

# Privacy Notice (How we use your information)

## Planning Policy

This privacy notice is designed to help you understand how and why the Planning Policy team at Kirklees Council process your personal data. We use information in the course of our work as a local planning authority. This work includes:

- Preparing a Local Plan and Supplementary Planning Documents
- Providing advice on planning applications
- Working with neighbourhoods on Neighbourhood Development Plans
- Working with neighbouring authorities on strategic policies and evidence
- Monitoring the effectiveness of policies and development progress
- Identifying and promoting the best use of land

### **The categories of information that we collect, process, hold and share include:**

#### Personal information

- Name
- Date of Birth
- Address
- Organisation
- Phone number
- Email address
- Land ownership information

### **Why we collect and hold this information**

We use this personal data to enable us to carry out specific functions for which we are responsible:

- The Planning Policy Consultation Database allows the Council to keep the local community and stakeholders, including residents, businesses, interest groups and landowners, informed of the preparation of planning documents such as our Local Plan, Supplementary Planning Documents and a Community Infrastructure Levy
- The Brownfield Land Register allows the council to provide house builders with up-to-date and publicly available information on all brownfield sites available for housing in the district.
- The Council uses the information on the Self-Build/Custom Build register to maintain a list of individuals and groups interested in self-build and custom build housing.
- Administrative function relating to the production and consultation of Neighbourhood Development Plans

- The Call for Sites process allows landowners, agents and developers the opportunity to submit land for consideration as potential allocation sites. The process of allocating land may also mean land ownership information is obtained and stored to enable the council to prove land is available as well as contacting landowners about sites.

## The lawful basis on which we use this information

Under Article 6 of the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing this information are:

- **6(1)(c) We have a legal obligation.**
- **6(1)(e) We need it to perform a public task.**

These legal bases are underpinned by acts of legislation that dictate what actions can and should be taken by local authorities. This includes, but may not be limited to:

- Planning and Compulsory Purchase Act 2004 (as amended).
- The Community Infrastructure Levy Regulations 2010).
- The Town and Country Planning (Brownfield Land Register) Regulations 2017.
- Self-build and Custom Housebuilding Act 2015.
- Localism Act 2011

## How we store your personal information

Your information is safely stored on a Kirklees Council's secure network drive. Some information is stored in a secure third party system called Objective Keystone.

We keep your information for specific time periods after which we will then dispose your information by deleting electronic records from the network drives or anonymising the information to remove personal information. Paper records are safely disposed of as confidential waste.

We will hold your information for:

- Local Plan 2013-2031 (adopted 27/02/2019) – Until the adoption the next Local Plan
- Supplementary Planning Documents (SPD) – Until the adoption of next SPD or revocation of the SPD.
- Community Infrastructure Levy (CIL) - Until the adoption of the next infrastructure levy.
- Brownfield Land Register - Until the site is no longer on the register.
- Self-build and Custom Housebuilding Register - Until we are informed that the individual/group is no longer looking for a site and wish to be removed from the Register.
- Neighbourhood Development Plans - Until 5 years after the adoption of the most up to date plan for the relevant area.
- Call for sites – Information will be used to inform the Development Plan for which it has been submitted and will be disposed of following the adoption of a subsequent Development Plan, or if national planning policy deems it to be no longer required.

## Who we may share your information with

We may sometimes share the information we have collected about you where it is necessary, lawful and fair to do so. In each case we will only share the minimum amount of information, only when required, for the following reasons:

- To develop national policies.
- To manage local authority performance.
- To administer and allocate funding.
- To identify and encourage good practice.

We may share this information with:

- Other services within Kirklees Council.
- National government departments e.g. Planning Inspectorate.

We do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

## Your data protection rights

Under data protection law, you have a number of rights, including the right to have your records rectified and the right to ask for access to all the information the Council holds about you. These rights are listed in more detail on [Kirklees Council's data protection rights page](#).

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at [Data.protection@kirklees.gov.uk](mailto:Data.protection@kirklees.gov.uk) if you wish to make a request.

## Further information

If you would like further information about how we manage your data, please see the [Kirklees Council privacy notice](#).

If you would like further information about this privacy notice, please contact: [local.development@kirklees.gov.uk](mailto:local.development@kirklees.gov.uk)

If you have any worries or questions about how your personal data is handled, please contact the Data Protection Officer at [DPO@kirklees.gov.uk](mailto:DPO@kirklees.gov.uk) or by ringing 01484 221000.

You can also complain to the ICO if you are unhappy with how we have used your data. You can contact the ICO via the ['Contact us' page on their website](#), or by ringing 0303 123 1113.