

PRIVACY NOTICE

Public Rights of Way, Commons and Town & Village Greens

Under the General Data Protection Regulation (GDPR) the Council has a duty to inform you about how your personal data will be handled.

This notice explains how and why we collect your personal data and how we use it. It also explains how we share it, how you can access it and whether it can be deleted.

What personal data we collect

We collect your name, address and e-mail and telephone contacts. We may also collect information about how you use public rights of way, claimed rights of way, Town and Village Greens and / or areas of land.

Why we collect your data

Oxfordshire County Council is the Highway Authority (for the purposes of maintaining public rights of way), the Surveying Authority (for the purposes of maintaining a Definitive Map and Statement of Public Rights of Way) and the Registration Authority (for the purposes of Registering Common Land and Town and Village Greens).

To carry out our legal functions, we are constrained by: -

- Commons Registration Act 1965
- Highways Act 1980
- Wildlife & Countryside Act 1981
- Road Traffic Regulation Act 1984
- Countryside & Rights of Way Act 2000
- Natural Environment and Rural Communities Act 2006
- Commons Act 2006
- Deregulation Act 2015
- Defra Circular 1/09 – Rights of Way
- The Dedicated Highways (Registers under Section 31A of the Highways Act 1980) (England) Regulations 2007
- The Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declarations) (England) Regulations 2013
- Any other legislation pertaining to Public Rights of Way

Our duties include, but are not limited to, recording and altering the public rights of way network and registering and recording Commons and Town and Village Greens.

How we use your data

We will not use your personal data for commercial or marketing purposes.

We use your personal data in our statutory and discretionary functions, including: -

- Processing applications to change the public rights of way network including: -
 - Evidence from witnesses
 - Consultations and responses
 - Administering Legal Orders
 - Serving Notices
 - Dealing with objectors
- Registering and regulating Commons and Town and Village Greens
- Recording statutory declarations of non-intention to dedicate highways (“landowner deposits”)
- Dealing with complaints, requests for service and inquiries from the members of the public.

What data we disclose and when

If you apply for or submit any of the following your personal details become a matter of public record.

- Public Path Orders
- Definitive Map Orders
- Town and Country Planning Act Orders
- Town and Village Green applications
- User Evidence Forms and other statements of use*
- Landowner deposits, statements and declarations made under s31(6) of the Highways Act 1980 and s15a of the Commons Act 2006

Specifically, we will process and share your data where legally obliged to do so in situations, for example: -

- Where we are required to make details of proposals for Public Path and Definitive Map Orders available for public inspection.
- Where we are required to undertake a consultation process in accordance with Government recommendations to seek public representation or, in the case of Definitive Map or Town and Village Green applications, to garner evidence whether in support or against the application.
- Names of owners of a property or land, plus the address of that property or land, must usually be publicly available. All comments, representations and objections received are also available for inspection by the public, applicants and Councillors.
- If you are submitting evidence in support of an application to modify the Council’s Definitive Map and Statement (or Town or Village Green) or asked to complete a User Evidence Statement (or you are a landowner or occupier completing a Landowner / Occupier Statement) the information provided will be used by the Council so that it may undertake its statutory duties in accordance with the relevant legislation. The evidence / statement and the details contained therein will be retained by the Council and considered and published as part of its statutory duty to determine the application to establish whether public rights subsist.
- It may be necessary to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the

public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry

If you submit an application form, declaration or statement of use to us or are interviewed by us for the purposes of gathering evidence, you actively consent to us holding, using and disclosing your data for the purposes described above.

We will not disclose personal details from complainants or requests for service.

Your right to see your data and be forgotten

You may request to see a copy of any personal data we hold on you. We will provide this to you within one month if we can. Some historic data may require more time to collate due to the format and location of archive records.

For evidence purposes under the Wildlife and Countryside Act 1981 and Commons Acts, we keep all relevant correspondence and any personal data within it indefinitely as a matter of public record.

If you have submitted a service request or complaint, you have a right to have your personal data deleted upon request, subject to the Council's access to information policies at: <https://www.oxfordshire.gov.uk/council/about-your-council/access-data-and-information> .

Further information

If you have any queries relating to this notice, please contact: Principal Officer - Countryside Records, Oxfordshire County Council, County Hall, Oxford, OX1 1ND email: countrysiderecords@oxfordshire.gov.uk tel: 01865 810808.

You can find out more information about how we look after your personal data on our website at: <https://www.oxfordshire.gov.uk/council/about-your-council/access-data-and-information>