

Definitive Map Modification Orders (DMMO) Privacy Notice

Gloucestershire County Council [the council] is the data controller for the personal information we collect about you. All information processed by the council is covered by our [Data Protection Policy](#). For an overview of how the council will use your personal data please visit our [privacy notice pages](#).

This privacy notice is designed to help you understand how we use personal information when delivering our services. The details below will outline:

- Why we collect and use your information
- What information we collect about you
- Where we get your data from and who we share it with
- How long we will keep your information
- How to contact us
- Removing your personal data, including from the Register of Applications, and
- Your rights

1: Why we collect and use your information

The table below outlines:

- What we use your information for
- What gives us the right to use your data - the legal basis
- Details of the legal conditions; and our reasons for using your data

Personal Data

The use	The Lawful basis for using your data	The reasons why we need to use your data
To process the DMMO claim, i.e. to consider whether sufficient evidence exists to make an Order for the claimed route (the 'determination' of the Application) and publish any required legal Orders.	Article 6c Legal Obligation	To fulfil our obligations as set out under the legislation governing Modification Orders to the Definitive Map of Public Rights of Way, namely: (1) Section 53 and Schedule 14 of the Wildlife and Countryside Act 1981 (WCA81) and; (2) The Public Rights of Way (Register of Applications under section 53(5) of the WCA1981) (England) Regulations 2005.
To maintain the official Register of Applications.	Article 6c Legal Obligation	As (2) above.
To contact you if we need clarification about the application, the evidence submitted or additional information relating to the claim.	Article 6c Legal Obligation; Article 6e Task carried out in Public Interest	As (1) and (2) above.

2: What information we collect about you

Gloucestershire County Council will collect personal information that we need to perform our functions. These include:

- Name
- Address and postcode
- Year of birth, and
- Contact details (home/mobile telephone number, email address)

3. Where we get your data from and who we share it with

The personal information we collect, use and share comes from a variety of sources. We also sometimes need to share your personal information with other people and organisations. Our sources and recipients of personal data are:

Sources:

- You
- The Land Registry
- Other parties of interest to the DMMO Application; for example, other members of the public or the Parish Council
- the DMMO Application Forms, any User Evidence Statement(s), any Landowner Evidence Statement(s), and any other submitted written/verbal statement(s)

Recipients:

- The public (which may include any landowner/occupier affected by the application and their representative), through any exchange of evidence process, and the final report that will become public record (excluding "Contact details")
- The official Register of Applications ("the Register") (excluding "Contact details")
- The Planning Inspectorate at the Department for Transport (if any objection submitted)

Your personal data may also be shared with regulatory and statutory bodies who assess council performance and financial spend, as well as where required by law, such as to prevent and detect crime or fraudulent activity. We also use your personal information to assess whether our services are making a difference, to develop and improve services, measure how well the council as a whole is doing and administer and protect public funds.

4. How long we keep your information for

Gloucestershire County Council will keep the personal data supplied in respect of the legal obligation permanently, as part of the public record associated with the claim.

We are required to keep this information for this long as part of the record keeping associated with our statutory duty to keep the Definitive Map and Statement under continuous review under Section 53 of the Wildlife and Countryside Act 1981.

To find further general information on how long we keep your information, you can read our retention and disposal schedule at www.gloucestershire.gov.uk/retention.

5. How to contact us

Please contact us if you have any questions about this privacy notice:

Email: modificationorders@gloucestershire.gov.uk

Telephone: 01452 328981 or 328984

In writing: Highway Records (DMMO), Gloucestershire County Council, Shire Hall, Westgate Street, Gloucester. GL1 2TG

6. Removing your personal data, including from the Register of Applications

Under Section 2(3) of The Public Rights of Way (Register of Applications under section 53(5) of the Wildlife and Countryside Act 1981) (England) Regulations 2005, the council can remove the applicant's name and address from the Register if it is satisfied that:

- (a) the inclusion or retention of an applicant's name and address on the Register would, or would be likely to, cause substantial damage or substantial distress to the applicant or to another person; and
- (b) such damage or distress is or would be unwarranted.

If you, as the Applicant, can demonstrate that such inclusion on the Register would cause substantial and unwarranted damage or distress, please let us know by contacting us using the contact details in section 5. **Important:** Please note the applicant's name and address will still be required to be made public in any written report during the processing/determination of the application under Section 53 and Schedule 14 of the Wildlife and Countryside Act 1981.

If you, as the Applicant, choose to withdraw your application, your personal information and evidence will be removed, and you will no longer have any interest or applicant rights in respect of the application. In such cases Gloucestershire County Council reserves the right to continue processing the application as a council instigated application with no recorded applicant. **Important:** Please note that if the report has already been published (and so is already in the public domain), we will be unable to withdraw your personal information, even if you withdraw from the application.

If you, as an interested party, have provided evidence or comment in relation to any application and choose to withdraw your personal data, your associated evidence will also have to be withdrawn. This will then not form part of any report written to consider whether an Order should be made for the claimed route (known as the 'determination' of the application investigation of the DMMO claim). **Important:** Please note that if the report has already been published (and so is already in the public domain), we will be unable to withdraw this information.

7. Your rights

The below information outlines the rights you have that are applicable to this particular use of your information, briefly explain what they mean and tell you what to do if you want to use your rights.

Correction of inaccurate information:

You have the right to request that the council correct information that you believe is inaccurate or incomplete. You may not always be able to change the information. However, we will correct factual inaccuracies and may include your comments in the records. Please note, however, that whilst we will correct factual inaccuracies, if the report has already been published (and so is already in the public domain), any copies already taken will be out of our control to correct.

The right to be forgotten:

You have the right to request that the council delete your information when there is no compelling reason for us to continue using it. Please be aware that in certain situations we are still allowed to keep and use your information so we can comply with our legal obligation; for example, if your personal data forms part of the evidence contained within a determined application, we are required to keep your personal data as part of the record keeping associated with our statutory duty to keep the Definitive Map and Statement under continuous review under Section 53 of the Wildlife and Countryside Act 1981.

The right to object:

You have the right to object to us using your information if you feel we have used it outside the remit of our public tasks. Please be aware that in certain situations we are allowed to still use your information if there are compelling legitimate legal grounds to do so.

Access to your information:

You have the right to request a copy of the information we hold about you. If you would like a copy of some or all of your personal information, please visit our website using the link below:

<https://www.gloucestershire.gov.uk/council-and-democracy/data-protection/my-information-rights/>

8. Using your rights

If you wish to use any of your rights, detailed in section 6, please contact us using one of the methods below:

Online at <https://www.gloucestershire.gov.uk/council-and-democracy/data-protection/my-information-rights/>

Email to Managemyrequests@gloucestershire.gov.uk

In Writing to Information Management Service
Gloucestershire County Council
First Floor, Block 4(a)
Shire Hall, Westgate Street
Gloucester
GL1 2TG

You can contact the council's Data Protection Officer, via the Information Management Service, by emailing dpo@gloucestershire.gov.uk or by calling 01452 32 4000.

Making a complaint to the Information Commissioner

If you wish to make a complaint about how we use your personal data to the Information Commissioner's Office, you can contact them by visiting their website at <https://ico.org.uk/> or by calling 0303 123 1113.

9. Document Information

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