action				Relevant Head of Service
<u>Transport Management</u>					
The process of acquisition and disposal of vehicles through lease or purchase	Destroy 7 years after the disposal of the vehicle	<ul style="list-style-type: none"> • Lease • Contracts • Quotes • Approvals • Fleet Authorisation Numbers 	Hard Copy	Common Practice	Relevant Head of Service
The process of managing allocations and maintenance of vehicles	Destroy 7 years after the sale or disposal of the vehicle	<ul style="list-style-type: none"> • Approvals as Drivers • Allocations and Authorisations for vehicles • Maintenance 	Hard Copy	Common Practice	Relevant Head of Service
The process of recording vehicle usage	Destroy 3 years after the sale or disposal of the vehicle	<ul style="list-style-type: none"> • Vehicle usage reports 	Hard Copy	Statutory	Relevant Head of Service
The process of recording driver's usage	Destroy 7 years after closure	<ul style="list-style-type: none"> • Vehicle log book 	Hard Copy	Statutory	Relevant Head of Service

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Insurance</u>					
The summary management of insurance arrangements	Permanent	<ul style="list-style-type: none"> Insurance Registration Public and Employers Liability certificates 	Electronic or Hard Copy	Common Practice	Head of Resources
The process of insuring Local Authority officers, property, vehicles and equipment against negligence, loss or damage	Destroy 7 years after the terms of the policy have expired	<ul style="list-style-type: none"> Insurance Policies Correspondence 	Electronic or Hard Copy		Head of Resources
The process of renewing policies	Destroy 7 years after the insurance policy has been renewed	<ul style="list-style-type: none"> Insurance Policy Renewal Records Correspondence 	Electronic or Hard Copy		Head of Resources
<u>Claims Management</u>					
The process that records insurance claims against Local Authority or Local Authorities offices	Destroy 7 years after all obligations/ entitlements are concluded (allowing for the claimant to reach 25 years of age)	<ul style="list-style-type: none"> Claims records Correspondence 	Hard Copy	Common Practice	Head of Resources

Corporate Policy on Document Retention and Document Management

GENERAL PUBLIC SERVICES

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Inspections and Assessments</u>					
The process of inspecting equipment to ensure it is safe	Destroy 6 years from the destruction of the equipment	<ul style="list-style-type: none"> Equipment Inspection Records 	Electronic or Hard Copy	Statutory	Estates and Facilities Manager
Documentation regarding inspections made on establishments concerning food hygiene	Destroy 7 years after inspection	<ul style="list-style-type: none"> Food Standards Inspection Forms 	Hard Copy	Common Practice	Principal Environmental Health officer
The process of carrying out monitoring to ensure it is safe	Destroy 4 years after last action	<ul style="list-style-type: none"> Monitoring results 	Hard Copy	Statutory	Head of Relevant Service
The process of monitoring of areas where employees and persons are likely to have become in contact with asbestos	Destroy 50 years from last action or at age 75 years whichever is greater	<ul style="list-style-type: none"> Property asbestos files Asbestos register 	Electronic or Hard Copy	Statutory	Estates and Facilities Manager
The process of monitoring of areas where employees and persons are likely to have come in contact with radiation	Destroy 40 years from last action	<ul style="list-style-type: none"> Radiation monitoring 	Electronic or Hard Copy	Statutory	Estates and Facilities Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
The process to assess the level of risk	Destroy 4 years from assessment	<ul style="list-style-type: none"> Risk Assessment 	Hard Copy	Statutory	Relevant Head of Service
The process that records injuries to adults	Destroy 4 years from closure	<ul style="list-style-type: none"> Accident books 	Hard Copy	Statutory	Relevant Head of Service
Enforcement Certification					
The administration of applications, registration, certification and licences in relation to Local Authorities registration requirements	Destroy 2 years after registration on entitlement elapses	<ul style="list-style-type: none"> Applications for Animal Registration Applications for registration of a business premises Application for release of animals impounded Registers Certificates of Registration Animal movement licenses Gaming Fire certification Disabled parking permits Registration to sell poison 	Electronic or Hard Copy	Statutory	Licensing Manager
The process involved in licensing sites for the holding or use of toxic or hazardous substances (Inc. petroleum, agricultural chemical products or herbicides)	Permanent	<ul style="list-style-type: none"> Diesel Licenses Petroleum Licenses Health and Safety Licenses Hazardous substances Contamination land/ pollution registers 	Electronic or Hard Copy	Common Practice	Licensing Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
The administration of applications for Hackney Carriage and Private Hire vehicles	3 years DBS records to be destroyed 6 months after decision	<ul style="list-style-type: none"> Application file DBS records 	Electronic or Hard Copy	Common Practice	Licensing Manager
The administration of applications for Premises and Personal Licences	Destroy when no longer valid	<ul style="list-style-type: none"> Application file Licence 	Electronic or Hard Copy	Common Practice	Licensing Manager
<u>Notification</u>					
The process of issuing notices to citizens with respect to particular responsibility	Destroy 2 years after the notice has expired	<ul style="list-style-type: none"> Fire prevention notices Fire prevention infringement notices Objections to notices Appeals against notices Registration of premises infringement notices Animal impounding notices Noise abatement notices 	Hard Copy	Common Practice	Relevant Head of Service
<u>Investigating, Inspection and Monitoring</u>					
The process of investigation, monitoring of inspection laws in the responsibility of the local authority	Destroy 7 years after last action				Relevant Head of Service

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Cemeteries and Crematoria</u>					
Summary management systems that record the location and occupancy of deceased individuals	Permanent	<ul style="list-style-type: none"> • Internment Register • Lair Register • Lair Plans 	Hard Copy	Common Practice	Relevant Head of Service
The process of regulation of burials and cremations	Destroy 5 years after last action	<ul style="list-style-type: none"> • Permits • Applications • Orders 	Electronic/ Hard Copy	Common Practice	Relevant Head of Service
<u>Waste Management</u>					
The process of arranging the collection or transportation of household waste	Destroy 2 years after last action		Electronic/ Hard Copy	Common Practice	Head of Environmental Services
The process of arranging the collection or transportation of controlled waste	Destroy 6 years after last action		Electronic/ Hard Copy	Common Practice	Head of Environmental Services

Corporate Policy on Document Retention and Document Management

PLANNING AND LAND USE:

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Planning Scheme Development and Amendment</u>					
The activity of developing a vision and strategic direction regarding existing and future land within the municipality and the future development of local and town centre plans	Permanent until Plan is superseded.	<ul style="list-style-type: none"> • Local Plan • Local Development Framework • Consultation Strategy • Action Area Plan 	Hard Copy	Common Practice	Policy Manager
The activity of consultation to gain approval for the Local Plan.	Destroy 15 years after decision. Offer controversial or high profile schemes to archivist.	<ul style="list-style-type: none"> • Consultation • Documents and replies • Inquiries and objections made by members of the public • Public Inquiry documents 	Electronic or Hard Copy	Common Practice	Policy Manager
The activity of recording information on historical buildings, monuments and ecology at a specific site.	Permanent	<ul style="list-style-type: none"> • Sites and Monuments records • Ecological records • Species records • Historically listed buildings • Definitive Map • Commons registration 	Electronic or Hard Copy	Common Practice	Policy Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
The activity of establishing planning scheme controls and providing for them to be amended	Destroy when succeeding surveys undertaken	<ul style="list-style-type: none"> Land use surveys 	Electronic or Hard Copy	Common Practice	Policy Manager
The process of receiving, considering and responding to submissions and objections to planning schemes and amendments	Destroy 15 years after decision. Offer controversial or high profile schemes to archivist	<ul style="list-style-type: none"> Application consultation Objections Inquiries – Public etc. Archaeological advice/conditions 	Electronic or Hard Copy	Common Practice	Policy Manager
The process of controlling development of areas through applications for planning permission	Permanent	<ul style="list-style-type: none"> Application consultation Documents and replies enquires and objections made by members of the public Public Inquiry documents 	Electronic or Hard Copy	Common Practice	Development Manager
The process of controlling development of areas through applications for planning permission	Permanent	<ul style="list-style-type: none"> Planning application files and Plans Correspondence relating to any objections Hearing papers Planning application register 	Electronic or Hard Copy	Common Practice	Development Manager
The process of maintaining the countryside and developing open spaces for public amenities	Destroy files 7 years after administrative use is concluded. Refer all files relating to policy to the archivist	<ul style="list-style-type: none"> Country parks and nature reserve development plans and correspondence. Land purchase agreements 	Electronic or Hard Copy	Common Practice	Corporate Director

