

# Licensing

## PRIVACY NOTICE

### Civic & Miscellaneous Licences

#### What information do we need?

City of Edinburgh Council will act as the 'Data Controller' for the personal data you provide to us. The Data Protection Officer, who is responsible for ensuring personal data is managed in accordance with data protection legislation, can be contacted as follows:

Kevin Wilbraham,  
Information Governance Unit  
City of Edinburgh Council  
Waverley Court – 2.1  
4 East Market Street  
Edinburgh  
EH8 8BG

Email: [DataProtection.Officer@edinburgh.gov.uk](mailto:DataProtection.Officer@edinburgh.gov.uk)

Telephone: 0131 469 6200

#### Information held about you

The information we collect from you will include details such as your name, address, e-mail address, telephone number, date and place of birth, national insurance number, unique tax reference number and your immigration status

For the purposes of this specific service, the personal data we may require includes special category information about you (also known as 'sensitive personal data'), specifically health information (Taxi & Private Hire driver Licences), nationality and immigration status.

In addition, we may also require details of any previous criminal convictions and previous licence information.

#### Why do we need this information?

Your information is being collected to City of Edinburgh Council to administer the process of applying for licences and permits under the Civic Government (Scotland) Act 1982 and Miscellaneous Licensing Acts

We need to know the personal data requested on the application form in order to provide this service to you. If you do not provide this information then we will be unable to process your request for a licence or permit. We will not collect any personal data from you that isn't needed for this purpose.

The lawful basis for processing your information in these circumstances is:

- Compliance with legal obligation
- Performance of a task carried out in the public

City of Edinburgh Council is required to collect your information in order to carry out the function of providing licences in relation to the Civic Government (Scotland) Act 1982 and Miscellaneous Licensing Acts, which is a statutory function of a local authority.

Where we collect special category data (for taxi driver or private hire driver licence applications) this processing is necessary for reasons of substantial public interest and is authorised by Scottish or UK Law.

### What will we do with your information?

We will use your information to process your application for a licence and issue documentation in accordance with the relevant provisions of the Civic Government (Scotland) Act 1982 and Miscellaneous Licensing Acts. Depending on the type of licence, this will involve sharing your information as shown in the table below.

Licence Type	Information shared with
Animal Boarding	Environmental Health & Police Scotland
Boat Hire	Police Scotland Forth Ports Authority, Licensing Enforcement, Civic Licensing Standards Officers and Building Standards (Public Safety), Some information will also be shared with the Public via the Licensing Register
Booking Office	Police Scotland, Building Standards (Public Safety), Licensing Enforcement, Civic Licensing Standards Officers and Scottish Fire and Rescue Service Some information will also be shared with the Public via the Licensing Register
Cinemas	Police Scotland, Building Standards (Public Safety), Trading Standards, Environmental Health & Scottish Fire and Rescue Service
Dangerous Wild Animals	Police Scotland & Environmental Health
Dog Breeding	Police Scotland & Environmental Health
Firework Dispensation	Police Scotland, Building Standards (Public Safety), Environmental Health & Scottish Fire and Rescue Service
Houses in Multiple Occupation	Police Scotland, Building Standards (Public Safety), Licensing Enforcement and Scottish Fire and Rescue Service Some information will also be shared with the Public via the Licensing Register
Hypnotism	Police Scotland, Building Standards (Public Safety) & Environmental Health

Indoor Sports	Police Scotland, Building Standards (Public Safety), Environmental Health Licensing Enforcement, Civic Licensing Standards Officers & Scottish Fire and Rescue Service Some information will also be shared with the Public via the Licensing Register
Knife Dealers	Police Scotland, Building Standards (Public Safety), Licensing Enforcement, Civic Licensing Standards Officers & Scottish Fire and Rescue Service Some information will also be shared with the Public via the Licensing Register
Late Hours Catering	Police Scotland, Licensing Enforcement, Civic Licensing Standards Officers, Environmental Health & Scottish Fire and Rescue Service Some information will also be shared with the Public via the Licensing Register
Market Operators	Police Scotland, Building Standards (Public Safety), Licensing Enforcement, Civic Licensing Standards Officers, Road Services, Environmental Health & Scottish Fire and Rescue Service Some information will also be shared with the Public via the Licensing Register
Metal Dealers	Police Scotland, Trading Standards, Licensing Enforcement, Civic Licensing Standards Officers & Scottish Fire and Rescue Service Some information will also be shared with the Public via the Licensing Register
Performing Animals	Police Scotland, Building Standards (Public Safety) & Environmental Health
Pet Shops	Police Scotland & Environmental Health
Private Hire Operator	Police Scotland & The Councils Taxi Examination Centre Some information will also be shared with the Public via the Licensing Register
Private Hire Car Driver	Police Scotland, The Councils Medical Assessors Some information will also be shared with the Public via the Licensing Register
Public Charitable Collection Permit	Police Scotland
Public Entertainment	Police Scotland, Building Standards (Public Safety), Licensing Enforcement, Civic Licensing Standards Officers, Environmental Health, Road Services, Health and Safety Executive & Scottish Fire and Rescue Service Some information will also be shared with the Public via the Licensing Register
Riding Establishments	Police Scotland & Environmental Health
Second Hand Dealers	Police Scotland, Trading Standards, Licensing Enforcement, Civic Licensing Standards Officers & Scottish Fire and Rescue Service Some information will also be shared with the Public via the Licensing Register

