

GDPR NOTICE

(Updated May 2018)



The General Data Protection Regulation: Protecting your privacy (Public Rights of Way, Commons and Town/Village Greens)

Why is this notice important?

The law on data protection is changing. As a consequence, Central Bedfordshire Council needs to tell you more about how we collect your personal data, why we collect and how we use it. We also need to tell you how we share it and how you can access it and whether it can be deleted.

What personal data we collect

We collect your name, address and e-mail and telephone contacts as well as any information about how you may use a particular right of way or area of land.

Why we collect your data

We act as the Highway Authority, Surveying Authority, Planning Authority and Registration Authority for Central Bedfordshire and use the Highways Act 1980; the Wildlife and Countryside Act 1981; the Town and Country Planning Act 1990; and the Commons Acts of 1965 and 2006 respectively in the course of our legitimate and legal functions and duties under these Acts, namely: to record and alter the public rights of way network; and for the purposes of registering and recording Commons and Town/Village Greens.

How we use your data

We use your personal data for a range of our statutory and discretionary functions. These relate to one or more of the following activities:

- i. The processing of applications seeking to affect the public rights of way network under the aforementioned Acts including: evidence from witnesses; consultations and consultation responses; serving of Notices; and dealing with objectors.
- ii. For the purposes of registering and regulating Commons and Town/Village Greens.
- iii. The recording statutory declarations of non-intention to dedicate highways ("S.31 deposits")
- iv. Dealing with, and responding to, complaints, requests for service and inquiries from the members of the public.
- v. The taking of legal action and/or enforcement action or for procedures related to the maintenance and/or improvement of the public rights of way network.
- vi. To enable expedient liaison with volunteers, user-groups and contractors.

Your personal data is never used for commercial or marketing purposes.

What data we disclose and when

- i. The personal details of Applicants and their Agents for Public Path Orders, Definitive Map Orders, Town and Country Planning Act Orders and Town/Village Green applications are a matter of public record and will be available for public scrutiny as required by the various Acts and Council policies upon submission of the application.
- ii. Personal details within User Evidence Forms and statements of use are also a matter of public record. Before an order is made the personal data will be removed (redacted) from any disclosed User Evidence Form or any other statement of use. However, once an order is made, or the application is the subject of an appeal, personal data (including that in User Evidence Forms) will be forwarded to The Planning Inspectorate and made publicly available.
- iii. Where User Evidence Forms or interview notes or statements contain details of third parties, third party personal details will not be made public unless required under the Wildlife and Countryside Act 1981.
- iv. Deposits/declarations made under Section 31 of the Highways Act 1980 are in the public domain upon completion of the declaration.
- v. **By submitting an application form, declaration or statement of use or by being interviewed you actively consent to your data being held, used and disclosed for the purposes above.**
- vi. Personal details from complainants or requests for service will not be disclosed.
- vii. If you own land, with your consent we may pass your contact details on to our contractors to enable them to carry out works on our public rights of way network over your land.

Your right to see your data and be forgotten

You may request to see a copy of any personal data we hold on you. We should provide you with this within one month if we can. Please note that any historic data may require a little more time to collate due to non-indexed off-site hard-copy archiving.

For evidential purposes under the Wildlife and Countryside Act 1981 and Commons Acts, all relevant correspondence and any personal data within it will be kept **indefinitely**. Individuals who provide any correspondence that is a matter of public record: e.g. applications, representations to orders, statements of use, or a non-intention to dedicate **do not have a right** to be forgotten or to have their data deleted. Individuals who have submitted a service request or complaint will have a right to have their personal data deleted upon request, subject to the Council's published data retention schedule, see: <http://www.centralbedfordshire.gov.uk/council/information-governance/records-management.aspx>

Further information

This Notice is also available on the Central Bedfordshire Council website at <http://www.centralbedfordshire.gov.uk/leisure/countryside/landing.aspx>.

Any queries relating to this Notice should be directed in the first instance to the Senior Definitive Map Officer, Adam Maciejewski at the Thorn Turn Highways Depot, Thorn Road, Houghton Regis, DUNSTABLE, LU5 6GJ, e-mail adam.maciejewski@centralbedfordshire.gov.uk or call on 0300 300 6530.

More information on how we look after your personal data can be found on the data protection section of the Council's website at: <http://www.centralbedfordshire.gov.uk/contact-us/website/data-protection.aspx>