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
<u>Planning Enforcement</u>					
Tree Preservation Orders	Permanent	<ul style="list-style-type: none"> • Tree Preservation Orders 	Hard Copy	Statutory	Development Manager
Planning Enforcement Investigations	Permanent	<ul style="list-style-type: none"> • Planning Enforcement Notices • Breach of Condition Notices • Stop Notices • Register of Planning Enforcement 	Hard Copy	Statutory	Development Manager
<u>Planning Scheme Regulation</u>					
The summary management of planning scheme regulation	Permanent	<ul style="list-style-type: none"> • Building Control Registers 	Hard Copy	Common Practice	Building Control Manager
The process of approving building applications in relation to listed or other significant buildings.	Permanent	<ul style="list-style-type: none"> • Building files • Plans • Specifications • Correspondence • Applications • Permits • Certificates 	Electronic or Hard Copy	Common Practice	Building Control Manager
The process of approving building applications for all other buildings	Destroy 15 years after construction complete	<ul style="list-style-type: none"> • Building files • Plans • Specifications • Correspondence • Applications • Permits • Certificates • Objections 	Electronic or Hard Copy	Common Practice	Building Control Manager

Corporate Policy on Document Retention and Document Management

Functional Description	Retention Action	Examples of Records	Format	Notes	Responsible Officer
The process of inspecting building work for the purpose of ensuring compliance	Destroy 10 years after the issue of a certificate of final inspection	<ul style="list-style-type: none"> • Certificate of Final Inspection • Building Inspection Records • Diaries 	Hard Copy	Common Practice	Building Control Manager
The process of enforcing building or land regulations	Destroy 3 year after compliance with Enforcement Notice		Electronic or Hard Copy	Common Practice	Building Control Manager
<u>Planning and Development</u>					
The process of receiving, considering and responding to submissions and objections to planning schemes and amendments	Destroy 15 years after decision. Offer controversial or high profile schemes to the archivist	<ul style="list-style-type: none"> • Enquiries • Consultation documents • Objections • Correspondence 	Electronic or Hard Copy	Common Practice	Development Manager
The process of enforcing infrastructure and transport regulations	Destroy 3 years after compliance with enforcement notice		Electronic or Hard Copy	Common Practice	Development Manager

APPENDIX 1: RECORD DISPOSAL CERTIFICATES

1. Background:

Disposal certificates enable the Council to confirm to external enquirers that records have been disposed of in line with corporate policies and procedures. They also help to defend the Council in the event of allegations that the Council has breached Section 77 of the Freedom of Information Act 2000 (a charge relating to deliberately destroying records pertaining to a current FOI enquiry).

They also provide a safety check which can enable managers to confirm that records can be destroyed and that they are not part of any current investigations or projects.

Disposal certificates work alongside retention schedules as confirmation that a consistent approach has been taken to the disposal of records.

2. Information which should be recorded in a disposal certificate:

A template for a records disposal certificate is available below. Information recorded should include a description and date range of the records disposed of; the quantity of records disposed of; the rationale behind the disposal (i.e. beyond retention period); whether there were any accesses to information or confidentially issues with the records; and who authorised the records for disposal.

In most instances disposal certificates should not be completed for individual records. They should instead provide summary information on the group of records being disposed of (i.e. correspondence from 2014/5)

3. Authorisation of the final destruction of Derbyshire Dales District Council Records:

At least two people must sign a disposal certificate with reason for destruction e.g. end of retention period. One of the two should be the member of staff with responsibility for records/information management. The second is normally the first person's line manager.

Records should be disposed of in line with agreed retention schedules that have been approved by senior management and by using a method appropriate to the confidential/sensitive status of the record.

4. What can be done to ensure that the process of implementing disposal decisions is consistent and compatible with legislative requirements?

General advice on legal requirements for records management is available at: <http://www.nationalarchives.gov.uk/information-management/legislation-and-regulations.htm>.

Information about recent legislation is also available at <http://www.legislation.gov.uk/> and in addition, the Council's legal department will be able to give advice on current legislation.

Compliance with the Council's Retention Policy and procedures will ensure consistent decision-making processes and documentation.

Corporate Policy on Document Retention and Document Management



RECORD DISPOSAL CERTIFICATE

1. Origin

Directorate / Department	
Service Area	

2. Record(s)

Record Title <i>(i.e. Private Hire and Hackney Carriage Licensing Application Files 2000-2004)</i>					
Further information <i>(i.e. Reference/Box number)</i>					
Covering Dates					
Quantity <i>(i.e. 3 boxes)</i>					
Format <i>(i.e. paper, electronic, microfilm...)</i>					
Reason for Disposal					
Destruction Date/Retention Schedule Reference					
Disposal Method <i>(i.e. in-house shredding)</i>		Confidential?	<input type="checkbox"/>	Non Confidential?	<input type="checkbox"/>

Corporate Policy on Document Retention and Document Management



3. Status

Active FOI?		Active EIR?		Active DP?		Active Legal?	
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If the answer to any of these questions is yes please contact the Legal Team for guidance

4. Authorisation for Disposal

Name		
Job Title		
Date		
Signature		

5. Confirmation of Disposal

Name	
Date	
Signature	

Please retain a copy of this certificate for your records

BACK TO AGENDA

GOVERNANCE & RESOURCES COMMITTEE
7 JANUARY 2016

Report of the Head of Corporate Services

FREEDOM OF INFORMATION PUBLICATION SCHEME

SUMMARY

This report seeks approval of a revised Freedom of Information Publication Scheme

RECOMMENDATION

That the Derbyshire Dales District Council Freedom of Information Publication Scheme be adopted.

WARDS AFFECTED

All

STRATEGIC LINK

The Publication Scheme is a statutory requirement which aims to provide a guide to the information the Council publishes or intends to publish in the future.

1 BACKGROUND

- 1.1 The Council must have in place a framework for responding to requests for information and also a policy and procedure for handling personal data. As well as responding to requests for information, the Council has a statutory obligation to publish and maintain a publication scheme, which has to be produced using a template provided by the Information Commissioners Office.
- 1.2 The original Publication Scheme was adopted by the Council in 2005. Since then the number of FOI requests has risen from 185 to 514 and it is in the Council's interest to try to achieve a balance in the amount of information available without request, to mitigate the need for new requests for information, which can increase the administrative burden to the Council. In these particularly challenging times, proactive disclosure may also help the public to understand the tough choices the District Council has to make.

2 REPORT

- 2.1 The Publication Scheme is published on the website and aims to make information readily available to the public without the need for specific written requests, thereby saving time and effort. A review of Scheme has been undertaken to ensure that the Council is meeting its statutory obligations and to demonstrate its approach is as open and transparent in the way it conducts its business.
- 2.2 The scheme must set out the Council's commitment to make certain classes of information routinely available, such as policies and procedures, minutes of meetings, annual reports and financial information. The information the Council releases in accordance with the publication scheme represents the minimum the Council must disclose.
- 2.3 The revised scheme attached at Appendix 1.
- 2.4 The Council has devoted significant time and resources to developing, monitoring, revising and improving its FOI Database; the publication scheme will work hand in hand with the new FOI database. The Publication Scheme will provide the public with a clear idea of what information is available in a structured and consistent manner. It classifies the information by type and provides details on how to obtain it; it will also include frequently asked questions which may mitigate the need for someone to trigger a new request.

Where the information is not readily available and an FOI request is submitted the new FOI database has the facility to monitor the time taken to process the request. If the request approaches the expiry date for a response a reminder is sent to the responder and the Head of Service to ensure deadlines are met thus preventing complaints but also providing accountability. A reporting format is also being explored to enable FOI requests and responses to be made available on the website.

3. RISK ASSESSMENT

3.1 Legal

There are no legal implications arising directly from this report. In general terms the Council's has a statutory obligation to publish and maintain a Freedom of Information Publication Scheme under the Freedom of Information Act 2000.

3.2 Financial

There are no financial considerations arising from the report.

4. OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5. CONTACT INFORMATION

Caroline Leatherday, Business Support Manager, Telephone 01629 761105
Or email: caroline.leatherday@derbyshiredales.gov.uk

6. BACKGROUND PAPERS

None

7. ATTACHMENTS

Appendix 1 - Freedom of Information Publication Scheme

BACK TO AGENDA



Freedom of Information Publication Scheme

What is a Publication Scheme?

The purpose of the publication scheme is to provide a guide to the information the Council publishes or intends to publish in the future.

Derbyshire Dales District Council is required under the Freedom of Information Act 2000, to maintain a publication scheme and this scheme has been produced following the updated guidance provided by the Information Commissioner, and follows the approved standard.

In order to help you find the information you require the scheme is separated in to 7 broad headings these being:

- Who we are and what we do
- What we spend and how we spend it
- What our priorities are and how we are doing
- How we make decisions
- Our Policies and Procedures
- Lists and Registers
- The Services we offer

Wherever possible the information will be made available on the Council website, and you can search for it via www.derbyshiredales.gov.uk however providing information electronically is not always possible and where this is the case you should request the information in writing to: foi@derbyshiredales.gov.uk or The FOI Officer, Derbyshire Dales District Council, Town Hall, Matlock. DE4 3NN

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

What information am I entitled to?

Anyone anywhere can request any information held by the Council whether it is listed in the publication scheme or not.

However some information held by the Council may be exempt as defined by the Freedom of Information Act 2000 or subject to an exception as defined by the Environmental Information Regulations 2004.

Exemptions under the Freedom of Information Act 2000 can be absolute or qualified.

An absolute exemption means that the exempt information will not normally be made available to you at all.

A qualified exemption means that the information will be made available to you, unless the public interest in not disclosing it outweighs the public interest in disclosure. This means that the Council will have to consider and decide where the public interest is greater.

Some of the absolute exemptions include information, which:-

- is accessible by other means
- relates to national security
- is or relates to court records
- is personal data protected under the Data Protection Act
- is subject to legal professional privilege

Qualified exemptions include information, which:-

- relates to investigations and proceedings
- relates to law enforcement
- is commercially confidential

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. When an authority is legally required to translate any information, it will do so.

Can I use the information supplied to me for any purpose?

The simple answer to this is **No**. Information which is supplied to you under the legislation is for your personal use only and it may be subject to copyright, either the Council's or a third parties. Simply because information is published on the Council's web site or available under the legislation does not mean the Council or the third party has waived its copyright.

If you do wish to re-use any information you must write in to: foi@derbyshiredales.gov.uk or The FOI Officer, Derbyshire Dales District Council, Town Hall, Matlock. DE4 3NN

How much does it cost?

Where information is available online it is free for you to download and information that is already provided free of charge, such as leaflets and forms, will be emailed or posted at no cost.

The Council may make charges if the information requested is covered by a statutory fee or is listed in the Council's Schedule of Fees and Charges.

The Council may make charges for photocopying or posting information and you will be written to with the charges explained to you, any fee requested will need to be paid prior to the information being sent.

Should you have any queries about the scheme or wish to make a request please contact: - foi@derbyshiredales.gov.uk or The FOI Officer, Derbyshire Dales District Council, Town Hall, Matlock. DE4 3NN

BACK TO AGENDA

Who we are and what we do

Class of Information	Description	Currently available
	Organisational information, structures, locations and contacts.	http://www.derbyshiredales.gov.uk/your-council/data-and-information/open-data/organisation-structure
	List of Council Services	http://www.derbyshiredales.gov.uk/your-council/council-departments
	<p>Council Constitution</p> <p>The council's constitution consists of a number of documents that, under the Local Government Act 2000, are required to be brought together and made available for public inspection. The articles of the constitution set out the basic principles that underlie the way the council operates.</p>	http://www.derbyshiredales.gov.uk/your-council/council-constitution
	<p>Council's Democratic Structure (Committees)</p> <p>Information not included in the constitution about the decision making bodies of the council and their role.</p>	http://www.derbyshiredales.gov.uk/your-council/council-constitution
	Council Directorate Structure	On request
	Location and opening times of Council Offices	http://www.derbyshiredales.gov.uk/your-council/council-departments
	<p>Currently elected Councillors' information and contact details</p> <p>Ward Councillors' names, positions on the council and how they can be contacted.</p>	http://www.derbyshiredales.gov.uk/your-council/your-representatives/councillors
	Contact details for all customer facing departments	http://www.derbyshiredales.gov.uk/your-council/council-departments
	Most Recent Election Results	http://www.derbyshiredales.gov.uk/your-council/elections/election-results

What we spend and how we spend it

Class of Information	Description	Currently available
	Financial information about projected and actual income and expenditure, procurement, contracts and financial audit. Information is available for the current and previous two financial years, both for the council as a whole but also for departments.	http://www.derbyshiredales.gov.uk/your-council/data-and-information/open-data/contracts-register http://www.derbyshiredales.gov.uk/your-council/data-and-information/open-data/spending-of-250
	Financial statements, budgets and variance reports Financial information for both revenue budgets and budgets for capital expenditure to enable you to see where money is being spent.	http://www.derbyshiredales.gov.uk/your-council/data-and-information/open-data/spending-of-250
	Capital Programme	
	Spending Reviews	On request
	Financial Audit Reports	
	The members allowance scheme and the allowances paid under it to Councillors each year The total of the allowances and expenses paid to councillors by reference to categories, for example travel, subsistence and accommodation. Council guidelines on the level and claiming of expenses can also be found here.	http://www.derbyshiredales.gov.uk/your-council/data-and-information/open-data/allowances-a-expenses
	Staff allowances and expenses Details of the allowances and expenses that can be claimed.	http://www.derbyshiredales.gov.uk/your-council/policies-plans-a-strategies/pay-policy-statement
	Pay and grading structure This is provided as part of the organisational structure and indicates, for all posts, levels of pay rather than individual salaries. Senior salaries are identified to 3 rd tier level	http://www.derbyshiredales.gov.uk/your-council/data-and-information/open-data/senior-salaries

Class of Information	Description	Currently available
	Procurement Procedures Details of Council procedures for acquiring goods and services and contracts available for public tender.	http://www.derbyshiredales.gov.uk/services-business/doing-business-with-us
	Details of contracts currently being tendered This information will relate to contracts that are large enough to have gone through formal tendering	http://www.derbyshiredales.gov.uk/your-council/data-and-information/open-data/contracts-register
	List of contracts awarded and their value Details of recent contracts awarded by the Council that have gone through formal tendering.	http://www.derbyshiredales.gov.uk/your-council/data-and-information/open-data/contracts-register
	District Auditors Report This also relates to financial audit above	http://www.derbyshiredales.gov.uk/your-council/budget-a-spending/external-audit
	Financial statements for projects and events Financial reports for identifiable projects and publicised organised events that indicate actual expenditure against original project budgets.	http://www.derbyshiredales.gov.uk/your-council/budget-a-spending/statement-of-accounts
	Internal financial regulations	http://www.derbyshiredales.gov.uk/your-council/council-constitution

What are our policies and how are we doing

Class of Information	Description	Currently available
<p>What are our priorities and how are we doing</p>	<p>This section will include strategies and plans, performance indicators, audits, inspections and reviews. Information is available for the current and previous three years, not only for the council as a whole but also for departments where available.</p> <p>The following list shows you the type of information we include here. It is not extensive and the information includes reports or recorded information showing the council's planned or actual performance:</p> <ul style="list-style-type: none"> • Annual reports • Strategies and business plans for services provided by the council • Best value local performance plan • Internal and external organisation performance reviews • Strategies developed in partnership with other authorities <p>This includes community partnership strategies; safety and crime reduction strategies; road safety strategy; joint housing strategies; joint strategies for health issues and children's services.</p> <ul style="list-style-type: none"> • Economic development action plan <ul style="list-style-type: none"> • Forward plan • Capital strategy • Best value performance indicators • District auditor's reports on the best value performance plan and performance indicators • Comprehensive performance assessment • Inspection reports 	<p>http://www.derbyshiredales.gov.uk/your-council/policies-plans-a-strategies</p> <p>http://www.derbyshiredales.gov.uk/your-council/council-performance</p>

