

Privacy Notice – Licences under the Civic Government (Scotland) Act 1982 and associated regulations



Date notice written: January 2025

Why is this information being processed?

The information provided by you will be used by Perth and Kinross Council for the purpose of issuing licences for various types of licensable activities in the Perth and Kinross area which come under the Civic Government (Scotland) Act 1982 and associated regulations (the 1982 Act).

Under the 1982 Act, a licence is required for:

- boat hire
- commercial window cleaning
- indoor sports premises
- itinerant metal dealing
- knife dealing
- late hours catering
- market operating
- metal dealing
- private hire car driving
- private hire car operating
- public entertainment
- second-hand dealing
- second-hand vehicle dealing
- sex shop operating
- short-term lets
- skin piercing and tattooing
- street trading
- taxi booking office operating
- taxi driving
- taxi operating

Our permission is also required under the 1982 Act to hold a charitable collection or to hold a march or parade.

Personal information is needed to allow us to process your application for a licence, to determine your application and issue your licence, to include your licence in the public register of licences, to ensure you comply with the terms of your licence, to send you any necessary reminder notices and to process and determine any complaints we receive in respect of your licence.

Please be advised that we may receive personal information about you from the following, as part of the consultation process, or to contact you about the progress of your application, and in some instances to educate and encourage compliance with legislation:

- other Council departments including Building Standards, Development Management, Planning, Council Tax
- Police Scotland
- Scottish Fire and Rescue Service

Who is processing this information?

The personal information you have provided will be processed by Perth and Kinross Council, Council Building, 2 High Street, Perth, PH1 5PH. Email Enquiries@pkc.gov.uk or telephone 01738 475000.

Why is it lawful for the Council to process this information?

The Council is permitted to process your personal data in this way because the Council has a legal obligation under the Civic Government (Scotland) Act 1982 and associated regulations.

Formally, the processing of personal data provided to us for this purpose satisfies Article 6(1)(c) of the UK General Data Protection Regulation – ‘Processing shall be lawful...to the extent that processing is necessary for compliance with a legal obligation to which the controller is subject’.

Will any sensitive personal information (Special Category Data or information about criminal convictions etc) be processed?

Yes, some applications may involve the processing of sensitive personal information, such as criminal convictions, and/or health information.

If so, why is it lawful for the Council to process this information?

Processing of information about criminal convictions etc is permitted under the terms of Article 10 of the UK GDPR – ‘Processing of personal data relating to criminal convictions and offences shall be carried out...when the processing is authorised by domestic law’. In this case the relevant legislation is Schedule 1, 6(1)(b) of the Data Protection Act 2018 ‘...the processing is necessary for reasons of substantial public interest’ and where ‘those purposes are.... the exercise of a function conferred on a person by an enactment or rule of law’.

Will this information be shared?

Depending on the type of licence, your information will be shared with other parties. Your information may be shared with Police Scotland, other local authorities, Scottish Fire and Rescue Service, the Scottish Ambulance Service, BEAR Scotland, Transport Scotland, Traffic Scotland, the Home Office, and other public bodies.

Depending on the type of licence, we are also required to publish personal information in licensing registers.

Your personal information may also be disclosed to other third parties if it’s necessary for us to do so in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law. The Council may check information provided by you, or information about you provided by a third party, with other information held by us.

How long will this information be kept for?

Personal information held on Perth and Kinross Council systems in relation to these licensing applications will be kept for the validity of the licence, plus 2 years after expiry. After this it will be deleted.

In the case of refusal of a licence application, the personal information will be kept for 2 years from the date of the refusal. After this it will be deleted.

Personal information rights

Individuals have rights in relation to the information the Council holds about them, including the right to request a copy of their information. You can find out more about your [personal information rights](#) on our website or by contacting the Council’s Information Governance Team at the address below.

Data Protection Officer

The Council has a Data Protection Officer who you can contact in the first instance if you have any questions or complaints about how we are processing your personal information.

Please contact by writing to the Data Protection Officer, Perth and Kinross Council, Council Building, 2 High Street, Perth, PH1 5PH, by emailing DataProtection@pkc.gov.uk or by telephoning 01738 475444.

Information Commissioner's Office

If you want to complain about how the Council has processed your information you have the right to contact the [Information Commissioner's Office](#) via their website or by telephoning 0303 123 1113.

Information Governance Team

If you have any questions about how the Council processes your information, or if you would like a copy of this notice in another language or format, please contact the Information Governance Team:

Information Governance
Legal and Governance Services
2 High Street
Perth
PH1 5PH

Email DataProtection@pkc.gov.uk

Telephone 01738 477933