

## **Pembrokeshire Coast National Park Authority Privacy Notice – Keeping Your Information Safe [Last updated: November 2023]**

### **How we use your personal information for Statutory and Non-Statutory Planning Functions**

This privacy notice is to let you know how Pembrokeshire Coast National Park Authority will look after your personal information in relation to Planning Applications, including administering the monitoring, appeals and objection process in conjunction with Planning and Environment Decisions, Wales, responding to statutory and non-statutory pre-application enquiries and permitted development enquiries, responding to screening and scoping opinions and investigating potential enforcement matters.

Personal data processed for these purposes include:

- The information you tell us about yourself
- Information we learn about you through having you as a customer or when carrying out our regulatory duties as a public authority relating to Planning matters
- The choices you give us about what marketing or information about the Authority you want us to provide to you.

This notice explains how we do this and tells you about your privacy rights and how the law protects you. This notice may change from time to time, so please check our website occasionally to ensure that you are happy with any changes.

### **Who we are**

Pembrokeshire Coast National Park Authority was created as a freestanding special purpose local authority under the 1995 Environment Act (the Act).

You can find out more about us [here](#).

If you have any questions, or want more details about how we use your personal information, you can contact our Data Protection Officer.

[DPO@pembrokeshirecoast.org.uk](mailto:DPO@pembrokeshirecoast.org.uk)

01646 624800

You can also write to us at:

Data Protection Officer  
Pembrokeshire Coast National Park Authority  
Llanion Park  
Pembroke Dock  
Pembrokeshire  
SA72 6DY

Pembrokeshire Coast National Park Authority is registered as a Data Controller with the ICO (Information Commissioners Office). Registration number: Z6910336.

## **How the law protects you**

Your privacy is protected by law and this section explains how that works.

We set out how we meet accountability measures in the law and how we keep your information safe in our Data Protection Policy.

## **Your rights**

Under data protection regulations you have the following rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling.

The lawful basis of processing influences which rights are available to the individual.

## **The data we collect**

The personal data we collect about you depends upon the purpose it is collected for. This may include, but is not limited to your name, address, telephone number, date of birth, email address as well as any other information required in fulfilment of planning applications and any associated planning activity.

We may collect personal information about you or your business from these sources:

### **Data you give to us:**

- When you complete a planning application form, submit to discharge planning conditions, lodge an appeal or objection or provide correspondence such as monitoring reports
- When you talk to us on the phone, email or send us a letter
- When you use our website
- In emails and letters
- When you enter into a contract with us
- In insurance claims or other documents

### **Data we collect when you use our services:**

- Online profile and usage data. This includes the use of cookies when you access our website.
- Planning Application data
- Case file notes from meetings

### **Data from third parties we work with:**

- Organisations that signpost you to us
- Project partners

- Insurers
- Social networks
- Fraud prevention agencies
- Land agents
- Public information sources such as Companies House
- Agents working on our behalf
- Government and law enforcement agencies.
- Local Authorities

**Proper reasons (lawful basis) for using your personal data**

The information that you provide us will be processed according to the UK General Data Protection Regulation, the Data Protection Act 2018 and Town and Country Planning Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990 and Planning (Wales) Act 2015.

Data Protection law says that we are allowed to use personal information only if we have a proper reason (lawful basis) to do so.

The lawful basis relied upon for planning applications and in fulfilment of the Authority’s planning functions include:

- For the performance of a Public Task relating to the National Park Authority’s public and regulatory duties
- To fulfil a contract we have with you, or
- When it is our legal duty, or
- When it is in our legitimate interest, or
- When you consent to it.

A legitimate interest is when we have a business or commercial reason to use your information that is not related to our public and regulatory duties as a National Park Authority.

There are additional reasons (lawful basis) that the Authority must meet when processing special category data which could include information about your racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership and the processing of genetic or biometric data, health and sex life and sexual orientation.

We process this type of special category data as it is necessary for reasons of:

- Article 9 (2)(g) Substantial public interest in accordance with Town and Country Planning Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990 and Planning (Wales) Act 2015.

