

Ref. : IAI 26/2019

Claim: 235/2019

Legal report issued at the request of the Commission for the Guarantee of the Right of Access to Information Public in relation to the claim presented by a citizen against a town council for the denial of access to certain information about the licenses for works, activities and first occupation granted to certain estates in the municipality.

The Commission for the Guarantee of the Right of Access to Public Information (GAIP) asks the Catalan Data Protection Authority (APDCAT) to issue a report on claim 235/2019 presented by a citizen against a city council for the denial of 'access to certain information about the licenses for works, activities and first occupation granted to certain estates in the municipality.

Having analyzed the request, which is accompanied by a copy of the administrative file processed before the GAIP, and in accordance with the Legal Advice I issue the following report:

Background

1. On February 13, 2019, a citizen submitted a letter to the City Council -(...)-, in which he requested access to various information on building, activity and first occupation granted in polygons number 3 and 4 of the Rural Register under the protection of transparency and urban planning legislation, and prior to anonymization, if applicable, of protected personal data. In particular, it is requested:

- Copy of all agreements and/or decrees granting works licenses granted and the previous report or reports, for the construction, interior distribution, rehabilitation, arrangement, consolidation or any other type of major work or minor relating to homes, farms, ships of any kind, etc. between January 1, 2010 and December 31, 2018.
- Copy of all agreements and/or decrees granting works licenses granted during the period indicated for the replacement of the slab or roof of agricultural warehouses, warehouses, farms and any other building, as well as the post-works report or reports on compliance with the conditions of the licence, with indication of the authority and the City Council staff responsible for verifying that the works carried out comply with the requested works licence.
- Copy of the files processed for construction works, opening, arrangement, paving or any other action related to paths of all types executed by the City Council, between January 1, 2016 and December 31, 2018, in the game (...), and cost of each one of them.
- Copy of the municipal file for contracting the drafting of the project for the roundabout of the N-340 road in (...) and the documents justifying the cost and payments of the corresponding fees for the drafting of the project.

2. On February 25, 2019, the City Council responded to the access request indicating to the interested party that the information subject to the request contains personal data that must be processed applying the criteria provided for in articles 23 and 24 of Law 19/2014, and which can be consulted as soon as they have the requested documentation.

At the same time, the interested party is informed that, with regard to the years 2016, 2017, 2018 and 2019, a copy of all the minutes of the local government board, where the agreements adopted appear, are available at the corporate electronic headquarters in each subject, and where the nature of the technical report issued in the planning file is stated.

3. On April 8, 2019, the interested party's claim against the City Council was received by the GAIP, considering that their request was denied.

He points out that the City Council has not informed them that the request has been transferred to affected third parties, and they state that strictly speaking the access should not affect the rights and interests of third parties, given that it was already indicated in the request that the information was requested, if necessary by anonymizing the "protected personal data of natural persons".

Likewise, and with respect to the requested reports, it considers that it is insufficient to have the information on the nature of the report, which is what can be stated in the respective acts referred to by the City Council, and they insist on the need to know the content of each of the technical, legal and economic reports that underpin the agreement or resolution.

4. On May 8, 2019, the GAIP requests this Authority to issue the report provided for in article 42.8 of Law 19/2014, of December 29, on transparency, access to public information and good governance, in relation to the claim presented.

Legal Foundations

I

In accordance with article 1 of Law 32/2010, of October 1, of the Catalan Data Protection Authority, the APDCAT is the independent body whose purpose is to guarantee, in the field of the competences of the Generalitat, the rights to the protection of personal data and access to the information linked to it.

Article 42.8 of Law 19/2014, of December 29, on transparency, access to public information and good governance, which regulates the claim against resolutions on access to public information, establishes that if the refusal has been based on the protection of personal data, the Commission must issue a report to the Catalan Data Protection Authority, which must be issued within fifteen days.

For this reason, this report is issued exclusively with regard to the assessment of the incidence that the requested access may have with respect to the personal information of the persons affected. So,

any other limit or aspect that does not affect the personal data contained in the requested information is outside the scope of this report.

The deadline for issuing this report may lead to an extension of the deadline to resolve the claim, if so agreed by the GAIP and all parties are notified before the deadline to resolve ends.

Consequently, this report is issued based on the aforementioned provisions of Law 32/2010, of October 1, of the Catalan Data Protection Authority and Law 19/2014, of December 29, of transparency, access to public information and good governance.

