**Privacy Notice for Planning Enforcement Matters**

**What this document is for**

This privacy notice provides details on how we, Broadland District Council and South Norfolk Council, use your personal information for the purposes of dealing with Planning enforcement matters.

By ‘use’ we mean the various ways it may be processed, including storing and sharing the information.

**Further details**

We also provide the following details in our [general privacy notice on our website](https://www.southnorfolkandbroadland.gov.uk/data-protection/south-norfolk-council-data-protection):

* Your rights under the UK General Data Protection Regulation (UK GDPR) and
* How to exercise them

**What we use your information for**

**Complainant**

During the investigation, we use your data to:

* investigate and determine your complaint
* contact you about the complaint and update you on progression of it, including the final outcome

If formal action is taken, we may use your data to:

* take a witness statement to present the case to court if the notice is not complied with and the matter progresses to prosecution. We would only do this with your prior consent.

**Owner / occupier of the land and/or other parties with an interest in the land**

During the investigation, we use your data to:

* investigate and determine a complaint about your land / property / home
* contact you about a complaint and progression of it, including the final outcome
* discuss the complaint with relevant third-party organisations (detailed further in this Notice)
* if applicable, make your landlord aware of the complaint and discuss the complaint if necessary

If formal action is taken, we use your data to:

* undertake formal action (the serving of formal notices)
* present the case to court, if the matter progresses to prosecution

**What personal data we collect**

**Complainant**

We will collect and use:

* Contact Information - this could include your name, property address, email address, and telephone number
* If you have made a complaint, we may collect information about how the development is impacting your quality of life and the way you enjoy your property.

**Owner / occupier of the land and/or other parties with an interest in the land**

We will collect and use:

* Contact Information - this could include your name, address, email address, and telephone number
* documentation to demonstrate the extent of ownership and/or interest in the land
* Details of any relevant action being taken in relation to the land

**Who provides this information**

We receive most of this information directly from the individuals concerned, but we may also obtain some of this data from:

* A landlord, if applicable
* Land Registry
* Any other third party such as a local authority or public organisation, including statutory planning consultees or utility operators

**Who we share your information with**

We always try to maintain the confidentiality of complainants when dealing with complaints, however due to location of some issues, this is not always possible. We will not divulge the identity of a complainant to the individual that is the subject of the complaint.

Any information which is shared will only be shared on a need to know basis, with appropriate individuals. Only the minimum information for the purpose will be shared.

Planning Committee, District and Town & Parish Council members : address of any reported breach and nature of the reported breach. No personal data (other than site address) is shared.

**Formal Notices**

When a formal notice is served, the associated correspondence will identify all other parties who have been served the notice, including name and address. (Except for notices served under Section 16, Section 330, Planning Contravention Notice (PCN), Section 215, and Breach of Condition Notice (BCN), which are just served on an individual)

Where formal notices are served, the address details of the breach location will form part of the public register.

**Court proceedings**

Apart from where previously stated, we do not pass your details to third parties unless we are lawfully able or required to do so for the prevention and detection of crime and fraud, or for the collection of taxes.

**How the law protects you and the legal basis for processing your information**

We have legal grounds under the GDPR to process this information because it is necessary for the performance of a task carried out in the public interest and the task or function has a clear basis in law including the Town and Country Planning Act 1990 (as amended), Planning, Listed Building and Conservation Areas Acts 1990, Anti Social Behaviour Act 2003, Hedgerow Regulations 1997, Local Government Miscellaneous Provisions Act 1976 and 1982.

**How long will we keep your personal information for**

We keep records of complaints made to us for 10 years, after the case has been closed. This record includes details of those who have complained and those that are subject of a complaint. This record will also include a summary of the complaint, the investigation of the complaint and any action taken by the Council.

If we need to use your information for research or reports, your information will be anonymised. The information will continue to be used in a summarised and anonymised form in any reports or papers that are published. The anonymised information in the papers may be of historic interest and may be held in public archives indefinitely.

**How we keep your information**

The information is stored electronically, on the Council’s network including records management systems in paper files.

**Changes to this notice**

We may amend this privacy notice at any time so please review it frequently. The date below will be amended each time this notice is updated.

This notice was updated 6 February 2023.