**The information we collect about you, the lawful basis and what it is used for**

**Service Users, Customers and Partners – Planning**

| What we use your personal information for | Our reasons (lawful basis) | Our public tasks or legitimate interests |
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|---|---|--|
| Processing planning applications, permitted developments and planning appeals   | Our public task<br>Our legal obligations<br>Legitimate interest     | Fulfilling planning Authority duties   |
| Processing monitoring reports and other associated information necessary to administer the Authority's planning functions                 | Our public task<br>Our legal obligations<br>Legitimate interest     | Fulfilling planning Authority duties   |
| Keeping in contact and seeking feedback about the service we provide  | Our public task<br>Our legal obligations<br>Legitimate interest     | Managing ongoing relationships and improving services  |
| Seeking comments for Planning Policy reasons, for example the Local Development Plan  | Our public task<br>Our legal obligations<br>Legitimate interest     | Public have opportunity to influence local planning policy.<br>Fulfilling delivery agreement obligations |
| Investigating alleged breaches of planning control  | Our public task<br>Our legal obligations<br>Legitimate interest     | Fulfilling planning Authority duties   |
| Processing Planning fees – including getting in contact with you about it if needed   | Contract<br>Our legal obligations<br>Legitimate interest            | Effective processing of planning fees.   |
| Information required for financial and performance auditing requirements  | Our legal obligations   | Fulfilling planning Authority duties   |
| To carry out our obligations arising from any contracts entered into by you and us (under Section 106 Town and Country Planning Act 1990) | Fulfilling contracts  | Fulfilling planning Authority duties   |
| Processing and recording planning Objections  | Our public task<br>Our legal obligations<br>Legitimate interest     | Fulfilling planning Authority duties   |
| Processing Payments – including getting in contact with you about it if needed  | Contract<br>Our legal obligations<br>Legitimate interest            | Effective processing of payments   |
| Manage our relationship with you or your business   | Legitimate interest<br>Our legal obligations<br>Legitimate interest | Effective supplier, customer and contractor relationships  |
| To carry out our obligations arising from any contracts entered into by you and us  | Fulfilling contracts  | Fulfilling planning Authority duties   |
| Photos relating to planning applications, objections and appeals  | Our public task<br>Our legal obligations<br>Legitimate interest     | Fulfilling planning Authority duties   |
| For review and consideration at internal Committee meetings   | Our public task<br>Our legal obligations<br>Legitimate interest     | Decision making at Committees  |
| Recording of telephone conversations to customer  | Legitimate interest   | Ensuring you receive a quality service from us;  |

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| <p>services team for monitoring and training purposes. This applies to outgoing and/ or incoming calls. Call recordings will be turned off, when your credit or debit card details are given.</p> <p>Note: All recordings will be deleted after 30 days. This may be extended however in circumstances where the recording is necessary to support the investigation into incident or is required as evidence. A message explaining that the call may be recorded will be played at the start of all telephone calls we receive. If Officer is making outgoing call that is recorded they will make recipient aware at the start of the call.</p> |  | <p>To investigate and resolve a complaint;<br/>Protecting our staff's personal safety and welfare e.g. from abusive callers;<br/>Training Customer Services Staff.</p> |
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### Third Party Consultant, Suppliers and Contractors

| What we use your personal information for                | Our reasons           | Our public tasks or legitimate interests |
|--|-----------------------|--|
| Assessing tenders  | Our legal obligations | Fulfilling planning Authority duties     |
| Information required for financial auditing requirements | Our legal obligations | Fulfilling planning Authority duties     |

### Engagement (including online) and Marketing

| What we use your personal information for | Our reasons  | Our public tasks or legitimate interests            |
|---|--|---|
| Analysing visits to our website           | <p>Consent – Third Party Cookies</p> <p>Note: First-party cookies are mostly necessary for the website to function the right way, and they do not collect any of your personally identifiable data. For further information see our <a href="#">Cookie Policy</a>.</p> | Enable us to analyse and improve website experience |

### Governance and Accountability

| <b>What we use your personal information for</b>                 | <b>Our reasons</b>                                      | <b>Our public tasks or legitimate interests</b>  |
|--|---|--|
| Processing queries, comments, feedback and complaints you submit | Public task<br>Legal obligations<br>Legitimate interest | Fulfil the Authority's National Park Purposes, service standards and Freedom of Information, Environmental Regulation and Subject Access requirements. |

### **CCTV Footage**

We operate Closed Circuit Television (CCTV) throughout various locations within the Pembrokeshire Coast National Park Authority.

Our CCTV captures live visual images only (there is no audio captured by our CCTV) and any recordings are retained for a period of 30 days. This may be extended however in circumstances where the CCTV footage is necessary to support the investigation into incident or is required as evidence.

Please note clear signage is in place within PCNPA areas that are being monitored by CCTV.

Camera positions are reviewed annually to ensure that they remain proportionate to their purpose. Where the purpose can no longer be justified against the intrusion on personal privacy, they will be removed or switched off.

