



Local Development Plan 2030

# Local Development Plan Privacy Notice

September 2019

[www.midandeantrim.gov.uk/planning](http://www.midandeantrim.gov.uk/planning)



**Mid & East  
Antrim**  
Borough Council

## Local Development Plan Privacy Notice

Mid and East Antrim Borough Council is a registered data controller (ZA076984) with the Information Commissioner's Office and we process your information in accordance with the General Data Protection Regulation and Data Protection Act 2018.

Mid and East Antrim Borough Council collects and processes personal information about you in order to fulfil our statutory obligations, to provide you and service users with services and to improve those services.

This Privacy Notice relates to the personal information processed to develop the Council's Local Development Plan (LDP).

If you wish to find out more about how the Council processes personal data and protect your privacy, our corporate privacy notice is available at [www.midandeantrim.gov.uk/privacy-notice](http://www.midandeantrim.gov.uk/privacy-notice).

### Why are we processing your personal information?

- To enable the preparation of the Council's Local Development Plan;
- To consult your opinion on the Local Development Plan through the public consultation process as well as other section functions;
- To ensure compliance with applicable legislation;
- To update you and/or notify you about changes; and
- To answer your questions.

### What is our lawful basis for processing your personal information?

Under data protection law, we must have a lawful basis for processing personal information and at least one of the following must apply:

1. Consent: an individual must give clear consent for us to process their personal data and then only for a specific purpose.
2. Contract: the processing is necessary for a contract the Council has with an individual, or because they have asked the individual to take specific steps before entering into a contract
3. Legal obligation: the processing is necessary to comply with the law (not including contractual obligations).
4. Vital interests: the processing is necessary to protect someone's life.
5. Public task: the processing is necessary to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

The processing of personal information conducted in regard to the Local Development Plan falls under category 5 above. The legal requirements in regard to public consultation on a draft Development Plan document, including arrangements for the handling of representations, are set out in Article 17 of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

### What categories of personal data are we processing?

- Personal Information: Name, address, phone number, email address and signatures.
- Special Categories: We may, in some instances, process data falling under this category such as medical information, particularly where it relates to a representation and/or correspondence you have submitted. However, we will only do so when you have directly provided this information to us.

## **How do we process your personal data?**

Your personal information will be used to populate the LDP Representations Database and, where relevant, the Community Involvement Register.

### **1. Local Development Plan: Representations Database**

Under The Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the Council is legally obliged, during the Plan preparation, to make the following documents available for public comment:

- Draft Preferred Options Paper;
- Draft Plan Strategy; and
- Draft Local Policies Plan.

Representations, received during the public consultation stages of the draft Plan Strategy and the draft Local Policies Plan, must be published on the Council's website and a copy made available for public inspection. This will also apply to counter-representations. Representations will be pseudo anonymised; names addresses, personal telephone numbers, email addresses, signatures or any sensitive personal data will not be made public, but we will hold these on our database.

The Local Development Plan will be accompanied by a number of assessments that are also open to public comment. Please note that when, you make a response to any of these assessments, as with representations to the plan itself, this information will be made publicly available (with the exception of names, addresses, personal telephone numbers, email address, signatures or any sensitive personal data).

Some of the issues raised as a result of representations received through public consultation on the LDP may be included and referred to in a Public Consultation Report prepared by the LDP section. This Report will be published on the Council's website, shared with Elected Members and made available to Department for Infrastructure and the Independent Examiner. Whilst this report will not reference the name of a member of the public, it may reference the name of an organisation where it is stated that the representation is submitted on behalf of the said organisation.

### **2. Local Development Plan: Community Involvement Register**

You may have submitted information, via the Planning Department's Community Involvement Form, to be kept informed regarding any Local Development Plan updates that we may issue. By submitting this form, you have consented to the processing and potential disclosure of information contained within the form. On this form, you have also agreed to the Council contacting you via your preferred method of contact. Should you wish your name and details to be removed from the Register or should you wish to change your contact preferences this can be done at any time by notifying the Planning Department of the Council in writing at the address provided below.

## **Where do we get your personal data from?**

- Information provided by you in writing, including your name, address, contact details and signature; and
- Information provided by you as part of our online registration or public consultation process, such as your name, address and email address.

## **Do we share your personal data with anyone else?**

- Your information will be held by the Council.
- Your name, address, telephone numbers, email address or signature will not be published on our website or on the internet or be given out in response to a telephone enquiry, we will retain your contact details on our database.
- We are required to share your personal data (including your name, addresses, personal telephone numbers, email addresses, signatures or any sensitive personal data) submitted along with any representation to a

public consultation with the Department for Infrastructure and the Independent Examiner as part of the Independent Examination of a draft Development Plan document. Once shared, these bodies will be responsible for processing your data in line with the prevailing legislation.

- We use a number of third party data processors to provide the software systems which store the information you submit.
- If we receive an enquiry under the Freedom of Information Act (FOI) or the Environmental Information Regulations (EIR) we will only disclose your information if required by the relevant legislation.
- No personal information you give us will be used for commercial purposes.

### **Do we transfer your personal data to other countries?**

It may sometimes be necessary to transfer personal information overseas. However any transfers must be made in full compliance with all aspects of the Data Protection Act.

### **How long do we keep your personal data?**

Data held for the purposes of the LDP will be retained until the Plan is adopted in full by the Council. Otherwise, we will only retain your data for as long as necessary for the purposes of other functions required by this section of the Council. Your information will be disposed of in a secure manner when no longer required. The periods for retention of information, specifically relating to Planning, are specified in the Council's Retention and Disposal Policy (which is currently being updated).

### **What rights do you have?**

- You have the right to obtain confirmation that your data is being processed, and access to your personal data
- You are entitled to have personal data rectified if it is inaccurate or incomplete
- You have a right to have personal data erased and to prevent processing in specific circumstances\*
- You have the right to 'block' or suppress processing of personal data, in specific circumstances\*
- You have the right to data portability, in specific circumstances
- You have the right to object to the processing, in specific circumstances\*
- You have rights in relation to automated decision making and profiling

\*Where the personal data is submitted in regard to a representation to a draft Development Plan document through the statutory public consultation process, the exercise of these rights will require the Council to treat the representation as 'withdrawn'.

More information on your rights and how to exercise them is included in the Council's Data Protection Policy available at <https://www.midandeantrim.gov.uk/downloads/DataProtectionPolicy.pdf>

### **How can you complain?**

If you are unhappy with how your personal information is being processed, you can contact the Council's Data Protection Officer:

Data Protection Officer  
Mid and East Antrim Borough Council  
The Braid  
1-29 Bridge Street  
Ballymena  
BT43 5EJ

Telephone: 0300 124 5000

Email: [policy@midandeantrim.gov.uk](mailto:policy@midandeantrim.gov.uk)

If you remain unhappy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113  
Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)  
Website: <https://ico.org.uk/global/contact-us/>

### **Notification of changes to our privacy notice**

We will post details of any changes to our privacy notice on our website to ensure you are always aware of the information we collect, how we use it, and in what circumstances, if any, we share it with other parties.

This privacy notice was last updated on 19 September 2019.

### **Our Contact Details**

For any queries you may have in relation to the Local Development Plan, please contact:

Local Development Plan Team  
Mid and East Antrim Borough Council  
County Hall  
182 Galgorm Road,  
Ballymena  
BT42 1QF

Telephone: 0300 124 5000  
Email: [planning@midandeantrim.gov.uk](mailto:planning@midandeantrim.gov.uk)



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