Sex Shop	Police Scotland, Building Standards (Public Safety), Environmental Health, Trading Standards, Licensing Enforcement, Civic Licensing Standards Officers & Scottish Fire and Rescue Service Some information will also be shared with the Public via the Licensing Register
Short Terms Lets	Police Scotland, Licensing Enforcement, Scottish Fire and Rescue Service, Civic Licensing Standards Officers, and Planning. Some information will also be shared with the Public via the Licensing Register
Skin Piercing and Tattooing	Police Scotland, Building Standards (Public Safety), Licensing Enforcement, Civic Licensing Standards Officers, Environmental Health & Scottish Fire and Rescue Service Some information will also be shared with the Public via the Licensing Register
Street Traders	Police Scotland, Building Standards (Public Safety), Licensing Enforcement, Civic Licensing Standards Officers, Road Services & Environmental Health Some information will also be shared with the Public via the Licensing Register
Taxi Driver	Police Scotland & The Councils Medical Assessors Some information will also be shared with the Public via the Licensing Register
Taxi Operator	Police Scotland & The Councils Taxi Examination Centre Some information will also be shared with the Public via the Licensing Register
Theatre	Police Scotland, Building Standards (Public Safety), Environmental Health Road Services & Scottish Fire and Rescue Service
Venison Dealer	Police Scotland & Environmental Health

Notices of applications may be provided to the relevant Community Council, Library and relevant Ward Councilors, and will include basic information about the applicant and some detail about the application (i.e. location(s) for a street trader licence). Notices provided to Libraries are open to public inspection. No special category data is included in the notice.

Applications where valid objections or representations are made will be considered at meetings of the Licensing sub committee, which are open to the public. We are also required to publish information in licensing registers, which will include your name, type of licence, vehicle registration number (for Taxi and PHC vehicles), decision, licence start and end dates.

When you do not provide information directly to us, we may receive it from other relevant organisations including other Council services, other Local Authorities or Police Scotland.

You should also be aware that your data will be stored on servers located within the United Kingdom. We will take all reasonable steps to ensure that your data is kept secure and more information on how we do this can be provided by contacting the Data Protection Officer.

### **How long will we keep your information?**

We will keep your information for the length of time specified within our document retention schedules, and after this period it will be destroyed under secure arrangements. All documentation relating to licences under the Civic Government (Scotland) Act 1982 will be kept for a maximum of 2 years from the date the licence expires. More information on our retention policy and procedure can be obtained from the Data Protection Officer if required.

### **Automated Decision Making**

No automated decision making will take place.

### **Your Rights**

When you provide information to the Council, you will have the following rights:

- to lodge a complaint with the Information Commissioner's Office – see below for details
- to request access to your personal data – please contact the Data Protection Officer if you wish to submit a request.
- to request rectification or erasure of your personal data, as far as the legislation permits – please contact the Data Protection Officer and provide details of what data you wish to be rectified or erased.

As the Council does not rely on your consent to provide the lawful condition of processing your data in your licence application, you do not have the right to withdraw your consent to our processing of your application or to ask us to transfer your data to another data controller

You can find out more about your rights in relation to data protection here: <https://www.edinburgh.gov.uk/privacy> or from the Data Protection Officer by telephone or in writing, as detailed above.

## **Information Commissioner's Office**

The ICO is the UK's independent body set up to uphold information rights.

Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact details: <https://ico.org.uk/>

Telephone: 0303 123 1113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

The Information Commissioner's Office – Scotland

Queen Elizabeth House

Sibbald Walk

Edinburgh

EH8 8FT

Telephone: 0303 123 1115

Email: [Scotland@ico.org.uk](mailto:Scotland@ico.org.uk)