

DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL



Forward Planning Infrastructure Department

General Data Protection Regulation and the Data Protection Act 2018

PRIVACY STATEMENT for processing of personal data contained in submissions made during public consultation processes in the making of an Amendment to the approved Cherrywood Planning Scheme (as amended)

Who we are and why do we require your information?

Dún Laoghaire-Rathdown County Council (“the Council”) seeks to promote the economic, social and cultural development of the County of Dún Laoghaire-Rathdown and in doing so contribute significantly to improving the quality of life of the people of the County. The delivery of high-quality services, tailored to meet the needs of all our customers, remains one of the Council’s core objectives and is included in our Corporate Plan. In order to provide the most effective and targeted range of services to meet the needs of the citizens, communities and businesses of the County of Dún Laoghaire-Rathdown, we will be required to collect, process and use certain types of information about people and organisations. Depending on the service being used, the information sought may include ‘personal data’ as defined by the Data Protection Acts and by the General Data Protection Regulation (GDPR) and may relate to current, past and future service users, past, current and prospective employees/suppliers, and members of the public who may engage in communications with our staff. In addition, staff may be required, from time to time, to collect, process and use certain types of personal data to comply with regulatory or legislative requirements.

Why do we have a privacy statement?

This privacy statement has been created in order to demonstrate our commitment to privacy and to assure you that in all your dealings with the Council we will ensure the security of the data you provide to us. The Council creates, collects and processes a significant amount of personal data in various multiple formats on a daily basis. The Council’s commitment to you is that the personal data you may be required to supply to us is:

- Obtained lawfully, fairly and in a transparent manner;
- Obtained for only specified, explicit and legitimate purposes;

- Adequate, relevant and limited to what is necessary for purpose for which it was obtained;
- Recorded, stored accurately and securely and where necessary kept up to date;
- Kept only for as long as is necessary for the purposes for which it was obtained;
- Kept in a form which permits identification of the data subject;
- Processed only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

More detail is available in our Data Protection Policy Statement at <https://www.dlrcoco.ie/en/governance/gdpr-data-protection-and-privacy>.

What is the activity referred to in this Privacy Statement?

An Bord Pleanála (“the Board”) advised DLR as Development Agency for Cherrywood SDZ in February 2022, that the Proposed Amendment No. 8: Building Height and Density Changes, submitted by them to the Board in June 2021 constituted a material change to the approved Planning Scheme. Therefore, it would need to be progressed in accordance with Section 169 of the Planning & Development Act 2000, (as amended).

Under Section 169 of this Act, the process involves the Proposed Amendment going through a statutory public consultation with a report being brought to the Elected Members for their consideration. This Privacy Statement is in respect of the management of submissions made during public consultation processes.

What is the basis for making the processing of this personal data lawful?

Processing is necessary for compliance with a legal obligation to which Dún Laoghaire Rathdown County Council is subject in accordance with Article 6 (1)(c) of the GDPR.

Specifically, the lawful basis for this process is Section 169 of the Planning and Development Act 2000 (as amended).

What types of personal data is required in this process?

Name, postal address and email address.

We require contact details

In order to communicate with you, you will be asked for contact details. You do not have to provide all contact details but providing more, such as full name, email and/or address, makes it easier to communicate.

We require that those submitting to the public consultation provide their personal details for the following reasons:

- To confirm the identity of the person entering a submission;
- To acknowledge receipt of a submission;

- To ensure that the person may be contacted if necessary to follow up on information contained in their submission;
- To ensure that submissions are legitimate;

What will happen if the personal data is not provided?

The Council may need to contact you in relation to your submission. Failure to provide your contact details may result in the Council's inability to process your submission.

What other types of personal data do we need to undertake this activity?

None

Am I the only source of this personal data?

In some instances, to assist with the delivery of the activity or to comply with regulatory or legislative requirements personal data is sourced from a third party.

This DOES NOT APPLY to this activity.

Publication of submissions online:

Persons should be advised that while Section 169 of the Act does not require DLR to publish on its website valid submissions made, due to the public being involved in this process and in the interest of transparency, DLR is making these submissions available online as part of the process, albeit with personal data redacted in line with GDPR requirements

Is personal data submitted as part of this activity shared with other organisations?

The Council may, to fulfil statutory or regulatory obligations or in the public interest, from time to time, have to share personal data with other organisations or entities (in Ireland or abroad). Where this is required the Council shall have regard to your rights, to the security and integrity of the data and will minimise the data shared.

Sharing does not APPLY to this activity.

How long is my data kept for?

The Local Authority sector operates under a detailed record retention policy which outlines time periods for which your personal data will be retained and what will happen to it after the required retention period has expired. The National Record Retention Policy for Local Authority Records is available online at: <https://www.lgma.ie/en/publications/corporate/national-retention-policy-for-local-authority.pdf>

Do you need to update your records?

Dún Laoghaire-Rathdown County Council must take reasonable steps to ensure that personal data we have about our customers is correct and up to date. In addition, if the data held by us is found to be inaccurate you have the right to rectify/correct this. If you find that personal data we have about you is inaccurate or needs to be updated (for instance, you may have changed your name, address, contact details etc.) then please contact us so that we can correct it. You can do this by writing to us at Dún Laoghaire-Rathdown County Council, County Hall, Marine Road, Dún Laoghaire, Co.Dublin, A96 K6C9 / emailing info@dlrcoco.ie / or phone (00353-1) 205 4700.

Your Rights

You have the right to request access to personal data held about you, obtain confirmation as to whether data concerning you exists, be informed of the content and source of data and check its accuracy. In addition, if the data held by us is found to be inaccurate you have the right to change, remove, block, or object to the use of, personal data held by the Council. In certain circumstances blocking access to data may delay or remove access to a service where the data is required by law or for essential purposes related to delivery of a service to you. Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data. To exercise these rights use you should take the following steps,

Subject data requests can be made via the following [link](#)

Further Information

Further information and advice on the operation of this privacy statement is available from the Data Protection Officer, Dún Laoghaire-Rathdown County Council. Contact details for the County Council's Data Protection Officer are as follows:

Data Protection Officer, Dún Laoghaire-Rathdown County Council Marine Road
Dun Laoghaire County Dublin
Tel.: 01 2054700
E-mail: dataprotectionofficer@dlrcoco.ie

Right of Complaint to the Office of the Data Protection Commissioner

If you are not satisfied with the outcome of the response you received from the Council in relation to your request, then you are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter for you.

The Data Protection Commissioner's website is www.dataprotection.ie

or you can contact their Office at:

Lo Call Number: 1890 252 231

E-mail: info@dataprotection.ie

Postal Address: Data Protection Commissioner Canal House Station Road
Portarlinton, Co. Laois. R32 AP23