



OPERATIONAL SELECTION POLICY OSP2

THE CROWN ESTATE 1975-1985

Revised November 2005

1 Authority

- 1.1 The National Archives' Acquisition Policy statement announced the Office's intention of developing, in consultation with departments, Operational Selection Policies across government. These Policies would apply the collection themes described in the policy to the records of individual departments and agencies.
- 1.2 Operational Selection Policies are intended to be working tools for those involved in the selection of public records. This policy may, therefore, be reviewed and revised in the light of comments received from the users of the records or from archive professionals, the department's experience of using the policy, or as a result of newly discovered information. There is no formal cycle of review but we would welcome comments at any time. The extent of any review and revision exercise will be determined according to the nature of the comments received.
- 1.3 If you have any comments upon this policy, please e-mail records-management@nationalarchives.gov.uk or write to:

Acquisition and Disposition Policy Manager
Records Management Department
The National Archives
Kew
Richmond
Surrey
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2 Scope

- 2.1 This policy relates to the records produced by The Crown Estate in England and Wales and, for marine estates only, Northern Ireland, from 1975 to 1985. It does not cover functions relating to the management of The Crown Estate in Scotland - records of which pass to the National Archives of Scotland. It also excludes records produced by the Managing Agents and others who manage properties in The Crown Estate on behalf of the Commissioners. These are not public records.
- 2.2 The Crown Estate is currently (in 2000) reviewing registered files opened in or before 1975. This operational selection policy will focus on the period 1975-1985. No records in electronic format survive from this period.
- 2.3 The Operational Selection Policy on Use and Conservation of the Countryside for Recreation 1974-1983 (OSP 4) will be used for selection criteria for records of The Crown Estate dealing with recreational access to the agricultural estate.

3 Responsibilities of The Crown Estate

- 3.1 The Crown Estate consists of land and rights in ancient possession of the Crown, together with land acquired subsequently by purchase, reversion, allotment under enclosure awards, escheats or forfeiture. It includes agricultural and forest estates, rights to the foreshore and seabed of the United Kingdom, commercial properties in London and elsewhere, mineral rights, and the management of Windsor Great Park.
- 3.2 Under the Crown Estate Act 1961, The Crown Estate Commissioners are charged with the management of the Estate, and the duties of maintaining it as an estate in land, and maintaining and enhancing its value and the return obtained from it, but with due regard to the requirements of good management. Net income from the Estate after deduction of management costs is paid to the Exchequer under the Civil List Act 1951.

4 Relevant collection themes in The National Archives' Acquisition Policy

- 4.1 The Acquisition Policy outlines certain themes, which will form the basis of The National Archives' future appraisal and selection decisions. Of these themes, the following are of potential relevance to the work of The Crown Estate, though The Crown Estate is not at the centre of policy formulation for any of the themes:

- 2.2.1 Policy and administrative processes of the state -
 - 2.2.1.2 Management of the economy

- 2.2.2 Interaction of the state with its citizens and its impact on the physical environment

- 2.2.2.1 The economic, social and demographic condition of the UK, as documented by the state's dealings with individuals, communities and organisations outside its own formal boundaries

- 2.2.2.2 Impact of the state on the physical environment

- 4.2 In addition, the Acquisition Policy also commits The National Archives to continuing to document the Crown's rights and obligations.

5 Key Themes Within The Crown Estate

Within the core functions of The Crown Estate the themes listed below were of particular significance during 1975-1985. Policy for The Crown Estate was set at Board level, while the estates branches listed below were responsible for implementation. Reference is made throughout this policy to keeping records only for 'significant' or 'major' sites or cases. This should be taken to mean that lead records will be preserved for sites which are of national importance either because they have been listed as such (outstanding examples of listed buildings, sites of special scientific interest, heritage sites, scheduled ancient monuments etc.), because they are major new developments, or because some inherent

feature of the site (such as major archaeological finds) means it has an importance beyond its immediate commercial value. Records relating to sites of lesser significance will not be preserved at The National Archives, but may be kept by The Crown Estate for administrative purposes. The Laxton Estate in Nottinghamshire, which was purchased from the Ministry of Agriculture, Fisheries and Food (MAFF) in 1981, is an estate of particular national significance, being the last remaining area in the UK where medieval strip farming is still practised. The National Archives and The Crown Estate will investigate the possibility of presenting or depositing records relating to Laxton at an appropriate repository under Disposition Policy criteria 2.2.1.1 or 2.2.3.1.

5.1 Management of The Crown Estate

5.1.1 Central management records of The Crown Estate relate to sections 2.2.1.2, 2.2.2.1 and 2.2.2.2 of the Acquisition Policy.

