

Asbri Planning Ltd

Privacy Policy 2024

Policy Version Number	1
Sign Off Date	May 2024
Director Responsible	All Directors

1. Introduction

1.1.1. This policy tells you what to expect when Asbri Planning Limited collects personal data, including any information, you provide to us. It applies to information we collect from:

- Visitors to our website
- People who contact us via our contact form
- People who contact us in person
- People who contact us by mail
- People who contact us over the telephone

1.2. Asbri Planning Limited (“we”, “us” or “our”) are a data controller and we are therefore responsible for the collection, processing, transfer, storage, and disposal relating to your “personal data” in accordance with the General Data Protection Regulation ((EU) 2016/679) (“GDPR”) and Data Protection Act 2018 (“GDPR”/ “the Act”).

1.3 Personal data is any information that can be used to identify or contact you, such as your name, phone number, email address and IP address – in technical terms, it is information about any identified or identifiable natural (living) person.

1.4 The procedures and principles set out herein must be followed at all times by the Company, its employees, agents, contractors, or other parties working on behalf of the Company.

2. Information we may collect about you

2.1. Please read the following carefully to understand how we will use your personal information. Through your dealings with us, whether this be in person, email, telephone call and/ or the use of our website we may collect the following information:

- Your first and last name;
- Your contact information including current residential address, email address and/or telephone number/s;
- Properties owned/ that you have an interest in; and
- Details of any enquiries made by you through the website, together with details relating to subsequent correspondence (if applicable).

2.2. Most of this information will be collected from you. However, in certain circumstances

this information may be obtained from third party sources. For example, the name and contact details of those with an interest in the property, subject to the planning application. These may be obtained from records held at the Land Registry.

3. How we will use the information collected

3.1 In accordance with the GDPR and Data Protection Act 2018, we may only process your personal data if we have a “legal basis” (i.e. a legally permitted reason) for doing so. For the purposes of this Policy, our legal basis for processing your personal data is set out in the table overleaf. Moreover, we will ensure any use of personal data is justified using at least one of the conditions for processing and this will be specifically documented. All staff who are responsible for processing personal data will be aware of the conditions for processing.

We use your personal information to give you the information, or services you ask for in:	The legal basis for which is.
Preparing and submitting a planning application.	This is necessary for the performance of the contract between us and our client. Information is processed to enable us to provide services to our client. Outside of such, processing may be necessary to comply with our legal obligations, including statutory obligations relating to planning applications in England and Wales.
Carrying out a pre-application consultation and to revert to any respondents with further queries.	This is necessary to comply with our legal obligations, including statutory obligations relating to planning applications in England and Wales.
Defending or advancing a challenge or claim arising out of the planning application.	Processing is necessary for the legitimate interests we pursue in defending or advancing any challenge/ claim, subject to you raising an objection, requiring us to check that our interest is not overridden by any risk to your rights and freedoms. For example, storing your information in case of a claim or challenge. Outside of such, processing may also be necessary for the purposes of complying with a legal obligation in certain circumstances – such as if/when a legal claim has been commenced.
To disclose your information to selected third parties including but not limited to publication of the application as part of the pre-application consultation process.	This is necessary for the performance of the contract between us and our client. Information is processed to enable us provide services to our clients. Outside of such, this processing is necessary to comply with our legal obligations, including statutory obligations relating to planning applications in England and Wales.
To advertise testimonials on our website	Processing is necessary for the legitimate interests we pursue in advertising past success to attract new business, subject to you raising an objection, requiring us to check that our interest is not overridden by any risk to your rights

4. Protecting your personal data

- 4.1 We take all appropriate precautions to protect your personal data from loss, misuse, unauthorized access, alteration, disclosure, and destruction in line with the Data Protection Act 1998. However, we cannot guarantee that any data transfer is 100% secure and cannot guarantee the security of any information you transmit. You transfer data at your own risk.
- 4.2 Please be aware that email and other electronic communications are not secure if they are not encrypted, and that your communications may pass through servers in a number of country jurisdictions before they reach us. We cannot accept responsibility for any unauthorized access or loss of personal data that stems from a cause beyond our control, and we cannot be held responsible for the actions or omissions of third parties who may misuse your personal data if it is unlawfully collected from this site.
- 4.3 We process data only within the United Kingdom.

