



Information Policy & Compliance
bbc.co.uk/foi

Ms Jane Black
c/o: request-87-81e4a77e@whatdotheyknow.com

21 April 2008

Dear Ms Black

Freedom of information request – RFI20080283

Thank you for your request under the Freedom of Information Act 2000 (“the Act”) dated 20 March 2008, requesting the following information:

Please can you send me correspondence within and between the BBC Trust and BBC management regarding:

- *assessing the market impact of BBCGreen.com*
- *assessing the public value of BBCGreen.com*
- *which BBC Service Licence BBCGreen.com should fall under, if any*
- *whether the BBC’s Royal Charter grants the BBC legal permission to launch stand-alone, commercial websites targeted at a UK audience.*

BBCGreen.com is a website owned by BBC Worldwide. BBC Worldwide is the main commercial arm of the BBC and is a wholly owned subsidiary. The company exists to maximize the BBC’s assets for the benefit of the licence fee payer. BBC Worldwide’s profits are delivered back to the BBC, supplementing the Corporation’s licence fee funding. For information, under section 6(b)(ii), information held by BBC Worldwide is not covered by the Freedom of Information Act; however, the type of information you have requested would be held by the BBC and as such is covered by the Act.

As specified in the BBC’s commercial services protocol, any new or changed commercial service proposal (including website launches) requires approval by the BBC Trust in the following circumstances:

- i) where it involves an investment or disinvestment in excess of £50m; or
- ii) it falls outside the strategy for the BBC’s commercial services as approved by the Trust; or



iii) in the UK, it represents entry into a wholly new market sector for the BBC's commercial services.

BBCGreen.com does not trigger any of these provisions and therefore did not come before the Trust or the BBC's Executive Board. Accordingly, we do not hold any correspondence of the description given in your request.

In response to your fourth question, the BBC's Royal Charter and Agreement does allow for the BBC to launch stand-alone, commercial websites targeted at a UK audience. Section 3(3) of the Royal Charter¹ allows commercial activities to be undertaken to any extent permitted by a Framework Agreement. Sections 68 – 74 of the Agreement² relate to the commercial services. Both of these documents are publicly available at the links below.

Appeal Rights

If you are not satisfied with this response you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address above, explaining what you would like us to review and including your reference number. If you are not satisfied with the internal review, you can appeal to the Information Commissioner. The contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, telephone 01625 545 700 or see <http://www.ico.gov.uk/>

Yours sincerely

Rachel Hallett
Information Policy & Compliance

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http://www.bbc.co.uk/bbctrust/assets/files/pdf/regulatory_framework/charter_agreement/royalchartersealed_sept06.pdf

² http://www.bbc.co.uk/bbctrust/assets/files/pdf/regulatory_framework/charter_agreement/bbcagreement_july06.pdf