5.1.2 Policy for The Crown Estate was established and directed by the Board of Commissioners and their various subsidiary groups and boards (one each for the Urban, Marine and Agricultural Estates), and the chief record of policy work for the relevant collection themes noted above will be contained in the minutes and papers of these Board and subsidiary group and board meetings, which will be permanently preserved. These will constitute the main record of policy formulation in The Crown Estate, though significant additional information on policy formulation will sometimes be found in the records produced by the various estate management branches formulating policy for consideration at Board level, and these files should be preserved. Annual reports and accounts produced by the Commissioners will also be preserved. Many records will need to be retained by The Crown Estate because they provide the only evidence of Crown Title to land for which there are no formal deeds of ownership, held by ancient possession. These records will not be selected for permanent preservation at The National Archives (unless under one of the other collection themes outlined elsewhere in this document).

5.1.3 The Crown was not bound by many significant pieces of legislation in this period, which affected the management of the estates, but the Commissioners chose to implement most of the legislation as if bound by it in the interests of best management practice. Significant legislation, which the Commissioners chose to implement in this way through this period, includes the Counter-Inflation Act 1973 (as applied to rentals on The Crown Estate, and hence carried out a programme of rent remissions), and the Housing Act 1974 (as it affected the Leasehold Reform Act 1967). The Crown Estate was covered by the provisions of Part II of the Housing Act 1980, at the invitation of the Commissioners, which committed The Crown Estate to abide by the Rent Act 1977. The Miscellaneous Financial Provisions Act 1983 enabled The Crown Estate to extend its maximum leases to 150 years (from 100), a measure seen to be necessary to allow it to enter development partnerships with

institutions. Principal policy files on the application of these various pieces of legislation to The Crown Estate should be preserved permanently as they document Crown rights and obligations, as should the files on the review of rental policy carried out in 1979-1980 for the Housing Bill.

5.2 Agricultural Estates

5.2.1 The collection of records of the Agricultural Estates Branch relates to sections 2.2.1.2 and 2.2.2.2 of the Acquisition Policy.

5.2.2 Under the 1961 Act, the Commissioners run the Crown's agricultural estates with due regard to the requirements of good management. The Commissioners had introduced schemes to promote the retention and planting of hedgerows and the replacement of felled trees. Historic farm buildings were to be preserved, and new buildings had to be well designed and sited. Plant a Tree Year (1973) saw further encouragement to tenants to plant/retain hedges and trees, and the Commissioners continued to encourage these practices, (as well as farm diversification and the leaving fallow of unproductive land), amongst their tenants. A significant increase in farm building expenditure was recorded in 1974-1975 in anticipation of changes to the MAFF farm building grants system. Records of the application of these policies on individual holdings need not be preserved, except on significant sites.

5.2.3 Policy for managing the agricultural estate was set by the Commissioners at their board and other meetings, and the record of the formulation of these policies will be kept in the committee minutes and papers. Records produced by the Agricultural Estates Branch will be selected for permanent preservation at The National Archives where they show the activities of The Crown Estate having a particular impact on the environment (e.g. major land reclamation or flood prevention schemes, including The Wash and Sunk Island estate). Records on particular lettings will not be preserved, but policy files showing how the Commissioners implemented the 1979 Northfield Committee report and other reforms of the farm letting and rental policy should be preserved. In this period there was relatively little direct impact on the work of The Crown Estate arising from UK membership of the European Economic Community (EEC), but the introduction of milk quotas in 1984 was significant. Policy files on the impact of milk and other EEC quota schemes on the estate, the ownership of quotas by landlords, and deliberations over applications to quit milk production, should be preserved.

5.2.4 Policy files for nationally significant purchases should be preserved, but not papers relating to less significant purchases. Similarly, estate disposal files need not be preserved except where they relate to sites of national significance.

5.2.5 The Crown's agricultural estate included substantial forestry interests, and forest and woodland husbandry was a significant concern on many other properties, particularly Windsor Great Park. The sudden decimation of the UK elm tree population in the 1970s by Dutch Elm Disease, and the prolonged droughts of 1975-1976, had a profound impact on The Crown Estate's forests and woodlands. Policy files on attempts to arrest the spread of Dutch Elm Disease, and the measures taken to restock devastated areas, should be preserved, and the reduction in demand for other timber products because of the unexpected availability of mature elm wood should be recorded where its impact was felt in The Crown Estate. Policy files on coping with the droughts should be preserved. General policy files on moves to develop the estate's commercial timber, including formal reviews of forestry policy should be preserved.

5.2.6 Public access to and use of parts of the agricultural estates suitable for recreational uses will be covered by a separate operational selection policy to be developed on Use and Conservation of the Countryside for Recreation 1974 - 1983 (OSP 4), and the criteria in that OSP will be used to determine the selection of records of The Crown Estate dealing with these issues.

