



Privacy Notice – Planning Policy and Delivery Team

Introduction

The Planning Policy and Delivery Team have provided this privacy notice to help you understand how we collect, use and protect your information whilst we provide you with planning policy services in relation to Local Plan, other related documents and Supplementary Planning Documents preparation, Call for Sites, Self Build and Custom Build Register, Community Infrastructure Levy, Neighbourhood Plans, Neighbourhood Development Orders, publication of the Council's Brownfield Land Register and production of Housing Land Supply Statements.

The document below will describe how we may collect and process your personal information.

The purpose of this document is to clearly acknowledge the Council's responsibilities in relation to the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

Definitions

Personal Data means any information related to an identified or identifiable natural (living) person ('**data subject**') i.e. a person that can be directly or indirectly identified by reference to a name, ID reference number, email address, location data, or physical, physiological, genetic, mental, economic, cultural or societal identifier

Special Personal Data previously known as 'sensitive personal data', relates to race, ethnic origin, politics, religion, trade union membership, genetic data, biometric data, health, sex life or sexual orientation. Records of criminal personal data must also be treated in a similar way.

Data Controller determines the purposes and means of processing personal data.

Data Processor is responsible for any operation which is performed on personal data on behalf of the controller e.g. collection, recording, organisation, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or making available, alignment or combination, restriction, erasure or destruction.

Third Party is someone / somebody who is not the Data Controller, the Data Processor or the Data Subject.

Who we are

The Planning Policy and Delivery Team provides statutory planning policy services such as preparing the Local Plan for the area, keeping a self build

register, setting a Community Infrastructure Levy for the area and responding to requests for funds. The Team also provides support to local groups in preparing Neighbourhood Plans and Neighbourhood Development Orders and publishes the Brownfield Land Register and Housing Land Supply Statements.

The Council is the 'data controller' for the information which is collated and processed. This means we are responsible for deciding how we can use your information. If you want more information regarding the services delivered, please go to our [website](#).

The Council regards lawful and correct treatment of personal information as critical to their successful operations, maintaining confidence between the Council and those with whom they carry out business. The Council will ensure that they treat personal information correctly in accordance with the law.

The services provided by the Planning Policy and Delivery Team are statutory and are governed by (and any subsequent amendments):

- The Town and Country Planning (Local Planning) (England) Regulations 2012
- The Self-build and Custom Housebuilding Regulations 2016
- The Community Infrastructure Levy Regulations 2010
- The Neighbourhood Planning Regulations 2012
- The Town and Country Planning (Brownfield Land Register) Regulations 2017

The Data Protection Officer for ESC is Siobhan Martin, Head of Internal Audit, and can be contacted at dataprotection@eastsoffolk.gov.uk

How the law protects you

GDPR says that we are allowed to use personal information only if we have a proper reason to do so. More information on how the law protects you can be found on the [East Suffolk website](#).

Our Responsibilities

GDPR provides us with main responsibilities for processing personal data.

All personal information provided by you is held securely and in confidence by us in our computerised and other records. When we process your personal information, we do so in compliance with GDPR.

For further information on our responsibilities, please see the [East Suffolk website](#).

Your Rights

The GDPR provides you with the following rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making

9. The right to withdraw consent
10. The right to complain

Requests in relation to your rights with regards to the personal data we hold should be made verbally or in writing to the Data Protection Officer.

For further information on your rights, please see the [East Suffolk website](#).

Your responsibilities

You are responsible for making sure you give us accurate and up to date information, and to let us know if any personal information we hold is incorrect.

When do we collect information about you?

We collect information about you from different places, including:

- participation in the preparation of the Local Plan and other related documents by submitting a consultation response or asking to be added to the Local Plan and related documents Mailing List
- completion of a Call for Sites form
- response to a Supplementary Planning Document consultation
- completion of a Self Build and Custom Build Register application form
- response to a Community Infrastructure Levy consultation or request for funds
- participation in the preparation of a Neighbourhood Plan or Neighbourhood Development Order
- response to a request for information relating to Housing Land Supply Statements

What information do we maintain?

