

WHAT WE DO

This privacy notice explains how we use information in the course of our work as a Local Planning Authority. This work includes:

- Making decisions and providing advice on planning applications;
- Making planning policies;
- Working with neighbourhoods;
- Working with neighbouring authorities and statutory consultees;
- Responding and acting on allegations of unlawful or unauthorised development;
- Responding and acting on allegations of unlawful works to trees protected by a Tree Preservation Order or within a Conservation Area;
- Monitoring development; and
- Entering into legal agreements.

INFORMATION COLLECTED

Through making planning decisions and forming planning policy we receive information in two ways; being supplied to us directly by an individual or an agent on an individual's behalf, or it is provided to us by a third party, such as via the Planning Portal.

To allow us to make decisions on applications and consider representations made about new planning policy, individuals must provide us with some personal data including their:

- Name;
- Address; and
- Contact details.

In a small number of circumstances, individuals will provide us with special category data in support of their application or representation. We use the information provided to us to make decisions about the use of land in the public interest.

Some of the information which is provided to us we are obliged under the regulations to make available on planning registers and available for public inspection. This is a permanent record of our planning decisions that form part of the planning history of a site or form the development stages in the preparation of a planning document.

AGENCIES WE MIGHT SHARE THE INFORMATION WITH

We do not sell your information to other organisations, move it outside of the UK or use it for automated decision making. We will make details of planning applications and consultations on planning documents available online so that people can contribute their comments. We sometimes need to share the information we have with other parts of the Council and other relevant bodies as follows:

- Other Local Planning Authorities including County Councils;
- Greater Manchester Combined Authority;
- Commissioned partners;
- Other Council Services; and
- Statutory Consultees.

PUBLICISING YOUR INFORMATION

We operate a policy where we routinely redact the following details before making forms and documents available online or for public inspection:

- Personal contact details for an individual such as telephone numbers, email addresses and signatures;
- Special category data, such as that which may be provided within supporting statements or representations. This may include information about a health condition for instance; and

- Other information which is agreed to be confidential which may include commercially sensitive data or information contained within an ecology assessment relating to the known locations of protected species.

There may be instances when we decide it is necessary, justified and lawful to disclose data that appears in the list above. In these circumstances we will let you know of our intention before we publish anything.

PROCESSING YOUR INFORMATION

Information you share with the Council may be subject to processing by a third party organisation. We may undertake a Data Protection Impact Assessment prior to commencing any such activity and will always ensure that processing of your data falls under one of the following lawful bases’;

- We have your consent;
- We have to fulfil a contractual obligation to you, or you have asked us to do something before entering into a contract;
- We have a legal obligation to process your personal data;
- We need to process your personal information to protect someone’s life, this is known as a vital interest;
- We need to process your personal information ‘in the exercise of public authority’. This covers the public functions, powers and obligations placed on the Council and set out in law;
- The final lawful basis is legitimate interest. As the majority of the Council’s work is done as a public authority. There may be an occasion where we perform a task which is outside the scope of us being a public authority, in those instances we will perform a three part test to assess the purpose, necessity and balance of the processing to ensure your rights and freedoms are protected.

RETENTION OF YOUR INFORMATION

We process many different types of information according to our retention policies but where information relates to a formal consultation process or a planning decision, this will be retained indefinitely as part of the statutory registers and document adoption processes.

You have the right to opt out of Tameside Metropolitan Borough Council receiving or holding your personal identifiable information; however, this depends on the specific data and programme which it relates to. Making planning decisions and forming planning policy are public tasks and therefore the normal right to withdraw consent and opting out will not typically apply. Additionally there are occasions where service providers will also have a legal duty to share information, for example for safeguarding or criminal issues.

For further information please visit <https://www.tameside.gov.uk/dataprotection> or email information.governance@tameside.gov.uk