

Other Licences Privacy Notice

This privacy statement relates to licences Including:

- Street trading consent (STA)
- Permission to obstruct the highway (OBJ)
- Charitable collections (SCA)
- Sex Establishment licences (SEX)
- Scrap Metal Dealers (SMD)

Why we collect information about you

We collect information to assess your suitability to be issued with a consent or a licence for any one of the activities specified above.

We may also use your contact details in the event that we need to contact you in relation to your licence or consent.

This is a task given to the council by primary legislation:

- Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (STA)
- Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (SEX)
- Highways Act 1980 (OBJ) & Business and Planning Act 2020
- Charities Act 2006 & House to House Collections Act 1939 (SCA)
- Scrap Metal Dealers Act 2013 (SMD)

What information do we collect about you?

We collect information about:

- you (name, previous names, address, contact details, company/corporate information including details of directors and registration details, NI number, date and place of birth)

- financial details relating to your application including information about funds raised and company and/or charity accounts (SCA only)
- any licensing history that may be relevant to you (such as details of licences previously held with other licensing authorities, the outcome of those applications, any formal or informal enforcement action taken and/or the outcome of any such action)
- your eligibility to remain and/or work in the UK (where applicable)
- financial information including bank account information (SMD only)
- any recorded criminal history that relates to you (including details of current and/or previous criminal convictions, formal cautions, endorsements and previous and/or current criminal investigations)

Who do we share the information with?

- [Gloucestershire Constabulary](#) From time to time we get requests from the police to for information that will assist them in investigating and preventing crime. We can share your information with the police if the law allows us too.
- Councillors who sit in the council's Licensing Committee –Where we refer your application or licence (in the case of a review) to the council's Licensing Committee for determination.
- Publicly available – when your application goes to Licencing committee the details of your application are made publicly available so that the decisions the council makes are open and transparent. Some personal information such as criminal conviction is not made publicly available, but the licensing committee councillors will have that information to enable them to make a decision on your licence application.
- The council has a [public access system](#) linked to its service records. General information about your licence or consent may be displayed on the public access system.
- Internal council departments who require access to your information for the purpose of administration, regulation and law enforcement. From time to time, we may share your information with other council departments if the law allows us to do so.
- Cabinet Office (as part of the [National Fraud Initiative](#))The council has a legal duty to submit information to the government as part of the National Fraud Initiative (NFI).You can read about the type of information we have to disclose to the NFI on their [website](#). (STA only)
- Consultees – We are obligated to consult with key stake holders and responsible authorities when determining your application. Please refer to [our website](#) for a list of key stake holders and responsible authorities who we share information with. Information we share may include your name, contact details and details of your application if the law allows us to do so. (STA & OBJ)
- HMRC – We are under a statutory duty to submit relevant information to the HMRC pursuant to Paragraph 1, Schedule 23 to the Finance Act 2011. (STA)

Is any information transferred to or stored on servers based outside the European Union?

No information is transferred to or stored on servers based outside the European Economic Area (EEA).

How long do we keep your information?

We keep information about you for a maximum period of four calendar years (three years + current) from the date you were first issued a licence or consent by us.

If your licence or consent was not issued, we will keep your information for a maximum period of four calendar years.

Who do we collect information from?

- You
- Other licensing authorities whom you may have held a licence with
- [The Disclosure and Barring Service](#) – to check if you are eligible to hold a licence
- [Gloucestershire Constabulary](#) – to check criminal history

What are the consequences if we do not collect the data?

The council will be unable to fulfil its statutory obligations to assess your suitability to hold a licence or consent and unable to enforce policy and legal requirements.

Are any decisions about you made by automatic means?

No decisions are made about you by automatic means.

Your rights as a data subject

By law, you have a number of rights as a data subject, and this does not take away or reduce these rights.

These rights are:

- Request **access to your personal information** (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request **correction of the personal information** that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

- Request **erasure of your personal information**. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.
- Request the **restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the **transfer of your personal information** to another party.

All information is processed in accordance with Tewkesbury Borough Council's data protection policy.

If you wish to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the council's Data Protection Officer in writing at dpo@tewkesbury.gov.uk, or via post to:

Tewkesbury Borough Council
Public Services Centre
Gloucester Road
Tewkesbury
GL20 5TT

If you are unhappy or wish to complain about how your personal data is used, you should contact Tewkesbury Borough Council's Data Protection Officer in the first instance via email at dpo@tewkesbury.gov.uk.

If you are still not satisfied, you can complain to the Information Commissioners Office. Their website address is www.ico.org.uk and their postal address is:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Security

We use appropriate technical, organisational and administrative security measures to protect any information we hold in our records from loss, misuse, and unauthorised access, disclosure, alteration and destruction. We have written procedures and policies which are regularly audited, and the audits are reviewed at senior level.