Class of Information	Description	Currently available
	<p>Timetable of Council meetings Agendas, officers' reports, background papers and minutes of Council committees, sub committees and standing forum meetings. All this information is already publicly available under the local authority access to information rules.</p>	<p>http://www.derbyshiredales.gov.uk/your-council/council-a-committee-meetings/calendar http://www.derbyshiredales.gov.uk/your-council/council-a-committee-meetings/agendas-and-minutes</p>
	<p>Public consultations Details of concluded consultation exercises including access to the consultation papers or information about where the papers can be obtained. This area includes the results and outcomes of consultation exercises</p>	<p>http://www.derbyshiredales.gov.uk/your-council/consultations</p>
	<p>Internal communications guidance, criteria used for decisions-making, internal instructions, manuals and guidelines. Where access to internal instructions, manuals and guidelines for dealing with the business of the council would help you understand how our decisions are made, these are included here except for the information we believe might damage the council's operations.</p>	<p>http://www.derbyshiredales.gov.uk/your-council/policies-plans-a-strategies/communications-strategy</p>

Our policies and procedures

Class of Information	Description	Currently available
	<p>This section covers the Councils current written protocols, policies and procedures for delivering its services and responsibilities. Some of the information about policies and procedures may be covered by the council's constitution, so if you cannot find what you are looking for here please look there.</p>	<p>http://www.derbyshiredales.gov.uk/your-council/council-constitution</p>
	<p>Policies and procedures for conducting council business Codes of practice, memoranda of understanding, procedural standing orders, internal guidance about the division of responsibilities between committees and delegated authority, policies on communications between councillors and members of staff and similar information.</p>	<p>http://www.derbyshiredales.gov.uk/your-council/council-constitution</p>
	<p>Policies and procedures about the recruitment and employment of staff Vacancies advertised as part of recruitment policies and details of current vacancies. Our policies relating to our staff covering both the provision of services and the employment of staff for example, equality and diversity, and health and safety.</p>	<p>https://jobs.derbyshire.gov.uk/derbyshiredales/</p>
	<p>Customer service Our standards for providing services to the council's customers, including the complaint procedure. Complaints procedures include those covering requests for information and operating the publication scheme.</p>	<p>http://www.derbyshiredales.gov.uk/your-council/customer-services-a-standards/customer-services-standards http://www.derbyshiredales.gov.uk/your-council/compliments-and-complaints/complaints-procedure</p>

Class of Information	Description	Currently available
	<p>Records management and personal data policies This includes information security policies, records retention, destruction and archive policies, and data protection (including data sharing) policies.</p>	<p>Records management policy going to committee in January (to follow)</p>
	<p>Charging regimes and policies Details of any statutory charging regimes are provided here. Charging policies include charges made for information routinely published for example under Access to Information legislation, and detail what costs are recovered, the basis on which they are made, and how they are calculated.</p>	<p>Fees and charges on web site (to follow – going to G&R Committee 21 Jan 2016)</p>

Lists and Registers

Class of Information	Description	Currently available
	Register of councillors' financial and other interests	http://www.derbyshiredales.gov.uk/your-council/data-and-information/open-data/register-of-members-interests
	Licensing (Taxi Drivers and Operators) (Personal and Premises)	http://www.derbyshiredales.gov.uk/services-business/licensing/taxis-and-minicabs
	Register of electors	http://www.derbyshiredales.gov.uk/your-council/elections/2015-elections/uk-parliament-election
	List of current planning applications	https://planning.derbyshiredales.gov.uk/online-applications/search.do?action=advanced
	Local Land Charges Register	Available to view at the Council's Offices by appointment only
	Register of Food Premises Register of Air Pollution Control in Industrial and Commercial Premises (Environmental Protection Act - Part 1) Register held under the Notification of Cooling Towers Regulations 1992	http://www.derbyshiredales.gov.uk/services-business/licensing/public-register
	Register held under the Pet Animals Act Register held under the Animal Boarding Establishments Act Register held under the Breeding of Dogs Act Register held under the Dangerous Wild Animals Act	http://www.derbyshiredales.gov.uk/services-business/licensing/animal/pet-shop http://www.derbyshiredales.gov.uk/services-business/licensing/animal/animal-boarding http://www.derbyshiredales.gov.uk/services-business/licensing/animal/dog-breeding http://www.derbyshiredales.gov.uk/services-business/licensing/animal/dangerous-animals

	Register held under the Riding Establishments Act Register of Licensed Butchers Shops Register of Stray Dogs	http://www.derbyshiredales.gov.uk/services-business/licensing/animal/riding-establishment http://www.derbyshiredales.gov.uk/services-business/licensing/butchers-shop http://www.derbyshiredales.gov.uk/services-business/licensing/public-register
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Services provided by the Council

Class of Information	Description	Currently available
	<p>This section current information about the services the council provides including leaflets, guidance and newsletters.</p> <p>This class is linked with the first class– Who are we and what do we do.</p> <p>While the first section provides information on the council and its departments’ roles and responsibilities, this section includes details of the services the council provides as a result of them.</p> <p>The following is a list of some of the services the council is responsible for and links to the relevant service pages on the website are provided</p> <p>Regulatory and licensing responsibilities</p> <p>Services for local businesses</p> <p>Refuse and Recycling</p> <p>Environmental Health</p> <p>Housing and Council tax benefits</p>	<p>http://www.derbyshiredales.gov.uk/services-business/licensing</p> <p>http://www.derbyshiredales.gov.uk/services-business/business-support-events-funding/derbyshire-dales-business-advice</p> <p>http://www.derbyshiredales.gov.uk/environment-and-waste/waste-a-recycling</p> <p>http://www.derbyshiredales.gov.uk/environment-and-waste</p> <p>http://www.derbyshiredales.gov.uk/housing-a-council-tax/benefits</p>

	<p>Council Tax collection</p> <p>Leisure Services</p> <p>Housing</p> <p>Planning (development control)</p> <p>Building control</p> <p>Community Safety</p> <p>If the service you are looking for is not in this list, please look on the Council's Internet site.</p>	<p>http://www.derbyshiredales.gov.uk/housing-a-council-tax/benefits/benefits-advice</p> <p>http://www.derbyshiredales.gov.uk/housing-a-council-tax/council-tax</p> <p>http://www.derbyshiredales.gov.uk/leisure-a-culture/leisure-centres</p> <p>http://www.derbyshiredales.gov.uk/housing-a-council-tax/find-a-place-to-live</p> <p>http://www.derbyshiredales.gov.uk/planning-a-building-control/submit-a-planning-application</p> <p>http://www.derbyshiredales.gov.uk/planning-a-building-control/building-control</p> <p>http://www.derbyshiredales.gov.uk/community-a-living/crime-prevention</p>
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Class of Information	Description	Currently available
	<p>Election information The offices of the Returning Officer and of the Electoral Registration Officer are separate to the functions of the Council.</p> <p>Information held by us on behalf of these two offices is not currently covered by the Freedom of Information Act. However, much of the information about elections is also held by the Council and where we are allowed to by law we will make this information available through the publication scheme, for example forthcoming elections, election results, review of polling stations, information on becoming a councillor, voting procedures</p>	<p>http://www.derbyshiredales.gov.uk/your-council/elections</p>
FAQs	Frequently asked questions	Link to follow

BACK TO AGENDA

**GOVERNANCE AND RESOURCES COMMITTEE
21 JANUARY 2016**

Report of the Head of Resources

LAND HOLDINGS REVIEW – PHASE 2

SUMMARY

Phase 2 of the Land Holdings Review covers 6 sites across the District in which queries or expressions of interest have been received. Following detailed consideration of planning, legal and estate management factors, recommendations are made regarding whether the sites should be retained or sold and the terms which would apply.

RECOMMENDATION

- 1 That the sites numbered 1,2 and 6 be retained as indicated in Appendix 1.
- 2 That the sites numbered 3 and 4 be disposed of as indicated in Appendix 1 under the terms outlined in paragraph 1.3 of this report.
- 3 That the potential disposal of site number 6 be investigated further as outlined in in Appendix 1 of this report with the outcome being reported to a future meeting of this Committee.

