



Comhairle Contae Chill Dara

Kildare County Council

PRIVACY STATEMENT for

Compulsory Acquisition of Land for the Maynooth Eastern Ring Road

(Roads, Transportation & Public Safety Dept.)

Who are we?

Kildare County Council (the “**Council**”, “we”, “us”, “our”) is the democratically elected unit of Local Government in County Kildare and is responsible for providing a range of services to meet the economic, social and cultural needs of the people of our County.

The Council is responsible for providing a road development comprising the Maynooth Eastern Ring Road between R148 Leixlip Road and R405 Celbridge Road from the townland of Maynooth, Carton Demesne, Railpark, Ballygoran and Moneycooly in Maynooth Town the County of Kildare, together with all ancillary and consequential works associated therewith and for providing infrastructure to facilitate public transport. It will be necessary for the Council to acquire certain lands by means of a compulsory purchase order (“**CPO**”) for these purposes.

Why do we have a Privacy Statement?

The purpose of this privacy statement is to inform you of the data relating to you that we may collect and use in connection with the CPO and the uses (including disclosures to third parties) we may make of such data.

If you have any queries about our use of your personal data, please contact our Data Protection Officer at dataprotection@kildarecoco.ie

What information do we collect?

We will collect and process personal data relating to you that you or other people provide to us in connection with the CPO. We will also collect and process personal data relating to you from publicly available sources such as the Land Registry and the Registry of Deeds.

This personal data may include:

- **Identity Data** - first name, surname, gender, date of birth;
- **Contact Data** - address, e-mail address, telephone number;
- **Property Rights Data** - your interest in any land and/or rights proposed to be compulsorily acquired, public and private rights of way proposed to be acquired/extinguished and planning permissions for the development of land



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proposed to be revoked or modified (e.g. owner, reputed owner, occupier, reputed occupier, etc.);

- **Property Data** - details of the land and/or rights proposed to be compulsorily acquired (the “**Property**”) including, for example, spatial location, and folio number (where applicable), details of any lease or other interest in the Property (where applicable);
- **Health Data** – information concerning you or any of your family members’ physical or mental health, if and to the extent you provide this to us of your own accord;
- **Financial Data** – information concerning your financial circumstances; and
- **Other Data** – any other personal data relating to you that you provide to us or that we generate about you in connection with the CPO.

What is the legal basis for the processing of this personal data?

The personal data described above is used by us and third-party service providers acting on our behalf as set out in further detail below. The legal bases on which we collect, process and transfer your personal data for these purposes are:

- that this is necessary for the performance of our functions that we carry out in the public interest and the exercise of official authority vested in us by law (“**Official Authority**”), including pursuant to the Planning and Development Act 2000 (as amended) and the Local Government Act 2001;
- that this is necessary for compliance with a legal obligation that applies to us, including pursuant to the Housing Act 1966, and the Third Schedule thereto, (as amended), the Local Government (No. 2) Act 1960 and the Planning and Development Act 2000 (as amended) (“**Legal Obligation**”);
- in circumstances where the compulsory acquisition of a property will be effected by a contract, that this is necessary for the performance of our contract with you (“**Contract**”); and
- in certain limited circumstances, your consent (where this is the case you will be asked to give a positive indication of that consent) (“**Consent**”).



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Processing activities and associated legal bases

We set out below details on the general purposes for which we use your personal data in connection with the CPO, the categories of personal data relevant to those purposes and the related legal basis (or bases, if more than one applies) under applicable data protection law for processing such personal data.

Purpose	Categories of personal data	Legal bases
Compiling the Schedules to the CPO	Identity Data Property Data Property Rights Data	Official Authority Legal Obligation
Creating a database of property owners, tenancies, property details	Identity Data Property Data Property Rights Data	Official Authority
Correspondence with property owners and/or tenants (including the issuing of the statutory notices)	Identity Data Property Data Property Rights Data Health Data (where applicable) Financial Data (where applicable)	Official Authority Legal Obligation Consent
Compulsorily acquiring the Property	Identity Data Property Data Property Rights Data	Official Authority Contract
Calculating and making payments in respect of the Property	Identity Data Property Data Property Rights Data	Official Authority Legal Obligation Contract
Establishing, exercising or defending legal claims	Identity Data Property Data Property Rights Data	Official Authority



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Publishing details relating to the CPO in a newspaper and making it available for inspection	Identity Data Property Data Property Rights Data	Legal Obligation

Is personal data shared with other organisations?

