

# Review of Publication of Representations and Consultee Responses to Planning Applications

From Monday 6 January 2020 there will be a change in the way that Fife Council publishes information online for representations and certain consultations on planning applications.

## **Representations on applications**

It has been necessary to review the current process for the display of representations online due to the recent changes in the Data Protection legislation. At present, online comments are published immediately on submission, and whilst the process has been commended in terms of transparency, it does expose the Council to significant risk in relation to the potential fines from the Information Commissioner for breach of data protection regulations. In most cases, issues will only become apparent when one of the parties contact the Planning Service, leading to complaints from both applicants and those commenting on applications.

Representations will therefore no longer be published on receipt. At the end of the period for comments, the case officer will review the content of each representation and publish them on the website. Representations received after this date will not be published, as is currently the case.

You may also be aware that a number of Councils choose not publish representations online, so whilst it is appreciated that this change will mean a delay in the publication of the information, it is hoped that this shows our continued commitment to publishing information on representations.

## **Consultation Responses from within the Planning Service**

Following customer feedback, we have reviewed the way in which we publish internal consultation responses from within the Planning Service, which include Transportation, Built Heritage, Trees, Urban Design, Archaeology, etc. Currently these responses are not published, and this has led to several requests for information under Freedom of Information.

These internal consultation responses will often significantly affect the overall assessment of the application and we appreciate that their omission from the online file makes it difficult for agents to address issues raised and for members of the public to understand how a decision has been reached.

Internal consultations from within the Planning Service will therefore now be published online. The publication of this information will be aligned with the end of the period for submitting comments.