

## **Privacy Notice for Community Infrastructure Levy (CIL)**

### **Why we are collecting your personal data?**

Rother District Council is a data controller for the purposes of the Data Protection Act 1998 and, from the 25 May 2018, the General Data Protection Regulation 2016. We will use your personal data as part of the Council's statutory duties in relation to the administration of the Community Infrastructure Levy and the collection of charges. Where a CIL liability applies, this information is required by law. This includes any contact by email, letter or telephone. We may also receive information about you from third parties, including planning agents and interested parties. CIL legislation requires us to collect data relating to applicants, agents, liable parties, landowners and interested parties (as appropriate).

We will also use your personal information in order to consult with you on planning applications and to consult you on, notify or inform you of planning obligation related matters under:

The Community Infrastructure Levy Regulations 2010 (as amended),  
the Planning Act 2008 (as amended),  
the Planning and Compulsory Purchase Act 2004 (as amended),  
the Town and Country Planning Act 1990 (as amended),  
the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (as amended),  
the Town and Country Planning (Control of Advertisements) (England) 2007 (as amended)  
and other associated planning legislation  
The processing of your information is necessary for compliance with the legal obligations contained within these Acts.

### **What type of information is collected from you**

In order to administer our services we collect the following information from you:

Basic personal information including name, address and contact details;  
Any other information you provide to us which is required by the CIL Regulations, including data which may include personal identifiers or sensitive information

### **Who your information may be shared with (internally and externally)**

We may share your personal data with other services within the Council for CIL purposes, for example to register CIL as a land charge and for the monitoring and enforcement of CIL liabilities. We may also share your personal data with third parties, including the Planning Inspectorate (PINS) or Valuation Office Agency (VOA), for the purposes of determining CIL appeals and proceeding with any enforcement action to recover due monies.

### **How long we keep your information (retention period)**

We will keep your information for as long as it is required by us or other regulatory bodies in order to comply with legal and regulatory requirements or for other operational reasons.

Planning Applications and associated documents, including those in relation to S106

agreements and CIL, are held as a public register as required by the Development Management Procedure Order 2015.

The register must be kept indefinitely and is stored in our secure document system. This register is also published on our website. However, we hold CIL documentation containing any personal information as confidential, and is therefore not subject to general public access.

### **How we protect your Information**

We will not transfer your personal data outside the EU without your consent.

We have implemented generally accepted standards of technology and operational security in order to protect personal data from loss, misuse, or unauthorised alteration or destruction.

Please note however that where you are transmitting information to us over the internet this can never be guaranteed to be 100% secure.

For any payments which we take from you online we will use a recognised online secure payment system. We will notify you promptly in the event of any breach of your personal data which might expose you to serious risk.

### **Your rights**

The General Data Protection Regulation gives you a number of rights in relation to your personal data:

- Right to access a copy of your personal data.
- Right to have your personal data corrected.
- Right to have your personal data deleted (“right to be forgotten”).
- Right to restrict how we use your personal data.
- Right to ask us to transfer your personal data to another service provider.

You can get more information about these rights in the Council’s Privacy Policy.

If you wish to exercise any of these rights please contact our Information Governance team on [informationgovernance@rother.gov.uk](mailto:informationgovernance@rother.gov.uk) in writing or by completing our online form.

If you are dissatisfied with how we have used your personal data you have a right to complain to the Information Commissioner's Office at [casework@ico.org.uk](mailto:casework@ico.org.uk).

### **Identity of Data Protection Officer**

If you have any questions or concerns about how your personal data is handled, you can contact our Data Protection Officer (DPO), Graham McCallum, at [dataprotection@rother.gov.uk](mailto:dataprotection@rother.gov.uk)