



Cleve Hill Solar Park Privacy Notice – Compulsory Acquisition

Cleve Hill Solar Park Limited (“CHSPL”, “we”, “us” or “our”) is committed to protecting and respecting your privacy.

This privacy notice sets out the basis on which any personal data (called personal information in this notice) we collect from you, or that you provide to us, in relation to compulsory acquisition powers (as defined below), will be processed by us. We are required to notify you of the information contained in this notice. It is important that you read this notice so that you are aware of how and why we are using such information and how we will treat it.

What is the purpose of this privacy notice?

We are providing you with this notice because we are processing your personal information in connection with the making of the Cleve Hill Solar Park Order 2020, including the exercising of compulsory acquisition powers (we explain this below). We want you to understand how we look after your personal information and how we make sure that we meet our legal obligations to you under the UK and EU data protection laws including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (the "**Data Protection Laws**").

This notice applies to any personal information that we collect about you in relation to the Cleve Hill Solar Park Order 2020. When we collect and use your personal information, we are a controller of it, which means that we are responsible for looking after it. However, the information may be collected on our behalf by Gateley Hamer and/or Counter Context Ltd, organisations we have contracted to help us. Whilst Gateley Hamer and Counter Context Ltd have a legal responsibility to look after your personal information, we still have overall responsibility. We will use your personal information fairly, lawfully and in a transparent manner, and in accordance with the Data Protection Laws.

Who collects the information?

The legal entity responsible for the processing of your personal information is Cleve Hill Solar Park Limited, Woodington House Woodington Road, East Wellow, Romsey, Hampshire, SO51 6DQ (Company Number 08904850).

As referenced above, CHSPL is the data controller of personal information provided by you or collected about you.

Exercise of Compulsory Acquisition Powers

The Cleve Hill Solar Park Order 2020 (SI 2020 No. 547) (the "Order") was made under the Planning Act 2008 by the Secretary of State for Energy and Climate Change on 28 May 2020 and comes into force on 19 June 2020. The Order authorises CHSPL to construct, operate, maintain and

decommission the Cleve Hill Solar Park (CHSP) consisting of a solar photovoltaic array and energy storage facility together with associated infrastructure and associated development. CHSP will be located near Graveney, 2 km north east of Faversham and 5 km west of Whitstable on the north Kent coast. The electricity generated from CHSP will be transmitted via underground electricity cables to the existing Cleve Hill substation. The Order authorises CHSLP to compulsorily acquire land, and interests in or rights over land, which is subject to the Order, for the CHSP or to facilitate the CHSP or for purposes incidental to it.

CHSPL has sought to acquire the necessary land and rights for the CHSP by agreement. However, there are a number of interests that may need to be compulsorily acquired in order for the CHSP to be delivered. As a part of the compulsory acquisition process, the law requires CHSPL to request that those people and organisations with a legal or beneficial interest in land which might be subject to compulsory acquisition powers provide us with information in order for us to establish whether they are entitled to claim compensation.

Purpose for processing your information

It is necessary for us to collect and use your personal information in order to comply with our legal obligations under the Order, Planning Act 2008, the Compulsory Purchase Act 1965 and the Compulsory Purchase (Vesting Declarations) Act 1981 in relation to the exercise of compulsory acquisition powers. This is the basis on which our processing of your personal information is lawful.

In order to comply with our legal obligations, we need to be able to:

- contact you to discuss the acquisition of land or rights over land from you and any compensation payable to you;
- produce documents that are required by law including a General Vesting Declaration, which will be registered at the Land Registry and which will be a publically available document;
- notify you of the making of a General Vesting Declaration;
- serve a Notice to Treat and Notice of Entry on you;
- if applicable, share your mortgage reference with lenders or mortgagees to enable them to check information which may affect them.

We also have a legitimate interest to use the personal information we collect to engage further with you in connection with the CHSP and these interests are not overridden by any detriment to your rights or freedoms. This is also the basis on which our processing of your personal information is lawful.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

What information do we collect about you?

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

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

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 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, TracelIQ, BT Directory, online registries, websites of organisations and information which may be obtained from a general internet search or from other persons with a legal or beneficial interest in the land.

Disclosure of your information

We may share your information with carefully selected third parties, including our professional advisers, but only for the purposes specified in this notice. In particular, we may share your information with Gateley Hamer (our land agents), Counter Context Ltd (our communications consultants) and Pinsent Masons LLP and CMS Cameron McKenna Nabarro Olswang LLP (our legal advisers).

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

Storage of your personal information

Except as otherwise legally required, we will typically keep your personal information for 10 years from the date of the exercise of the compulsory acquisition powers in case a claim for compensation is referred to the Upper Tribunal (Lands Chamber).

Your rights

You have a number of rights under the Data Protection Laws in relation to the way we process your personal information, which are set out below. You may contact us using the details set out below in the “Contacting Us” section to exercise any of these rights.

You have the following rights:

- You have the right to request access to, rectification or erasure of your personal information.
- You also have the right to have the processing of your personal information restricted.
- If processing of your personal information is based on your consent, you have the right to withdraw your consent at any time. Your withdrawal will not affect the lawfulness of the processing carried out before you withdrew your consent.
- You have the right to receive your personal information in a structured, commonly used and machine-readable format (data portability).
- You may always lodge a complaint with a data protection supervisory authority, e.g. The Information Commissioner’s Office.

Furthermore, you have the right to object to processing of your personal information as follows.

- If processing of your personal information is based on it being necessary to comply with a legal obligation or for legitimate interests, you have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal information.
- Where your personal information are processed for direct marketing purposes, you have the right to object at any time to the processing of personal information about you for such marketing.

There may be conditions or limitations on these rights. It is therefore not certain for example you have the right of data portability in the specific case - this depends on the specific circumstances of the processing activity.

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues. The ICO can be contacted by telephone on 0303 123 1113 or by post as follows: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or via email at casework@ico.org.uk. We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please contact us in the first instance using any of the details set out below in the “Contacting Us” section.

Changes to this privacy notice

We will keep this notice under regular review. Any changes we make to this notice in the future will be posted on this page. .



Contacting us

If you have any queries, comments or requests regarding this notice or you would like to exercise any of your rights set out above, you can contact us as follows:

- by post to Cleve Hill Solar Park Limited, Woodington House Woodington Road, East Wellow, Romsey, Hampshire, SO51 6DQ; or
- by email to info@clevehillsolar.com

This notice was last reviewed and updated in June 2020.