



Land Interest - South East Strategic Resource Option



Privacy Notice

Thames Water is working collaboratively with Affinity Water and Southern Water to investigate a proposed new reservoir in Oxfordshire. We have collected personal data regarding persons with an interest in the land that may be required for, or affected by, the reservoir and associated apparatus from the Land Registry and other publicly available resources and we are asking you for any updates and/or further contact details, so that we can discuss proposals with you (including access to land for environmental surveys) and maintain our land interests database.

1. How we use your data

This privacy notice has been prepared because we are processing your personal data in connection with a request for details regarding interests in land and access to land for environmental and engineering surveys (the “**access request**”). Should the reservoir proposals proceed, your personal data will also be used for a land referencing exercise (we explain this below) and to contact you when we run any engagement exercises or formal public consultations on the proposals or to discuss the acquisition of land or rights over land from you.

We want you to understand how we look after your personal data and how we make sure that we meet our legal obligations to you under the UK data protection laws including the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (the “**Data Protection Laws**”).

This privacy notice applies to any personal data that we collect about you when we carry out the access request and land referencing exercise. When we collect and use your personal data, we are a controller of it, which means that we are responsible for looking after it. However, the information for the access request and land referencing exercise is collected in the course of providing services to us, by our land agent, an organisation we have contracted to help us. Whilst our land agent has a legal responsibility to look after your personal information, we still have overall responsibility. We will use your personal data fairly, lawfully and in a transparent manner, and in accordance with the Data Protection Laws.

2. Data controller

The entity responsible for the processing of your personal information is:

Thames Water Utilities Limited (company number 02366661)
Clearwater Court, Vastern Road, Reading RG1 8DB.

If you have any questions in relation to this notice or generally how your personal data is processed by us, please contact data.protection@thameswater.co.uk.

3. Access request

We are contacting you to arrange voluntary access for the required environmental and engineering surveys. We are requesting accurate and up to date details about land ownership and occupancy in the area so we are able to communicate with you to arrange said access.

4. Land referencing

Should the proposals for the reservoir be progressed, we would be required to make an application for development consent under the Planning Act 2008. As a part of this application, the law requires us to identify those people and organisations who may have a legal or beneficial interest in land which might be affected by our application, so that we can consult with them. This is called land referencing.

5. What information do we collect about you?

We would collect your name (and/or company name) and contact details (including your address, registered company address, telephone number and e-mail address). We would also collect details of your interest or ownership in the relevant land, details of other interests in the land (such as a mortgage or tenant) and any additional information you may provide to us.

Please note that we may combine personal data we receive from other sources with personal data you give to us and personal data we collect about you.

6. Where do we get this information from?

We collect some of your information directly from you, either through information that you give to us or information that we collect through your communications with us. We also obtain some information from other third parties, including public records such as the HM Land Registry, the electoral roll, Experian 192, Companies House, the Charity Commission, the Financial Conduct Authority, TracelQ, BT Directory, online registries, websites of organisations and information which may be obtained from a general internet search and from any completed contact or other forms provided to us.

7. What is the legal basis for processing?

We process your personal data on the following legal bases:

UK GDPR article 6.1.e (where processing is needed for us to perform a task in the public interest or for our official functions):

As part of our public task to manage water resources, we need to process the personal information we collect to engage further with you in connection with developing and progressing our plans for the reservoir proposals, including for the access request.

UK GDPR article 6.1.c (necessary for us to comply with a legal obligation):

Should the proposals proceed, the main purpose for which we use your information is to comply with our legal obligations under the Planning Act 2008 to identify, consult with and notify relevant land interests under the Planning Act 2008 in relation to our application for development consent for the proposed reservoir. This is also the basis on which our processing of your personal data is lawful.

Within this overall purpose, we need to be able to:

- contact you to notify you about our plans and engage and formally consult with you in relation to them;
- if applicable, contact you to discuss the acquisition of land or rights over land from you;
- produce statutory documents that are required by law including a Book of Reference (a publication containing certain personal data), Statement of Reasons (including details of discussions to acquire land or rights voluntarily) and a Consultation Report (setting out the responses received to the consultation and how we have had regard to them), that will be submitted as a part of our application for development consent and which is a publicly available document;
- notify you of the acceptance of our application for development consent by the Planning Inspectorate and subsequent decision by the Secretary of State;
- if applicable, share your mortgage reference with lenders or mortgagees to enable them to check information which may affect them.

