

## **Freedom of Information: Right to know request**

Thank you for your request for information dated 15 March about Future Radio which has been considered under the Freedom of Information Act 2000 ('the FoIA').

Please find below our response to each of your questions.

By way of background, the community radio station Future Radio has operated under two broadcast licences. A licence was granted to Future Radio for the west of Norwich in August 2007 (licence number CR000027). This licence was surrendered in 2010, when a new licence came into force. Future Radio currently operates under licence CR000192 which covers the whole of Norwich. We have taken your request to cover both licences.

1. Complete copies of all Future Radio's Key Commitments Annual Reports between 2004 and 2016

We hold copies of Future Radio's Key Commitments Annual Reports for the following years: 2008/2009 and 2009/2010 in respect of licence CR000027 and 2011, 2012 and 2013 in respect of licence CR000192 (these last three reports were collected on a calendar year basis). Note that from 2014 onwards, we no longer collected these reports. The information we hold is exempt from disclosure under section 44 of the FoIA. This section prohibits release of information if it is prohibited by or under another enactment. In this case, section 393 of the Communications Act 2003 prohibits disclosure of information relating to a business, unless that business consents or one of a number of other statutory gateways are satisfied. We do not have consent from Future Radio to disclose the information, nor are any of the other gateways for disclosure met in this case.

2. Complete copies of all Future Radio's Annual accounts registered with Ofcom between 2004 and 2016

We hold copies of Future Radio's Finance Reports for the years 2008/2009 and 2009/2010 in respect of licence CR000027 and for the calendar years 2011 to 2016 inclusive for licence CR000192. This information is exempt from disclosure under section 44 of the FoIA. As above, this section prohibits release of information if it is prohibited by or under another enactment. In this case, section 393 of the Communications Act 2003 prohibits disclosure of information relating to a business, unless that business consents or one of a number of other statutory gateways are satisfied. We do not have consent from Future Radio to disclose the information, nor are any of the other gateways for disclosure met in this case.

Note that we do not hold annual accounts for The NR5 Project (company registration number: 4358690), the body which holds the broadcast licence for Future Radio. Copies of the organisation's annual accounts are available to view through

Companies House website:

<https://beta.companieshouse.gov.uk/company/04358690/filing-history>

3. Copies of all correspondence between Ofcom and the individual Lawrie Hallett relating to the Key Commitments, 2012-current.

We do not hold information on this question.

4. Copies of all correspondence between Ofcom and any member of Future Projects, 2012 - Present.

As set out in my emails of 28 March and 7 April, we need further clarification from you on this question. It is unclear to us which persons are intended to be covered by the term "member" and we asked if you meant 'trustees'. The Future Radio website lists 3 people in the "Team" section (including the CEO) and 9 people in the "Trustee" section.

At present, we are unable to identify where or if we hold any information without some clarity and await your response on this.

5. Copies of all correspondence between Ofcom and the management or volunteers of Future Radio 2012 – Present

As under 4 above it is unclear to us which persons are intended to be covered by the term 'management or volunteers' and we asked if you meant 'the team plus volunteers – noting that volunteers don't appear on the website. We await your clarification on this before we are able to identify if we hold any information for this question.

6. All correspondence from members of Ofcom Relating to the Steering Committee of Future Radio, 2010 – Present

We do not hold information on this question.

#### 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