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<b>Service Area:</b>	Regeneration and Planning
<b>Work Area:</b>	Strategic Planning
<b>Contact Details:</b>	<a href="mailto:ldp@caerphilly.gov.uk">ldp@caerphilly.gov.uk</a> ; 01443 866772
<b>Privacy Notice Name:</b>	Local Development Plan (LDP) Database
<b>Description of Privacy Notice:</b>	<p>This privacy notice will explain how Caerphilly CBC will use the information you provide when you:</p> <ul style="list-style-type: none"><li>• Request to receive correspondence regarding the LDP</li><li>• Submit representations during the various stages of the LDP process</li><li>• Submit candidate sites for consideration as part of the LDP process</li></ul>

## How we will use your information

### Purpose and legal basis for using your information

#### Purpose of processing

Caerphilly County Borough Council will use your information where you have requested that you wish to be informed about the progress of the LDP in order to notify you at each of the key stages in the plan preparation process.

Where you have submitted representations in respect of the LDP or Candidate Sites process Caerphilly County Borough Council will use your information in the administration of your representations and to contact you directly in respect of them.

Caerphilly County Borough Council will process any representations you may make as part of one of the formal consultation stages within the LDP process for the purposes of ensuring your comments have been considered in the plan preparation process. Your contact details will be retained to enable us to inform you of progress throughout the LDP process.

Your full representation will not be published on-line but all representations received will be open to public inspection in the Council Offices and copies of your representation may be made available to third parties on request. Your contact details will be redacted in any publicly viewable copies of the files.

#### Legal basis for processing

There is a public task obligation to process your information as detailed by one of more of the following:

- Town & Country Planning Act 1990 and associated Regulations
- Planning and Compensation Act 1991 – amended the above Act
- Planning and Compulsory Purchase Act 2004 – amended the Town and Country Planning Act 1990
- Planning Act 2008 – supplements the 2004 Act
- Planning (Wales) Act 2015 amends the 1990 and 2004 Acts
- The Town and Country Planning ( Local Development Plan) Regulations 2005 as amended by the Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015

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 Act 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.

NB the following paragraph will only be relevant if you provide sensitive personal data i.e. health, religion, political beliefs, etc

In order for the processing of sensitive personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 9 must be identified, which is outlined below:

Data Protection Act 2018 – Schedule 1 / Part 2

- 6 (1) This condition is met if the processing—
- (a) is necessary for a purpose listed in sub-paragraph (2), and
  - (b) is necessary for reasons of substantial public interest.
- (2) Those purposes are—
- (a) the exercise of a function conferred on a person by an enactment or rule of law;
  - (b) the exercise of a function of the Crown, a Minister of the Crown or a government department.

## **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**

Staff within the Council's Planning department will record your details and any representations you may make in the LDP database, including your contact details, for the

purposes of acknowledging your representation, and informing you of future stages of the plan preparation process.

Your full representation will not be published on-line but all representations received will be open to public inspection in the Council Offices and copies of your representation may be made available to third parties on request. Your contact details will be redacted in any publicly viewable copies of the files.

The views of all those that have responded will be collated into a consultation report which will be published by Caerphilly County Borough Council. This may include representor numbers assigned to those making representations, but not names or contact details.

Details of candidate sites will be circulated to internal and external stakeholders to allow them to be assessed as part of the LDP process. No personal information will be included as part of this.

Full copies of all representations will be provided to the Planning Inspectorate as part of the Examination of the LDP and the Planning Inspector appointed to examine the plan, via their Programme Officer, will contact all representors to determine who will participate in the LDP Examination.

### **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 the Data Protection Act 1998.

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 contact details will remain in the consultation database until a future LDP is prepared, at which time we will contact you to advise you of this and ask whether you wish to remain on the consultation database. Representations made in respect of the LDP, will be retained until such time as the LDP upon which they relate has been superseded by the adoption of another LDP.

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

### **Your rights under 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 the council's 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 services area detailed at the top of this form.

### **Complaints Procedure**

If you are unhappy with the way that Caerphilly County Borough Council has handled your data, 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)

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# Summary Privacy Notice

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Where you have submitted representations in respect of the LDP or Candidate Sites process Caerphilly County Borough Council will use your information in the administration of your representations and to contact you directly in respect of them.

Caerphilly County Borough Council will process any representations you may make as part of one of the formal consultation stages within the LDP process for the purposes of ensuring your comments have been considered in the plan preparation process. Your contact details will be retained to enable us to inform you of the progress throughout the LDP process.

The legal basis for processing your information is it is necessary for the performance of a task carried out in the public interest.

Staff within the Council's Planning department will record any representation you may wish to make in the LDP database, including your contact details, for the purposes of acknowledging your representation, and informing you of future stages of the plan preparation process.

Your full representation will not be published on-line but all representations, including your representation, will be open to public inspection and copies of your representation may be made available to third parties on request. Your contact details will be redacted in any publicly viewable copies of the files.

The views of all those that have responded will be collated into a consultation report which may be published by Caerphilly County Borough Council. This may include representor numbers assigned to those making representations, but not names or contact details.

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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: [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)