WARDS AFFECTED

Matlock All Saints; Wirksworth; Ashbourne South

STRATEGIC LINK

The Land Holdings Review Process accords with the District Council's values and aims of obtaining "value for money" and to "protect and enhance the environment" as expressed in the Corporate Plan 2015/16.

1 REPORT

1.1 Background

Phase 2 of the Land Holdings Review covers 6 sites across the District in which queries or expressions of interest have been received. Following detailed consideration of planning, legal and estate management factors, recommendations are made regarding whether the sites should be retained or sold and the terms which would apply.

An appraisal of each site has taken place comprising advice on any planning constraints, legal restrictions and maintenance liabilities/costs.

The results and recommendations are summarised in Appendix 1 together with plans of each site.

1.2 Summary of Outcome

3 no. sites are recommended for retention.

3 no. sites are recommended for disposal.

1.3 Recommended Procedure

Where it is agreed at this meeting that a site should be disposed of, the relevant Local Council will be consulted. If no objection arises authority is sought to agree the terms with the purchaser and to proceed with the disposal. Where objections arise from the relevant Local Council a report would be made to a future meeting of this Committee for further consideration. In any cases of disposal or transfer, the purchaser will be responsible for the District Council's legal costs in addition to their own.

1.4 Planning Consents

In each case of disposal the purchaser would be responsible for making any necessary planning application at their cost to enable their desired use of the site. The decision at this meeting is entirely without prejudice to any future decisions on such applications by this Council as Planning Authority.

2 RISK ASSESSMENT

2.1 Legal

The Council has a duty under S123 of the Local Government Act 1972 to dispose of assets for the best price reasonably obtainable.

The purchasers would be responsible for the District Council's reasonable legal costs.

The duty to consult on the disposals accords with the Council's policy on the disposal of land and property. The legal risk in that respect is low.

2.2 Financial

The costs involved in dealing with expressions of interest (mainly officer time) can be met from existing budgets. The disposals that are recommended in this report remove a liability for maintenance of the sites. The financial risk is assessed as low.

3 OTHER CONSIDERATIONS

In preparing this report the relevance of the following factors is also been considered: prevention of crime and disorder, equality of opportunity, environmental health, legal and human rights, financial personal and property considerations.

4 CONTACT INFORMATION

Mike Galsworthy, Estates and Facilities Manager
Tel: 01629 761207 E-mail: mike.galsworthy@derbyshiredales.gov.uk

BACKGROUND PAPERS

LAND HOLDINGS REVIEW

SITE INDEX

SITES IN WHICH INTEREST HAS BEEN EXPRESSED

- 1 Land adjacent to 81 Limetree Road, Matlock.
- 2 Land adjacent to 12 West End, Wirksworth.
- 3 Land at Griggs Gardens, Wirksworth
- 4 Land adjacent to St Mary's Church, Wirksworth.
- 5 Land adjacent to Weaver Close, Ashbourne.
- 6 Land off Hurds Hollowad, Matlock

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LAND HOLDINGS REVIEW

SITE NO. 1


ADDRESS	Land at adjacent to 81 Limetree Road, Matlock.
REQUEST RECEIVED	A request has been received from the owner of 81 Limetree Road, to acquire a right of way and a section of land shown shaded grey on the plan to enable the development of the 2 privately owned sites marked A and B. Any development of this area would also require a section of land (marked C) from the curtilage of No. 63 Lime Tree Road.
DESCRIPTION/LOCATION	The site comprises a driveway/footpath providing vehicular access to the properties at Nos. 63 Lime Tree Road and pedestrian access to the Denefields open space .
OWNERSHIP	Derbyshire Dales District Council own the access and the Denefields Open Space although this is subject to a stewardship agreement to Matlock Town Council
LEGAL COVENANTS RESTRICTIONS	The statutory term of the Stewardship Agreement to Matlock Town Council expired in 2013 and they continue to hold over on the terms of this agreement .The curved section of land adjacent to site C forms part of the lease demise and could not be sold without variation of the lease. Other than this, there are no legal restrictions.
PLANNING	<p>The Dene Fields open space is identified as protected local space in the Local Plan and the disposal of any part of it would not be supported.</p> <p>There are likely to be highway issues raised if further development is proposed served via this access and access route. The access at Lime Tree Road is circa 3m wide and whilst visibility in the northerly direction may be considered acceptable, the visibility achievable in the southerly direction is likely to be deficient.</p> <p>The access route is for the majority of its length unsurfaced and only single vehicle width - given the presence of boundary walls</p>

	<p>immediately abutting the access route. There would therefore be no opportunity for vehicles to pass each other and servicing requirements are likely to be difficult, especially considering the distance of the site from the public highway.</p> <p>The route also carries a public right of way and increased vehicular activity along a route with limited geometry is likely to be a safety concern for pedestrians using this route.</p> <p>The site is also likely to be challenging to develop in terms of levels, given the site rises at an appreciable gradient from the access track.</p> <p>Unless the developer could put forward solutions to address the above concerns it is unlikely the Highway Authority would be in a position to support further development on the land identified using the access route A-B identified..</p>
MAINTENANCE	<p>The Dene Fields open space is maintained by Matlock Town Council under the terms of the stewardship agreement. The District Council are responsible for maintaining the surface of the footpath shaded grey but no works have been required in the last 5 years.</p>
OTHER EXPRESSIONS OF INTEREST	<p>Other than various general expressions of interest in development sites/opportunities across the District, no other specific expressions of interest have been received in relation the subject site.</p>
OFFICER COMMENT	<p>Given the requirement to protect the Dene Fields open space and the ongoing stewardship agreement with the Town Council, it is not considered appropriate to dispose of any part of this site. The comments from the highway authority suggest that the access route proposed would not be suitable.</p>
RECOMMENDATION	<p>To inform the applicant that we would not recommend the sale of this section of land for the purpose requested at this time.</p>

A/00464 - Land between 12 and 22 West End, Wirksworth



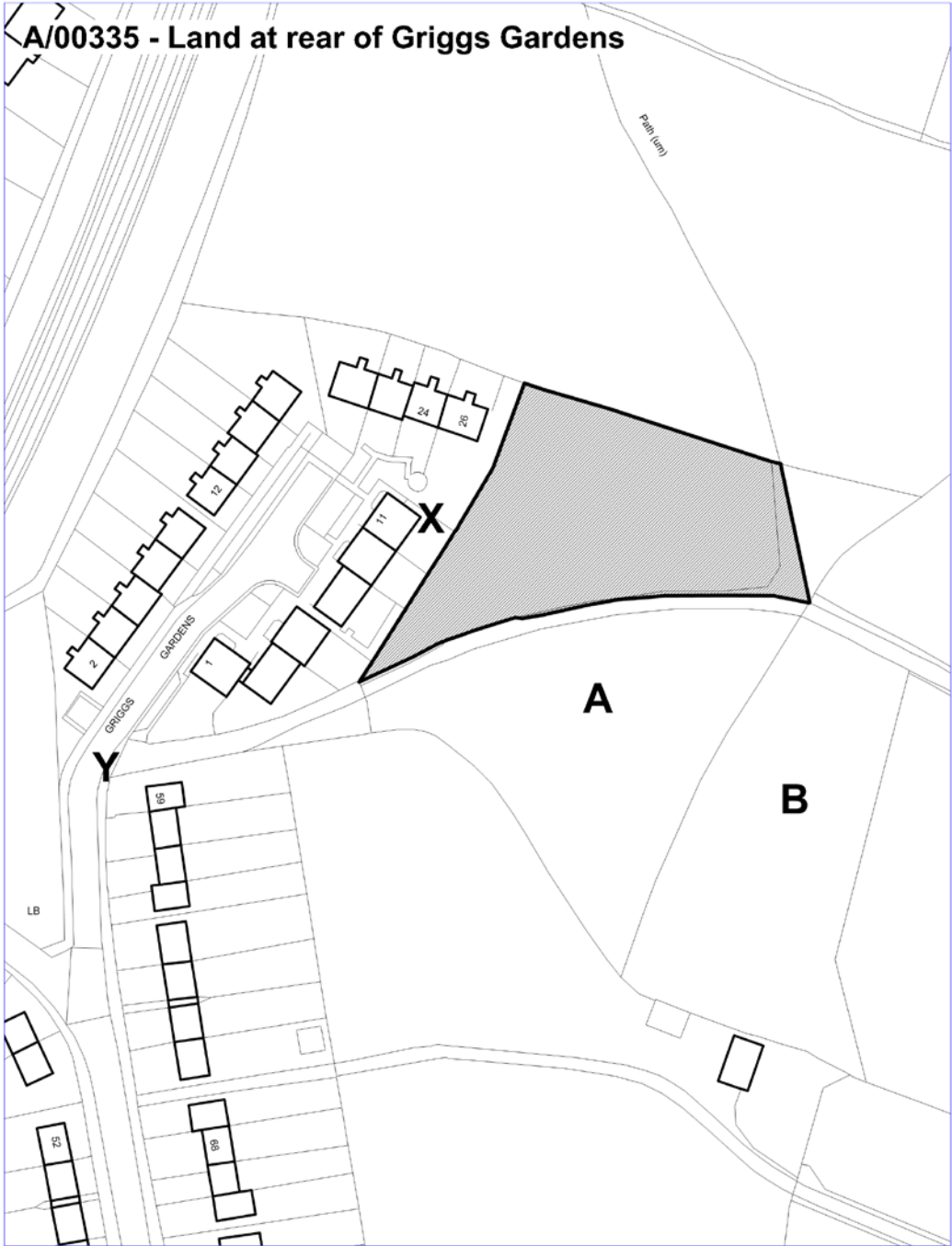
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LAND HOLDINGS REVIEW

SITE NO. 2

ADDRESS	Land adjacent to No. 12 West End, Wirksworth.
REQUEST RECEIVED	A request has been received from the owner of No. 12 West End, Wirksworth to incorporate the land shown shaded grey into their curtilage for residential garden extension purposes.
DESCRIPTION/LOCATION	Section of overgrown land bordering the entrance to a District Council owned informal car park off West End, Wirksworth and providing pedestrian access at the rear of Crown Yard to the town centre. The site is well used and accommodates approximately 20 cars.
OWNERSHIP	The larger area, of which this site forms part is in the ownership of the District Council .
LEGAL COVENANTS RESTRICTIONS	The larger area, of which this site forms part was listed as an Asset of Community Value in 2013.. There is a pedestrian right of access across the site
PLANNING	Alternative use potential for some open market or Affordable Housing development incorporating some car parking.
MAINTENANCE	The car park surface requires ongoing maintenance. The sites bordering the entrance are overgrown and require cutting back annually.
OTHER EXPRESSIONS OF INTEREST	Other than various general expressions of interest in development sites/opportunities across the District, no other specific expressions of interest have been received in relation the subject site.
OFFICER COMMENT	Given the development potential of the wider site and its' status as an Asset of Community Value , it is proposed that the whole site remains in the Council's ownership pending further investigation into its long term development potential.
RECOMMENDATION	To inform the applicant that we would not recommend the sale of this section of land for the purpose requested at this time.



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LAND HOLDINGS REVIEW

SITE NO. 3

ADDRESS	Land at Griggs Gardens, Wirksworth.
REQUEST RECEIVED	A request has been received from Wirksworth Town Council to acquire this land for use as allotments.
DESCRIPTION/LOCATION	Section of grassed former grazing land let for grazing purposes until spring 2015.
OWNERSHIP	Derbyshire Dales District Council
LEGAL COVENANTS RESTRICTIONS	The former access point to this site at point X was sealed up approx. 5 years ago when the neighbouring site was developed. The other access at point Y is in the ownership of the owner of sites A and B. No legal rights are reserved over this access in favour of the Council but discussions with the owner of the access have established that he would be amenable to use of this access to serve an allotment site on our land (subject to planning consent).
PLANNING	<p>Whilst there are no in principle objections to the use of this land for allotments, thought will need to be given to the impact on the amenity of the house adjacent to the entrance from increased vehicular activity and to providing an appropriate screen to the residents to the west.</p> <p>Planning permission is required for buildings and any parking facility and any planning application should provide a layout that minimises the impact of these on the character and appearance of the countryside</p>
MAINTENANCE	Previously maintained by tenant –now becoming overgrown. Will require annual mowing if retained.
OTHER EXPRESSIONS OF INTEREST	In addition to various general expressions of interest in development sites/opportunities across the District, a number of other specific expressions of interest have been received in relation the subject site.
OFFICER COMMENT	It is considered that, in agreement with the owner of the access, the area should be transferred freehold to Wirksworth Town Council for non- statutory allotment purposes.
RECOMMENDATION	Transfer to Wirksworth Town Council for £1 subject to WTC covering their own and the District Council's legal costs



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LAND HOLDINGS REVIEW

SITE NO. 4

ADDRESS	Land adjacent to St Mary's Church, Wirksworth.
REQUEST RECEIVED	A request has been received from Wirksworth Town Council to acquire this land with part of the site (either areas A or B) being utilised for the storage of trade waste bins in an appropriate enclosure (subject to planning consent)
DESCRIPTION/LOCATION	A stone paved area forming part of the footpath around St. Mary's Church known as Church walk and a footpath linking this to St. John's Street. There is a small raised stone planter at point A on the plan.
OWNERSHIP	Derbyshire Dales District Council
LEGAL COVENANTS RESTRICTIONS	The land is subject to manorial rights in favour of the Duchy of Lancaster and would be transferred subject to these rights. There are no covenants or other legal restrictions affecting this land.
PLANNING	The site is very sensitive located in the historic core of Wirksworth within the conservation area and close to the listed Parish Church . A bin enclosure on the land at B would be prominent and may result in direct adverse impacts on the amenity of properties to the south west and as such may not be supported . The best option would be an enclosure within the land at A but this will need to be a carefully designed bespoke enclosure with robust gates . A sensitive design which would serve to remove the clutter of trade bins in the wider locality could on balance be supported in this location .
MAINTENANCE	Although no maintenance has been required over the last few years, there would be an ongoing maintenance liability with this site.
OTHER EXPRESSIONS OF INTEREST	Other than various general expressions of interest in development sites/opportunities across the District, no other specific expressions of interest have been received in relation the subject site.
OFFICER COMMENT	It is considered that, given the small size and limited amenity value of this site, it be offered freehold to Wirksworth Town Council subject to them achieving planning consent to the construction of an appropriate enclosure for the storage of trade waste bins , thereby improving the amenity value of the surrounding area.

