

Planning; Development Management Privacy Policy

This privacy notice explains how Dacorum Borough Council (the 'Controller') will use any personal information we collect about you when you use our services.

It has been written to give you a clear explanation of our data processing practices to safeguard you and your personal information

What information do we collect about you?

- Name, Address, and contact details.
- Family details such as age, (generally and rarely – age of children)
- Business / Commercial Details
- Name and Contact details of Solicitor
- Name and Contact details of Agent
- Details of Mortgage Company / Provider

How will we use the information about you?

The information that the Council will collect varies depending on how you use the Council's Services. We are using the information provided in this case because we have either a performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (the Council) {GDPR Article 6(1)(e) or a Legal obligation {GDPR Article 6(1)(c)} "processing is necessary for compliance with a legal obligation to which the Council is subject" in this case; under the Town & Country Planning Act 1990. (as amended by other Acts), Planning (Hazardous Substances) Act 1990 and Planning (Hazardous Substances) Regulations 1992, Planning and Compensation Act 1991 Schedule 2, Environment Act 1995 Schedule 13, Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 Regulation 3, Environmental Assessment of Plans and Programmes Regulations 2004 Regulation 5, Planning and Compulsory Purchase Act 2004 S13, The Planning Act 2008, The Housing & Planning Act 2016, The Planning (Listed Buildings & Conservation Areas) Act 1990, The Localism Act 2011, The Environmental Protection Act 1990, The Wildlife and Countryside Act 1981, The Countryside and Rights of Way Act 2000, Advertisement Regulations 2007, Tree Preservation Regulations 2012 and The Self-build and Custom Housebuilding Act 2015.

In some cases we process Personal Data where the Council also has an obligation under GDPR Article 6 (1) (a) "the data subject has given consent to the processing of his or her personal data for one or more specific purposes,".

We are collecting personal information so that we can;

- Process Planning Applications and prior approval notifications
- Create and maintain a public register
- Regulatory and Enforcement functions
- Manage CIL
- Create, maintain and manage Legal Agreements, including unilateral undertakings
- Service Improvement and Planning
- Obtain customer feedback
- Conduct research and consultations

Special Categories of Data

If you are providing us with special category personal information (such as details about your health), we will be processing this under Article. 9(2) and Article 10.

- Medical History
- Ethnicity

Processing of Special Category Data is carried out specifically under the following;

Article 6(1) (c) – processing is necessary for compliance with a legal obligation to which the controller is subject

Article 9(2) (a) – the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;

Sharing / Recipients

Below is a list of who we may share the information (recipients) for the purposes of carrying out the functions (listed above);

- Hertfordshire County Council
- Hertfordshire Building Control
- Other Solicitors / Legal representatives of other parties
- Planning Portal
- Internal Departments (Including but not limited to: Legal)
- Internal Departments (prevention and detection of fraud or crime)
- The Council's Planning Enforcement Department (for the purposes of investigating potential breaches of Planning Control)
- Police
- Statutory Consultees for Planning Applications
- General Public (via Public Registers) – Neighbour comments / objections, Neighbour addresses and committee reports
- Fire and Rescue Services
- Elected Members (Committee purposes)
- Contractors/partners providing services on our behalf
- Funding bodies
- The Environment Agency
- LLEP

How long will we keep this information?

We will destroy this personal information in accordance with our [Retention Policy](#). To determine how long we should keep information, we consider what the legislation states and what is good practice. This means we will securely destroy the information once we no longer need it. If you would like to know the specific period of time that relates to your personal information, please contact foi@dacorum.gov.uk

Security and Location of Data

We will ensure that all personal information is kept securely on servers hosted in the United Kingdom.

Access to all our user information is restricted. Only employees who need the information to perform a specific job are granted access to personally identifiable information.

The servers on which we store personally identifiable information are kept in a secure environment that is continually monitored and tested.

Accuracy of Personal Data (Article 5(1) (d))

“Personal data must be accurate and, where necessary kept up to date; every reasonable step must be taken to ensure that Personal Data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.”

You have a right to request information about you be corrected. Please contact the Planning Department on planning@dacorum.gov.uk , who will validate the information and update the information in our systems accordingly.

Individuals' Rights

You have a right to request a copy of the personal information that we hold about you. If you would like a copy of some or all of your information, please contact foi@dacorum.gov.uk in the first instance or visit <http://www.dacorum.gov.uk/home/open-data/personal-information>

You may have a right to request erasure of Special Category information (where the lawful basis is consent (information has been freely provided by you in support of an application), and the council do not have a legal obligation to process this information. The Council will consult with the relevant agency; i.e. Police, Health Organisations, Trusts, County Council, Safeguarding Teams, to validate your request prior to consideration of the request to remove.

You have a right to request erasure, rectification or restriction where you have provided the Council information under on the lawful basis of consent (Article 6(1) (a)). You may also withdraw your consent to the Council processing the information you have provided to us under this lawful basis. Please contact foi@dacorum.gov.uk in the first instance.

Notification of changes

From time to time, it will be necessary to update this Privacy Policy. This is in order to ensure our users are always aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it.

If at any point, we decide to use personally identifiable information in a manner different from that stated at the time it was collected, we will notify users. Users will have a choice as to whether or not we use their information in this different manner. We will use information in accordance with the privacy policy in force at the time the information was collected.

Cookies

Cookies are text files placed on your computer to collect standard internet log information and visitor behaviour information. This information is used to make your use of the internet better. For further information on how we use these and how you can control it, please visit <http://www.dacorum.gov.uk/home/cookies-policy>

Our Data Protection Policy

We have a General Data Protection Regulation (GDPR) Policy in place and this can be found [here](#):

Data Protection Officer

Our Data Protection Officer for the purposes of Articles 37 to 39 of the General Data Protection Regulation is the Information Security Manager (Legal Governance). You can contact them by emailing foi@dacorum.gov.uk or calling 01442 228538.

Policy Date

This Policy was last updated on the 20th November 2023