

Reference: 511297

Jerin John
Information Rights Adviser
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Freedom of Information: Right to know request

Thank you for your request for information where you asked about Community Radio in Peterborough.

This was received by Ofcom on 17 January and it has been considered under the Freedom of Information Act 2000 (the Act).

Please see below our response:

Please provide copies (via email) of any information which Ofcom holds on this Community Radio area.

** Copy of or link to application from Peterborough FM*

This is now available from the National Archives, please visit this link:

<http://webarchive.nationalarchives.gov.uk/20160702202834/http://licensing.ofcom.org.uk/radio-broadcast-licensing/community-radio/community-radio-regions/east-england/east-england>.

** Copy of or link to application from PACO Ltd*

See above link – application for a service called Peterborough FM, from PACO Ltd.

** Copy of award decision and/or any notes made during this process as to why one application was successful and the others were not*

Please visit the following link which contains the award criteria and a statement made for each applicant who was awarded a licence by Ofcom's Broadcast Licensing Committee:

<http://webarchive.nationalarchives.gov.uk/20160702202913/http://licensing.ofcom.org.uk/radio-broadcast-licensing/community-radio/community-radio-regions/east-england/five-awards-jun15>.

** Copies of any communications including any change of ownership notifications or change of control which have been sent to/from Ofcom in the last 3 years*

This information is withheld as it is exempt under section 44 of the Act. This exemption allows information to be withheld when its disclosure is prohibited under other legislation. Section 393 of the Communications Act 2003 prevents Ofcom disclosing information about a particular business (e.g. information about a change of control) unless we have the consent

of that business or releasing that information helps Ofcom to carry out its duties, neither of which apply here.

** Copy of current legal situation / Ofcom policy on change of control*

Please see our community radio guidance document published in May 2017 (the "Guidance") which includes, amongst other things, sections on legislative requirements, ownership and control, and licence transfer:

https://www.ofcom.org.uk/data/assets/pdf_file/0016/101860/Community-radio-guidance.pdf. For our current policy on 'Change of control' see section 6.6, page 23.

** Copy of current legal situation / Ofcom policy on the control of community radio licences by an officer of a political body (the conservative party)*

Please see the Guidance under section 4 'Ownership and Control', for example section 4.2 (ii) – Political bodies may not hold licences and are limited to participating with a 5% interest in any company that does. However, an officer of a political body may participate in a community radio licence (page 13).

** Technical parameters licensed for the current service CR100790BA/1 in Peterborough including TX power and antenna height AGL and coverage map (the latter is not on the website, for instance)*

You can find details of the in-use parameters for community radio services in a spreadsheet, which is found on the Tech Parameters section of Ofcom's website:

<https://www.ofcom.org.uk/spectrum/information/radio-tech-parameters> and then click on the link 'Download VHF Data in CSV format (save to desktop)'.

A copy of the coverage map is enclosed.

** Copies of any internal notes and emails in relation to communications received re: change of control from the station itself or others, and the action that was taken as a result including outcomes*

This is exempt from disclosure under section 44 of the Act. This exemption allows information to be withheld when its disclosure is prohibited under other legislation. Section 393 of the Communications Act 2003 prevents Ofcom disclosing information about a particular business (e.g. information about a change of control) unless we have the consent of that business or releasing that information helps Ofcom to carry out its duties, neither of which apply here.

** Any other material not mentioned here which relates to the licensing of a community radio service in Peterborough.*

This request is not specific enough and we ask that you draw your attention to the information that we have provided.

If you have any queries, then please contact information.requests@ofcom.org.uk. Please remember to quote the reference number above in any future communications.

Yours sincerely,

Jerin John

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Steve Gettings
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF