PRIVACY NOTICE

Planning – Local Place Plans

Who we are

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, moray.gov.uk 01343 543451, is a Local Authority established under the Local Government etc. (Scotland) Act 1994. We are the Data Controller of the personal data being collected.

Why we are collecting your personal data

Moray Council checks, validates and registers Local Place Plans (LPPs) as prepared by any Community Council or community-controlled body within the Moray Council development planning area. As part of this process, contact details (names, email addresses, postal addresses and/or phone numbers) may be collected. The personal data collected will be used to contact you in relation to LPPs.

Public Register

The Council is legally required under the Town and Country Planning (Scotland) Act 1997 as amended by the Planning (Scotland) Act 2019, and, The Town and Country Planning (Local Place Plans) (Scotland) Regulations 2021, to keep and make publicly available, a register of valid LPPs relating to the Moray area. The register must contain the LPPs, their accompanying information and a map of LPP areas. This is available on our website: Local Place Plans - Moray Council

When your LPP area is confirmed, we will show the boundary of your LPP area as a solid line on our LPP map, together with your organisation's name, web address (if it has one) and email address (if it has one). When your LPP and supporting documents have been validated, we will add these to our LPP webpage(s).

The contact details for your organisation (email address and/or postal address) submitted on the registration documentation will be published on the LPP webpages so that members of your local community can contact you regarding the LPP (we will not publish any personal phone numbers).

Our legal basis

Whenever the Council processes personal data we need to make sure we have a legal basis for doing so. We understand the Council's legal basis in data protection law to be Article 6(1)(e) of the United Kingdom General Data Protection Regulation (UK GDPR); because the personal data is necessary for the performance of a task carried out in the public interest under the Planning (Scotland) Act 2019 and related legislation including:

- Town and Country Planning (Scotland) Act 1997 as amended
- The Town and Country Planning (Local Place Plans) (Scotland) Regulations 2021
- Local Government (Scotland) Act 1973, and

- Community Empowerment (Scotland) Act 2015

Who we share this personal data with

Your personal data may be shared internally with authorised officers of the Council if having access to personal data is a necessary part of their roles to ensure records are accurate and up to date. It may also be shared with other relevant Council Services where applicable.

The Council may share your personal data with other relevant Council Services and third parties, where we are under a legal obligation to do so. For example, this may be with Police, Social Security Scotland, UK Border Agency, or other Registered Professional Bodies.

The Council is required by law to protect public funds against fraud. It may share personal data with other relevant Council Services and third parties responsible for auditing and administering public funds, or who otherwise have responsibility for preventing and detecting fraud.

How long the personal data is held for

Your personal data will be securely stored by Moray Council for a pre-determined length of time. Information is only kept for the minimum amount of time necessary. We maintain a record retention schedule which sets out how long we retain different types of personal data. This is available on our website: www.moray.gov.uk/RetentionSchedules (under Section 5 of the Records Management Plan).

The Council stores information within the UK.

Your rights

Moray Council is the Data Controller for this personal data. You have legal rights about the way the Council handles and uses your personal data. These include the right to ask for a copy of it, to ask us to correct it and to ask us to stop doing something with your personal data.

As so far as the legislation permits, you also have the right to request the deletion of your data, and to object to the processing.

For more information about these rights, please see the Information Management pages on the Council's website here: www.moray.gov.uk/InformationRights. Alternatively, email the Council's Data Protection Officer at: IG@moray.gov.uk

If you have a concern about the way the Council has handled your personal data, you can make a complaint to the Council's Data Protection Officer in the first instance; an e-form is available on the Council's website here: www.moray.gov.uk/Complaints

You also have the right to make a complaint to the Information Commissioner's Office. They are the body responsible for making sure organisations like the Council handle your personal data lawfully.

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone: 0303 123 1113 Website: https://ico.org.uk/
Online: https://ico.org.uk/make-a-complaint/data-protection-complaints/