

Reference: 635607

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Information Rights Adviser
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Freedom of Information: Right to know request

Thank you for your request for information regarding Gravity FM CIC's broadcasting licence extension.

This was received by Ofcom on 7 November 2018 and it has been considered under the Freedom of Information Act 2000 (the Act).

You asked:

Please could you provide a copy of the application for extension to the broadcasting licence for Gravity FM CIC or explain if they have got the extension on what basis and how long for?

Gravity FM CIC was provided with a five-year extension to their broadcasting licence with an expiry date of 30 November 2023. This was mentioned in our monthly Radio Broadcast update for October 2018, available here: <https://www.ofcom.org.uk/manage-your-licence/radio-broadcast-licensing/monthly-updates/radio-broadcast-update-october-2018#Community>.

To be granted this extension, Gravity FM CIC satisfied the following matters specified in our Community Radio Licence extension application form:

(a) the ability of the licence holder to maintain the service for the period of the extension; and

(b) the likelihood of a contravention by the licence holder of a requirement imposed by a condition included in the licence by virtue of section 106 of the 1990 Act.

A copy of this form can be found under 'Extending or renewing your licence' on the following page on our website: <https://www.ofcom.org.uk/manage-your-licence/radio-broadcast-licensing/amend>.

We are unable to provide a copy of the broadcasting licence extension for Gravity FM CIC, or information regarding this extension. These details are exempt from disclosure under section 44 of the Act. Under this section, information which relates to a business (e.g. Gravity FM CIC) is exempt from disclosure since it was shared with us under our regulatory powers, and another enactment

prohibits such disclosure (i.e. section 393(1) Communications Act 2003). Section 44 is an absolute exemption under the Act and does not require a public interest test.

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,

Catriona Lawrence

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:

Jacqui Gregory
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