

Data Protection Privacy Notice

Service: Planning Strategy and Development Management
Team: Development Management
Processing activity: S106 agreements (including monitoring compliance)

The Data Controller

East Devon District Council's Planning Service
Address: Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ.
Contactable by emailing csc@eastdevon.gov.uk or by calling 01404 515616.

The Data Controller's Representative

Ed Freeman, Service Lead Planning Strategy and Development Management
Contactable by emailing efreeman@eastdevon.gov.uk or by calling 01404 515616.

The Data Protection Officer

Henry Gordon Lennox
Contactable by emailing dataprotection@eastdevon.gov.uk or by calling 01395 517401.

Obtaining your personal information

We have been provided with your personal information by you as property or landowner or by an agent / solicitor acting on your behalf. We may have also obtained it from HM Land Registry. The personal information we will have obtained is your name and contact details.

Use of your personal information

We are using your personal information for the purpose of negotiating, entering into and monitoring compliance with a s106 agreement and on the basis of public task and legal obligation under the Town and Country Planning Act 1990 (as amended), Listed Buildings and Conservation Areas Act 1990 and CIL regulations and on the basis of our contractual relationship with you by way of your s106 agreement.

Who will receive or see my personal information?

Your personal information will be available to be seen by those within the relevant service and within support services (such as the Legal and Finance Teams and third party payment handler) where necessary to carry out the purpose

Details of your application and S106 obligation(s) may be shared with internal and external consultees and third parties as appropriate but this will not extend to your own personal data over and above that which is published on our website as part of the relevant planning application and compliance monitoring and reporting.

Information about debts owed by you to the council may be provided to the insolvency service in response to requests received under the The Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020

We may also share information with our corporate safety officer when our staff safety is viewed as being at risk. Information may also be shared with partner agencies during safeguarding investigations and for fraud identification and prevention.

Your personal information will be stored securely within our IT system and will not be accessible to anyone else, including other services within the Council, unless detailed above.

Retention

All your personal information will be held by us only for as long as is necessary and then in accordance with any legal requirements imposed upon us and the Council's retention schedule. For more information please go to our website to view our [Retention schedule](#)

Transferring personal information outside of the EU

Your personal information will not be transferred outside the EU or to any international organisations by the Council. It should be noted that the Council has no control over those accessing its online public registers nor what someone does with any information they obtain from them.

Your rights

Whatever our use of your personal information you have the right of access to that personal information (this means confirmation that we are using your personal information, access to it as well as other detail) and the right to seek rectification if the information is inaccurate.

Because we are using your information on the basis of public task, legal obligation and contract then you also have the following rights in respect of how we use your personal information;

Legal obligation – you have the right to restrict processing.

Public Task: The right to object

Contract: The right to data portability

Also, if you object to our use of your personal information and there is no overriding legitimate interest for us to continue using it or we have used your personal information unlawfully or it is no longer necessary for us to have the personal information, the right to erasure is also available to you.

Details on each of these rights and to how you exercise can be found on our website in the [Your Rights](#) pages.

Complaints

If you are dissatisfied with the way the Council has used your personal information then you may wish in the first instance to make a complaint to the Data Protection Officer. This can be done by;

Writing to: Data Protection Officer, Information and Complaints, East Devon District Council, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ.

You can also email: dataprotection@eastdevon.gov.uk or call 01395 517417.

Alternatively, or if you remain dissatisfied following your complaint to the Data Protection Officer, you may lodge a complaint with The Information Commissioner. The Information Commissioner is the UK's independent body set up to uphold information rights. The ICO can help and advise you on all matters relating to data protection.

Email: casework@ico.org.uk

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF