

Privacy Notice for Licensing

**DATE: September 2019
V3.0**



Licensing Service

Our core data protection obligations and commitments are set out in the council's **primary** privacy notice at www.bolton.gov.uk

This notice provides additional privacy information for:

- People accessing the Licensing Service
- Partners working with Bolton Council

It describes how we collect, use and share personal information about you

- In relation to the Licensing Service
- the types of personal information we need to process, including information the law describes as 'special' because of its sensitivity

It is important that you read this notice, together with any other privacy information we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

The information collected and held will vary dependent on the service used.

Purpose(s)

We collect your personal information for the following purpose(s):

Licensing forms part of Regulatory Services, which includes Pollution Control, Food Hygiene, Environmental Health, Trading Standards, Health & Safety.

We collect data in order to determine each applicant's suitability for a licence and to ensure that they meet our criteria. We also collect data in order to correspond with licence holders as and when required.

The service processes and issues the following:

- Private Hire Driver Licence
- Private Hire Vehicle Licence
- Hackney Carriage Driver Licence
- Hackney Carriage Vehicle Licence
- Private Hire Operator Licence
- Premises Licences
- Club Premises Certificates
- Personal Licences
- Street Trading Consents
- Street Trading Licence
- Street Collection Licence
- House to House Collection
- Temporary Event Notices
- Scrap Metal Site and Collector Licences

- Second Hand Goods Dealer Permit
- Sex establishment Licence
- Small Society Lottery Registration
- Alcohol licenced Premises Gaming Machine Permits
- Club Machine Permits
- Betting Premises (Track and Non Track)
- Adult Gaming Centre
- Casino Licence
- Bingo Licence
- Family Entertainment Centres
- Club Machine Non-Fast track

Our Licensing Enforcement Team handle any complaints related to alcohol licensed premises, private hire and hackney drivers, scrap metal traders and collectors; second hand traders and gambling premises.

The team also collects data for new and existing taxi drivers in order for the authority to determine whether the person is/remains a 'fit and proper' to hold a private hire/hackney carriage drivers licence or a private hire operators licence.

Categories of personal data

In order to carry out these purposes we collect and obtain the following where appropriate:

- Names
- Addresses
- Dates of birth
- Nationality
- Right to work status
- Telephone numbers
- Email addresses
- Vehicle registrations
- Medical conditions
- Convictions
- Police cautions
- Police Intelligence not resulting in a conviction
- Payment details (debit/credit card)
- Bank account number and sort code for Direct Debits
- Registered GP/Practice
- NI number
- DVLA licence number
- Photographs

Legal basis for processing

The legal basis for processing your personal information is:

Statutory duties

Licensing Act 2003

Since November 2005 when the Licensing Act 2003 came into force, Bolton Council has been responsible for licensing premises where:

- Alcohol is sold by retail sale or supplied by a members club
- Entertainment is provided (music, dancing, cinemas, theatres, indoor sports, boxing and wrestling)
- Hot food is provided between 11pm and 5am

Our duties under the statutory guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 are to ensure that applicants/licence holders of alcohol and entertainment licences meet the 4 licensing objectives:

- The prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- The protection of children from harm

Taxi licensing

For taxi licensing, we have a statutory duty to protect the public and ensure that drivers and operators are fit and proper and that only suitable and safe vehicles are licensed as private hire or hackney carriage vehicles. It is our statutory duty to license drivers, vehicles and operators to provide safe hackney carriage and private hire transport services for the public under the provisions of the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847.

Gambling Act 2005

The Gambling Act 2005 came into effect on 1st September 2007 and extends local authority responsibilities to include the licensing of premises where gambling takes place and issuing permits for other gambling.

The Gambling Act contains three licensing objectives which underpin the function of the local authority and the Gambling Commission. These objectives are central to the regime. They are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way;
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Licencing enforcement team also apply and adhere to the following legislation:

- Local Government (Miscellaneous Provisions) Act 1976;
- Town Police Clauses Act 1847;
- Equality Act 2010;
- Scrap Metal Act 2013;
- Licensing Act 2003

Under the **General Data Protection Regulation**, the licensing service collects and uses this information under powers given to Local Authorities. The following categories of lawfulness apply:

- 6(1)(c) Processing is necessary for compliance with a legal obligation
- 6(1)(e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you or we may be prevented from complying with our legal obligations.

Information sharing/recipients

We may share personal information about you with the following types of organisations:

Police, other Local Authorities, Central government bodies such as Her Majestys Revenue and Custom (HMRC) and DEFRA, Solicitors, Court, other departments within the council, National Anti-Fraud Network (NAFN), Gambling Commission and the Disclosure & Barring Service (DBS).

As well as information collected directly from you, we also obtain or receive information from:

Police, other Local Authorities, HMRC, Solicitors, Court, other departments within the council, Gambling Commission, Licensing Agents, Insurance companies, Driver and Vehicle Licensing Agency (DVLA), VOSA, NAFN and DBS.

Automated Decisions

For this service:

- All the decisions we make about you involve human intervention

Data retention/criteria

We will only keep your personal information for as long as the law specifies or where the law does not specify this, for the length of time determined by our business requirements.

Rights of individuals

You may exercise the rights listed below in relation to the council's use of your personal information.

To find out more about how these rights apply in particular circumstances, please refer to our [Guide to exercising your Rights](#) or alternatively visit the Information Commissioner's web site at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you wish to exercise your rights (as outlined above) or to raise a concern about the handling of your personal information by the council, please contact our Information Governance Team at information.security@bolton.gov.uk

If you are still unsatisfied you should contact The **Information Commissioner's Office** by post at The ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or by telephone: 0303 123 1113

Updates to Privacy Notice

We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details