



## Licensing Act 2003 Alcohol, Entertainment and Late Night Refreshment Privacy Notice

Wigan Council (“a data controller”) is committed to protecting the privacy and security of your personal information.

The Licensing Team are responsible for the processing of applications and payments for the following licences, certificates and notices. They are also responsible for ensuring holders of these authorisations remain compliant with the relevant legislation and any associated conditions.

- Premises Licences
- Club Premises Certificates
- Personal Licences
- Temporary Event Notices

The licensing of alcohol, certain types of entertainment and late night refreshment is the responsibility of the local authority and is governed by the Licensing Act 2003.

To make sure that licensable activities are carried out in the public interest we must operate according to the four licensing objectives:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

To enable us to process applications and payments and ensure continued compliance with the above authorisations we collect, store and process personal and sensitive information about individuals and businesses.

To enable us to accept and investigate complaints or enquiries in relation to the above authorisations we will also collect, store and process personal information about individuals and businesses.

This information enables us to carry out the specific functions that we are responsible for in line with legislation.

Our core obligations under the general data protection regulations (GDPR) and commitments are set out in the [Council's Primary Privacy Notice](#).

### **This notice provides additional privacy information for:**

- Applicants
- Existing Licence / Certificate Holders
- Members of the Public (Complainants)
- Interested Parties (as defined by the Licensing Act 2003)

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

- Before, during and after your relationship with us ends and

- 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 so that you are aware of how and why we use your personal information.

### **We collect Special Information;**

The law treats some types of personal information as 'special' because the information requires more protection due to its sensitivity. This information consists of:

- Racial or ethnic origin
- Sexuality and sexual life
- Religious or philosophical beliefs
- Trade Union membership
- Political opinions
- Genetic and bio-metric data
- Physical or mental health
- Criminal convictions and offences

### **Purpose(s)**

The main purposes for which we may process your personal information are:

- The processing of licensing applications (including inspections / advisory visits)
- The processing of payments in relation to licensing functions
- To investigate relevant complaints or enquiries
- To carry out pro-active enforcement activities to ensure compliance
- To allow us to communicate and provide relevant information in relation to licensing changes
- To keep a public register in relation to the authorisations which we have issued.
- For the prevention and / or detection of fraud and / or crime
- To fulfil a legal obligation

### **Categories of personal data**

In order to carry out activities and obligations as the Licensing Team we may process personal information in relation to:

- Personal contact details, such as names (including previous names), title, addresses, telephone numbers and personal email addresses.
- Personal demographics including data or birth, gender.
- Other contact details, such as names, addresses, telephone numbers and personal email addresses.
- Other information, such as national insurance number, nationality, evidence of entitlement to work in the UK, payment information.

### **Special Categories**

- Offences (including alleged offences), criminal proceedings / investigations, outcomes and sentences.

### **The legal bases we rely on for processing your personal information are:**

- Licensing Act 2003

If you we intend to use your information beyond legal obligations or to exercise specific rights. We will seek your consent to process your information and full guidance will be provided.

## **AUTOMATED DECISION-MAKING**

All the decisions we make about you involve human intervention.

## **COOKIES**

To find out how we use cookies please see our [cookie notice](#).

## **DATA SHARING**

In addition to the general reasons for information sharing described in the Council's primary privacy notice, we may share your information:

- Applicants
- Greater Manchester Police
- Responsible Authorities (as defined by the Licensing Act 2003)
- Internal Council Departments
- Licensing Sub-Committee
- Other Local Authorities
- Home Office
- HM Revenue and Customs
- Safety at Sports Grounds Authority (SSGA)
- Other organisations, where the disclosure is necessary for the purposes of the prevention and / or detection of crime

We also collect or receive information from external parties such as:

- Members of the Public
- Internal Council Departments
- Greater Manchester Police
- Other Local Authorities
- Home Office
- Responsible Authorities (as defined by the Licensing Act 2003)
- Interested Parties (as defined by the Licensing Act 2003)
- Elected Members
- Safety at Sports Grounds Authority (SSGA)
- Disclosure and Barring Service (DBS)

## **DATA RETENTION**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any future legal, accounting, or reporting requirements.

We must continue to retain necessary information in accordance with our [corporate records policy](#) to fulfil legal, statutory and regulatory requirements.

## **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

- You have the right to ask for your information and there will not be a charge for you to do so. This is known as a [subject access request](#) and we act in accordance with this policy.
- To ask for your information to be corrected if it is inaccurate or incomplete.
- To ask for your information to be deleted or removed where there is no need for us to continue processing it. (right to be forgotten)

- To ask us to restrict the use of your information.
- To ask us to copy or transfer your information from one IT system to another in a safe and secure way without impacting the quality of the information.
- To object to how your information is used.
- To challenge any decisions made without human intervention (automated decision making).

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is in our view unreasonable or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

## **RIGHT TO WITHDRAW CONSENT AT ANYTIME**

Where the legal reason for processing your personal information is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of our processing prior to the withdrawal of your consent.

If you do not provide consent, 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 as detailed above.

If you wish to withdraw consent you should contact the Licensing Section via emailing [licensing@wigan.gov.uk](mailto:licensing@wigan.gov.uk) who will process your request as a matter of priority. .

## **YOUR RIGHTS**

In addition to the above you have legal rights in relation to your personal information.

You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation.

Full details are contained within the [Council's Primary Privacy Notice](#) and should be read before consenting to this document.

To ask for access to your information you should submit a [subject access request](#)

## **DATA PROTECTION OFFICER**

If you wish to raise a concern or discuss any aspect of this notice please contact our [Data Protection Officer](#).

If you are unhappy with the way that we handle your concern you may complain to the Information Commissioners Office (ICO) at: <https://ico.org.uk>

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113

The Information Commissioners Office deals with concerns and complaints relating to data protection (GDPR) and freedom of information legislation.

## **CHANGES TO THIS PRIVACY NOTICE**

We may update or revise this privacy notice from time to time and will provide supplementary privacy information as is necessary.