

## DECISION UNDER DELEGATED POWERS

Subject	MEMORANDUM OF UNDERSTANDING Department for Environment, Food and Rural Affairs (Defra)
Officer Requesting Decision	Licensing Officer
Officer Making the Decision	Chief Officer – Regulation and Safety
Authority for Decision	Delegated authority under Part 2B Para (2.5) (b) and (i) of the Council's Scheme of Delegation.
Recommendation	<p>The legal basis under Data Protection Legislation for The Licensing Authority to share Personal Data with Defra and Defra's further processing of the Personal Data for the Purpose is Article 6(1)(c) of the UK GDPR – i.e. the processing is necessary for compliance with a legal obligation to which the controller is subject.</p> <p>For the purposes of this MoU, "data" means any information falling under the definition of Reg. 3(2) of the Air Quality Regulations. Information falling outside of the scope of the Air Quality Regulations is not subject to this MoU.</p> <p>The Licensing Authority is required to process and share that data with Defra for the purposes of the Air Quality Regulations.</p>
Alternatives considered and rejected	None considered
Decision	To sign the memorandum of understanding and continue to share data required under legislation with Defra.
Reason	This MoU sets out how the Parties will meet their respective obligations under Data Protection Legislation in relation to the processing of Personal Data for the purposes of the Air Quality Regulations. It explains how the parties will co-operate to ensure compliance with all relevant legislation.
Date	1 <sup>st</sup> October 2024

Background Papers	None
Decision record kept until	1 <sup>st</sup> October 2031
Background papers kept until	1 <sup>st</sup> October 2031

Signed..........

Dated... 1<sup>st</sup> October 2024 .....