

# Privacy Notice

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- To process a request for a Tree Preservation Order
- To process a representation relating to a Tree Preservation Order
- To process a representation relating to a Tree Preservation Revocation Order
- To process an application for works to protected trees

Your information is:

Being collected by Aberdeenshire Council either directly through paper-based or electronic applications or representations, or online via the national planning portal maintained by Scottish Government.
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The Legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent		The data subject has given explicit <b>consent</b> to the processing	
Performance of a Contract		Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of <b>employment, and social security and social protection law</b>	
Legal Obligations	X		
Vital Interests		Processing is necessary to protect the <b>vital interests</b> of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	
Task carried out in the Public Interest		Processing relates to personal data which are made <b>public</b> by the data subject	
Legitimate Interests <sup>1</sup>		Processing is necessary for the establishment, exercise or defence of legal	

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<sup>1</sup> Please see the Privacy Notice Guidance for details of limited use of this ground for processing personal data

		claims or whenever courts are acting in their judicial capacity	
		Processing is necessary for reasons of <b>substantial public interest</b>	
		Processing is necessary for legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with its connections with its purposes and that the personal data are not disclosed outside that body without the consent of the individuals	
		Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of <b>health or social care</b> or treatment, or the management of health or social care systems	
		Processing is necessary for reasons of public interest in the area of <b>public health</b>	
		Processing is necessary for archiving purposes in the <b>public interest</b> , scientific or historical research purposes or statistical purposes	

*Please tick all that apply*

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

The information is required to ensure work is carried out in accordance with the Town & Country Planning (Scotland) Act 1997, Planning etc. (Scotland) Act 2006, The Town and Country Planning (Appeals) (Scotland) Regulations 2013 and various pieces of subordinate legislation. Failure to provide the required data would mean that your request, representation or application could not be considered.

Your information will be shared with the following recipients or categories of recipient:

Information on tree work applications and appeals are published on the Planning register. The Planning register can be searched and viewed by the public online via the Council's website.

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

N/A

The retention period for the data is:

Information on the Planning Register is retained by the Council permanently.

Information including correspondence relating to requests for Tree Preservation Orders will be retained until such time as a decision has been taken as to the need for a Tree Preservation Order.

Representations relating to served Tree Preservation Orders will be retained until such time as the Tree Preservation Order has been confirmed or allowed to lapse.

The following automated decision-making, including profiling, will be undertaken:

None

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to object, where the legal basis specified above is:
  - (i) Performance of a Public Task; or
  - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
  - (i) Consent; or
  - (ii) Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.