



Privacy Notice – Community Infrastructure Levy (CIL) and S106 Agreements

Your Personal Data

Who we are

We are Southend-on-Sea Borough Council and your privacy is important to us. We aim for full transparency on how we gather, use, and share your personal information in accordance with the General Data Protection Regulation and the Data Protection Act 2018.

The Privacy Notice below explains how we use information about you and how we protect your privacy in relation to this service.

If you have any concerns or questions about how the Council is handling your personal data, these can be raised with the Council's Data Protection Officer at dataprotection@southend.gov.uk or by calling 01702 215000.

What we need

We will collect basic personal data about you which includes your name, address, telephone number, email, agent details etc. together with information you have given us and information that we receive from third parties e.g. landlords.

If you are granted an exemption or relief from CIL, then further personal information may be required to be collected and stored in order to grant the relief/exemption, such as utility bills, bank statements, mortgage details, insurance details etc.

We may also collect visual images (site photos) and financial details (associated with payment of fees and evidence documents).

When you contact the CIL and S106 team by phone, email or post, in order to deal with any service related matter you raise or wish to comment on we will ask you for certain personal information in order to be able to assist with your enquiry or comment. This information will need to be recorded and stored on our systems.

Property ownership information is sought in some instances from the Land Registry where required to serve Notices in order to ascertain and confirm liable parties.

How the law allows us to use your personal information

The lawful basis that Southend on Sea Borough Council is processing your information is Public Task; this is in accordance with the Community Infrastructure

Levy Regulations 2010 (as amended) and the notice issued by Southend-on-Sea Borough Council relating to this regulation in the format and content prescribed by the Secretary of State.

Why we need it

The Council uses your personal information in order to deal with S106 and CIL related matters such as checking for discharge of S106 planning obligations, the determination of CIL liabilities, checking previous reliefs/exemptions granted to ascertain eligibility, answer queries on land searches and populating the Local Land Charges register. We will also use your personal information in order to consult with you on planning applications and to consult you on or notify or inform you of CIL/S106 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 this planning legislation.

What we do with it

Your personal information may be shared with other Council services in order to ensure our records are accurate and up-to-date, and to improve the standard of the services we deliver. We are careful to minimise such sharing; whenever we share your information we do everything we can to make sure it is protected. We will only use your information in ways which are permitted by the General Data Protection Regulation and the current UK Data Protection law. This authority has a duty to protect the public funds it administers and may use information held about you for all lawful purposes, including but not limited to the prevention and detection of crime including fraud and money laundering.

The Council may also use your information for the purpose of performing any of its statutory enforcement duties. It will make any disclosures required by law and may also share your information with other bodies responsible for detecting/preventing crime including fraud or auditing/administering public funds.

Any obligations required on a development under either CIL or S106 are also required to be recorded on the Local Land Charges Register. The Council may use your information for the purpose of performing any disclosures required by law to persons requesting a search on the Local Land Charges Register.

Additionally, any CIL Notices issued bearing your name and address will also be copied to any other persons who have a material interest in the land contained within the site edged red of the planning application/permission. Your agent (if applicable) will also receive a copy unless you have expressly requested that they do not. All

CIL Notices will also be published as part of the relevant planning application in our on-line planning register ([Public Access](#)). Personal details such as your telephone number, email address and signature will be removed but your name and address will form part of the statutory planning register which is available publicly.

There is also information about your computer hardware and software that is automatically collected by Southend-on-Sea Borough Council. This information can include: your IP address, browser type, domain names, access times and referring Web site addresses. This information is used by Southend-on-Sea Borough Council for the operation of the service, to maintain quality of the service, and to provide general statistics regarding use of the Southend-on-Sea Borough Council Web site.

Where necessary and applicable, your information may be shared with external bodies such as the Planning Inspectorate and the courts. We will not disclose your personal information to third parties for marketing purposes.

What are your rights?

You have the right to:

- request a copy of your information (known as a subject access request)
- request rectification or erasure of your information
- request a restriction on the processing of your information
- object to processing of your information
- complain to the Information Commissioner's Office about the way the Council processes your information
- set your browser to remove or reject cookies before using Southend-on-Sea Borough Council Web site

If you require further information about the use of your data or would like to exercise any of the above rights, please contact the Data Protection Officer at dataprotection@southend.gov.uk or by calling 01702 215000.

Transferring information overseas

In certain circumstances we may transfer your information to organisations in other countries on the basis that anyone to whom we pass it protects it in the same way we would and in accordance with applicable laws.

Southend-on-Sea Borough Council does not process your information with third countries outside of the UK or EU zone without the safeguards being in place that are the equivalent to the UK Data Protection legislation or the General Data Protection Regulations (GDPR).

How long we keep your information

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 record/document systems Uniform and CIVICA EDRMS. This register is also published on our Web site. However, we hold CIL documentation containing any personal information as confidential, and is therefore not subject to general public access.

Web site information

Southend-on-Sea Borough Council encourages you to review the privacy statements of Web sites you choose to link to from Southend-on-Sea Borough Council so that you can understand how those Web sites collect, use and share your information. Southend-on-Sea Borough Council is not responsible for the privacy statements or other content on Web sites outside of the Southend-on-Sea Borough Council family of Web sites.

Use of Cookies

The Southend-on-Sea Borough Council Web site uses "cookies" to help you personalise your online experience. A cookie is a text file that is placed on your hard disk by a Web site via your Web browser. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you and can only be read by a Web server in the domain that issued the cookie to you.

For more information please refer to our Cookies page [here](#).

For further information on your rights as a data subject and to view the full Southend-on-Sea Borough Council Privacy Notice please visit:

www.southend.gov.uk/privacynotice

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