In accordance with article 17.2 of Law 32/2010, this report will be published on the Authority's website once the interested parties have been notified, with the prior anonymization of personal data.

II

Regulation (EU) 2016/679 of the European Parliament and of the Council, of April 27, relating to the protection of natural persons with regard to the processing of personal data (hereinafter, RGPD), extends its scope of protection to personal data understood as all information about an identified or identifiable natural person, and considers an identifiable natural person "any person whose identity can be determined, directly or indirectly, in particular by means of an identifier, como por ejemplo a number, an identification number, location data, an online identifier or one or more elements of the physical, physiological, genetic, psychological, economic, cultural or social identity of a natural person;" (Article 4.1 of the RGPD)

Therefore, the data of legal entities are excluded from this scope of protection, as specified by the RGPD itself, by establishing that "The protection granted by the present Regulation must be applied to natural persons, regardless of their nationality or your place of residence, in relation to the processing of your personal data. This Regulation does not regulate the processing of personal data relating to legal entities and in particular to companies established as legal entities, including the number and form of the legal entity and its contact details. (Recital 14).

Consequently, there must be no inconvenience from the perspective of data protection regulations in providing the interested party with the information referring to legal entities that may be contained in the requested documentation and/or information.

Article 4.2) of the RGPD considers "treatment": any operation or set of operations carried out on personal data or sets of personal data, either by automated procedures or not, such as collection, registration, organization, structuring, conservation, adaptation or modification, extraction, consultation, use, communication by transmission, diffusion or any other form of enabling access, comparison or interconnection, limitation, deletion or destruction."

Article 5.1.a) of the RGPD establishes that all processing of personal data must be lawful, fair and transparent in relation to the interested party (principle of lawfulness, loyalty and transparency). In accordance with article 6.1 of the RGPD, in order to carry out a treatment, it is necessary to have a legal basis that legitimizes this treatment, either the consent of the affected person, or any of the other circumstances, such as "the treatment is necessary for the fulfillment of a legal obligation applicable to the person responsible for the treatment" (letter c)

As can be seen from article 6.3 of the RGPD and expressly included in article 8 of Organic Law 3/2018, of December 5, on the protection of personal data and guarantee of digital rights (LOPDGDD), the processing of data can only be considered based on these legal bases of article 6.1. c) and e) of the RGPD when so established by a rule with the rank of law.

At the same time, article 86 of the RGPD provides that "the personal data of official documents in the possession of any public authority or public body or a private entity for the performance of a mission in the public interest may be communicated by said authority, body or entity in accordance with the Law of the Union or of the Member States that applies to them in order to reconcile public access to official documents with the right to the protection of personal data under this Regulation."

Law 19/2014, of 29 December 2014, on transparency, access to information and good governance, aims to regulate and guarantee the transparency of public activity.

State Law 19/2013, of December 9, on transparency, access to public information and good governance (hereafter LTE), in its articles 12 (right of access to public information) is pronounced in similar terms and 13 (public information).

The second additional provision of the LOPDGDD establishes that "Active advertising and access to public information are regulated by Title I of Law 19/2013, of December 9, on transparency, access to public information and good governance, as well as the active advertising obligations established by regional legislation, will be subject, when the information contains personal data, to the provisions of articles 5.3 and 15 of Law 19/2013, in Regulation (EU) 2016/679 and in this organic law."

Article 18 of Law 19/2014 establishes that "people have the right to access public information, referred to in article 2.b, individually or in the name and representation of any legal entity constituted" (section 1). The mentioned article 2.b) defines "public information" as "the information prepared by the Administration and that which it has in its power as a result of its activity or the exercise of its functions, including the which are supplied by the other obliged subjects in accordance with the provisions of this law".

The purpose of this claim is to access information on different urban planning actions related to private and public work carried out by the City Council in two specific plots of rustic property in the municipality. This information is "public" for the purposes of article 2.b) of the LTC and, therefore, remains subject to the right of access (art. 18 of the LTC).

In accordance with article 20 and s. of the LTC, the right of access to public information (article 18 LTC) can be denied or restricted for the reasons expressly established in the laws. Specifica

regarding the information that contains personal data, it is necessary to assess whether the right to data protection of the affected persons would justify or not the limitation of the right of access to public information invoked by the applicant.

