

22 February 2013

A Haines
request-147057-fe8ed336@whatdotheyknow.com

Eleanor Berg
Information Requests

information.requests@ofcom.org.uk

Dear A Haines

Freedom of Information: Right to know request

Thank you for your request for information regarding illegal broadcasting in 'Bristol and west England' between January 2005 until January 2013. We received your request on 22 January 2013 and have considered it under the Freedom of Information Act 2000 ('the Act').

The south west of England is comprised of the following areas: Bristol, Gloucestershire, Somerset, Dorset, Wiltshire, Devon, and Cornwall. I have answered your questions in turn below.

Please note the following information does not include information pre 2007, unless stated. Information pre 2007 on illegal broadcasting is held on Ofcom's archived system and is not readily accessible as a considerable amount of time would be needed to locate, retrieve, identify and extract any relevant information. Section 12 of the Act provides that a public authority is not obliged to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the "appropriate limit". The appropriate limit is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, and is, for Ofcom, £450. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested, identifying, locating, retrieving and extracting the information from any document containing it. The Regulations provide that costs are to be estimated at a rate of £25 per person per hour.

1. How many prosecutions against individuals have taken place between the specified dates?

2. Out of the number of persons identified, how many have had multiple prosecutions?

None

3. Please list the names of all the unlicensed broadcast stations you know of and the number of times enforcement action has been carried against each of them, including where no action was taken (e.g the radio station left the air of it's own accord before any action could be taken) clearly showing the method of enforcement used (ie: studio raid, main transmitter removal, mobile telephones disconnected, website domain name blocking etc).

2007

Station	Freq		Location	TX	Studio	Mid Link	Aerial only	Total
Bash	106		Melksham		1			1
BS1	106.8		Bristol	1	1			2
Heaven	104.0		Exeter	1				1
Passion	106.2		Bristol	1				1
Bycross Radio (HF Pirate)	6.278		Shaftesbury	1				1

2008

Station	Freq		Location	TX	Studio	Mid Link	Aerial only	Total
Passion	106.2		Bristol	1				1

2009

Station	Freq		Location	TX	Studio	Mid Link	Aerial only	Total
Passion	106.2		Bristol	1				1
Bad Influence	108.0		Dorchester		1			1
Juice	87.5		Newquay	1		1		2

2010

Station	Freq		Location	TX	Studio	Mid Link	Aerial only	Total
Fresh Radio UK	106.4		Torquay	1				1

2011

Station	Freq		Location	TX	Studio	Mid Link	Aerial only	Total
Passion	106.2		Bristol	3				3
Baseplay	99.0		Plymouth	1				1

2012

Station	Freq		Location	TX	Studio	Mid Link	Aerial only	Total
Ashdown FM	87.6		Taunton	1				1
Rage FM	100.6		Taunton	2				2

4. How many enforcement visits have been as a result from information supplied from members of the public or licence paying broadcasters.

Reports from stakeholders/members of public in south west England 2007-2012.

Station	Freq	2007	2008	2009	2010	2011	2012
Bash	106						
BS1	106.8	1					
Passion	106.2		2				
Bycross Radio	6.278						
Bad Influence	108.0			2			
Juice	87.5			1			
Fresh Radio UK	106.4						
Rage FM	100.6						2
Baseplay Radio	99.0					3	
Ashdown	87.6						
Unverified source						3	
TOTAL		1	2	3	0	6	2

5. Please supply a breakdown of costs for each case of enforcement action carried out.

The information is not readily accessible as a considerable amount of time would be needed to locate, retrieve, identify and extract any relevant information. Therefore section 12 of the Act also applies here.

6. Please give details of any complaints or allegations made against Ofcom's staff in the enforcement section.

We can neither confirm nor deny that we hold information relating to this request in our archives. The information is not readily accessible as a considerable amount of time would be needed to locate, retrieve, identify and extract any relevant information. Section 12 of the Act applies.

7. Out of the unlicensed broadcast stations identified, if any have not had enforcement action against them please supply information as to why it hasn't taken place.

None.

8. How many reports of interference to safety of life services or aviation have been reported in Suffolk and Essex between the dates stated above, if any please state which authority reported it and if the interference was proven to be attributed to pirate radio? I would like to thank you for your prompt action in processing this request.

None.

I hope this information has been helpful. If you require any further information or would like to talk through any issues regarding the information you have requested then please do not hesitate to give me a ring. I will be more than happy to pass your details on to one of our experts in this area.

Please ensure that when using the provided information in any way, you comply with all relevant legislation. For example, the information provided may be protected by copyright under the Copyright, Designs and Patents Act 1988 (as amended). If in doubt, please seek independent legal advice. For Ofcom's policy on copyright and related issues, please refer to <http://www.ofcom.org.uk/disclaimer>.

Yours sincerely

Eleanor Berg

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 exception cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Graham Howell
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

