

Reference: 01978598

Information Requests
information.requests@ofcom.org.uk

28 May 2025

Freedom of Information request: Right to know request

Thank you for your request for information concerning 1997 Digital Terrestrial Multiplex applications. We received this request on 28 March 2025. We have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

We wrote to you on 29 April 2025 to say we needed more time to consider the public interest in disclosing or withholding the requested minutes. We have now concluded this.

Your request & our response

1: Any ITC minutes/notes concerning the decision to award the 1997 applications to British Digital Broadcasting plc instead of Digital Television Network (DTN).

Please find attached, alongside this response letter, the ITC board minutes in scope of your request. Please note that we have redacted personal data that we consider is exempt from disclosure under section 40 of the FOI Act and business details that we consider are exempt under section 44 of the FOI Act. Sections 40(2) and 44 are an absolute exemption under the FOI Act and do not require a public interest test.

Under section 44 of the FOI Act, information is exempt from disclosure if its disclosure is prohibited by or under any enactment. In this case, section 393(1) of the Communications Act 2003 (the “Communications Act”) prohibits the disclosure of information about a particular business, which we have obtained in the course of exercising a power conferred by, among other legislation, the Communications Act, unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Communications Act is met, neither of which apply here.

Under section 40(2) of the FOI Act, personal information about persons other than the requester is exempt from disclosure where, among other things, its disclosure would contravene any of the data protection principles in the UK General Data Protection Regulation and the Data Protection Act 2018.

2: The British Digital Broadcasting application for multiplexes B, C and D. 3: The DTN application for multiplexes B, C and D.

Please find attached the BDB and DTN license applications for multiplexes B, C and D. We have included the Section A, as well as a summary, of each of these applications.

We have redacted any personal names from these applications as we consider this information is exempt from disclosure under section 40 of the FOI Act (as explained above).

We hope this information is helpful. If you have any further queries, then please send them to information.requests@ofcom.org.uk – quoting the reference number above in any future communications.

Yours sincerely,

Information Requests

Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress. Please email the Information Requests team (information.requests@ofcom.org.uk) to request an internal review.

Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).