

Minerals and Waste Development Plan Privacy Notice

Version v2.1

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on this web page. This Notice was last updated on 6 November 2020.

This privacy notice applies to the preparation of minerals and waste development plan documents produced by Worcestershire County Council and should be read in addition to Worcestershire County Council's [Full Privacy Notice](#).

The privacy notice will cover:

- [Purpose of processing](#)
- [Personal information collected and lawful basis](#)
- [Who we may share your information with](#)
- [How long we will hold your information](#)
- [Your information rights](#)

Purpose of processing

The service processes personal information to comply with Worcestershire County Council's legal obligation as the County Planning Authority for Minerals and Waste to prepare and consult on minerals and waste development planning. This processing is completed directly by the Council and jointly with partners and commissioned private and third sector providers. The purposes of processing include:

- Informing people about minerals and waste development plan document preparation, publication, submission, adoption, and events
- Inviting people to respond to consultations on minerals and waste development plan documents
- Recording and publishing consultation responses and names of responders to inform the preparation of minerals and waste development plan documents

Personal information collected and lawful basis

The service processes personal information which is relevant to the service provided. This may include, but is not limited to, the following personal data:

- Names
- Addresses
- Email addresses
- Telephone numbers
- Signatures
- Any other information that an individual may provide to us within their comments during the development of development plan documents or their representations when development plan documents are published.

Due to the nature of the Minerals and Waste Planning work, we would not normally expect to process 'special category data' (e.g. information about medical history, political persuasion, union membership or ethnic origin).

The legal bases for processing this personal information is:

- Compliance with legal obligations relating to the following law:
 - The Planning and Compulsory Purchase Act 2004
 - The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)
- Necessary to perform a task carried out in the public interest or in the exercise of our official functions

Development Plan Document Examination Hearings

Those people who make representations and indicate that they would wish to participate in the 'examination in public' of a development plan document will be asked by the Programme Officer for their:

- name
- email address
- telephone number

In order to make a video recording of the examination hearings, we will collect, store, and use the following categories of personal information about you:

- Your voice will be recorded if you speak at the hearings
- Your image will also be recorded if you are physically present at the hearings venue and you speak, or if you use a video feed to speak at the hearings remotely
- Your name will be recorded when invited to speak and shown on the video wall during the hearings.

'Blended' Local Plan Examination Hearings

Due to the social distancing restrictions in place due to the Covid-19 pandemic, the Minerals Local Plan Examination Hearings are being conducted as a 'blended' event (with some face-to-face elements and some virtual elements). The Council will use your audio and visual data from your participation in the Examination Hearings to broadcast a live stream of the hearing. If you wish to participate in the hearing, then names and email addresses of those invited and participating may be viewable by others taking part in the hearing.

The hearings will also be livestreamed and recorded with the recordings available on YouTube until 6 weeks after the adoption of the Minerals Local Plan (or until the end of any Judicial Review proceedings should a Judicial Review be brought within that six-week period). The data is therefore shared with any member of the public that listens to, or views, the live stream or recordings through YouTube.

Please also see the [PINS Privacy Notice for Zoom hosted Local Plan Examination sessions](#).

Who we may share your information with

We may need to share the personal information you have given to us or we've collected about you with partner organisations where relevant. These include but are not limited to:

- The person or company appointed as Programme Officer for the examination of the development plan document
- Other Local Planning Authorities and Mineral and Waste Planning Authorities
- Third parties appointed by Worcestershire County Council to provide services relating to the preparation of minerals and waste development plan documents
- The Secretary of State for Housing, Communities and Local Government
- The Planning Inspectorate (PINS) for England and Wales and any third parties supporting a Planning Inspector in respect of an examination in public of a minerals or waste development plan - [PINS Local Plan and Community Infrastructure Levy examinations Privacy Notice](#).

Information will only ever be shared when it is strictly necessary to help us provide effective services and you may have the right to refuse the sharing of your information. We will not pass it on to any other parties unless required to do so by law or in all reasonable circumstances the disclosure is fair and warranted for the purposes of processing or subject to a data protection exemption.

We have specific data sharing agreements in place with local agencies and sometimes the law requires that we may have to pass your details on to a third party, for example, to prevent crime.

How long we will hold your information

The standard record retention for planning policy documents, including planning consultations, is 6 years from creation. Minerals and Waste Planning files are retained permanently.

Recordings of Examination Hearings will be retained until 6 weeks after the adoption of the Plan (or until the end of any Judicial Review proceedings should a Judicial Review be brought within that six-week period).

More information about our retention periods can be found in our [summary Disposal Schedule](#).

Please note stated retention periods may be subject to any legal holds imposed under the Inquiries Act 2005 that may concern the information and override standard retention periods.

Your information rights

You are entitled to a copy, or a description, of the personal data we hold that relates to you, subject to lawful restrictions. Please go to our [Make a Data Protection Request webpage](#) to find out how to make a request.

For rectification or restriction of your personal data please in the first instance contact the Minerals and Waste team minerals@worcestershire.gov.uk to exercise these Information Rights or call the main Worcestershire County Council contact telephone number of **01905 765765**.

The rights of erasure, data portability, and objection to processing are not available for this service. This service does not use Automated Decision Making or Profiling as a process.

Please see our overarching Privacy Notice (<http://www.worcestershire.gov.uk/privacy>) for further contact details and if you have a complaint about your information rights.