RECOMMENDATION	Transfer to Wirksworth Town Council for £1 subject to WTC covering their own and the District Council's legal costs
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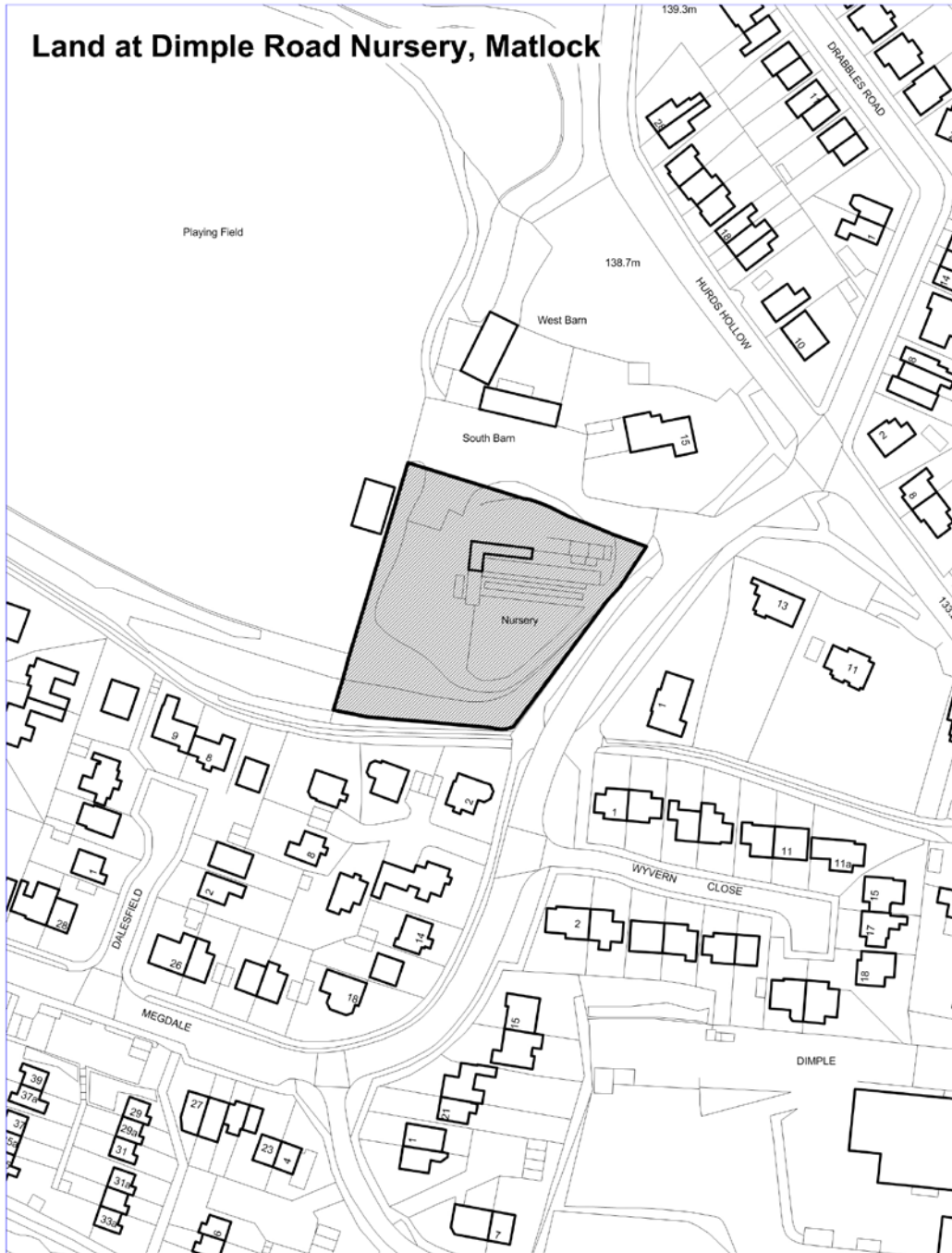
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LAND HOLDINGS REVIEW

SITE NO. 5

ADDRESS	Land adjacent to Weaver Close, Ashbourne
REQUEST RECEIVED	A query has been received from the owner of a property at Weaver Close, Ashbourne regarding the Council's future plans for the area of grassed land between their property and The Leys Old People's Home operated by DCC ,particularly if this was to close.
DESCRIPTION/LOCATION	Strip of grassed open space land between Weaver Close and The Leys Old People's Home, Ashbourne.
OWNERSHIP	Derbyshire Dales District Council
LEGAL COVENANTS RESTRICTIONS	The land is subject to an easement for a water main. Other than the usual exceptions and reservations relating to the free passage of water and soil through the existing drains and also the right to enter the land for the purpose of renewal, maintenance and repair, there are no other legal restrictions affecting this land.
PLANNING	The site is a landscaped strip between The Leys and the rear of housing on Weaver Close and is flanked and crossed by footpaths forming a well-used pedestrian route. The site has an affinity with The Leys and any expansion of or re-use of this site would benefit from the retention of this strip of land .
MAINTENANCE	The land is maintained by the District Council as a landscaped/ area.
OTHER EXPRESSIONS OF INTEREST	Other than various general expressions of interest in development sites/opportunities across the District, no specific expressions of interest have been received in relation the subject site.
OFFICER COMMENT	N/A
RECOMMENDATION	That the land is retained in the District Council's ownership at the present time.

Land at Dimple Road Nursery, Matlock



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LAND HOLDINGS REVIEW

SITE NO. 6

ADDRESS	Dimple Nursery Site, Hurds Hollow, Matlock
REQUEST RECEIVED	The site has been identified as suitable for affordable housing development and an approach has been made by Westleigh Homes to acquire the site for the development of 14 affordable homes. (subject to planning consent).
DESCRIPTION/LOCATION	The site comprises a gently sloping site of area 0.34 Hectares between Dimple Road and the Dimple playing fields. It is accessed via an informal parking area and recycling site (soon to be removed). The site has been used for over 20 years as a Council Nursery although this function has reduced considerably over recent years. It now contains 2 poly tunnels and a small mess room.
OWNERSHIP	Derbyshire Dale District Council
LEGAL COVENANTS RESTRICTIONS	<p>There is a right of way and right of drainage across land to the north of the site outlined in black in favour of the properties to the north of the site.</p> <p>As part of the larger Dimple site, there is also a restriction on the title requiring written consent be obtained from Sport England in relation to any proposed disposal. This refers to the funding agreement for the Arc Leisure Centre.</p>
PLANNING	In principle and subject to the design and layout of the scheme, use for affordable housing may be acceptable. Any such scheme would need to have reference to the listed buildings to the north of the subject site and access arrangements would need further consideration.
MAINTENANCE	The site is becoming unkempt in appearance and will require future maintenance work if retained.
OTHER EXPRESSIONS OF INTEREST	Other than various general expressions of interest in development sites/opportunities across the District, no other specific expressions of interest have been received in relation the subject site.
OFFICER COMMENT	Given the affordable housing development potential of the site and its' current under use, it is recommended that discussions take place between Westleigh Homes, the Council's Valuer and the Head of Housing to discuss

	the terms which might apply (which are likely to include a capital receipt and a contribution to the cost of relocating the nursery service to an alternative site in the District Council's ownership) with the terms agreed to be reported to a future meeting of this Committee
RECOMMENDATION	That negotiations take place with Westleigh Homes on the terms outlined above with the terms agreed to be reported to a future meeting of this Committee.

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GOVERNANCE AND RESOURCES COMMITTEE
21 January 2016

Report of the Head of Resources

LAND AND PROPERTY DISPOSALS – LAND OFF KING EDWARD STREET, ASHBOURNE

SUMMARY

The report informs the Committee of an approach received from Sainsbury's Supermarkets Ltd. For the inclusion of an area of District Council owned land off King Edward Street, Ashbourne in a proposed care home development on SSL's neighbouring site previously acquired for the expansion of their existing store which has since been cancelled.

Discussions are ongoing between the District Council's Valuer and Sainsbury's. The report indicates the draft Heads of Terms that are under discussion. An updating report will be presented at the meeting on the outcome of the discussions to enable the Committee to consider any resulting offer made by Sainsbury's.

RECOMMENDATION

That the updating report is received.

WARDS AFFECTED

Ashbourne South

STRATEGIC LINK

The potential disposal of this site accords with the District Council's values and aims of obtaining "value for money" and to "protect and enhance the environment" as expressed in the Corporate Plan 2015/16.

1. REPORT

1.1 Background

The District Council own the public car park off King Edward Street, in Ashbourne, containing 39 Pay and Display spaces. The District Council's land holding also includes Public Conveniences and a long Bus Shelter that in effect forms Ashbourne Bus Station, with buses parking for drop off and pick up on King Edward Street itself.

Terms were agreed with SSL in 2010 to transfer the section of the car park shown hatched on the plan at Appendix 1 to SSL as part of the enabling works for their store extension in return for the payment of a capital receipt of £100K, a contribution of £75K to new toilet facilities, the demolition of the King Edward Street Toilet block and bus shelter and the provision of a new 37 space car park and bus shelter on the remaining land.

The scheme had received planning consent and was due to start on site in summer 2014. Unfortunately, due to changes in the economic climate for supermarket operations, the expansion scheme for the Ashbourne store was pulled in March 2014 and no further expansion will be taking place.

1.2 Current Situation

As part of the preparations for the store expansion, SSL incurred considerable costs in acquiring buildings A, B and C and relocating the occupiers. Since the supermarket expansion scheme was pulled, SSL have been trying to promote an opportunity to improve and enhance this area adjacent to their store and have shared with the District Council their progress in doing so.