The information about you which we will maintain will include:

- name
- postal address
- email address
- telephone number
- signature
- date of birth, nationality, tenure of current home and financial information will be required in the case of applying to the Self Build and Custom Build Register

How do we use your information?

We will be using your information to:

- consider your comments or representations in the preparation of the Local Plan and other related documents or Supplementary Planning Documents or Call for Sites submission
- update our Local Plan and other related documents Mailing List and informing you of progress of such, including public consultations
- administer your entry in the Self Build and Custom Build Register
- consider your comments or representations in the preparation of the Community Infrastructure Levy or request for funding
- support you/consider your comments or representations in the

Neighbourhood Plan or Neighbourhood Development Order preparation process

- invite you to attend Developers Forums covering planning and building control information updates
- produce Housing Land Supply Statements

We will not use your personal data for other purposes other than for what it was collated unless we have obtained your consent or for other lawful purposes (e.g. detection and prevention of fraud).

How long do we keep your information?

Statutory information: We will hold your personal information as detailed:

- Local Plan, other related documents and Supplementary Planning Documents preparation, including Call for Sites: Retain until end of plan period + 1 year **or** until superseded + 1 year (local retention policy).
- Self Build and Custom Build Register: Retain indefinitely (Regulation 10, Self-build and Custom Housebuilding Regulations 2016).
- Community Infrastructure Levy: Retain until superseded + 1 year / funding applications retain for 18 months (local retention policy).
- Neighbourhood Planning / Neighbourhood Development Order: Plan preparation is essentially the responsibility of the relevant town or parish council. Where the Council is the responsible authority, retain until the end of the Neighbourhood Plan plan period + 1 year, **or** until superseded + 1 year, **or** the Neighbourhood Area is withdrawn or expires + 1 year (local retention policy).

Developers Forums (land agents, developers, planning agents working within the East Suffolk area): Retain for maximum of 10 years (local retention policy).

Deliver and monitor planning policies: Your information will be retained for a maximum of 15 years from last point of correspondence (local retention policy).

Discretionary information: We will hold your personal information for a maximum period of 15 years from last point of correspondence, you can request that your personal information is deleted at any time.

Local Plan and other related documents Mailing List: Retain until customer requests removal from future consultation notifications. Representations will be retained along with customer name as for Local Plan retention policy.

Data Sharing

We will share your personal information with:

- Consultants appointed by the Council or other local planning authorities undertaking joint/aligned Local Plan, other related documents or Supplementary Planning Document preparation with the Council in whole or in part.
- All representations submitted on the Local Plan at Regulation 19 Publication of a local plan will be submitted to the Secretary of State for independent Examination in their original format, including personal details. These will also be provided to the Planning Inspector undertaking the Examination and to the Programme Officer who assists the Planning Inspector.

- Where a Neighbourhood Area Designation also falls within the Broads Authority, all comments made at Regulation 6 Publicising an area application may be shared, in their original format, with the Broads Authority as Local Planning Authority.
- All comments made on a Neighbourhood Plan at Regulation 16 Publicising a plan proposal will be submitted in their original format to an independent Examiner for their consideration as part of the Examination.
- All comments made on a Community Infrastructure Levy Draft Charging Schedule at Regulation 16 Publication of a draft charging schedule will be submitted in their original format to an independent Examiner for their consideration as part of the Examination and to the Programme Officer who assists the Examiner.

And as required by any subsequent amendments to legislation.

Transferring your information overseas

On occasion, in relation to the collection of data via survey software, we may use web-based services in the US to process your personal data, and rely on the EC's Decision (2016/1250) that the Privacy Shield Framework provides adequate safeguards for processing of personal data. Currently, we do not transfer any other personal information outside of the European Economic Area (EEA).

National Fraud Initiative (NFI)

We may share information provided to us with other bodies responsible for auditing, or administering public funds, or where undertaking a public function, in order to prevent and detect fraud. For further information, see the [East Suffolk website](#).