

Dumfries and Galloway Council's Planning Privacy Notice

Who are we?

Dumfries and Galloway Council are the data controller of your personal information. This means we decide why and how we will process your personal information. This privacy notice will provide you with the information you need to know about what we will do with the personal information you provide us with.

Why are we collecting your personal information and why?

Dumfries and Galloway Council as Planning Authority uses the personal information provided by you:

- within your application form
- via the Scottish Government's Planning Portal
- the Dumfries and Galloway Council website
- Dumfries and Galloway Council Online Planning Information Site
- by email or letter in order to process applications under planning legislation

What is the legal ground for collecting your personal information?

We have a statutory duty to process applications under the terms of the Town and Country Planning (Scotland) Act 1997 and associated legislation.

Who will we share your personal information with and why?

The personal information we gather, use and publish online includes name, address, and contact details.

Information submitted in relation to planning applications will also be published on the Dumfries and Galloway Public Access site with details of the application also appearing in weekly planning lists and where required, in Planning Application Committee papers.

This includes publishing the address of individuals who make a representation (comment) about an application as well as whether they support or object to the application on the Dumfries and Galloway Council Public Access site. Any other personal or special category data will be removed from documents before publication.

In accordance with section 25 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 the Planning Authority may be required to consult with both internal consultees, not limited to but including Archaeology, Built Heritage and also third parties including statutory consultees such as SEPA, NatureScot and Scottish Water, Historic Environment Scotland. Consulting these parties involves passing on all details, including personal details, of your application.

In terms of the planning enforcement system, if a notice is served, the name of the person(s) on whom it has been served will be published on the Dumfries and Galloway Council Public Access Site and the Enforcement Register on the Council website.

Personal details of applicants and individuals who make comments on planning applications will also have their details used as part of the Planning Appeal or Local Review process. Addresses will be published as part of the Local Review process, and personal details will be shared with the Planning and Environmental Appeal Division of the Scottish Government as part of the appeal process. Name and address details of parties involved in planning enforcement cases will also be shared with the Planning and Environmental Appeal Division of the Scottish Government as part of any Enforcement Appeal process.

We share your information with the Scottish Government as part of any planning or enforcement appeals process.

We also share your information with Elected Members as part of the Planning Applications Committee.

The Scottish Government Planning Portal distributes planning applications and reviews to the relevant planning authorities. Dumfries and Galloway Council Planning Service receives applications, local reviews, comments on applications, and reports of potential breaches of planning control directly (both electronically and on paper).

We may obtain personal information relating to your application from a third party acting on your behalf. We may also receive information from objectors, supporters of developments, and other interested parties via e-mail or via the Dumfries and Galloway Council website.

If we did not request and use this information, it would not be possible to carry out our statutory functions in determining planning applications or providing official address details.

How long will we keep your personal information for?

The Council will not keep your information for longer than is necessary. In some instances, the law sets the length of time information has to be kept. The Council has a retention Schedule that sets out how long we hold different types of information.

What are your rights?

You have the right to:

- Be informed about how your personal information will be used
- Access your personal information
- Withdraw consent where the legal ground for collecting your personal information is consent
- Rectify your personal information, which means they have the right to request the Council to correct any inaccuracies.

- Request deletion of your personal information where the Council no longer has a legal ground to hold your information.
- Request that the processing of your personal information is restricted
- Data portability, this means you can securely move your personal information from one IT place to another
- Object to the Council processing your personal information
- Know when the processing of your personal information is subject to automated decision making and profiling

We aim to directly resolve all complaints about how we handle personal information, you can contact the Council's Data Protection Officer by email dataprotection@dumgal.gov.uk or by telephone 0303 333 3000.

You also have the right to lodge a complaint about data protection matters with the Information Commissioner's Office, who can be contacted at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 0303 123 1113 (local rate) or 01625 545 745

Visit their website for more information: <https://ico.org.uk/concerns>

If your complaint is not about a data protection matter you can find details on how to make a complaint at www.dumgal.gov.uk/complaints or email: commentsandcomplaints@dumgal.gov.uk

What are your responsibilities

Contact us if you change your personal information, including telephone number, email or home address.

Our contact details

Dumfries and Galloway Council H.Q.

English Street Dumfries and Galloway Council

DG1 2DD

contact@dumgal.gov.uk

0303 333 3000

The contact details of the Council's Data Protection Officer

Data Protection Officer

Headquarters

English Street

DG1 2DD

dataprotection@dumgal.gov.uk

0303 333 3000