III

With regard to access to information related to building permits, the claimant requests that he be provided with a copy of all agreements and/or awarding decrees, as well as the previous reports justifying the resolution and the subsequent reports verifying compliance with the conditions established in the respective building permits.

Although the content of the specific documents to which access is sought is unknown, it is foreseeable that these may contain, in addition to the identification data of the employees or public officials responsible for the processing of the respective licenses, the personal data of the architects those responsible for the projects, as well as the personal data of the applicants and/or holders of the respective licenses.

With regard to the merely identifying data of public employees or positions involved in the exercise of their functions in the processing of the respective licenses, and in accordance with article 24.1 of law 19/2014, "1. Access to public information must be given if it is information directly related to the organization, operation or public activity of the Administration that contains merely identifying personal data unless, exceptionally, in the specific case it has to prevail over the protection of personal data or other constitutionally protected rights".

This precept would include in this case, the identification data (name, surname and position) of the employees or public positions identified in the resolutions of the license files, as well as those responsible for the preparation of the technical, economic or legal reports prior to the granting of the license, and subsequent verification of compliance with the licensing requirements.

The identification of the authority and/or personnel in the service of the corporation responsible for carrying out this subsequent control task is specifically requested, and to the extent that it is information related to the organization and operation of the administration, it should be provided to the claimant, in accordance with article 24.1 of the LTC.

All this, regardless of the fact that some special circumstance may arise that requires the protection of the affected person.

With regard to the rest of personal information, and given the nature of the files that are requested, it does not seem that there can be data that is particularly protected in the terms provided for in article 23 LTC, that is, regarding ideology, affiliation trade union, religion, beliefs, racial origin, health and sex life, or the commission of criminal or administrative offenses that do not entail a public reprimand to the offender. In the event that there is information of this type and in the absence of express consent of the holder, access should be limited.

Beyond the specially protected data referred to in article 23 of the LTC, and in accordance with article 24.2 LTC, a weighting must be done between the public interest in the disclosure of information and the right to data protection of the affected persons:

"If it is other information that contains personal data not included in article 23 (specially protected data), access to the information can be given, with the previous reasoned weighting of the public interest in disclosure and the rights of the people affected. To carry out this weighting, the following circumstances must be taken into account, among others:

a) The elapsed time. b)

The purpose of the access, especially if it has a historical, statistical or scientific purpose, and the guarantees offered. c) The fact that it is data relating to minors. d) The fact that it may affect the safety of people."

In matters of urban planning, the right of access to information is particularly relevant given the recognition of public action (Article 12 of the Revised Text of the Urban Planning Law approved by Legislative Decree 1/2010, of August 3, TRLU), from which any citizen can demand before the administrative bodies and before the administrative contentious jurisdiction the compliance with the legislation and urban planning, an exercise that must be adjusted to what is established by the applicable legislation. Consequently, the public action allows anyone to contest the various instruments of arrangement, as well as the acts of their application.

Planning licenses must be granted in accordance with the provisions of the TRLU, urban planning and municipal ordinances (art. 188 1. TRLU).

In turn, article 3.2 of Decree 179/1995, of 13 June, which regulates the Regulation of works, activities and services of the local entities of Catalonia (ROAS) provides that "the intervention activity of the local authorities must conform to the principles of legality, equality, proportionality and congruence with the reasons and ends that justify the power to intervene, respect for individual freedom and the least burden on citizens."

Article 84.1 of the ROAS already provides for certain publicity to be given to agreements or resolutions granting licenses, by arranging that these be published in the manner provided for in the law and the ordinances of the corporation, and requiring, in all case, that they must be inserted on the notice board and published, when there is one, in the municipal information bulletin.

In this context and for the purpose of monitoring urban planning legality, citizens must be able to access the content of the licenses, the respective technical and legal reports required by the article (188.3 TRLUC), which would justify the resolution, and if applicable, to the subsequent verification reports of adjustment of the works to the terms contained in the respective licenses. All of this would allow the claimant to know what intervention and control actions have been carried out by a City Council when proceeding to authorize an action in this area, and the technical and legal elements that justify them.

The public interest in the control of planning legality could, without a doubt, justify access to the identity of applicants and/or holders of licenses, or of architects

responsible for the preparation of the technical projects of the works, which may be included in the requested documentation.

