

READING BOROUGH COUNCIL (RBC) – PRIVACY NOTICE for PLANNING POLICY

This notice explains when we collect personal information, what we use your data for, who has access, who we share it with and what your rights are in conjunction with RBC's council-wide privacy policies.

This service is located at

Reading Borough Council
Civic Offices
Bridge Street
Reading
RG1 2LU

Contact the Data Protection Officer: Nayana George – IGTeam@reading.gov.uk

What is the lawful basis for processing the information?

Our lawful basis under UK GDPR is Article 6(1)(e) – Public Task “processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller”. Collecting and processing your information is necessary in order to comply with our legal obligations and requires your consent as specified in the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004.

What personal data is collected and held?

The following information is/may be collected from individuals:

- Full name, address, email address, telephone numbers of representors or applicants,
- Names, address, email address, telephone numbers, designation and organisation of any professionals working with representors, applicants or other individuals,
- Full name, address, email address, other contact details of those commenting on, or those consulted on, planning matters,
- Telephone calls, text messages, emails or other communications between the service and an individual or their representative, and
- Opinions about proposed policy or other planning matters.

How will the data be collected and stored?

The information is collected from the service user via online web forms, hard copy documents, email, by telephone or through face-to-face discussions. Information is collected directly from the data subject or from a representative acting on their behalf.

For Planning Policy work the retention period is given as 6 years beyond the expiry or replacement of a plan (i.e. once a plan is superseded). Planning history is continuously relevant to the planning related to a property. However, we do not necessarily need to keep consultation letters/responses for longer. This suggests that the consultation response information on the website should be removed after 6 years beyond the life of the plan and deleted. In practice, there is no personal data on the Council's website relating to the preparation of the planning policy documents which have been adopted. Information that forms the background to adopted plans is periodically reviewed in terms of the need for retention.

Data relating to the self-build and custom housebuilding register is only held as a record for correspondence from the Council. The information is not public and is not shared nor given out to anyone.

Information is stored on the Council's secure network.

How do we use the information you have provided?

All information provided is used by RBC for the following purposes:

- Adding a data subject to the consultations database,
- Adding an individual to the register of those interested in land for custom and self-build housing (only where this has been requested),
- Recording of land and its ownership for consideration of development allocations,
- Keeping those held on our consultation lists informed of Local Plan processes or other planning policy documents,
- Using comments provided to shape draft planning policy documents and inform decisions,
- Responding to enquires, and
- Analysing data for monitoring and improving our service.

Who will the data be shared with and for what purpose?

Your data is managed by officers within the planning policy team. Information may be shared with officers within other RBC service areas for assistance with these matters. All personal data is stored securely with security measures in place to ensure this.

For the purposes of the Local Plan, the content of representations and the names of representors are made publicly available and provided to the Planning Inspectorate in accordance with consultation requirements within legislation. Anonymous comments are not permissible and will not be taken into account. The Planning Inspectorate or Programme Officer may use your information to contact you directly.

It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The data controllers of external agencies mentioned above;
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

We don't usually transfer any Data outside of the European Economic Area (EEA) ,as there are some strict conditions that must be met, it might be easier to say that no data will be transferred outside of the EEA. (See below for terms).

There will be no transfer Personal Data outside of the European Economic Area (EEA) unless the prior written consent of the Council has been obtained and the following conditions are fulfilled: the Council or the Contractor has provided appropriate safeguards in relation to

the transfer (whether in accordance with UK GDPR Article 46 or LED Article 37) as determined by the Council.

- i) the Data Subject has enforceable rights and effective legal remedies.
- ii) complies with its obligations under the Data Protection Legislation by providing an adequate level of protection to any Personal Data that is transferred (or, if it is not so bound, uses its best endeavours to assist the Council in meeting its obligations); and
- iii) complies with any reasonable instructions notified to it in advance by the Council with respect to the processing of the Personal Data.

How can you get access to your personal data?

You may request to personal data through the Subject Access Request Process, [Subject access requests – how to submit a request and what to expect from the council.](#)

Will there be any automated decision making? No

What other rights do you have?

Under data protection law, you have rights including:

Your right of access - You have the right to ask us for copies of your personal information.

Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing - You have the right to object to the processing of your personal information in certain circumstances.

Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You have a right to complain to the Information Commissioner's Office (ICO) if you are unhappy with how your personal information has been handled by RBC. They can be contacted at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Helpline number: 0303 123 1113 ICO website: <https://www.ico.org.uk>