



**Geraint John Planning**

## **GERAINT JOHN PLANNING**

### **PRIVACY POLICY**

#### **1. Introduction**

- 1.1. This Policy explains how we use any personal information we collect about you or you provide to us. Please read the following carefully to understand how we will use your personal information.
- 1.2. Geraint John Planning Limited ("we", "us" or "our") are a data controller and therefore we are responsible for, and control the processing of, your "personal data" in accordance with the General Data Protection Regulation and Data Protection Act 2018 ("GDPR"/ "the Act"). "Personal data" means any information relating to an identified or identifiable natural (living) person.

#### **2. Information we may collect about you**

- 2.1. Through your dealings with us and/ or the use of our website we may collect the following information about you:
  - 2.1.1. first and last name;
  - 2.1.2. contact information including current residential address, email address and/or phone number;
  - 2.1.3. properties owned/ that you have an interest in; and
  - 2.1.4. details of any enquiries made by you through the website, together with details relating to subsequent correspondence (if applicable).
- 2.2. The majority of this information will be collected from you. However, in certain circumstances this information may be obtained from third party sources. For example, the name and contact details of those with an interest in the property, subject to the planning application, may be obtained from records held at the Land Registry.

#### **3. How we will use the information collected**

- 3.1. In accordance with the GDPR/ the Act, we may only process your personal data if we have a "legal basis" (i.e. a legally permitted reason) for doing so. For the purposes of this Policy, our legal basis for processing your personal data is set out in the table overleaf.

<b>Why we will process your Information</b>	<b>The legal basis for which is...</b>
<p>To prepare and submit the planning application.</p>	<p>This is necessary for the performance of the contract between us and our client. Information is processed to enable us provide services to our client.</p> <p>Outside of such, processing may be necessary to comply with our legal obligations, including statutory obligations relating to planning applications in England and Wales</p>
<p>To carry out a pre-application consultation and to revert to any respondents with further queries.</p>	<p>This is necessary to comply with our legal obligations, including statutory obligations relating to planning applications in England and Wales.</p>
<p>To defend or advance a challenge or claim arising out of the planning application.</p>	<p>This processing is necessary for the legitimate interests we pursue in defending or advancing any challenge/ claim, subject to you raising an objection, requiring us to check that our interest is not overridden by any risk to your rights and freedoms. For example, storing your information in case of a claim or challenge.</p> <p>Outside of such, processing may also be necessary for the purposes of complying with a legal obligation in certain circumstances – such as if/when a legal claim has been commenced.</p>
<p>To disclose your information to selected third parties (see paragraph 5 below).</p> <p>Including but not limited to publication of the application as part of the pre-application consultation process.</p>	<p>This is necessary for the performance of the contract between us and our client. Information is processed to enable us provide services to our clients.</p> <p>Outside of such, this processing is necessary to comply with our legal obligations, including statutory obligations relating to planning applications in England and Wales.</p>
<p>To advertise testimonials on our website</p>	<p>This processing is necessary for the legitimate interests we pursue in advertising past success to attract new business, subject to you raising an objection, requiring us to check that our interest is not overridden by any risk to your rights and freedoms.</p>

#### **4. How long we keep your Information**

- 4.1. We will review the maintenance of name and contact details of respondents to a consultation on an annual basis – with a view to safely deleting the relevant information. As a general guide we expect to hold this information for no longer than two years.
- 4.2. Outside of this, as a guide, we intend to hold the abovementioned data for no longer than six years. Again, we will audit what data we hold beyond this guideline on an annual basis with a view to deleting any data which it may no longer be necessary to hold.
- 4.3. We note that planning permission can be in place for a number of years following a decision and a development may be ongoing for a number of years following this. A challenge or claim arising out of the planning application could arise at any time (and/ or other legal or regulatory obligations may require us to retain information for longer periods): hence the above being a guideline.

#### **5. Disclosure of your information**

- 5.1. We may disclose your information:
  - 5.1.1. to the wider public when publishing the planning application as part of the pre-application consultation;
  - 5.1.2. to the local authority as part of the planning application process;
  - 5.1.3. to our service providers or third-party contractors to enable them to undertake services for us and/or on our behalf, in particular our accountant;
  - 5.1.4. if we are under a duty to disclose or share personal data in order to comply with any legal obligation, including (but not limited to) any request or order from law enforcement agencies and/or HM Revenue & Customs in connection with any investigation to help prevent unlawful activity.
- 5.2. If our whole business is sold or integrated with another business your information may be disclosed to our advisers and any prospective purchasers and their advisers and will be passed on to the new owners of the business.

#### **6. Your rights**

This section sets out the legal rights of individuals in respect of the personal information we are holding and/or processing. If you wish to exercise any of your legal rights you should put your request in writing to us (using our contact details below) giving us enough information to identify you and respond to your request.

- 6.1. You have the right to request access to information about your personal data that we may hold and/or process and to have any inaccurate information we hold about you corrected and/or updated. Most requests will receive a response within one month of receipt of a valid request; those which are more complex or numerous may take up to three months. You may not be entitled to see all the information about you if an exemption under GDPR/ the Act applies.
- 6.2. In certain circumstances you have the right to ask for data we hold about you to be deleted, e.g. where the data is no longer needed for the above purposes. You can also object to or seek to restrict our processing of the relevant information in similar circumstances. If you seek to exercise a right under the relevant law and we consider an exemption is applicable (or the relevant right is not exercisable), we will explain this to you in as clear a way as we can.

## **7. Complaints**

- 7.1. If you have any concerns about how we collect or process your personal data then you can complain to [admin@gjplanning.co.uk](mailto:admin@gjplanning.co.uk) in the first instance. You also have the right to lodge a complaint with a supervisory authority, which for the UK is the UK Information Commissioner's Office ("ICO"). Complaints can be submitted to the ICO through the ICO helpline by calling 0303 123 1113. Further information about reporting concerns to the ICO is available at <https://ico.org.uk/concerns/>.

## **8. Changes to this Policy**

- 8.1. We keep this Policy under regular review and may change it from time to time. If we change this Policy we will post the changes on this page, and place notices on other pages of the Website as applicable.
- 8.2. This Policy was last updated on 17/05/2018.

## **9. Contact us**

- 9.1. We welcome your feedback and questions on this Policy and/ or our use of your personal data. If you wish to contact us, please email us at [admin@gjplanning.co.uk](mailto:admin@gjplanning.co.uk) or call on 02920 105360.