

Reference: 620417

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

Thank you for your request for information about Northern Visions Limited (“NVTV”).

This was received by Ofcom on 26 September and it has been considered under the Freedom of Information Act 2000 (“the Act”).

Please see our responses to your questions:

1. *On what date did Ofcom issue NVTV a Licence?*

NVTV was granted a licence on 21 July 2014.

All TV broadcasters currently licensed by Ofcom are published on our website here:

<https://www.ofcom.org.uk/manage-your-licence/tv-broadcast-licences/current-licensees>.

Turning to your specific request, you can find information under ‘Local TV Broadcasters’ here:

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0020/38315/Belfast-L-DTPS-licence-Granted-21-July-2014-PDF.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0020/38315/Belfast-L-DTPS-licence-Granted-21-July-2014-PDF.pdf).

2. *On what date did NVTV win public monies to operate as Belfast's Local Station?*

We do not hold the information you requested.

3. *How long does this licence last?*

Please refer to condition 3 of the licence.

4. *How many tendered for this licence, please provide details?*

We can confirm that there were two applicants for the Belfast local TV licence – NVTV and Made in Belfast. Further information, including the applications submitted, is available online at The National Archives<sup>1</sup>.

5. *How much public money does NVTV get each year under the terms of this licence?*

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<sup>1</sup> [http://webarchive.nationalarchives.gov.uk/20160105180023tf\\_/http://licensing.ofcom.org.uk/tv-broadcast-licences/local/applicants/previous-applicants/](http://webarchive.nationalarchives.gov.uk/20160105180023tf_/http://licensing.ofcom.org.uk/tv-broadcast-licences/local/applicants/previous-applicants/)

Information on Local TV funding is available on BBC's website:

[http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/reports/pdf/bbc\\_local\\_content\\_acquisition\\_january2017.pdf](http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/reports/pdf/bbc_local_content_acquisition_january2017.pdf).

6. *Since taking over the role, how many complaints have been recorded against the BBC?*

I can confirm that we will, within the next few weeks, be publishing on our website our annual report on the BBC, which answers your question about BBC complaints. We do not intend to release the documentation in advance of this publication as we consider that this would be against the public interest, since it may prejudice our interests in carefully checking and testing the accuracy of the information and presenting a complete picture, together with any relevant context or explanation in the annual report.

Therefore, we consider that this information is exempt under section 22 of the Act, namely that the information is intended for future publication and that it would be against the public interest to release the information at this time. The attached annex to this letter sets out the exemption in full, as well as the factors we considered when deciding where the public interest lay.

However, to be helpful, we have provided some background information on Ofcom's complaints procedures and reporting later in this letter.

#### Broadcasting / On Demand complaints

A BBC Royal Charter and Agreement was published in December 2016, which made Ofcom the new independent regulator of the BBC. For complaints about due accuracy, due impartiality, elections and referendums, Ofcom took up its new BBC responsibilities on 22 March 2017. Before that date, complaints about bias on BBC services funded by the licence fee fell outside Ofcom's remit, and we did not, therefore, assess such complaints. Regulatory responsibility sat with the BBC Trust. For complaints about all other areas, Ofcom took up its new BBC responsibilities on 3 April 2017. Under the new procedures, Ofcom can normally only consider complaints about BBC programmes where the complainant has already complained to the BBC, and the BBC has reached its final decision.

Ofcom's Broadcast and On Demand Bulletin, published every fortnight on our website, includes decisions about the complaints we have received, as well as a summary of the complaint. Issues of the Bulletin are available here: <https://www.ofcom.org.uk/about-ofcom/latest/bulletins/broadcast-bulletins>.

Complaints about the BBC received by Ofcom under the new procedures are published in Bulletin issue 326 and subsequent editions, with distinct sections recording complaints which fall under the new BBC procedures.

#### Online complaints

Under the BBC's Charter and Agreement, set by Government and Parliament, the BBC is responsible for the editorial standards of its online material. Ofcom has a responsibility to

consider and give an opinion on whether the BBC has observed relevant editorial guidelines in its online material. This came into effect with the Digital Economy Act on 27 April 2017.

Ofcom's Bulletin for complaints about BBC online material, which is also published on our website, reports on the outcome of Ofcom's consideration on each complaint received about the BBC's online material here: <https://www.ofcom.org.uk/about-ofcom/latest/bulletins/bbc-online-bulletin>.

Full details on Ofcom's procedures for assessing complaints and conducting investigations about the BBC are available here: <https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/guidance/procedures>.

If you have any queries, then please contact [information.requests@ofcom.org.uk](mailto: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:

Corporation Secretary  
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

## Annex

### Section 22: Information intended for future publication

Section 22 may apply if there is an intention to publish the requested information at some future date. This ensures that the FOI Act does not force public authorities into premature publication of information.

Key points:

- Section 22 may apply even if the specific date for publication has not yet been determined but the proposed publication timetable must be **reasonable** in all the circumstances;
- Section 22 will only apply if a public authority has decided, before the request is received, to publish the information concerned;
- Section 22 is subject to a public interest balance.

Factors for disclosure	Factors for withholding
<ul style="list-style-type: none"> <li>• Open policy making and public confidence in regulated activities</li> </ul>	<ul style="list-style-type: none"> <li>• Ofcom intends to publish the requested documentation in Autumn 2018.</li> <li>• Disclosure of the information before the date of publication would, or would be likely to, prejudice Ofcom's interests by reducing its ability to properly check and test the accuracy and completeness of the information for the purposes of the annual report.</li> </ul>
<p align="center"><b>Reasons why public interest favours withholding information</b></p>	
<ul style="list-style-type: none"> <li>• Ofcom is currently finalising its annual report on the BBC. It is in the public interest that Ofcom completes its annual report on the BBC, and reviews and analyses the information obtained in the course of drafting the annual report, before publication. Premature disclosure would, or would be likely to, prejudice Ofcom's interests in carefully checking and testing the accuracy of the information and presenting a complete picture of its annual report, together with any relevant context or explanation.</li> </ul>	