



**Ministry of Housing,  
Communities &  
Local Government**

**10 May 2018**

**By email only**

**The Chief Planning Officer,**

I know that many of you will be actively reviewing your procedures for compliance with the General Data Protection Regulation. However, I am writing to remind local planning authorities of the importance of complying with their data protection responsibilities when they exercise their planning functions.

Local planning authorities are advised to review the way in which they process personal data in light of the EU General Data Protection Regulation (GDPR). The GDPR will be directly applicable in the United Kingdom with effect from 25 May 2018. It will repeal the Data Protection Directive, which was implemented by the Data Protection Act 1998. The Data Protection Bill, once it comes into force, will supplement the GDPR. The GDPR strengthens individuals' rights and introduces new obligations on data controllers and data processors.

Planning is primarily focussed on regulating the use of land, however, information will be received by local planning authorities which contains personal data. In some cases, that data will be both personal and contain one or more of the categories of sensitive information which are subject to additional safeguards. Local planning authorities are likely to be data controllers for the purposes of the GDPR and are responsible for decisions on how personal data is processed.

The recent First-Tier Tribunal decision and fine concerning breach of data protection requirements in relation to publication of sensitive personal data in a planning application highlighted the importance of having in place appropriate technical and organisational measures against unauthorised or unlawful processing of personal data.

The Information Commissioner's Office has a [webpage](#) dedicated to EU data protection reform. This includes information directed at local authorities.

The PARSOL guidance which was prepared in 2006 and refers to the Data Protection Act 1998 is now out of date, and has been removed from the GOV.UK website. To further assist local planning authorities ensure their processes are robust, the Planning Advisory Service, in consultation with the Information Commissioner's Office, are leading a cross sector group preparing guidance on the processing of personal data in relation to planning applications.

I hope this information is of assistance.

**STEVE QUARTERMAIN CBE**  
**Chief Planner**