

Privacy Notice for Licensing

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The reason we use your data

We collect, hold and use your personal data in order:

- to process licence applications
- to check you are suitable to hold a licence
- to process registrations
- to collect and detain stray dogs
- to upload data into systems we are legally required to

What Information we collect

The licensing service may collect some or all of the following information about you as an applicant for a licence, permit or consent:

- Personal name, address and contact details, including any previous names and addresses
- Relevant business, company or organisation name, address and contact details
- Correspondence, emails, letters and notes of telephone conversations
- Nationality, place of birth, date of birth and national insurance number
- Medical history
- Identification documents used to prove your entitlement to work in the UK
- Passport-style photograph
- Information relating to criminal convictions, criminal proceedings, convictions and sentences
- Relevant licensing qualifications
- Bank account details
- Driving licence
- Your image on our CCTV systems if you visit Council or from licensed premises. Any footage is held in line with our corporate retention policy before being erased. This data may be used to investigate complaints or by responsible authorities (statutory consultees) when they apply to review a licence or shared with the police or law enforcement agencies in relation to the prevention or detection of crime or fraud.

We will only ask for personal information that is appropriate to enable us to deliver our services. In some cases, you can refuse to provide your details if you deem a request to be inappropriate. However, you should note that this may impact on our ability to provide some services to you. If this is the case, we will let you know.

Purpose

The council use your data including but not limited to:

- evaluate whether applicants are fit and proper to hold a licence, permit or consent (e.g. gambling, animal welfare, sale of alcohol, provision of regulated entertainment, special treatments, scrap-metal collection, street trading, licensed sex establishments, pavement licence, among others)
- prevent crime, prevent fraud and misuse of public funds, help safeguard vulnerable adults and children
- process all licensing applications
- make relevant and necessary checks for issuing licences
- produce statistics and reports. Statistics are used so that individuals' personal data cannot be identified from them
- develop policies and strategies
- comply with government department research and statistical returns
- account for our decisions and investigate complaints
- improve our services

We have a statutory obligation to provide licensing services in compliance with the following relevant legislation (the list is not exhaustive):

- Local Government Act 1972
- Safety of Sports Grounds Act 1975
- Local Government (Miscellaneous Provisions) Acts 1976 and 1982
- GLC (General Powers) Act 1984
- Fire Safety & Safety of Places of Sport Act 1987
- Proceeds of Crime Act 2002
- Licensing Act 2003
- Gambling Act 2005
- Policing and Crime Act 2009
- Business and Planning Act 2020
- Scrap Metal Dealers Act 2013
- London Local Authorities Acts 1990 to 2012 (as amended)
- Dangerous Wild Animals Act 1976
- Animal Welfare Act 2006
- Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

A limited amount of personal data is required to be held on statutory public registers under the Licensing Act 2003, Gambling Act 2005 and Scrap Metal Dealers Act 2013. This is limited to a licence holder's name and address (where applicable).

Who we can share your data with

Your data is shared internally only with the appropriate staff where it is necessary for the performance of their roles or support our services.

Examples of organisations/bodies that we share information with:

- Government agencies (e.g. HMRC, DWP, Home Office, Gambling Commission, Environmental Agency)
- Health & Safety Executive
- Police
- Fire & Rescue Service
- NHS
- Responsible authorities under Licensing Act 2003 and Gambling Act 2005
- Other local authorities
- HM Courts and Tribunals Service
- Solicitors and other advocates
- Your lawyer or representative (if you have instructed one)
- National Fraud Initiative
- Disclosure and Barring Service
- Litigants or complainants

Unless we are required to provide information to an organisation/body under a statutory requirement, all organisations we pass your information to will have an information-sharing agreement with us to ensure they meet the standards of the GDPR and the DPA 2018, and will be covered by a legal basis allowing them to collect, use and share your personal information.

When computers make any decisions about you

Not applicable

How long we keep your data for

We keep records in line with the Council Retention Schedule. This means some records can be kept permanently.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to the information that we hold about you. To make a request for your personal information please contact the Council's Data Protection Officer at dataprotection@rother.gov.uk.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing

- object to decisions being taken by automated means
- in certain circumstances, have personal data rectified, blocked, erased or destroyed
- claim compensation for damages caused by a breach of the data protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us