



Planning and Transport Policy Privacy Notice

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Planning and Transport Policy Privacy Notice

Wigan Council (“a data controller”) is committed to protecting the privacy and security of your personal information.

Wigan Council Planning and Transport Policy may need to collect your personal data to enable you to participate fully in public consultations on the Development Plan (Local Plan and Neighbourhood Plans), Supplementary Planning Documents and other planning guidance, and planning and transport strategies, policies and proposals.

The National Planning Policy Framework (para 16) states that “plans should be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees”. It also states that “plans should be accessible through the use of digital tools to assist public involvements”.

Our core obligations under the general data protection regulations (GDPR) and commitments are set out in the [Council's primary privacy notice](#).

INFORMATION COLLECTED

- Name
- Contact address
- Telephone number (where provided)
- Email address
- Signature (where provided).

Your data will be used to contact you regarding your comments on the Development Plan, Supplementary Planning Documents and other planning guidance, and planning and transport strategies, policies and proposals.

If you have indicated that you wish to be kept informed of the progress of the Development Plans, Supplementary Planning Documents and other planning guidance, and planning and transport strategies, policies and proposals, your contact details will be used for this purpose.

Please note:

Your comments and your name and/or organisation name may be made public, including being published online but other personal information will remain confidential.

In relation to development plans, subject to the above safeguards, all comments will be made public and those submitted at the Proposed Submission, or Publication, stage will be submitted to the Secretary of State, who will appoint a Planning Inspector to undertake a Public Examination of the

development plan. Your comments will be passed to the Planning Inspector, along with the Development Plan and other relevant supporting evidence. Your comments will be considered by the independent Planning Inspector as part of the Public Examination. You may be invited by the Inspector to discuss your comments at a Hearing Session.

If you chose not to provide your data for this purpose, or ask us to erase your data, you will be unable to participate in the Development Plans, Supplementary Planning Documents and other planning guidance, and planning and transport strategies, policies and proposals processes.

The following information will be used to ensure that the consultation is accessible to all, this personal data will not be published alongside your consultation but is required to be obtained through the Equality Act 2010:

- Details of any accessibility requirement
- Year of birth
- Sex and gender identity
- Sexual orientation
- Racial and ethical data.

THE BASIS FOR THE PROCESSING

We are legally required to process this data by the Planning and Compulsory Purchase Act 2004 and Planning Act 2008, supported by the National Planning Policy Framework and Planning Practice Guidance. The relevant Regulations are the Town and Country Planning Act (Local Planning) (England) Regulations 2012, as amended and the Community Infrastructure Levy Regulations 2010 as amended.

The information on your age, sex and gender identity, sexual orientation, ethnic origin and details of any accessibility requirement will be used to establish if the consultation process is accessible to everyone. We are required to do this by the Equality Act 2010.

Who your information will be shared with:

- Your name and town/city will be published alongside your comments.
- Objective Corporation Ltd who provide IT services to Wigan Council. Objective Corporation Ltd are based in Australia and also has IT support teams in USA and New Zealand. Your data will be protected by equivalent privacy law protections to those in the UK.
- Your comments at the Proposed Submission, or Publication, stage will be shared with the independent Planning Inspector appointed by the Secretary of State to carry out the Public Examination.

We will never sell your data, however it will be shared with third parties to:

- Comply with legal obligations and legislative requirements as specified above.
- Help business partners, suppliers and sub-contractors to deliver any contract we enter with them or you.
- To help if there is need of any professional or legal advice on a matter relating to you.

- To help prevent fraud and/or tackle crime.

PROVIDING ACCURATE INFORMATION

We need to hold accurate and up to date information about you so that we can deliver appropriate services. If any of your details change, you need to tell us as soon as possible so that we can update your records.

We will not:

- Use your information for marketing or sales purposes without your prior explicit consent.
- Send or store your data abroad unless it meets the requirements of the Data Protection regulations
- Make decisions about you based on automated processing.

HOW LONG WILL WE HOLD YOUR DATA FOR?

Your data will be used until the Development Plans, Supplementary Planning Documents and other planning guidance, and planning and transport strategies, policies and proposals you commented upon is adopted by Wigan Council. Your comments will be deleted six years after the Development Plans, Supplementary Planning Documents and other planning guidance, and planning and transport strategies, policies and proposals are adopted.

REPEAT CONSULTATIONS: During this period your details will be held on our Local Plan database and we may contact you during consultation on other Development Plans, Supplementary Planning Documents and other planning guidance, and planning and transport strategies, policies and proposals by email. We will contact you periodically to check whether you wish to remain on our database.

RIGHT TO WITHDRAW CONSENT AT ANYTIME

Where the legal reason for processing your personal information is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of our processing prior to the withdrawal of your consent.

If you do not provide consent, we may not be able contact you about other consultations that may be of interest to you.

If you wish to withdraw consent please contact planningpolicy@wigan.gov.uk who will process your request within 14 days.

YOUR RIGHTS

In addition to the above you have legal rights in relation to your personal information. You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation.

Full details are contained within the [Councils primary privacy notice](#) and should be read before consenting to this document.

To ask for access to your information you should contact planningpolicy@wigan.gov.uk or refer to subject access request on website

DATA PROTECTION OFFICER

If you wish to raise a concern or discuss any aspect of this notice please contact our [Data Protection Officer](#).

If you are unhappy with the way that we handle your concern you may complain to the [Information Commissioners Office \(ICO\)](#) at:
Wycliffe House Water Lane Wilmslow Cheshire
SK9 5AF
Tel: 0303 123 1113

The Information Commissioners Office deals with concerns and complaints relating to data protection (GDPR) and freedom of information legislation.

CHANGES TO THIS PRIVACY NOTICE

We may update or revise this privacy notice from time to time and will provide supplementary privacy information as is necessary.