In this case, the purpose of the access is, as indicated by the claimant, to find out the reasons that justify the construction of several roundabouts on the N-340 road as it passes through (...) and to know who may ultimately be harmed and /or benefited from the construction of these roundabouts. At the same time, however, it requests the information, if necessary, anonymizing the personal data of the natural persons affected.

In the letter of complaint, he considers that in strictness the access should not affect the rights or interests of third parties, insisting on the fact that the documentation was already requested, if necessary, anonymizing the data of the natural persons affected.

The principle of data minimization (Article 5.1 c) RGPD) requires that the data subjected to processing are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed. In this case, it does not appear that the applicant is interested for the purpose of access in having the identity of the license holders and/or applicants if these are natural persons.

So, aside from the general considerations that have been made about the possibility of accessing the identification of the holders of construction or first occupation licenses, in this case, in view of the terms in which the application, data that are unnecessary to achieve the purpose pursued, such as the first and last names of the applicants and/or license holders, or any other data that may be omitted prior to access may appear in the requested documentation and that is irrelevant for the purposes of satisfying the claimant's right of access.

Warning that the fact that these data are omitted does not mean that the information referring to these people has been anonymized. Anonymization would require the elimination of all information that could allow the identification of the person or persons affected, taking into account not only the information contained in the document that is delivered but the data that can be obtained by other means, assessing whether or not there is a real risk of re-identifying the affected persons without making disproportionate efforts.

In the case at hand, it is possible that the claimant can find out by himself or through the neighbors who are the owners of the buildings to which the respective licenses have been granted, but in any case, the elimination of the name and surnames or other identifying data that may be included, would be more respectful of the principle of minimizing them

IV

With regard to access to public works files executed by the City Council, access to construction works, opening, arrangement, paving or any other action relating to roads of all types executed by the City Council is requested and the cost of each of them.

The set of documentation related to the processing of the process of preparation and approval of the work project, in the terms provided for in articles 37 and 38 of the ROAS, includes the act of approval

initial and final, the project, any allegations presented during the public information procedure and individual notification if applicable, to the rights holders, as well as other administrative acts of the procedure.

The works project must contain, at a minimum, the report, a budget, the specific technical prescriptions document where the works are described and their execution regulated, the plans (art. 24 ROAS) , as well as the rest of the additional documentation that is appropriate, such as, if applicable, the detailed list and valuation of the assets to be occupied and, if expropriated, and the list of their owners (art. 25.2 .c) ROAS).

On the other hand, the file will include the set of documentation related to the execution of the work and the management of the work, and which consists of the technical and administrative documents (Actes de verificaci3n del replanteig, start of work, reception of work, work certifications). Both the work project and the execution can be carried out by the technical services of the same local body, or it can be awarded to a third party through the execution of a contract under the terms provided for in Law 9/2017, of 8 of November, on Public Sector Contracts, by which Directives of the European Parliament and of the Council 2014/23/UE and 2014/24/UE, of 26 February 2014, are transposed into the Spanish legal system, (hereinafter LCSP), In this case the prior processing of the corresponding procurement file is required.

Placed in this context, and taking into account the type of documents that would in principle be contained in these files, it can be warned a priori that these may contain numerous personal information that may refer to the different agents involved in the execution (the author of the project, the person responsible for the execution, the builder, the works director, etc..) as well as the owners or holders of affected rights, or any person who has submitted allegations to the works project, in the public information procedure provided for in article 37 and 38 of the ROAS.

With regard to article 24.1 of the LTC, in principle there would be no problem to be able to identify the public employees who have intervened due to their position in the processing of the requested files. In this case, the identification data (name and surname and position held) of each of the agents involved would be included: the author of the work project, in case it has been drawn up by a specialist who is part of the technical services of the City Council, any of the technicians who participated in the preparation of the reports, as well as the construction manager - if he is a City Council employee - who is responsible for checking and monitoring the correct performance of the work, and must assume final responsibility for the execution of the project before. It would also include the identification data of the rest of the City Council's public employees who have intervened in the administrative processing of files in the exercise of the functions of the position they hold.

With regard to the rest of personal information, which in principle does not seem to have to include data specially protected from those provided for by article 23 of the LTC, the prior weighting required in the article must be done 24.2 LTC.

