**Local Development Plan Privacy Notice**

Lisburn and Castlereagh City Council is a registered data controller (ZA062730) with the Information Commissioner’s Office and we process your information in accordance with the General Data Protection Regulation and Data Protection Act 2018.

Lisburn and Castlereagh City 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 <https://www.lisburncastlereagh.gov.uk/information/privacy>

**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. The legal requirement in regard to public consultation for a draft Development Plan document (in this case the draft Plan Strategy), including arrangements for the handling of representations, are set out in Regulation 17 of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

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

**The following categories of personal data are being processed:**

* 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.

**LDP 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.

The LDP 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. Your personal information (with the exception of personal telephone numbers, signatures, email addresses or sensitive personal data) will therefore be made publicly available on the Council’s website.

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.

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

* Information provided by you in writing, including your name, address, contact details and signature; andas part of our online registration or public consultation process, such as your name, address and email address.
* Via a Planning Agent or third party on your behalf in which case you will have provided your consent to the agent or third party to provide your personal data to us.

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

Your information will be held by the Council and we will retain your contact details on our database. 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 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 purposed of other functions required by this section of the Council. Your information will be disposed of in a secure manner when no longer required.

**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.lisburncastlereagh.gov.uk/information/privacy>

**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

Lisburn & Castlereagh City Council

Civic Headquarters

Lagan Valley Island

BT27 4RL

Email: data.protection@lisburncastlereagh.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

14 Cromac Place

Belfast

BT2 7JB

Email: ni@ico.org.uk

**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 8th October 2019.

**Our Contact Details**

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

Local Development Plan Team

Civic Headquarters Lagan Valley Island

Lisburn BT27 4RL

Telephone: 028 9250 9250

Email: [LDP@lisburncastlereagh.gov.uk](mailto:LDP@lisburncastlereagh.gov.uk)