



Information Rights

bbc.co.uk/foi bbc.co.uk/privacy

Peter Eckersley

Via email: request-354031-a5d6b817@whatdotheyknow.com

21 September 2016

Dear Mr Eckersley

Request for Information – RFI20161571

Thank you for your request of 23rd August 2016 under the Freedom of Information Act 2000 ('the Act') seeking the following information:

"For each of the years 2009-2015 please state

- for each of the Channel Islands*
- the number of*

- (a) addresses recorded and held by TV licensing*
- (b) TV licences actually issued"*

Please note that "TV Licensing" is a trade mark used by companies contracted by the BBC to administer the collection of television licence fees and enforcement of the television licensing system. The majority of the administration of TV Licensing is contracted to Capita Business Services Ltd ('Capita'). Over-the-counter services are provided by PayPoint plc ('PayPoint') in the UK, and by the Post Office in the Isle of Man and Channel Islands. Marketing and printing services are contracted to Proximity London Ltd. Media services are contracted to Media Planning Limited trading as Havas Media UK. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

I shall address your requests in turn below.

Request (a)

By way of background (and as stated on the TV Licensing website at <http://www.tvlicensing.co.uk/about/foi-administering-the-licence-fee-AB20>) the TV Licensing address database is one of the largest and most comprehensive in the UK today and information held on the database is continually updated to ensure it is as accurate as possible at any point in time. TV Licensing relies on individuals to inform us if their details are not accurate or if their circumstances have changed. We

also use external data sources like the Royal Mail's Postcode Address File as well as information fed back by enquiry officer visits.

I have interpreted this part of your request as meaning all addresses (residential properties, businesses and other premises) on the TV Licensing database with the postcode regions GY (Guernsey) and JE (Jersey). Please see this information below as at 31st December of each calendar year in the time period you have specified.

	GY postcodes	JE postcodes
2009	37,735	74,956
2010	39,381	76,238
2011	40,263	77,480
2012	40,928	78,995
2013	41,637	81,160
2014	42,338	81,726
2015	42,858	82,294

Request (b)

Firstly, I should explain that TV Licensing holds records data relating to licences in force ("LIF") rather than licences issued. This is due to the fact that licences issued may lapse in any given year. A more accurate measure is therefore the number of licences in force at a specific point in time. However, we do not routinely publish LIF figures for any area smaller than the UK.

I can confirm that we do hold LIF at postcode level and therefore we would be able to determine the LIF in the Channel Islands (as defined above). However, we consider that it is exempt from disclosure under section 31(1)(a), (b), (d) and (g) and 2(a) of the Act which relate to law enforcement; specifically, on the grounds that disclosure would, or would be likely to, prejudice the prevention or detection of crime, the apprehension or prosecution of offenders, the collection of the licence fee and the BBC's ability to discharge its public functions in respect of such matters. This is because it would provide information of use to those seeking to evade and/or assist others in evading paying the licence fee.

I am satisfied in terms of section 2(2) of the Act that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. I have provided further explanation of my consideration of the public interest in the section 'Why information has been withheld', below.

Why information has been withheld

I am required under section 2(2) of the Act to assess whether the public interest in maintaining the exemptions outweighs the public interest in disclosing the information. At the outset, we would like to note that it is likely to be only in the most exceptional circumstances that it will be appropriate to prejudice the discharge of a legal duty.

The BBC accepts that there is always a public interest in transparency, accountability and public understanding in respect of TV Licensing's operations. In this particular case the following factors are in favour of disclosure:

1. ensuring that the licensing authority is exercising its functions appropriately and proportionately;
2. that public funds are being appropriately applied, and specifically that:
 - a. the TV Licensing system is being efficiently run; and
 - b. value for money is being obtained.

However, I consider that the above public interest factors in favour of disclosure are adequately addressed by the following:

1. The substantial amount of information which the BBC publishes about TV Licensing's operations in its Annual Report and Accounts; on TV Licensing's website (www.tvlicensing.co.uk); and in TV Licensing's Annual Review publications (www.tvlicensing.co.uk/about/our-performance-AB6); and in the National Audit Office's annual Licence Fee Settlement Statement released at the end of each financial year.
2. The BBC Trust is specifically tasked under Article 24(2)(m) of the BBC Charter with ensuring that the arrangements for the collection of the Licence Fee are efficient, appropriate and proportionate.
3. TV Licensing's functions are subject to external review through reports of the Comptroller and Auditor General to the House of Commons and directions given by the Treasury.
4. The BBC is required to satisfy the National Audit Office ('NAO') as to the value for money of the collection and enforcement arrangements and is accountable for the economy, efficiency and effectiveness of such arrangements. The NAO's most recent audit is published at www.nao.org.uk.
5. The BBC has reduced the cost of collection from 6.2% of the total licence fee collected in 1991/2, when it took over this responsibility from the Home Office, to 3% for the financial year 2015/16. This demonstrates that the TV Licensing system is being efficiently run.

In addition, the following factors are in favour of withholding the information:

1. The BBC has a duty to enforce the television licensing system and it is essential that opportunities are not provided to potential or actual evaders to escape detection or prosecution. There is a strong public interest in ensuring that information which prejudices law enforcement is not disclosed.
2. There is a strong public interest in the BBC being able to collect all the licence fee money to which it is entitled to enable the BBC to provide the public with services that encompass its public mission to inform, educate and entertain.
3. Part of keeping evasion to a minimum is maintaining uncertainty as to TV Licensing's enforcement practices. This uncertainty contributes to the deterrent effect which is an important part of TV Licensing's enforcement strategy¹.

¹ The Information Commissioner has acknowledged in his Decision Notice [FS50476136](#) that there is a very strong public interest in the BBC being able to enforce the television licensing system and in not disclosing information which could impede the deterrent effect.

4. There is a strong public interest in ensuring the voluntary compliance with the licence fee regime. Without an effective deterrent to licence fee evasion, evasion would invariably increase. This would be to the detriment of the honest majority of people who are properly licensed, and who should not have to pay any more than is strictly necessary to ensure the compliance of those who deliberately evade paying the licence fee.
5. An increase in the rate of licence fee evasion would lead to an increase in enforcement costs and may lead to more prosecutions. There is a strong public interest in ensuring that the BBC can keep enforcement costs to a minimum, because any increase in enforcement costs will lead to a decrease in the funds available for producing the BBC's content.

Appeal Rights

If you are not satisfied that the BBC has complied with the Act in responding to your request 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 under the Act 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 SK9 5AF. Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) or see <http://www.ico.gov.uk/>.

Kind regards

Rupinder Panesar

Freedom of Information Advisor, TV Licensing Management Team