8. Who do we share your information with?

We may share your information with carefully selected third parties, including Affinity Water, Southern Water and our professional advisers, but only for the purposes specified in this privacy notice. In particular, we may share your information our land agents and legal advisers.

Should the proposals proceed, your interest will be published in the Book of Reference, if we consider that your legal interest in property or land may be affected by the proposed development. We have a legal duty to make the Book of Reference available for inspection by the public. It is also disclosed to the Planning Inspectorate and they may decide to publish the information on their website. The Book of Reference is required by law to include the name and address of the person or company which has an interest in the property and the nature of the interest. The Book of Reference will not include telephone numbers or email addresses of anyone listed.

In the event that we carry out public consultation on the proposals, we will also be reporting to the Secretary of State, Planning Inspectorate or local authorities on that public consultation, including by way of the production of a Consultation Report. This may involve passing your personal data to those parties, and in some cases we are required to publish the data as part of a consenting process. The Planning Inspectorate's privacy notice can be viewed here: <https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice/customer-privacy-notice>

We may also share your information (where required or permitted by law) with government bodies (including Defra), law enforcement agencies, and, as set out above, your lender or mortgagee. We do not share your information with third parties for marketing purposes or otherwise sell your data.

9. Where is your information stored and how long do we keep it for?

Retention of your personal data

Except as otherwise legally required, we will typically keep your personal data for 10 years from completion of the environmental or engineering surveys or from the date of our consent application should the proposals proceed (whichever is later), in case we need to consult with you further or if we need to bring or defend legal proceedings. The Book of Reference, Statement of Reasons and Consultation Report will remain available for public inspection following the decision by the Secretary of State, but will not be updated with further information.

10. What rights do you have?

You have certain legal rights in relation to any personal data about you which we hold. These rights are summarised below.

<i>Individual Rights</i>	<i>What this means</i>
<i>Informed</i>	<i>You can ask for details of how we process your personal data, as covered by this Privacy Notice.</i>
<i>Access</i>	<i>You can ask for a copy of the information that we hold about you, as covered by this Privacy Notice.</i>
<i>Rectification</i>	<i>You can ask that your personal data be corrected or updated if you believe it is inaccurate or incomplete.</i>

<i>Erasure</i>	<i>You may, in certain circumstances be entitled to ask to have your personal data erased (also known as the “right to be forgotten”). We may not be in a position to erase your personal data, if for example, we need it to (i) comply with a legal obligation, or (ii) exercise or defend legal claims.</i>
<i>Restriction</i>	<i>You can ask us to stop using your data. However, in some circumstances this right may not apply, for example, where we have a legal obligation to use the data.</i>
<i>Portability</i>	<i>This only applies to personal data you have given us and if we are processing the personal data based on your consent or we are under, or in talks about entering into, a contract with you, and where the processing is automated i.e. not paper records.</i>
<i>Objection</i>	<i>You can request that your personal data is not processed for specific purposes such as profiling. This right applies where our processing of your personal data is necessary for us to perform a task in the public interest or for our official functions or for our legitimate interests. You can also object to our processing of your personal data for direct marketing purposes.</i>
<i>Rights related to automated decision-making including profiling</i>	<i>You have the right not to be subject to a decision based solely on automated processing of your personal data (ie no human intervention), including profiling, where the decision affects your legal status or rights or where the decision has a similarly significant effect, eg affecting your financial circumstances or employment opportunities.</i>

The applicability of some of these rights depends on the legal basis of processing of the data concerned. Some of these rights only apply in specific circumstances and we may not need to fully comply with your request in all cases.

11. What if you have a complaint?

If you have any concerns regarding our processing of your personal data or are not satisfied with our handling of any request made by you, or would otherwise like to make a complaint, please contact Thames Water in the first instance using the details at the start of this privacy notice, so that we can do our very best to sort out the problem.

You can also contact the Information Commissioner's Office at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF www.ico.org.uk.

This notice was last reviewed and updated in January 2023.