



Date Created: 24/04/2018  
Date Published: 19/11/2018  
Version Number: 1.00

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**Service Area:** Infrastructure Division  
**Work Area:** Highway Operations Group  
**Contact Details:** Email: highwayoperations@caerphilly.gov.uk  
**Privacy Notice Name:** Highway Enforcement  
**Description of Privacy Notice:** This privacy notice will explain how Caerphilly county borough council will use the information obtained, or you provide about yourself, associated with the identified highway enforcement concern.

## How we will use your information

### Source and type of information being processed

#### Categories of personal data obtained

Caerphilly County Borough Council (CCBC) has obtained the following categories of your personal data:

- Contact details, including; name, address, telephone number and email address.

#### Source of the personal data

This information was obtained by Caerphilly County Borough Council through the following sources:

Your address, and nature of contravention, is noted by our Highway Inspector as part of routine inspections or recorded as a complaint from a member of the public.

Where available, further personal data may be gleaned from existing licences / agreements, relating to the contravention noted.

### Purpose and legal basis for using your information

#### Purpose of processing

Caerphilly County Borough Council will process the information which relates to the contravention, your identity and contact details, for the purposes of practising enforcement as the Highway Authority.

#### Legal basis for processing

Acting as the Highway Authority, CCBC have a statutory obligation to process your information, as detailed under the Highway Act 1980 as detailed in the appended table (Reference Appendix A).

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

1(e) 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.

## **Who will have access to your information**

### **Identity of Data Controller and Data Protection Officer**

The Data Controller for your information is Caerphilly County Borough Council. The Data Protection Officer is:

Ms Joanne Jones  
Corporate Information Governance Manager / Data Protection Officer  
Email: [dataprotection@caerphilly.gov.uk](mailto:dataprotection@caerphilly.gov.uk)  
Tel: 01443 864322

Other Data Controllers may also be responsible for your information, depending on the specific circumstances. Please contact the Service Area for further information.

### **Details of main users of your information**

The particulars of any Highway Enforcement concern, which may include your identity, contact details and address, will be distributed to relevant Officers within our Engineering Team, for the purpose of addressing the relevant contravention.

### **Details of any sharing of your information within Caerphilly county borough council**

The particulars of any Highway Enforcement concern may be shared with other service areas and relevant officers, in order to facilitate any potential action / response to the relevant contravention.

All records may be subject to review by Internal Audit officers.

### **Details of any sharing of your information with other organisations**

Dependant on the nature of the concern, the particulars of any Highway Enforcement may be shared with external service providers, in order to exercise appropriate action / response to the relevant contravention.

### **Requests for information**

All recorded information held by Caerphilly County Borough Council may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Data Protection legislation.

If the information you provide is subject to such a request, where possible Caerphilly County Borough Council will consult with you on its release. If you object to the release of your information we will withhold your information if the relevant legislation allows.

## **How long will we retain your information**

### **Details of retention period**

How long Caerphilly County Borough Council retains information is determined through statutory requirements or best practice.

Your personal information will be kept for the year of notice + 6 years. Some request and response may be kept longer but this will be in an anonymised form.

## **Your Rights (Inc Complaints Procedure)**

### **Your rights under the Data Protection**

Data Protection gives data subjects (those who the information is about) a number of rights:

- The right of subject access – Application forms for this process are available on our website: [SAR Form](#)
- The right to be informed
- The right of rectification
- The right to erasure
- The right to restrict processing
- The right to object
- The right to data portability
- Rights in relation to automated decision making and profiling.

Further information on your rights is available from: [www.ico.org.uk](http://www.ico.org.uk).

To enact your rights please contact the service area detailed on the top of this form.

### **Complaints Procedure**

If you are unhappy with the way that Caerphilly County Borough Council has handled your request / information, you have the right of complaint. Please contact the Service Area detailed at the top of this document outlining your issues.

If you remain unhappy you also have a right of complaint to the Information Commissioner's Office. Please follow this link for further information on the complaints process.

[www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints](http://www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints)

## Appendix A – Highway Enforcement Legislation

Non-Construction Safety Defect /	Legislation
DANGEROUS LAND ADJOINING HIGHWAY BOUNDARY (REPAIR OF WALL/FENCE)	See Highways Act 1980 Section 165 Unfenced source of danger
BUILDING AND MATERIALS AND OTHER THINGS DEPOSITED ON HIGHWAY UNSAFELY	See highways Act 1980 Section 149
GATES OPENING OUT OVER HIGHWAY HAZARDOUS TO USERS	See Highway Act 1980 Section 153
HEDGE, TREE OR SHRUB OVERHANGING HIGHWAY FROM PRIVATE PROPERTY – HAZARDOUS TO USERS	See Highway Act 1980 Section 154
PRIVATE FORECOURT ABUTTING HIGHWAY HAZARDOUS TO USERS	See Highway Act 1980 Section 165
FREE STANDING SHOP SIGNS ON HIGHWAY HAZARDOUS TO USERS	See Highway Act 1980 Section 132, 149 (2) (a) and (b)
DEPOSIT OF MUD/REFUSE/EFFLUENT/MATERIAL ON HIGHWAY HAZARDOUS TO USERS	See Highway Act 1980 Section 130, 148 & 149
DEFECTIVE CELLAR COVERING THE FOOTWAY	See highways Act 1980 Section 180
OBSTRUCTION OF THE HIGHWAY	See highways Act 1980 Section 143, 149
ILLEGAL VEHICLE CROSSING OF FOOTWAY	See highways Act 1980 Section 184
DAMAGE TO COUNTY HIGHWAY	See highways Act 1980 Section 131
ILLEGAL RAMP ON THE HIGHWAY	See highways Act 1980 Section 149
UNAUTHORISED POSTERS COVERING TRAFFIC SIGNS	See Highway Act 1980 Section 130, 131 (2)
BUILDERS SKIPS PLACED ON HIGHWAY IN A POSITION HAZARDOUS TO USERS	See Highway Act 1980 Section 140
BUILDERS SKIPS ON HIGHWAY CONTAINING MATERIALS HAZARDOUS TO HIGHWAY USERS	See Highway Act 1980 Section 140
PROJECTIONS FROM BUILDINGS FROM PRIVATE PROPERTIES HAZARDOUS TO USERS	See Highway Act 1980 Section 130 and 152
ROPE, WIRE OR OTHER APPARATUS ACROSS HIGHWAY LIKELY TO CAUSE DANGER	See Highway Act 1980 Section 162
BARBED WIRE ON FENCE ADJOINING HIGHWAY LIKELY TO CAUSE HAZARD TO USERS	See Highway Act 1980 Section 164
BUILDING WORKS LIKELY TO HAZARDOUS TO HIGHWAY USERS	See Highway Act 1980 Section 172 Erection of hoardings
INSECURE HOARDINGS	See Highway Act 1980 Section 173

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# Summary Privacy Notice

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## How we will use your information

Caerphilly County Borough Council (CCBC) will process the information which relates to any particular Highway Enforcement concern, including your identity and contact details, for the purposes of exercising statutory powers under the Highway Act 1980.

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

1(e) 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.

You have a number of rights in relation to the information including the right of access to information we hold about you and the right of complaint if you are unhappy with the way your information is being processed.

For further information on how we process your information and your rights please click the following link:

[{Hyperlink to Full Privacy Notice on our website}](#)