



Privacy Notice – Local Plan

Who Will Be Responsible For My Data Once It Is Collected?

Warrington Borough Council will be responsible for the data once it is collected.

Why Do You Need My Information?

Planning laws set out the requirements for consultation in relation to Local Plans as defined by the Town and Country Planning (Local Planning) (England) Regulations 2012. Consultation also has to be undertaken in line with the Council's Statement of Community Involvement (SCI).

Representations received at the regulation 19 Stage of plan making have to be 'duly made' and are submitted along with the plan and accompanying documentation to the Secretary of State so that, through Examination in Public, a Planning Inspector can decide whether a Local Plan is 'sound' or whether representations raise issues which may render the plan unsound or require changes to be made.

Your name and comments will be made publicly available when displaying and reporting the outcome of the consultation stage, and so cannot be treated as confidential. Any other personal details including your home address, email address, telephone number and signature will be treated as confidential, however they may be passed on to the planning inspectorate/programme officer managing the examination in order for you to be contacted to take part in the examination in public.

If you are represented by an agent, we will usually send any notifications to them unless you have specifically asked to be contacted directly.

What Allows You To Use My Information?

The legal basis for processing your information in line with the General Data Protection Legislation is:

Article 6 (1) (e) **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

The Town and Country Planning (Local Planning) (England) Regulations 2012 and the Neighbourhood Planning Regulations 2012 requires us to invite representations at specific stages in the preparation of the Local Plan and Neighbourhood Plans.

What Type of Information Will Be Processed?

The Council will share details in line with this privacy notice and when required to do so by law and / or statutory regulations in producing the development plan and planning policy documents. This may include:

- Publishing your name and comments received at consultation.
- Providing your contact details to an independent planning inspector/programme officer.

Your data will not be used for marketing or automated decision purposes. Notifications may be sent to you to provide updates on local plan consultations and related documentation

Who Will My Information Be Shared With?

Your information may be shared with consultants working to support the Planning Policy team or the appointed independent examiner. We share this information in order to ensure that the views of the respondents feed into the examination of the Local Plan.

For Local Plan documents as defined by the Regulations, data received at the Proposed Submission (Regulation 19) stage will be forwarded to the Planning Inspectorate along with other Local plan submission documents required for the independent Examination in Public.

Comments will also be put into the public domain, including on the council's website. Your data will be processed by the Planning Policy team.

Your information will not be used for any other council purpose, unless we have your consent, or this is provided by law.

Do I Have To Provide This Information And What Will Happen If I Don't?

Your comments on planning policy documents cannot be registered or used for the purpose of the development of planning policy if you do not provide your personal information.

Anonymous responses are not accepted.

How Long Will You Keep This Data For And Why?

We only keep this data for the time specified in our retention schedule or as required by law.

How Will My Information Be Stored?

If you participate in an online survey your responses are stored on UK based servers by the online account service that we use 'Smart Survey' – please refer to their Privacy Policy [here](#)

Online survey data, once downloaded is stored securely on council servers and accessed by a limited number of key staff all of whom undertake regular training about Data Protection.

Any email correspondence, and scanned copies of letters received by post, will also be stored electronically on the Planning Policy team's shared filing system. Hard copies are often required during examinations but will be destroyed using confidential disposal when no longer needed.

What Rights Do I Have When It Comes To My Data?

Under the Data Protection Act 2018 (General Data Protection Regulation), you might have more rights about what happens with your data.

As different rights apply in different situations each request will be assessed on a case by case basis.

1. **Right of Access (formerly Subject Access Request)** - you have the right under the Data Protection Act 2018 (General Data Protection Regulation 2018) to request a copy of your information and to know what it is used for and how it has been shared. This is called the right of subject access.

To request a copy of your data or ask questions about how it is used, please look at our [webpages on Requests for Information](#).

2. **Right to be informed** – as detailed through this Privacy Notice.
3. **Right to rectification** – you have the right to have personal data rectified if it is inaccurate or incomplete.
4. **Right to erasure** – depending on the legal basis for processing your information, you could have the right to have personal data erased.
5. **Right to restrict processing** – depending on the legal basis for processing your information, you have the right to reduce or stop the processing of your data.
6. **Right to data portability** – depending on the legal basis for processing your information, you have the right to obtain and reuse any electronic data we hold about you.
7. **Right to object to processing** – where processing your personal information is required for the performance of a public interest task (see above), you have the right to object.

Who Can I Complain To If I Am Unhappy About How My Data Is Used?

If you are not satisfied with how your request has been dealt with, or if the information held about you is incorrect, you should email or write to Warrington Borough Council outlining your concerns.

If you then wish to make a complaint then please contact us using one of the methods below: Use the [online complaints form](#).

- Email us at contact@warrington.gov.uk
- Phone us on: 01925 443322
- Write to us at: Warrington Borough Council, East Annexe, Town Hall, Sankey Street, Warrington, WA1 1UH

You also have the right to complain to the Information Commissioner's Office using the following details: -

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Telephone: 0303 123 1113
Website: <https://ico.org.uk/>

Will This Information Be Used To Take Automated Decisions About Me?

No, the information will not be used to make automated decisions

Will My Data Be Transferred Abroad and Why?

No, your data will not be transferred outside of the UK