The Council may have to share your personal data with other organisations or entities in connection with the above purposes, including:

- statutory agencies, where required or permitted by law as part of the statutory planning process;
- outsourced property referencing providers;
- other third parties who we engage to provide services to us, such as outsourced service providers, IT services providers, professional advisers and auditors;
- other public authorities and bodies where required or permitted by law, such as An Garda Síochána, for the purposes of the prevention, investigation or detection of crime; and
- members of the public where we are required to make information publicly available under applicable law or where we make any submissions or objections submitted in relation to the CPO available for public inspection.

Where such disclosure is required the Council shall have regard to your rights, to the security and integrity of the data and will minimise the data shared.

We do not transfer any of your personal data to any country outside of the European Economic Area.

How long is my data kept for?

We will not hold your personal data for longer than is necessary. We retain your personal data in accordance with the National Record Retention Policy for Local Authority Records, a copy of which is available in the Council's privacy statement:

[https://kildare.ie/county council/YourCouncil/GovernanceandCompliance/Privacy Statement/](https://kildare.ie/county council/YourCouncil/GovernanceandCompliance/PrivacyStatement/)



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Requirement to provide data

You are not under a statutory obligation to provide us with personal data in relation to a proposed compulsory acquisition for the purposes of the CPO. However, there are some pieces of information that you must provide to us so that we can comply with our obligations for your benefit in connection with a proposed compulsory acquisition, such as your name, contact details and details of your interest in a property.

Where a proposed compulsory acquisition has taken place, you are under a contractual obligation to provide us with certain personal data. If you do not provide us with this personal data, you will be in breach of your contractual obligations and we may have such legal rights and remedies against you as are available under applicable law.

Your rights

You have the following rights, in certain circumstances and subject to certain restrictions, in relation to your personal data:

- **Right to access the data** – You have the right to request a copy of the personal data that we hold about you, together with other information about our processing of that personal data.
- **Right to rectification** – You have the right to request that any inaccurate data that is held about you is corrected, or if we have incomplete information you may request that we update the information such that it is complete.
- **Right to erasure** – You have the right to request us to delete personal data that we hold about you. This is sometimes referred to as the right to be forgotten.
- **Right to restriction of processing or to object to processing** – You have the right to request that we no longer process your personal data for particular purposes, or to object to our processing of your personal data for particular purposes.
- **Right to data portability** – You have the right to request us to provide you, or a third party, with a copy of your personal data in a structured, commonly used machine readable format.
- **Withdrawal of consent** – Where our processing of your personal data is based on you having provided your consent, you have the right to withdraw your consent at any time.

Please note that these rights are not absolute, and are subject to certain restrictions and exemptions. For example, the right to erasure of personal data will not apply where we have a legitimate reason to continue to hold such data and we may continue to process your personal data, despite an objection by you, where we have compelling



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legitimate grounds for the processing which override your interests, rights and freedoms.

If you wish to exercise any of the rights set out above, please contact our Data Protection Officer at dataprotection@kildarecoco.ie

Right of Complaint to the Data Protection Commission

If you are not happy with the way we are using your personal data or how we facilitate your rights, you have the right to make a complaint to the Data Protection Commission who may investigate the matter for you. Details of how to lodge a complaint can be found on the Data Protection Commission's [website](#).

Changes to Privacy Statement: We may make changes to this Privacy Statement. We encourage you to periodically review this policy for the latest information on our privacy practices at:

<https://kildare.ie/countycouncil/YourCouncil/GovernanceandCompliance/PrivacyStatement/>

LAST UPDATED ON: 16th November 2022.