



Planning & Development Department Privacy Notice





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1. Introduction

Fingal County Council (the Council) is responsible for the provision of an extensive range of public services, including those under the Planning & Development Department.

The Planning & Development Department plans and supports the sustainable development of the County through the Fingal Development Plan and the development management process.

This Department manages the planning application, planning enforcement, derelict sites and building control functions of the Council. It liaises with regional and national bodies on an on-going basis. It is responsible for the preparation of plans to enable the medium to long term development of the County.

These include the Fingal Development Plan, Local Area Plans, Masterplans. It carries out building inspections in respect of new development and derelict sites. It has objectives relating to the assessment of strategic flood risks and the protection of the built heritage of the county. It also maps and compiles data in respect of development in the county to inform policy and decision-making at local and national level.

The privacy notice applies to the above functions and also Transboundary Consultations assisted by Fingal County Council under the 1991 United Nations Convention on environmental impact in a transboundary context (the Espoo Convention) and the EU Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the EIA Directive) which require Member States to engage in transboundary public consultation in respect of projects likely to have significant effects on the environment of neighbouring States.

This is the Privacy Notice for the Planning & Development Department.

2. Information Collected by the Council

The Council processes and uses certain types of information about individuals (Data Subjects) and organisations to provide the most effective and targeted range of services to meet the needs of the citizens, communities and businesses of Fingal.

Depending on the service being sought or provided, the information collected 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 the Council.

In addition, the Council may be required from time to time, to collect, process and use certain types of personal data to comply with regulatory or legislative requirements. This includes contact details to allow for efficient communication. You do not have to provide all contact details but providing more, such as email, phone, address, make it easier to communicate with you. If you do not provide this data, the Council may be unable to comply with certain obligations. The Council will inform you about the implications of that decision.

All applicants submitting Planning applications are required to provide information on the following categories of data (where they are applicable);

- Contact details (postal address, email, phone number, fax number)
- Employment details
- Land holding details
- Company details
- Agent contact details (postal address, email, phone number, fax number).

Further information and application forms can be accessed by pasting the following link into a web browser: [Planning Permission | Fingal County Council](#)

Requirement for a Privacy Notice

The Council will set out the information required in a series of separate and distinct application forms and specific Privacy Notices relevant to each service application. Privacy Notices are located in the Data Protection section of our website at www.Fingal.ie

The Council has created this privacy notice to demonstrate our firm commitment to privacy and to assure you that in all your dealings with the Council, in respect of planning and development matters, the Council will ensure the security of the data provided.

The personal data you may be required to supply to the Council, or may be collected through other sources (i.e. investigations by Council staff; CCTV, information from other third parties or agents acting on your behalf) 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 for no longer than is necessary
- Processed only in a manner that ensures the appropriate security of the personal

data including protection against unauthorised or unlawful processing.

- It should be noted that drones may be used as required to aid the investigative process for enforcement in terms of planning enforcement, derelict sites and vacant sites enforcement. Drones may also be used in areas relevant to functions under the Planning and Development Act 2000 (as amended).
- No personally identifying information (PII) or data is recorded or held as part of this process.



3. Sharing Information

The Council may share your information internally (within the Council) in accordance with statutory obligations. Externally, your information and submissions (made via hard copy, by email or online through the Planning Portal) may be published and form part of reports where there is a statutory requirement for this.

In addition, the Council may share your information with third parties in accordance with statutory and regulatory obligations (this includes agents\consultants\contractors engaged by the Planning & Development Department in carrying out its functions).

The Planning & Development Department may request, share and obtain information from the following bodies.

- Development Application Unit (DAU)
- An Coimisiun Pleanála (ACP)
- Transport Infrastructure Ireland (TII)
- The Health Service Executive (HSE)
- Department of Agriculture, Food and the Marine
- Eastern Regional Fisheries Board
- Inland Fisheries Ireland
- Irish Aviation Authority (IAA)
- Heritage Council
- The Arts Council
- Other Local Authorities
- Córas Iompair Éireann (CIE)
- An Taisce
- Environmental Protection Agency (EPA).

This list is not exhaustive and may be subject to change in accordance with statutory and legislative requirements.

4. How your Personal Data will be used/processed

The volume of customers the Council serve, and the range of Planning Functions provided, require IT systems to manage customer applications. The Council's IT Service utilizes the latest technology in encryption and cyber security to ensure your personal data is kept safe. The hard copy application form is also retained. Access to the data is controlled and restricted to relevant staff involved in assessing and processing the various services with



other security measures such as passwords and restricted access systems.



5. Legal and Regulatory Obligations

The legal basis and legitimate interest for processing personal data are included in

- Planning and Development Acts
- Regulations & Departmental Circulars
- Sanitary Services Acts.
- Derelict Sites Act
- Building Control Act
- EU Directives

6. Records Retention Policy

The data we collect and the records we create based on that data are subject to a Retention Schedule, which outlines how long we will hold the data, and what we will do with it after the period of retention has expired. Data on individuals will be stored for as long as is necessary for the stated purposes of data processing and in accordance with National Data Retention policy.

The National Retention Policy can be found at:

https://www.fingal.ie/sites/default/files/2019-03/2002_national_retention_policy_for_local_authority_records_2.pdf

7. 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. If the data held by the Council is found to be inaccurate you have the right to change, remove, block, or object to the use of, said personal data. 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, the Council will take steps to verify your identity before granting access to personal data.

In addition, Data Subjects have a right to;

- exercise data portability, i.e., obtain a transferable copy of information the Council hold to transfer to a third party/provider
- obtain details of any transfer of data to a third country (outside the European Economic Area) and safeguards in place

- Obtain details of any automated decision making.

To exercise these rights, you can make a Subject Access Request. This request must be in writing and directed to the contact details at the end of this policy or electronically using the form available in the Data Protection section of our website - <https://www.fingal.ie/sites/default/files/2020-11/fingal-county-council-sar-subject-access-request-form-nov-2020.pdf>

8. Data Protection Contact Details

For all enquiries relating to Data Protection you can contact the Council at:

Phone: (01) 890 5000
E-mail: data.officer@fingal.ie
Postal Address: Fingal County Council
County Hall
Main Street,
Swords,
Co. Dublin
K67 X8Y2

If you are not satisfied with the outcome of the response you receive 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
R32 AP23
Co. Laois