

# Portmoak Community Council

**Robin Cairncross - Secretary**  
Kantara, Wester Balgedie, Kinross KY13 9HE  
[secretary@portmoak.org](mailto:secretary@portmoak.org)

25<sup>th</sup> February 2019

Ms Anne Condliffe  
Interim Development Quality Manager  
Perth and Kinross Council  
35 Kinnoull Street  
Perth PH1 5GD

Dear Ms Condliffe

## **Removal of Public Comments on Planning Applications from Public Access**

At its most recent meeting this Community Council considered reports from Kinross-shire Civic Trust, Ward Councillor C Purves and from Kinross Community Council setting out their concerns at the decision of PKC, without notice, to withdraw access to comments made by the public and non-statutory organisations from the Public Access e planning portal.

We believe it is useful to refer back to comments made on determined planning applications whether they were approved or refused. It is not uncommon for new applications to relate to a site on which a planning application has been made and determined. Further, it would be particularly challenging were letters of comment from previous applications to be withdrawn where a site is still in development.

We understand that the comments are being removed from the public domain once a planning application is determined to comply with the General Data Protection Regulation (GDPR). Given that, beyond the name of the person submitting comment, all other personal information is redacted we question whether this is a valid interpretation of the GDPR. It also appears likely that this information will in any event need to be retained to comply with Freedom of Information legislation.

The CC strongly supports WCllr C Purves' letter and his statement that "Planning decisions are a matter of public record and so should be the process by which they are reached. People engage in what is a quasi-judicial process knowing that their comments will be made public and open to scrutiny. This transparency should not lapse after a set period of time."

Yours sincerely

Robin Cairncross  
Secretary  
Portmoak Community Council

Cc.Ward Councillors: M Barnacle, C Purves, W Robertson and Richard Watters  
WCllr Roz McColl, Convenor, Planning and Development Management Committee  
Portmoak Community Councillors