

Perth and Kinross Council Privacy Notice

Name of Processing Activity- Representations & Objections to Licence Applications

Date notice written- 2023/06

1. Why is this information being processed?

The information provided by you will be used by Perth & Kinross Council for the processing and determination of your objection or representation to a licence application.

2. Who is processing this information?

The personal information you've provided will be processed by Perth and Kinross Council, 2 High Street, Perth, PH1 5PH, enquiries@pkc.gov.uk, 01738 475000.

3. 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. We need information about you to deal with your objection or representation in terms of:

- Licensing (Scotland) Act 2005
- Civic Government (Scotland) Act 1982
- The Civic Government (Scotland) Act 1982 (Licensing of Short-term lets) Order 2022
- Housing Act 2006

Formally, the processing of personal data provided to us for this purpose satisfies Article 6(1)(c) of the 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.*

If you do not provide your name and address as part of your objection or representation we will not be able to accept it. Licensing legislation states that details of any objection or representation, including details of the person who has made it, must be given to the applicant or his agent.

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

Some representations or objections may involve the processing of sensitive personal information.

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

Article 9(g) of the General Data Protection Regulation, with reference to Schedule 1, Part 2, Section 6 (2)(a) of the Data Protection Act 2018, permits processing of Special Category Data if *processing is necessary for reasons of substantial public interest, and if the processing is necessary for the exercise of a function conferred...by an enactment or rule of law*. The legislation mentioned in Section 3 above place an obligation on the Council to facilitate representations and objections made in response to a licence application.

4. Will this information be shared?

Your personal information will be shared with the applicant and/or his/her agent.

Depending on the type of licence, your personal information may be published on the Council website.

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.

6. How long will this information be kept for?

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

Where an application for the grant of a licence to which you have objected or made representations about is refused by the Licensing Committee, personal information relating to that application will be retained for 2 years from the date of the refusal. After this it will be deleted.

7. 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.

8. 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; Data Protection Officer, 2 High Street, Perth, PH1 5PH, DataProtection@pkc.gov.uk, 01738 475444.

9. 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 (<https://ico.org.uk/> 0303 123 1113).

10. 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