

## **Privacy Notice for Planning Strategy**

**Reviewed Nov 2021  
V1.0**



# Planning Strategy Service

Our core data protection obligations and commitments are set out in the council's **primary** privacy notice at [www.bolton.gov.uk](http://www.bolton.gov.uk)

This notice provides additional privacy information for:

- People accessing the Strategic Planning functions in connection with the council's role as a Local Planning Authority
- Partners working with Bolton Council

It describes how we collect, use and share personal information about you

- In relation to Planning Strategy
- the types of personal information we need to process, including information the law describes as 'special' because of its sensitivity

It is important that you read this notice, together with any other privacy information we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

The information collected and held will vary dependent on the service used.

## Purposes

We collect your personal information for the following purposes.

When reviewing and preparing local development documents (which make up the Local Plan) the Council will carry out public consultation at key stages.

Where persons have expressed an interest to be kept informed regarding the progress of documents prepared as part the Local Plan, personal information is collected and recorded so that the Council is able to let them know about consultation events and Local Plan progress.

The type of consultation used will vary depending on the nature of the document being prepared. In addition to the consultations related to the preparation of local development documents, we may from time to time carry out consultation as part of research and evidence carried out to support the Local Plan.

In preparing the Local Plan, the Local Planning Authority must consider any representations made in response to these consultations. A consultation statement is produced and made public at various stages in the preparation of a local development document. This consultation statement includes the respondents name, organisation where applicable and a summary of the comments received.

Copies of all representations made at the publication stage of the Local Plan preparation will be sent to the Secretary of State. These representations will be considered during the independent examination of the Local Plan.

## Categories of personal data

In order to carry out these purposes we collect and obtain:

- Name
- Address
- Telephone number
- Email address
- Expressed opinions in respect of planning consultations
- Equalities information (special category data)

## Legal basis for processing

The legal bases for processing your personal information under Article 6 of the UK GDPR are:

- (a) Statutory powers and duties under
  - The Town and Country Planning (Local Planning) (England) Regulations 2012, as amended
  - Local Government Act 1972, as amended
  - Equalities Act 2010
- (b) In the public interest or in the exercise of official authority

With regards to special category data (Sensitive), where this is being processed we rely on Article 9(2)(a) and (g) of the GDPR, i.e. explicit consent and substantial public interest

When we use Mailchimp, the legal basis for processing your data is consent. You can withdraw your consent at any time through Mailchimp which is outlined in all email correspondence

If you fail to provide certain information when requested we may be prevented from complying with our legal obligations.

## Information sharing/recipients

We may share personal information about you with the following types of organisations:

- Ministry of Housing, Communities and Local Government
- Planning Inspectorate
- Statutory and non-statutory consultees, such as the Environment Agency

- Greater Manchester Combined Authority
- Local Government Ombudsman
- Those appointed to assist the council in the preparation of documents/studies to inform the Local Plan and to provide services/perform technical operations such as data storage

We will not normally share your information with organisations other than our partner organisations; however, there may be certain circumstances where we would share without consent such as where we are required to do so by law, to safeguard public safety, and in risk of harm or emergency situations. Only the minimum information for the purpose will be shared.

## **Automated Decisions**

For this service all the decisions we make about you involve human intervention.

## **Data retention/criteria**

We will only keep your personal information for as long as the law specifies or where the law does not specify this, for the length of time determined by our business requirements and in line with the council's data retention policies.

In order to comply with its statutory obligations, comments received as part of a Local Plan related consultation cannot be treated as confidential as the Council is obliged to make all representations available for public inspection. If you choose to make a representation you will be regarded by the Council as having consented to that representation being made available for public inspection. All comments received will also be made available via the internet, along with the name of the person who submitted them. Your address will not generally be available via the internet if you submit your comments electronically through our consultation portal. Information submitted to support a representation (such as documents or plans) may also be made available via the internet.

Where the Council receive representations and supporting documents containing email addresses, telephone numbers or signatures, we will endeavour to remove them. If your postal address is shown on any accompanying documents though then this will be accessible via the internet.

## **Where your data is processed and stored**

Your data is stored in Mailchimp's servers in the USA. This is subject to equivalent legal protection through the use of Model Contract Clauses and the supplier's membership of the Privacy Shield Framework. We also design, build and run our systems to make sure that your data is as safe as possible at any stage, both while it is processed and when it is stored

## Rights of individuals

You have certain rights in relation to the council's use of your personal information.

To find out more about how these rights apply in particular circumstances, please refer to our [Guide to exercising your rights](#) or alternatively visit the Information Commissioner's web site at [www.ico.org.uk](http://www.ico.org.uk)

If you wish to exercise your rights or to raise a concern about the handling of your personal information by the council, please contact our Information Governance Team at [information.security@bolton.gov.uk](mailto:information.security@bolton.gov.uk).

If you are still unsatisfied you should contact **The Information Commissioner's Office** by post at the ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or by telephone: 0303 123 1113

## Updates to Privacy Notice

We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details