

How your personal Information is used by the Development Planning Section for MLDP2.

Here at Midlothian Council, we take your privacy seriously. Under the Data Protection Act 2018, you have a right to know how we collect, use and share your personal data.

This privacy notice explains the information we need in order to carry out the preparation of Midlothian's next Local Development Plan (MLDP2). This activity is part of the Planning Service provided by Midlothian Council.

Our Privacy Promise

We promise to collect, process, store and share your data safely and securely.

We are committed to the principles set out in data protection legislation:

- We only collect information that we need
- We keep your personal information secure
- We don't keep your information for longer than we need to
- We tell you why we need your information and what we will do with it
- We collect accurate information and, where necessary, keep it up to date
- We don't use your information for a different reason than the one we have told you about. The exception to this is if we must do so by law e.g. for the purposes of providing Child Protection and Safeguarding Services.

What lets us collect your information?

If we work with you we will be acting under some, or all, of the legislation noted below:

- Town and Country Planning (Scotland) Act 1997 as amended
- Environmental Assessment (Scotland) Act 2005
- Equality Act 2010

What kinds of personal data do we collect?

The personal data we collect includes your:

- name
- address
- email address
- age category
- gender

If necessary, we might also collect what is called 'special category' data – that is, sensitive information such health information e.g. whether you consider yourself to have a disability.

How do we collect your personal data?

We collect your personal data in many different ways:

- You may have provided data to us by filling out an online form. Our consultations and surveys are hosted on the Citizen Space site which is run by Delib Limited (the data processor). For more information, please see [Delib's privacy notice](#).
- You may have provided data to an Officer during a Local Development Plan Drop-In Event/ workshop or in phone/Teams conversations.
- You might have provided your name and email address to be included on our Local Development Plan mailing list.
- You may have provided your name, address and e-mail address to be included on our Self-Build Housing Register.

How do we use your personal data?

The data we collect will be used to inform Midlothian's next Local Development Plan (MLDP2) as well as its associated documents:

- Evidence Report
- Local Place Plans
- Open Space Strategy
- Play Sufficiency Statement
- Self-Build Housing Register
- Integrated Impact Assessment

Data is collected to identify issues which are specific to a particular geographic area in Midlothian or that are held by a particular group of people (e.g. age group or disability). Data is collected with the aim of helping improve the places that people live in – knowing that views are held by particular a group means we can better target beneficial planning interventions.

All data we intentionally collect will be anonymised before it is included in any of the above documents.

What happens to your personal data?

A Local Development Plan is a statutory document and the Scottish Government requires that each Local Authority in Scotland has one in place.

Evidence Report

The first stage of preparing MLDP2 will be to write an Evidence Report. An Evidence Report contains a baseline of information, about Midlothian, covering a range of topics. The Evidence Report will include analyses of your anonymised personal data.

The Evidence Report will be submitted to Scottish Ministers and the "Gate Check" procedure. Scottish Ministers will review the Evidence Report and consider whether the Local Authority has collated sufficient 'evidence' to proceed to the next stage of Local Development Plan preparation.

Once completed, the Evidence Report will be published and made publically available for viewing on the Council's website. It may also be on the Scottish Government website. The Evidence Report is a new document and it is not yet known whether the Scottish Government will have a central location for Evidence Reports to be viewed.

Local Place Plans

The Council has also invited community bodies to prepare Local Place Plans. The Town and Country Planning (Local Place Plans) (Scotland) Regulations 2021 requires community bodies to demonstrate that they have engaged with their communities.

To aid proportionality and to avoid consultation fatigue amongst communities, anonymised data collected by online surveys and/or workshop activities, may be shared with community bodies to assist with the preparation of their Local Place Plans.

Self-Build Housing Land Register

The Town and Country Planning (Scotland) Act 1997 (Section 16E) requires planning authorities to prepare and maintain a list of people interested in acquiring land in the authority's area for self-build housing, and to publish that information.

Self-build housing is where a person commissions or is personally involved in the design and construction of a dwelling intended to be their main residence.

We will use this information in the preparation of policy and proposals in the next Local Development Plan.

The register of interest in self-build is hosted on the Council's Citizen Space page, run by Delib. The list of people interested in self-build will be published on the Council's Planning Webpages and the following information will be made public - location of plot required, plot size, house type. All other personal information will be removed before publishing.

Sharing Data

It is not our intention to share any personal data with other agencies and authorities. Anonymised may be shared data with:

- Community Bodies (such as Community Councils)
- Councillors
- Key Agencies
- Scottish Government

How long do we keep your personal data?

We will not keep information for any longer than it is needed. We have a [Retention Schedule](#) which sets out how long we keep the records and why.

Further Information

You can also find out more about how we use your information to detect and prevent fraud or crime, information collected through our website, recorded telephone calls, CCTV, the rights you have under the Data Protection Act, and how to contact us by referring to the overarching Midlothian Privacy Notice.

The Council has appointed a Data Protection Officer. They can be contacted in the following ways:

Midlothian House
40 - 46 Buccleuch Street
Dalkeith
EH22 1DN

Email: DPO@midlothian.gov.uk