5.3 Urban Estates

5.3.1 The collection of records of the Urban and London Estates Branch relates to 2.2.1.2, 2.2.2.1 and 2.2.2.2 of the Acquisition Policy.

5.3.2 Under the 1961 Act the Commissioners run the Crown's urban estates with due regard to the requirements of good management, and they also have a continuing duty to preserve and improve historic buildings which constitute part of the ancient possessions of the Crown, at sites such as Eltham, Richmond and Hampton Court. In addition they are responsible for the management of large numbers of historically or architecturally important buildings elsewhere on the estate, particularly in central London. Policy for managing the urban estate was set by the Commissioners at their Board and other meetings and the record of the formulation of these policies will be kept in the committee minutes and papers. However, significant files on the management, restoration, repair and letting of nationally significant and grade 1 listed properties should be preserved. Typical examples in this period will include the on-going projects to restore Regent's Park, its Nash terraces and Nash terraces in Carlton House Terrace, the redevelopment of the Coutts Bank site on The Strand, Regent Street and Piccadilly Circus improvements (a Crown Estate Regent Street Committee sat to oversee work and advise on projects for the development of Regent Street, and its papers should be preserved) and lettings of Kew Observatory, Asgill House, Richmond and the Pall Mall clubs.

5.3.3 The estate includes significant commercial properties, in London and elsewhere, and records relating to policy and implementation of

developments of important commercial properties in central London, such as Regent Street, Oxford Street or Piccadilly Circus, should be preserved, but the detailed files recording progress of the developments need not be kept. Main files on significant commercial developments in the urban estate outside London should also be preserved. Principal files on major new developments, or complete re-developments of brown-field sites, such as the Royal Mint site, should be kept.

5.3.4 The estate also includes a large amount of residential property, much of which underwent significant restoration and redevelopment in this period, particularly at Millbank and Eltham. Principal documentation only of the main projects, but including details of measures taken to improve the residential environment for example by noise and traffic reduction, should be preserved (as should records of the Committee of Management that oversaw the redevelopment of Millbank). Case files for individual properties within larger estates where work was being carried out need not be kept, nor should records of minor restoration and development work. In the early and mid 1970s, squatting and illegal occupations affected The Crown Estate along with many other landlords. The most significant Crown Estate properties affected were Cornwall Terrace in Regent's Park, and Windsor Park (where illegal pop festivals were held). Policy files on the issue of squatting generally, the increased powers needed by the Commissioners, and on how the occupation of Cornwall Terrace was eventually resolved, should be preserved.

5.3.5 Significant files demonstrating the difficulties caused to The Crown Estate by the designation of conservation areas and the listing of individual buildings, which came to affect nearly the entire central London estate in this period and which resulted in a review of Crown Estate policy in 1973, should be preserved. Policy files on the need for public consultation when dealing with historic properties, on the operations of the planning consent system as it affected the urban estates, on the standards to be applied by contractors, and on lettings policy for significant properties should be kept. Policy on the use of architectural design competitions for major developments (such as at Millbank) should be preserved, but the individual submissions to such competitions need not be kept. Consideration should be given to depositing these submissions in appropriate repositories under the relevant National Archives Disposition Policy criteria. Files on significant infrastructure projects (such as the replacement of Ferry Bridge in Portland) should also be preserved, as should records of significant new residential developments, such as at Windsor and Ascot.

5.3.6 Only the major files relating to significant purchases or disposals of property (for example consolidation purchases in a nationally important site such as Regent Street) should be preserved, and individual case files on sites of lesser significance need not be kept. Policy files on the diversification of the urban estate (into industrial units, supermarkets, shopping centres and so on) should be preserved, but not individual case files except where nationally important sites were concerned.

5.3.7 Records of The Crown Estates Surveyors Branch effectively duplicate records of the London Urban Estate Branch in this period, and need not be considered for permanent preservation.

5.4 Foreshore and Seabed, Minerals and Mines Royal

5.4.1 The collection of records of the Marine and Foreshore Branches relates to 2.2.1.2, 2.2.2.1 and 2.2.2.2 of the acquisition policy.

5.4.2 Under the 1961 Act the Commissioners run the Crown marine and mineral estates with due regard to the requirements of good management. Policy was developed by the Commissioners, increasingly in this period with the help of special advisers, and the record of the formulation of policy will be kept in the committee minutes and papers of the Board. Main files on significant sales of foreshore, and major policy files on the management of the foreshore estate should be preserved (including policy files on the issue of leases and licenses for dredging and mineral extraction, pipelines and jetties, etc., research into the stability of the seabed and the effects of dredging activities on coastal defences and the fishing industry and any central (as opposed to Scottish) files on the impact of the booming North Sea oil and gas industry on the marine estate), but individual case files need not be kept. The Commissioners were involved at the end of this period in the formulation, under the leadership of the Department of the Environment (DoE), of a national dredging policy. The lead files on that policy will be those produced by DoE, but files on changes to The Crown Estate's management of seabed resources as a result of the new policy should be preserved.

