

BERR Ref: 01.04.05/5531c

Your Ref:

Mr Stephen Hayes

Via e-mail to: [<mailto:request-10649-c71a2a78@whatdotheyknow.com>]

14 May 2009

Dear Mr Hayes

Freedom of Information case 09/0548

I am writing to advise you that the Department has decided not to disclose the information you requested on 17 April 2009. You asked :

BERR pay Kip Meek on a daily basis. Kip Meek is also a non-executive director of Phorm. Could you please tell me how much you have paid this year for his services and his daily pay rate.

I feel that it is important to clarify Mr Meek's present role with BERR. Kip Meek's role in relation to the Digital Britain Report has been limited to a specific, discrete project in relation to spectrum policy. The final report of that work was published on 12 May 2009 and can be found at http://www.culture.gov.uk/images/publications/ISB_final_report.pdf. He has not been involved in any discussions related to Phorm or similar issues. BERR has not yet received an invoice for the services of Mr Meek.

The information you requested regarding the daily rate is being withheld as it falls under the exemption in section 41 of the Freedom of Information Act. This is an absolute exemption which does not require the public interest to be considered.

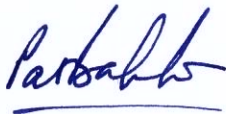
Section 41 of the Freedom of Information Act provides that information is exempt information if -

- it was obtained by the public authority from any other person (including another public authority), and
- the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

- The duty to confirm or deny does not arise if, or to the extent that, the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) constitute an actionable breach of confidence.

If you have any queries about this letter, please contact me quoting the reference number above.

Yours sincerely



Patrick Balchin

Appeals procedure

If you are unhappy with the result of your request for information, you may request an internal review within two calendar months of the date of this letter. If you wish to request an internal review please contact me.

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