

Privacy Notice
Durham County Council
Regeneration and Local Services Area
Spatial Policy

1. Who we are and what we do

Who we are and What we do

Spatial Policy is responsible for responding to planning applications, supporting the development of Neighbourhood Plans, Transport Policy, Housing Policy and Economic Policy.

We are also responsible for the development of the County Durham Plan. Once in place, the County Durham Plan will set out the new development planned for the county, where it will take place and how it will be managed. The plan will also contain policies for how we determine planning applications.

For further information on the County Durham Plan please see the [Durham County Council website](#).

For the purposes of Data Protection, Durham County Council is the Data Controller for your information.

2. What type of personal information do we collect and how do we collect it?

The Council will retain information and personal data that you provide in relation to consultation responses on planning policy documents you choose to take part in or requests to be added to our Local Plan Consultation database in order to be notified about future consultation and any other relevant matters.

References to planning policy documents can include:

- Local Plan documents
- Supplementary documents
- Community Infrastructure Levy
- Neighbourhood Plan documents
- Masterplans
- Brownfield Land Register
- Self-build or Custom Build Housing Register
- Strategic Housing Land Availability Assessments
- Evidence based documents that support the development of planning policy

Why type of Personal Information do we collect

Personally identifiable information - whenever you sign up to our Local Plan Consultation Database, contact the Spatial Policy Team or respond to any of our consultations on the above listed documents. This information may include your name, email address, home or work address, telephone or mobile number.

It may also include sites submitted to the Council (received from landowners or their agents) who wish for their site to be considered for future land use.

How we collect Personal Information

The personal information referred to above may be collected through the following means:

- face to face meetings/interviews
- application forms
- questionnaires
- telephone
- in writing
- online
- Objective consultation portal (web-based software)
- email

3. What is our power to obtain and use the personal data?

It is a statutory function for Local Authorities to produce Local Plan documents and as such, under local government legislation, is a task in the public interest and in the exercise of the official authority.

The way in which planning policy documents are produced is governed by a range of legislation. In a number of cases this includes how they are consulted upon and how the Council is expected to collect and present consultation responses in a transparent way. This legislation includes:

- Town and County Planning Act 1990
- Planning (Listed Building and Conservation Areas) Act 1990
- Planning and Compensation Act 1991
- Planning and Compulsory Act 2004
- Localism Act 2011
- Housing and Planning Act 2017
- The Town and County Planning (local Planning) (England) Regulations 2012
- The Neighbourhood Planning (General) Regulations 2012
- The Town and County Planning (Brownfield Land Register) regulations 2017

4. What is your personal information used for?

Durham County Council holds information about the Spatial Policy service users in order to:

- Provide you with relevant advice and information
- Provide services or arrange for others to provide services to meet your needs
- The development of the County Durham Plan

We may not be able to help you or provide you with a service unless we have enough information.

5. Will your personal information be shared?

Your information will not be shared with other organisations unless we have your consent or there is a legal basis for doing so e.g. for the Prevention or detection of crime.

For example; 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, organisation, and comments on our public facing consultation portal (Objective Keystone Online).
- Providing your name, organisation, and comments to an independent planning inspector/examiner to consider the soundness legal compliance of the planning policy documents being produced.

Please note, anonymous comments made to the Spatial Policy Team cannot be accepted for statutory consultations such as The County Durham Plan and supporting documents.

Notifications may be sent to you to provide updates on localplan consultations and related documentation. If you no longer wish to have updates sent to you please email spatialpolicy@durham.gov.uk or let us know in writing to Spatial Policy, County Hall, Durham, DH1 5UQ.

6. How do we keep your personal information secure?

The security of your personal information is important to us. The records we keep about you are secure and are confidential within the Council. The Council have a range of procedures, policies and systems to ensure that access to your records are controlled appropriately.

Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without special knowledge (such as a password).
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it;
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong.

Information and data submitted for consultation purposes will be retained securely on our software system objective keystone, with appropriate security controls in place to protect it.

7. How long will we keep your personal information?

After we deliver a service to you, we have to keep your information as a business record of what was delivered.

The type of service you receive will determine how long we have to keep your information. Our [corporate retention guidelines](#) show how long we keep information for different services.

The retention period for the County Durham Plan is 3 years after the adoption of the County Durham Plan, this is common practice.

If you wish to withdraw consent and have your information deleted from our records, it will be necessary for you to make a request to spatialpolicy@durham.gov.uk or in writing to Spatial Policy, County Hall, Durham, DH1 5UQ, setting out the personal information that you would like to be removed and details of the relevant planning application against which the personal information was provided.

8. Is your personal information processed outside the European Economic Community (EU)?

We do not process your personal information outside the EEC.

9. Marketing

At no time will your information be passed to organisations external to us and our partners for marketing or sales purposes or for any commercial use without your prior express consent.

10. What are your Information Rights?

Your Information Rights are set out in the law. Subject to some legal exceptions, you have the right to:

- Have any inaccuracies corrected;
- Have your personal data erased;
- Place a restriction on our processing of your data;
- Object to processing; and
- Request your data to be ported (data portability).

If you wish to exercise your information rights, please contact our Data Protection Officer at DPO@durham.gov.uk or alternatively write to:

DPO,
Floor 4 Room 143-148,
Durham County Council
County Hall,
Durham
DH1 5UF

You also have the right to request a copy of the personal information council holds about you. To do this, you can apply on line or download an application form from the [DCC website](#) or you can contact the data protection team at dataprotection@durham.gov.uk

To learn more about these rights please see the [ICO website](#).

Further Information

Our Data Protection Officer (DPO) provides help and guidance to make sure we apply the best standards to protecting your personal information. If something goes wrong with your personal information, or you have questions about how we process your data, please contact our Data Protection Officer at DPO@durham.gov.uk or by calling 03000 268050

If we have not been able to deal with your complaint, you can also contact the [Information Commissioner's Office](#):

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113 (local rate) or 01625 545 745
Fax: 01625 524 510