

Privacy Notice for Development Management

Data Controller: Erewash Borough Council, Town Hall, Wharnccliffe Road, Ilkeston, Derbyshire, DE7 5RP

Data Protection Officer: Rachel Fernandez, Performance and Community Manager, Erewash Borough Council, Town Hall, Wharnccliffe Road Ilkeston, Derbyshire, DE7 5RP, email rachel.fernandez@erewash.gov.uk, tele: 0115 9072244

Introduction

The Council is committed to being transparent about how it collects and uses the data it collects and to meeting its data protection obligations.

The Development Management Service processes planning applications, planning appeals, pre-application advice and general service enquiries, and the investigation of alleged breaches of planning control.

What information does the council collect?

The council collects a range of information about you. This includes

- Your name, address and contact details, including email address and telephone number,

The council may collect this information in a variety of ways, for example:

- The data you provide on the standard planning application form(s);
- The data you provide on representations made in respect of planning applications;
- The data you provide on any enquiries you make;
- The data we request from you if you are making an enquiry of an alleged breach of planning control.

Data will be stored in confidential electronic filing systems and, on occasion, in paper files.

Why does the council process personal data?

The council needs to process data to take reasonable steps at your request to enter into a contract with you. It may also need to process your data to deliver a service you have requested.

In some cases, the council needs to process data to ensure that it is complying with its legal obligations.

The Development Management Service requires certain data from you in order to identify who you are and where you live in order to assess your planning proposals, or how planning proposals made by others may affect you, and to enable our Officers to make contact with you to discuss your enquiry/application and provide updates on your case.

Who has access to data?

If you have made a planning application, your name will be available for inspection on the planning application form. All other personal data is redacted from the form and not available for public inspection; it will be accessed only by Officers of the council in the performance of their duties relevant to your planning application or enquiry. Data provided through planning enquiries and enforcement cases is not made available to the public in most cases. An exception may be if you provide a witness statement or appear as a witness at a Public Inquiry. If you make representations on a planning application, your comments will be referenced to your postal address and summarised in the officer's report.

The council will not transfer your data outside the European Economic Area.

How does the council protect data?

The council takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

For how long does the council keep data?

We are required to keep a record of all planning applications and associated documents permanently. All other data will be retained in line with the appropriate legislation and guidance and will be confidentially and securely destroyed once it is no longer required.

Your rights

As a data subject, you have a number of rights. You can:

- Access and obtain a copy of your data on request
- Require the council to change incorrect or incomplete data
- Require the council to delete or stop processing your data, for example where the data is no longer necessary for the purpose of processing; and
- Object to the processing of your data where the council is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact the Council's nominated Data Protection Officer, Rachel Fernandez, performance and community Manager. Erewash Borough Council, Town Hall, Wharncliffe Road Ilkeston, Derbyshire, DE7 5RP, email rachel.fernandez@erewash.gov.uk, tele: 0115 9072244

If you believe that the council has not complied with your data protection rights, you can complain to the information Commissioner.

What if you do not provide personal data?

The Council has a statutory obligation to process your data in relation to planning applications and appeals under the Town & Country Planning Act 1990 and the Town & Country Planning (Development Management Procedure) (England) Order 2015.

You are not under any statutory or contractual obligation to provide your data to the council in respect of enquiries or enforcement cases. However if you do not provide the information, the council may not be able to respond to your enquiries properly or at all.

Automated decision-making

The Development Management service is not based on automated decision-making.