With regard to personal information about the different agents involved in the process (designers, builders in charge of execution, or the director of the work if this is an external practitioner hired by the city council), remember that in of administrative contracting, article 13.1. of the LTC obliges the Administration to publish, among others "d) The contracts signed, with the indication of the object, the amount of the tender and award, the procedure used to contract and the identity of the successful tenderer, the duration, the number of tenderers, the award criteria, the comparative table of offers and the respective scores, and also the agreements and technical reports of the procurement process. This information must be up-to-date and refer to at least the last five years."

The obligation to publish covers all contracts, including minors, and regardless of whether the successful tenderer is a legal or natural person, and enables public access to the identity of the successful tenderer, the subject of the contract and the tender and award amount, including contract modifications and contract extensions, among other data.

Consequently, there should be no inconvenience in facilitating access to information on the identity of any of the people who have been awarded the respective contracts, - designers, builders and/or external construction managers, as well as the data about the project and the specific work contracted (object of the contract), the price paid for the provision of the service or the completion of the work (award price), as well as information about the modifications or extensions granted.

The information that may be contained in the reference files would in any case be information linked to the business or professional activity of the agents involved. In the case of builders (individual entrepreneurs), it cannot be ensured that this information, originally referred to the company, does not end up affecting the entrepreneur and his privacy. However, it cannot be concluded that the fact of knowing who has drawn up one or several projects, who has built one or several works on behalf of the municipal administration, or who is the practitioner in charge of the construction management, must necessarily cause harm from the point of view of your privacy.

The purpose pursued by the claimant must be framed in the participation of citizens in the control of administrative management and the guarantee of the retention of accounts by those responsible for public management, especially in those actions that have a clear impact on use of public resources. From this perspective, access to the technical, administrative and economic documentation that may form part of a works file promoted by the local entity, may be relevant for the purposes of being able to verify eventual irregularities in public management in public works matter.

Public access to the identity of the awardees is already provided for in the transparency legislation and the publication of the object of the contract, the award price, as well as possible contract modifications or extensions is also provided for. Access to the rest of the technical documentation that had been prepared and contained in the file, would not imply a greater interference in the privacy of those affected and instead is information that, as we have pointed out, may be relevant for the purposes of evaluating the management administrative in the area of the execution processes of local bodies, management that has a direct impact on public resources.

It is true that the claimant requests the information anonymizing, if necessary, the data of the natural persons affected, but taking into account the nature of the data, the provisions of the legislation on transparency in matters of recruitment and the purpose pursued by this legislation, it would not be justified to limit access to the identity of these awardees, responsible for the execution of the municipal works subject to the claim, which is why the claimant's right of access must prevail in this case.

However, by application of the principle of minimization, it would be necessary to omit beforehand, those identifying data (such as the NIF, telephone numbers, electronic addresses, or the address of the affected persons), as well as other personal data that, beyond the identification of these agents may appear there and are unnecessary to achieve the goal of transparency pursued.

With regard to the information that may exist about third parties who could have intervened (for example, people who could have submitted allegations during the public information period to which the works project must be submitted before its final approval), taking into account the terms in which the request is formulated, the need to sacrifice the privacy of these people is not appreciated.

If the objective is to control the actions of municipal managers in the management of public works, it could in any case be relevant to know whether or not allegations were presented, in what sense and what was the response of the 'Administration, but this information should be able to be provided without the need to identify the people affected. From the claimant's own statements when requesting access, it does not appear that it is necessary to obtain said information, and therefore the identifying data of these people that may appear in the requested documentation should be omitted.

Finally, in anticipation of article 25.2.a) of the ROAS, the documentation of these files could include "a) The detailed list and valuation of the assets to be occupied and, where appropriate, expropriated and the relationship of its holders."

With respect to these holders, it should be borne in mind that the 17 et seq. of the Expropriation Law Forçosa, of December 16, 1954 (LEF), provide that once the initial list of assets and rights affected has been approved, a period of public information must be opened so that the owners who are affected can legislate what they consider relevant in order to correct the errors in the approved relationship.

Specifically, the regulations provide for the publication of the list of assets and rights affected by the expropriation to be published through the insertion of advertisements in the official gazette of the province, in one of the most widely circulated newspapers in the province and at the counter of 'corresponding announcements, which must contain the registration data of the affected estates, including the address, owner, charges, employment status, etc.).

For purposes of transparency and control of administrative action in the matter of expropriations, it may be relevant not only to know which properties have been affected but also the identity of the people who could have benefited from an eventual forced execution as a result of the municipal works carried out. Taking this into account, and since it is already planned to publish the identity of these holders in the official newspapers, it does not seem that it can be justified in this case to limit the claimant's access to said information.

