



PRIVACY NOTICE for Definitive Map Modification Order Applications

The Data Controller for all the information you provide on this form is Cornwall Council, New County Hall, Treyew Road, Truro TR1 3AY. Data Protection Registration Number: Z1745294

The information you provide on this form is collected for the purpose of carrying out the functions of the Council under its statutory duties under the Wildlife and Countryside Act 1981. These include:

- Processing applications to change the public rights of way network including data from:
 - Evidence from witnesses
 - Consultations and responses
 - Administering Legal Orders
 - Serving Notices
 - Liaising with objectors
- Dealing with complaints, requests for service and inquiries from the members of the public.

Although it is not our preferred practice to share the information contained in your completed form with other parties before determining an application for a Definitive Map Modification Order, you should be aware that your completed form may be made available to other parties who have a right to see it under the Freedom of Information Act 2000 and Environmental Information Regulations 2004. In addition, as mandated by The Public Rights of Way (Register of Applications under section 53(5) of the Wildlife and Countryside Act 1981) (England) Regulations 2005, every surveying authority is required under section 53B(1) of the Act to keep with respect to Definitive Map Modification Order applications a register available for inspection by the public on its website or on a website.



You should also be aware that the information contained in your completed form will be included in the appendices to a report prepared by officers of the Council and may also be made available as part of a bundle of papers prepared for a future Public Hearing or Inquiry. Definitive Map Modification Orders subject to objections that are not withdrawn or resolved are submitted to the Secretary of State for confirmation. The Council is not responsible for how the Planning Inspectorate handles the information on behalf of the Secretary of State and therefore the Council cannot guarantee that all personal information used in the evidence process will be redacted before a hearing or inquiry. However, concerning the publication of other documents relating to legal orders, the Council is instructed by the Planning Inspectorate as per paragraph 29(1) of The Rights of Way (Hearings and Inquiries Procedure) (England) Rules 2007 and also paragraph 14.1 of the Procedure for Written Representations to ensure the following documents are placed on public deposit: a copy of the Order as submitted; any representations or objections duly made and not withdrawn; the notice issued by the Secretary of State setting out the 'start date'; all statements of case; all proofs of evidence (if applicable); and any other documents submitted in relation to the Order, which includes the Council's reports. For more information about how the Planning Inspectorate processes your data, please refer to this privacy policy: <https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

Your data will be held within Cornwall Council's secure network and premises and will not be processed outside of the UK. Access to your information will only be made to authorised members of staff who are required to process it for the purposes outlined in this privacy notice.

In accordance with the Batchelor Retention Guidelines your information will be retained for the calendar year that we finish processing it and for two years thence.

Whilst your personal information belongs to you, you have the right to:

- be informed how we will process your personal data;
- request a copy of what we hold about you;
- have it amended if it's incorrect or incomplete;

- have it deleted in the absence of a legal obligation for it to be retained (the right to erasure);
- withdraw your consent if you no longer wish us to process your data;
- restrict how we process it in certain circumstances;
- object to us using it for marketing or research purposes;
- object to us using it in relation to a legal task or in the exercise of an official authority;
- request that a person reviews an automated decision where it has had an adverse effect on you;
- complain to the Information Commissioner.

If you would like to access any of the information we hold about you or have concerns regarding the way we have processed your information, please contact the Data Protection Officer, Assurance, Cornwall Council, County Hall, Truro TR1 3AY. Tel: 01872 326424. Email: dpo@cornwall.gov.uk

We would prefer any complaints to be made to us initially so that we have the opportunity to see if we can put things right. However, if you are unhappy with the way we have processed your information or how we have responded to your request to exercise any of your rights in relation to your data, you can raise your concerns direct with the Information Commissioners Office. Tel: 0303 123 1113. <https://ico.org.uk/concerns/>

Mike Eastwood

Mike Eastwood
Countryside Access Team Leader
Environment Service, Neighbourhood Directorate