5.4.3 The Crown's inland minerals and 'mines royal' interests were less extensive than the marine mineral estate, but significant policy files relating to crown interest in mineral lettings, the issuing of prospecting licenses and the management of the mines royal should be kept. Individual case files need not be preserved.

5.5 Wales

5.5.1 The themes covered by the Welsh estates relate to section 2.2.2.2 of the acquisition policy.

5.5.2 Significant policy files relating to the registration of common land in Wales (resulting from the Crown's interest in the unenclosed wastes of ancient manors) under the Commons Registration Act 1964 should be preserved, but individual case files need not be kept. Policy files on the proposed improvement scheme for the Plynlimon estate, and the impact of referral of the scheme to the Secretary of State for Wales, resulting in parts of the scheme being abandoned, should be preserved (as a significant case in relations between the Crown Estate and environment ministers), as should general policy files dealing with commons

improvement in Wales. Policy files on the purchase of significant agricultural estates in Wales (as opposed to unenclosed waste commons), which began in 1983, should be kept.

5.6 Windsor Estate

5.6.1 This theme relates to sections 2.2.2.1 and 2.2.2.2 of the acquisition policy.

5.6.2 General management of the estate was directed by a Windsor Advisory Committee and a Consultative Committee, and the records of both these committees should be preserved, as should any significant policy files created in the Windsor estate office acting on their advice. An illegal free pop festival was held in Windsor Great Park for three years, culminating in 1974 with a police action resulting in more than 500 prosecutions. Estate files on dealing with this threat to the intended use of the Park should be preserved. Following the illegal festivals, the Commissioners were concerned to encourage more constructive use of the Park, and policy files on increasing and diversifying public access to and use of the Park should be kept.

6 Structure of The Crown Estate's Filing Systems and Correlation to Collection Themes

6.1 The main set of policy records produced by The Crown Estate in this period, the Board and committee minutes and papers, are held outside the registered file system in simple chronological order, and will be preserved in their entirety.

6.2 Each of the estate branches (Marine, Urban and Agricultural) maintains a separate registered file series. That for the Marine estate is subdivided according to coastal county, with separate subject cuts for the rivers Tees and Thames and for a few general topics. Within each subdivision, the files are numbered sequentially with the next available number when they are opened. The Urban estate files for central London form a single series, the files being numbered sequentially with the next available number when they are opened. Other Urban estate files are in a separate series where the first three numbers form the estate code, after which files are numbered sequentially. There are separate agricultural estate files series for English and Welsh estates, again simply numbered sequentially. In addition there are a number of minor administrative files systems, which will only occasionally contain records which relate to the collection themes set out in the Operational Selection Policy, and records of the Private Office of the Commissioners, which will sometimes supplement policy records noted elsewhere, and should be considered on merit. A separate sequential registered file series is maintained in the Windsor Estate Office for recording the management of Windsor Great Park, though files on Windsor also occur in the Urban and Agricultural estates file series.

- 6.3 For each of the key themes outlined at section 5 above, the main source for records worthy of permanent preservation will be the relevant estate file series, and for central management records the Board and Committee minutes and papers, private office files and occasional policy files from estate branches.

7 Implementation of Selection Policy

- 7.1 The business of The Crown Estate requires that its estate files are preserved for long periods, often for longer than 30 years even where the records are not required for permanent preservation at The National Archives or other repository. It is therefore not appropriate, as a result of this operational selection policy, to alter the timing or method of appraisal review used by The Crown Estate, and the appraisal review of files should continue to take place as at present in the 25th year after creation of the file.
- 7.2 The minutes and papers of the Board and committees of the Crown Estate Commissioners are not presently transferred to The National Archives. They form the chief record of policy formulation and should be so transferred, having due regard to any issues of commercial confidentiality. The Crown Estate will formulate plans for the transfer of these records in 2000.
- 7.3 The selection of registered files for preservation at The National Archives will be carried out using the selection criteria established by this operational selection policy as the chief guide. Where records are to be considered which fall outside of the areas covered by the policy, the general guidance set down by The National Archives Acquisition Policy will be followed.
- 7.4 The Crown Estate and The National Archives will consider the presentation of records relating to the Laxton Estate and architectural design competitions to appropriate repositories under the relevant Disposition Policy criteria.

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