

West Lothian Licensing Board

Privacy Notice – Alcohol Licensing under the Licensing (Scotland) Act 2005

Information held about you

West Lothian Licensing Board will hold all of the personal information provided in any application made to the Board under the 2005 Act (via any submission method) and any additional information provided subsequently regarding your licence.

All personal information held by the Board will be available to West Lothian Council's Licensing Standards Officer in connection with that officer's functions under the 2005 Act.

Who is processing my information?

All information is held and processed by West Lothian Licensing Board and West Lothian Council's Licensing Standards Officer in accordance with data protection law and the relevant provisions of the 2005 Act.

How will we use information we hold about you?

The Board will use the information provided in the application to process the application and issue documentation in accordance with the relevant provisions of the 2005 Act and to contact you about your licence.

Personal information held by the Board may be used by West Lothian Council's Licensing Standards Officer in the performance of that officer's functions under the 2005 Act.

Who we will share your information with?

In processing your application in terms of the 2005 Act we are required to share the information with the following bodies and individuals:

Applications for Premises Licence, Provisional Premises Licence, and Non-Minor Variation of Premises Licence

- Police Scotland
- Scottish Fire and Rescue Service
- NHS Lothian
- West Lothian Council

- Community Councils in West Lothian
- Neighbours within 4 metres of the premises

Applications for Transfer of Premises Licence

- Police Scotland

Applications for Occasional Licences, Extended Hours and Personal Licences

- Police Scotland
- West Lothian Council's Licensing Standards Officer

The Board is required by law to protect the public funds it administers. It is required under the National Fraud Initiative (NFI) to share your information with Audit Scotland in order to prevent and detect fraud. If you wish further information about the NFI please see the NFI privacy notice:

<https://www.gov.uk/government/publications/fair-processing-national-fraud-initiative/fair-processing-level-3-full-text>

How long do we keep your information?

The Board is required by regulations under the 2005 Act to keep a public register in connection with applications under the 2005 Act. This register will include personal information provided in applications under the Act.

Applications for Premises Licence and Occasional Licence

If the application is granted the information will be held on the register for a period of five years from the date on which the licence ceased to have effect. If your application is refused then the information must remain on the register for five years from the date of refusal.

Applications for Personal Licence

If the application is granted the information will be held on the register for a period of five years from the date on which the personal licence ceased to have effect. If the application is refused the information will not be retained.

Applications for Variation of Premises Licence, Transfer of Premises Licence, Temporary Premises Licence and Extended Hours

Information provided in these applications will be held on the register for a period of five years from the date on which the premises licence ceased to have effect.

Providing accurate information

It is important that we hold accurate information about you. If any of your details change, please ensure that you tell us as soon as possible so that we can update your records.

Your rights & further information

You have a number of rights under data protection law, including the right to request your information and to request that the information be amended or, in some circumstances, erased. If you have any questions or concerns about how your information is used or if you wish to request your records, you will need to put this in writing and provide proof of identification to:

Data Protection Officer, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF

Alternatively email – DataProtectionOfficer@westlothian.gov.uk

More information about data protection and how it applies to you is available from the Information Commissioner's Office:-

The Information Commissioner's Office – Scotland
Queen Elizabeth House
Sibbald Walk
Edinburgh
EH8 8FT

Phone: 0303 123 1115 Email: Scotland@ico.org.uk