The Authority will monitor and respond to any concerns or complaints that it receives relating to the positioning of cameras and their field of vision. Where the position and purpose can no longer be justified against the intrusion on personal privacy or property, they will be removed or switched off.

| <b>What we use your personal information for</b>   | <b>Our reasons</b>   | <b>Our public tasks or legitimate interests</b>  |
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| To protect staff, Members, volunteers, visitors and members of the public with regard to their personal safety.<br><br>Deterring violent or aggressive behaviour towards PCNPA staff.<br><br>To protect the Authority's buildings and equipment, and the personal property of, staff, Members, volunteers, visitors and members of the public. | Legitimate Interest<br><br>If criminal offence data is captured in these cases the capture of the image would relate to substantial public interest and test 10. preventing and detecting of unlawful acts and 11. Protecting the Public | Legitimate Interest in terms of protecting staff, Members, volunteers, visitors and members of the public with regard to their personal safety.<br><br>Deterring violent or aggressive behaviour towards PCNPA staff.<br><br>To protect the Authority's buildings and equipment, and the |

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| <p>Preventing and detecting crime at its sites and retail facilities and assist in the identification and apprehension of offenders.</p> <p>To provide evidence of damage or loss to the Authority's insurance company.</p> | <p>personal property of, staff, Members, volunteers, visitors and members of the public.</p> <p>Preventing and detecting crime at its sites and retail facilities and assist in the identification and apprehension of offenders.</p> <p>To provide evidence of damage or loss to the Authority's insurance company.</p> |
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### How long we keep your information for

We review our retention periods for personal information on a regular basis. We are legally required to hold some types of information for a set length of time to fulfil our statutory obligations, for example planning, financial or human resources records. We will only hold your personal information on our systems or on file for as long as is necessary for the relevant activity, or as long as is set out in any relevant contract you hold with us.

### Who we share your personal information with

We may share your personal information internally with relevant departments within the Authority but only for specified purposes.

We may also share your personal information externally with other third parties in order to fulfil our statutory and non-statutory planning obligations. When doing so we ensure appropriate due diligence is undertaken and Data Processing or Sharing Agreements are in place. We will not make any disclosures to third parties for marketing purposes.

Below are the third parties who we may share your information with and the reasons:

| Third Party  | Our Reason   |
|--|--|
| HM Revenue and Customs, Regulators and other Authorities                         | Auditing purposes, Fraud and crime detection   |
| Contractors or approved Associates who undertake work on behalf of the Authority | In fulfilment of the Authority's obligations relating to Planning Functions or for the ongoing operational management and administration of the Authority. |
| Other Local Authorities, Professional Bodies, Agencies or Organisations          | In fulfilment of the Authority's obligations relating to Planning Functions or for the ongoing operational management and administration of the Authority. |

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| Agile Applications Ltd  | Who are the planning system data processor   |
| Government departments or other third parties who have provided funds to the Authority  | Relevant personal data will be shared with them if this is a condition of funding they provide to the Authority  |
| People you agree to us sharing your data with, including third parties such as Intuit Mailchimp who we partner with to provide our services | You have consented for data to be shared. For more information on how Intuit Mailchimp uses your data, <a href="#">visit the Intuit Mailchimp website (opens in new window)</a> .  |
| General public  | <p>Under planning legislation, we are required to make a register available for public inspection. If you add your name and address along with any other information about your planning application it will be shared publicly via the Pembrokeshire Coast National Park Authority website and in certain circumstances via an onsite notice at the address requiring planning permission. Your planning application may also be published with local newspapers.</p> <p>If you make a 3<sup>rd</sup> party response to a planning application, it will be placed on the public file and a summary of your points may be published within an officer or Committee Report. A redacted version of your correspondence may be subject to FOI requests and made available for inspection as part of a planning file.</p> <p>You must notify the Planning Department of any information you do not wish to be made public at the point of submitting your application or any appeal or dispute or objection to a planning application.</p> <p>Minutes from Committee Meetings and live stream recordings are also published on our website. Due to the nature of these decision making meetings, reference to planning applications, appeals or objections may include your personal data.</p> |

The Authority has a duty to protect the public funds it administers and may use the personal data provided by you, as well as data matching techniques, to detect and prevent fraud. The Authority will also make any disclosures required by law and may also share this information with other bodies responsible for detecting/preventing fraud or auditing/administering public funds to ensure money is targeted and spent in the most appropriate and cost effective way. In order to achieve this, information may be shared with other internal departments within Pembrokeshire Coast National Park Authority and with [Audit Wales](#).