5. How long we keep your Information

- 5.1. We will review the preservation of name and contact details of respondents to a consultation on an annual basis – with a view to safely deleting the relevant information. As a general guide we expect to hold this information for no longer than two years.
- 5.2. Outside of this, as a guide, we intend to hold the above-mentioned data for no longer than six years. Again, we will audit what data we hold beyond this guideline on an annual basis with a view to deleting any data when it is no longer necessary to hold.
- 5.3. We note that planning permission can be in place for a number of years following a decision and a development may be ongoing for several years following this. A challenge or claim arising out of the planning application could arise at any time (and/ or other legal or regulatory obligations may require us to retain information for longer periods): hence the above being a guideline.

6. Disclosure of your information

- 6.1. We may disclose your information:
- To the wider public when publishing the planning application as part of the pre-application consultation;
 - To the local authority as part of the planning application process;
 - To our service providers or third-party contractors to enable them to undertake services for us and/or on our behalf, in particular our accountant;

- If we are under a duty to disclose or share personal data in order to comply with any legal obligation, including (but not limited to) any request or order from law enforcement agencies and/or HM Revenue & Customs where it is necessary to protect the rights, property, or safety of Asbri Planning Limited or others.
- 6.2. If our whole business is sold or integrated with another business your information may be disclosed to our advisers and any prospective purchasers and their advisers and will be passed on to the new owners of the business.

7. Your rights

- 7.1 The Company is committed not only to the letter of the law, but also to the spirit of the law and places high importance on the correct, lawful, and fair handling of all personal data, respecting the legal rights, privacy, and trust of all individuals with whom it deals.
- 7.2 This section sets out the legal rights of individuals in respect of the personal information we are holding and/or processing. If you wish to exercise any of your legal rights you should put your request in writing to us (using our contact details below) giving us enough information to identify you and respond to your request.
- 7.3 You have the right to request access to information about your personal data that we may hold and/or process. These requests should be processed within 40 calendar days, provided there is no undue burden on the company, such as those which are more complex or numerous enquiries which may take up to three months, and it does not compromise the privacy of other individuals.
- 7.4 You also have the right to have any inaccurate or incomplete information we hold about you corrected and/or updated. If you believe that any information, we are holding on you is incorrect or incomplete, please contact us as soon as possible. We will promptly correct any information found to be incorrect.
- 7.5 In some circumstances you have the right to ask for data we hold about you to be deleted, e.g. where the data is no longer needed for the above purposes.
- 7.6 You can also object to or seek to restrict our processing of the relevant information in similar circumstances.
- 7.6 In some circumstances you can request that we transfer your personal data to another company.

NOTE: You may not be entitled to see all the information about you if an exemption under GDPR/ the Act applies. If you seek to exercise a right under the relevant law and we consider an exemption is applicable (or the relevant right is not exercisable), we will explain this to you in as clear a way as we can.

8.0 Data Audit & Monitoring – Staff Responsibility

- 8.1 All members of staff **must observe this policy** and have an obligation to report actual or potential data protection compliance failures to their line manager or Director. This allows us to:
- Investigate the failure and take remedial steps if necessary
 - Maintain a register of compliance failures
 - The company Directors have overall responsibility for this policy. They will monitor it regularly to make sure it is being adhered to.

8. Complaints

- 9.1 We take compliance with this policy very seriously.
- 9.2 If you have any questions or concerns about how we collect or process your personal data please send an email to: mail@asbriplanning.co.uk in the first instance.

However, if you are not satisfied with this you also have the right to lodge a complaint with a supervisory authority, in the UK this is with the Information Commissioner's Office ("ICO"). Further information about reporting concerns to the ICO is available at <https://ico.org.uk/concerns/>.

10.0 Changes to this Policy

- 10.1. We keep this Policy under regular review and may change it from time to time (for example, if the law changes).
- 10.2. This Policy was last updated May 2024

11.0 Contact us

- 11.1. We welcome your feedback and questions on this Policy and/ or our use of your personal data.

If you wish to contact us, you can:

Write to us at;
Asbri Planning Limited,
Unit 9 Oak Tree Court,
Mulberry Drive,
Cardiff Gate Business Park,
Cardiff, CF23 8RS.

Email us at - mail@asbriplanning.co.uk or
Telephone on - 02920 732652

