

# Tonbridge & Malling Borough Council

## Land Charges Privacy Notice (How we use your information)

The Land Charges team is part of Tonbridge and Malling Borough Council (TMBC). This privacy policy sets out how Land Charges uses your personal information.

### 1. What information we use:

- personal information (such as name, residential address, email address and telephone number)
- any information relating to your land charges application, request for services from us

### Why we collect and use this information:

We collect and use this information in order to:

- carry out a Land Charges Search (completion of LLC1, CON29 and CON29O (collectively called Searches) prepare Land Charge Registrations for inspection by Personal Searchers.
- enable us to contact you about Search enquiries, entries or Personal Searches
- enable us to contact other departments or Councils or Statutory Bodies about matters affecting the land the subject of the Searches being made
- Administration of the Local Land Charges Register and Search Services.

### The lawful basis on which we collect and use this information:

We will collect and use this information under Article 6 (1)(b) [performance of a contract] or article 6 (1) (e) [exercise of official authority] of the General Data Protection Regulation.

We will collect and use this information because you have requested us to carry out a Local Land Charges Search or to complete Con 29 Enquiries of Local Authority or to facilitate a personal search being made of the registers we hold. If you do not want us to collect and use this information you should tell us but we will be unable to perform the Service for you.

If we need to make a registration in the Local Land charges Register (in this case we will not require your consent to collect and use this information because we have a proper legal basis for doing so).

### How we collect information from you:

- You may provide this information to us when asking us to carry out Searches for you
- Third parties may provide this information to us who you use to carry out search services on your behalf

- In some cases other Council Departments or Councils or Statutory Bodies will share information with us as part of statutory function as a registration authority and we may share information with them for the same reason.
- Internal Services within TMBC or our Partner Authorities E.g Planning, Building Control Environmental Health and Housing, Highways at Kent County Council may pass us information where it is necessary for us to carry out our Land Charges functions. For instance having copies of grant applications for financial assistance which must be registered as a Local Land Charge or documents with address information in them containing entries for registration on the Local Land Charges Register

## **Safeguarding your information:**

We will hold your data for such periods as may be necessary to deal with and administer searches or Local Authority Enquiries on Con 29 and to deal with registration of local land charges in the appropriate registers. We will not hold your data for longer than is necessary to comply with these functions. Our Data Retention Policy can be viewed on our website at [www.tmbc.gov.uk](http://www.tmbc.gov.uk).

## **Sharing your Information:**

We share information with:

- Other TMBC departments who assist with the administration of local authority searches
- Kent County Council as highways authority

## **Requesting access to your personal data and your other rights:**

Under data protection legislation, you have the right to request access to the information that we hold about you. To make a request for some of all of your personal information please contact Adrian Stanfield, the Council's Data Protection Officer at [foi@tmbc.gov.uk](mailto:foi@tmbc.gov.uk) or you can write to him at Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ.

You also have the right to:

- ask us to correct or remove information you think is inaccurate
- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection

regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## **Further information**

If you would like further information about this privacy notice, please contact Adrian Stanfield, the Council's Data Protection Officer at [foi@tmbc.gov.uk](mailto:foi@tmbc.gov.uk).