The personal information we have collected from you will be shared with fraud prevention agencies who will use it to prevent fraud and money-laundering and to



verify your identity. If fraud is detected, you could be refused certain services, finance, or employment. Further details of how your information will be used by us and these fraud prevention agencies, and your data protection rights, can be found by visiting: [CIFAS](#)

We will also make any disclosures required by law and we may also share this information with other bodies responsible for detecting/preventing fraud/crime or auditing/administering public funds to ensure money is targeted and spent in the most appropriate and cost effective way. In order to achieve this, information will be shared with Pembrokeshire Coast National Park Authority's Internal Auditors and with The Auditor General for Wales ([Audit Wales Privacy Notice](#)).

### **How we use your personal information to make automated decisions**

Currently we don't use your information to make automated decisions. If this changes in the future we will update this section of the notice.

### **If you choose not to give personal information**

We may need to collect personal information by law, or under the terms of a contract we have with you.

If you choose not to give us this personal information, it may delay or prevent us from meeting our obligations. It may also mean that we cannot perform tasks related to a service you are looking to access.

Any data collection that is optional would be made clear at the point of collection.

### **Consent and withdrawing consent**

Where individual consent is needed to process personal information we will make you aware. Consent will not generally be a precondition of signing up to a service.

You can withdraw your consent at any time. Please contact us if you want to do so at [info@pembrokeshirecoast.org.uk](mailto:info@pembrokeshirecoast.org.uk) or the relevant team within the Authority who you provided consent to.

If you withdraw your consent, we may not be able to provide certain information or services to you. If this is the case, we will tell you.

### **How to get a copy of your personal information**

You can access your personal information we hold by writing to us to the address below:

Administration and Democratic Services Manager  
Pembrokeshire Coast National Park Authority  
Llanion Park  
Pembroke Dock  
Pembrokeshire  
SA72 6DY

If you need assistance please contact: [info@pembrokeshirecoast.org.uk](mailto:info@pembrokeshirecoast.org.uk) , Tel: 01646 624800.

### **Letting us know if your personal information is incorrect**

If we hold information about you, you can ask us to correct any mistakes by contacting us at [info@pembrokeshirecoast.org.uk](mailto:info@pembrokeshirecoast.org.uk), phoning us on 01646 624800, writing to us or contacting the relevant team within the Authority who you provided the information to. We will take reasonable steps to check the accuracy of the data we hold and correct it.

### **What if you want us to stop using your personal information?**

You have the right to object to our use of your personal information, or to ask us to delete, remove, or stop using your personal information if there is no need for us to keep it.

There may be legal or other official reasons why we need to keep or use your data. But please tell us if you think that we should not be using it.

We may sometimes be able to restrict the use of your data. This means that it can only be used for certain things, such as legal claims or to exercise legal rights. In this situation, we would not use or share your information in other ways while it is restricted.

You can ask us to restrict the use of your personal information if:

- It is not accurate
- It has been used unlawfully but you don't want us to delete it
- It is not relevant any more, but you want us to keep it for use in legal claims
- You have already asked us to stop using your data but you are waiting for us to tell you if we are allowed to keep on using it.

If you want to object to how we use your data, or ask us to delete it or restrict how we use it or, please contact us at [DPO@pembrokeshirecoast.org.uk](mailto:DPO@pembrokeshirecoast.org.uk).

### **Cookies**

As most of the online services, our website uses cookies first-party and third-party cookies for a number of purposes. The first-party cookies are mostly necessary for the website to function the right way, and they do not collect any of your personally identifiable data.

The third-party cookies used on our websites are used mainly for understanding how the website performs, how you interact with our website, keeping our services secure, providing advertisements that are relevant to you, and all in all providing you with a better and improved user experience and help speed up your future interactions with our website.

You can manage your cookies preferences by clicking on the "Cookie settings" button and enabling or disabling the cookie categories on the popup according to your preferences. Alternatively, most web browsers allow some control of most cookies through the browser setting.

Further information is provided in our [Cookie Policy](#).

## **Sending data outside the UK**

We will only send your data outside of the UK to:

- Comply with a legal duty
- Or, when data processors we use send data outside the UK, but have relevant safeguards in place.

If we, or a processor we use, does transfer information outside of the UK, we will make sure that it is protected in the same way as if it was being used in the UK. We'll use one of these safeguards:

- Ensure the receiver is located in the EEA (European Economic Area), or a third country or territory or is an international organisation, covered by UK 'adequacy regulations'.
- Put in place a contract with the recipient that means they must protect it to the same standards as the UK.

## **How to complain**

Please let us know if you are unhappy with how we have used your personal information. Please contact our data protection officer at [DPO@pembrokeshirecoast.org.uk](mailto:DPO@pembrokeshirecoast.org.uk) or 01646 624800

You also have the right to complain to the Information Commissioner's Office. Find out on their website how to report a [concern](#). Their helpline number is 0303 123 1113.