The aim is to withdraw from this site by disposing of the buildings they originally acquired for the store extension and for which they now have no use. Although their legal duties under the previous option agreement have expired, they wish to honour some of the commitments they made to the District Council in demolishing the old toilet block and providing a new car park and bus station.

Over the last 12 months, SSL have been investigating options for the site and have been in discussions with a national retirement home operator who has made an offer to acquire the site for the proposed development indicated in the plan at appendix 2. As a result, SSL have now approached the District Council to discuss the terms which might apply for the sale of the larger site required for this proposal (shown edged in heavy black and hatched/cross hatched on the plan at Appendix 1) based on the terms set out below.

1.3 Draft Heads of Terms under discussion

Following the approach from the retirement home operator, the Council's Valuer has entered into discussions with SSL based on the below draft Heads of Terms:-

Derbyshire Dales District Council to grant a 2 year Option Agreement (with an option to extend for a further 12 months to cover planning appeals etc). to Sainsbury's Supermarkets Ltd (SSL) allowing them to acquire the land shown edged in heavy black and hatched/cross hatched on the plan at appendix 1 subject to Planning Consent for the proposed retirement home development being granted.

SSL to pay a consideration to the District Council for the transfer of such freehold interest.

SSL to provide a new surfaced car park with 26 spaces Council including servicing and car park marking to a specification to be agreed between the parties. This work would also include demolition of the existing King Edward Street Closed Public Conveniences and the existing bus shelter.

SSL to provide a new bus shelter to a design and specification to be agreed between the parties.

SSL to demolish the unused Henmore Centre Building on the site opposite and to surface the building footprint to base course level to enable future temporary use of this site as car parking whilst the retirement home scheme is built.)The future use of this particular site will be considered separately later this year).

SSL to indemnify the District Council for legal costs incurred in documenting the transaction to a maximum agreed figure.

SSL to have the right to novate the Option Agreement to a 3rd party who will undertake the works obligation and complete the purchase.

All the above to the subject to SSL obtaining all of the Planning Consents required to enable the scheme to take place.

An updating report will be presented at the meeting on the outcome of the discussions, based on the above draft Heads of Terms, to enable the Committee to consider any resulting offer made by SSL.

The disposal of the site to a single party without advertising on the open market would constitute an underbalue transaction. If it is considered that the disposal contributes to the promotion or improvement of the economic, social or environmental well-being of the area, the District Council can dispose of the site at an undervalue under the terms of the General Disposal Consent 2003.

1.4 Valuation

It has been agreed with SSL that the development costs and values for the retirement home site will be reviewed by the Council's Valuer on an "open book" approach. The resulting offer will be included in the updating report.

1.5 Consultation

The Ward Members and the Parish Council have been consulted on the disposal and their views will be made known verbally at the meeting.

1.6 Other expressions of interest

Various general expressions of interest in development sites/opportunities across the District have been received, including interest in part of the site in question.

1.7 Planning Situation

It will be seen from item 7 in section 1.3 above that any land transaction would be subject to SSL obtaining all of the Planning Consents required to enable their scheme to take place. The proposed scheme has yet to obtain Planning Consent. The consideration of the Heads of Terms and disposal of the District Council's land by this Committee would be entirely without prejudice to any future decisions by the District Council as Planning Authority.

2 RISK ASSESSMENT

2.1 Legal

The Council has a duty under S123 of the Local Government Act 1972 to dispose of assets for the best price reasonably obtainable.

The purchasers would be responsible for the District Council's reasonable legal costs.

The duty to consult on the disposal accords with the Council's policy on the disposal of land and property.

The legal risk will be included in the updating report once final terms are known.

2.2 Financial

The financial risk will be included in the updating report once final terms are known.

3 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

4 CONTACT INFORMATION

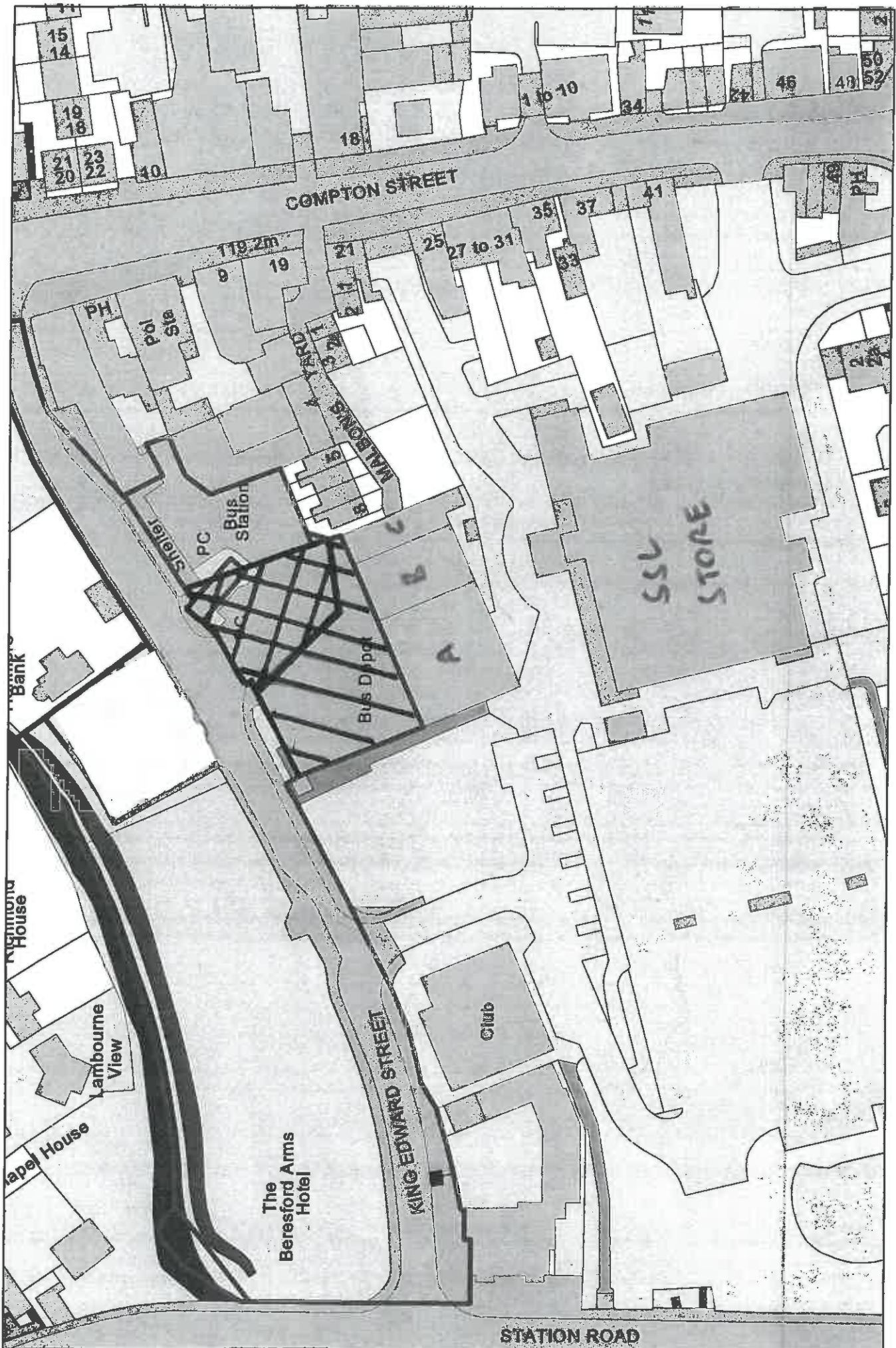
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5 BACKGROUND PAPERS

None.

BACK TO AGENDA



Date: 13 December 2013
Not Set
Scale: 1:1000

Date: MSA
Scale

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Derbyshire Dales District Council, Town Hall, Bank Road, Matlock, Derbyshire DE4 3NN. Telephone: (01629) 761100. Website: www.derbyshiredales.gov.uk



GREY FILE: PROPOSED SITE PLAN - ASHB:GF01 - scale 1:500 @ A3 - October 2015

BACK TO AGENDA

PRIVATE AND CONFIDENTIAL

Project Title
Proposed Sheltered Housing for the Elderly
King Edward Street
Ashbourne, Derbyshire
DE6 1BW