

Privacy Notice - Submitting a planning enforcement complaint

Why are we processing your information?

All planning enforcement and other related matters are processed in accordance with the following legislation:-

- Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
- Town and Country Planning Act 1990 (as amended)
- Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)
- Town and Country Planning (Tree Preservation) (England) Regulations 2012 (as amended).
- Planning and Compulsory Purchase Act 2004 (as amended)
- The Levelling-Up and Regeneration Act 2023 (as amended)

What information will we hold and how will we use it?

Your name, address, telephone number and email address will be held confidentially. Enforcement complaints are confidential. If the Council intends to serve an enforcement notice, then the notice becomes public but your personal details/ information will remain confidential.

In some exceptional instances it may be necessary for the Council to seek your authorisation to waver your right to anonymity where the Council is unable to obtain any evidence as part of their on-going investigations. This will in some instances require you to either attend appeal proceedings and/ or court proceedings as a witness for the Council where your evidence is critical to such proceedings.

In such instances, the Council will firstly contact yourself prior to any formal action being considered and set out the reasons why it will be necessary for you to waver your right to anonymity.

Any medical information submitted will be redacted unless there is exceptionally a legitimate reason for this special category of data to be processed.

Only planning related matters can be considered and any comments which we consider to be inappropriate will be redacted. Inappropriate comments include those which are racist, sexist, xenophobic, defamatory, prejudiced or otherwise likely to cause offence to the subject of the comments or any other reader.

Your information will be used for planning related reasons including but not limited to:

- Investigating the enforcement complaint and contacting you regarding this.

Information Sharing

Your personal data including your name, address, personal contact number and email address will be held internally on our Uniform database and our Civica document management system and be available to Torbay Council staff.

In instances whereby the issues complained about are not planning related, your details will be passed to external organisations who the Council considers is the Regulatory body for such matters.

Accuracy of your information

We will process the information provided at the time of your complaint. If your personal data is not accurate then you should contact us on planningenforcement@torbay.gov.uk

All planning enforcement complaints currently held indefinitely. We are working with our IT provider to enable removal of data after a defined time period.

Transferring Data outside of the EU

Your information will not be transferred outside the EU.

The Data Controller and the Data Processor

Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR.