

## **Planning Privacy Notice**

### **What we do**

The Council's Planning Service prepares the City's Local Development Plan and determines planning applications submitted either via the Scottish Government's e-portal or on paper. It also investigates breaches of planning control through the enforcement system and administers the statutory processes in respect of planning appeals and reviews. Planning applications and comments on them are published on the Planning Portal, along with any review documentation, should the application be refused. Enforcement notices and details of enforcement enquiries are also published on the Planning portal and the Council website. Comments submitted as part of the Local Development Plan process are published on the Council website.

### **Who is involved**

The Scottish Government e-portal distributes planning applications and reviews to the relevant planning authorities. City of Edinburgh Council Planners receive applications and reviews directly on paper, and electronically receives reports of potential breaches of planning control, which are then investigated. Planning officers use delegated powers under the Local Government Scotland Act 1973 and the Town and Country Planning Act (Scotland) 1997, as amended, to make decisions on about 95% of applications and the majority of enforcement decisions. Elected members of the Planning Committee make the remaining decisions.

City of Edinburgh Council Planners prepare the Local Development Plan for adoption by the Council.

### **What personal data is used**

As part of our obligations to maintain public planning registers under The Town and Country (Planning) Act 1997, names and addresses will be published on the Planning Portal. Planning applications will also be published on the Portal, with details of the application also appearing in weekly planning lists and where required, in Planning Committee papers. Any other personal or special category data will be removed from documents before publication.

Individuals who wish to make a representation (comment) about an application will have their name and address published on the Planning Portal. Their stance will also be included (whether they support or object to the application).

In terms of the enforcement system, if a notice is served, the name of the person(s) on whom it has been served will be published on the Planning Portal and the Council website in the Enforcement Register. Where an enforcement investigation has taken place, the address of the property will be published on the Planning Portal.

Persons who make comments on planning applications will also have their details used as part of the appeal or review process. Names and addresses will be published as part of the Local Review Body process, and personal details will be sent to the Planning and Environmental Appeal Division of the Scottish Government as part of the appeal process.

Names and addresses will be published on the Council website in respect of comments received as part of the Local Development Plan process.

### **What happens to it**

Personal data such as name and address is published to fulfil other statutory obligations under planning legislation. All other data will be removed before publication. Generally only Planning staff will have access to the redacted information and it will only be accessed by those who need to see it, such as the designated Planner dealing with the application. The only exception is that in respect of appeals to the Planning and Environmental Appeals Division, names, addresses, email addresses and phone numbers of those who made comments will be given to that body to allow them to carry out their statutory functions. This also applies to comments in relation to the Proposed Local Development Plan.

### **How long it is kept**

The Council will not keep information for any longer than it is needed. We have a Record Retention Schedule which sets out how long we keep records and why.

### **Further Information**

The Council's Information Governance Unit can provide advice on whether existing or proposed privacy notices meet the requirements of data protection legislation. Please contact them with any questions at: [information.compliance@edinburgh.gov.uk](mailto:information.compliance@edinburgh.gov.uk). The UK Information Commissioner has also produced a [Code of Practice](#) for privacy notices.