However, it would be necessary to omit beforehand, those identifying data (such as the NIF, telephone numbers, electronic addresses, or the domicile of the affected persons), as well as other personal data that, beyond the identification of these persons, may be included and are unnecessary to achieve the goal of transparency pursued.

VI

With regard to access to the municipal procurement file for the drafting of the work project to which the claimant refers, this should include the preparatory documentation that must be drawn up by the contracting body and that would be made up of the report or statement of the need and suitability of the contract to be concluded, specifying the object of the contract, the reasoned report of the service that promotes the hiring, setting out the need, characteristics and the calculated amount of the services that are the subject of the contract in the terms

To this documentation are added the technical prescriptions with the tender's base budget and the particular administrative clauses specifying the type of contract and its financial coverage.

Given the predictable content of these documents, it does not appear that they may contain personal data, beyond the mere identification of the positions or public employees involved, to which access must be provided in accordance with article 24.1 of the LTC .

Point out that with respect to minor service contracts (these are those with an estimated value of less than 15,000 euros) the processing of the file only requires the justification of the need for the contract, of the non-use of it to avoid the application of the general contracting rules and that he has not entered into contracts with this contractor for an amount greater than that provided for in the regulations; the approval of the expenditure and the incorporation of the corresponding invoice (article 118 LCSP).

To these preparatory actions are added those of the award procedure, in respect of which article 13.1 of LTC foresees, as has been pointed out in the previous foundation, the publication of certain information considered relevant for the purposes of transparency and which specified in the following sections:

"b) The information on tenders in process, which must include at least the type of contract, its object, the economic content, the administrative clauses and the conditions of execution. (...)

d) The contracts signed, with the indication of the object, the tender and award amount, the procedure used to contract and the identity of the successful tenderer, the duration, the number of tenderers, the criteria of award, the comparative table of offers and the respective scores, and also the agreements and technical reports of the contracting process. This information must be up-to-date and refer to at least the last five years.

e) Contractual modifications, contract extensions, canceled tenders and early resolutions".

This precept enables public access to personal information related to the successful tenderer, including the offers and scores obtained by the tenderers, and the agreements and technical reports of the procurement process.

The file is expected to contain the technical and economic proposals presented by the bidders, documents that describe the relevant aspects of how the object of the contract will be carried out (in this case, the drafting of the work project), in accordance with the set of technical prescriptions established by the administration (technical proposal), and the economic offer presented by the bidder (economic proposal). The joint evaluation of these proposals determines the choice of a tenderer among the various offers presented, taking into account the most advantageous economic offer in accordance with the award criteria provided by the contracting body.

These documents would provide information related to the professional activity of the designers who decide to contract with the Administration. If what is intended is to check that the contract has been made in accordance with the requirements of the conditions provided for in the respective sets of clauses, it may be relevant to know the content of the technical or economic proposals as well as the supporting documentation of the conditions of technical or professional and economic solvency of these bidders, and therefore, and given the regulatory provisions in contractual matters, it is necessary to prevail in this case, the public interest in obtaining said information.

Finally, point out that access to the invoices that may appear in the file, what would facilitate is information on the identity of the issuer (contractor), the object of the provision (drafting of the project) and the price (fees), information that the claimant could already obtain from the rest of the documentation in the file. Therefore, there should be no inconvenience in providing the claimant with access to said documentation.

All this, without prejudice, to omit from the documents to which access is given, the personal data (DNI, addresses, telephones, or others) that are not necessary for the fulfillment of the intended purpose.

CONCLUSION

The data protection regulations would not prevent access to the merely identifying data of public officials or employees who, in the exercise of their functions, may appear in the different requested documentation.

Nor would it prevent access to information related to the professionals who may have been hired for the execution of municipal works, as well as that related to the planners who have participated in the hiring file for the drafting of the project work, nor that referred to the persons holding property or expropriated rights.

All this, without prejudice, to omit from the documents to which access is given, the personal data (DNI, addresses, telephones, or others) that are not necessary for the fulfillment of the intended purpose.

On the other hand, and given that in the same application the possibility of obtaining anonymized data is admitted, the principle of minimization would justify omitting the identifying data of natural persons holding planning licenses, or of the rest of natural persons that may be included in the requested documentation.

Barcelona, June 4, 2019

Machine Translated