



Information Policy & Compliance
bbc.co.uk/foi bbc.co.uk/privacy

Name: Ms Z K Lovett
Email: request-145039-d962f8ae@whatdotheyknow.com

29 May 2013

Dear Ms Lovett,

Freedom of Information request – RFI20130048

Thank you for your request, and subsequent clarification, received 10 January 2013 seeking the following information under the Freedom of Information Act 2000:

I am currently looking into performance of public sector construction projects for a study that I am undertaking. Please can you give me a list of all construction projects undertaken with the following information:

*Name/ description of project
Tier 1 Contractor
location of project
Contract form
Contract price for construction
Final price for construction
Construction start date
Initial construction completion date
Actual construction completion date*

You clarified that your request relates to construction projects over £500k that have been completed in the last 5 years.

Firstly, please accept my apologies for the delay in responding to your request.

In accordance with section 1(1) of the Act, the BBC confirms that we do hold information within the scope of your request regarding the cost of individual contracts and names of contractors. However we consider this information to be exempt from disclosure under section 43(2) of the Act as disclosure would be likely to prejudice the commercial interests of the BBC and our contractors and suppliers.

Disclosure would be likely to weaken the BBC's bargaining position with contractors and harm the ability of the BBC or a third party to obtain goods and services in the future.

It could have a detrimental impact on the commercial revenue of contractors, as other clients would then be likely to demand the same price without taking into account factors which may have influenced the negotiations and the price paid by the BBC. It is likely to weaken their position in a competitive environment by revealing information of potential usefulness to competitors.

As section 43 is a qualified exemption, the BBC is required by section 2(2) of the Act to consider the public interest factors in this case. Specifically, we looked at whether in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

In favour of disclosure, we recognised that there is a public interest in the transparency and accountability of the BBC for public funds; that the BBC is using public money effectively, and that the BBC is getting value for money when purchasing goods and services.

On the other hand, in considering factors that might weigh in favour of the public interest in withholding, we took into account:

- That companies, or individuals provide the BBC with commercially sensitive information, so that the BBC is able to make robust decisions regarding its suppliers of goods and services, including ensuring that the BBC obtains the best value for money from each transaction;
- That the BBC maintains a strong bargaining position vis-à-vis suppliers during contractual negotiations in order to ensure that the licence fee is spent effectively;
- That the competitive position of companies in their particular market is not disadvantaged by doing business with the BBC. It would not be in the public interest to disclose sensitive information about a particular company if that information would be likely to be used by competitors to gain a competitive advantage.

I am therefore satisfied, in terms of section 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 can however give you the following information in relation to your request which I hope will be of use.

I can confirm that over the last five years, the total amount spent by the BBC on construction projects over £500k is in the region of £21m. The majority of this cost lies in several major refurbishment and construction projects namely the MediaCityUK development in Salford and the redevelopment of Broadcasting House, as well as works at Bristol, Elstree and other sites across central London W1 campus.

The BBC is currently going through a complete rationalisation of its property estate, reducing the amount of property the BBC owns by 40 per cent, ultimately saving a significant £47m a year by 2017. We are due to have updated 60% of the estate in comparison to 1999.

Ten years ago, the BBC owned a large property estate. It was costly to run and in need of significant refurbishment to meet the rapid advances taking place in production methods and digital

technology. The BBC is now two-thirds of the way through its programme. We have created state of the art broadcast centres with Pacific Quay in Glasgow and Roath Lock in Cardiff. MediaCityUK in Salford is now a major creative hub with around 2,400 people working in our buildings and has attracted other creative organisations to Salford, acting as a real catalyst for regeneration.

Broadcasting House in central London has been transformed into a state of the art broadcasting centre housing 6,000 staff. The redevelopment of Broadcasting House means that for the first time, the BBC's national and global journalism teams are working together on the same site, alongside Radio 1 and 1Xtra, the commissioning and scheduling teams for BBC One, Two, Three and Four, and all of the Vision Factual teams based in London. The financial benefits of the project have more than trebled from £233m estimated in 2003 to the latest estimate of £736m, due to being offset by additional savings including the exit of other properties in London and bringing 6,000 staff together on one site (as reported in the Financial Times on 11 March 2012), bringing the overall project significantly under budget.

The sale of Television Centre has delivered more than £200m, before accounting for the significant savings on running costs, which will be reinvested in the BBC.

Appeal Rights

The BBC does not offer an internal review when the information requested is not covered by the Act. If you disagree with our decision you can appeal to the Information Commissioner. Contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF telephone 01625 545 700. <http://www.ico.gov.uk>

Please note that should the Information Commissioner's Office decide that the Act does cover this information, exemptions under the Act might then apply.

Yours sincerely,

Kate Brewer
Communications Manager

Freedom of Information

From January 2005 the Freedom of Information (FOI) Act 2000 gives a general right of access to all types of recorded information held by public authorities. The Act also sets out exemptions from that right and places a number of obligations on public authorities. The term “public authority” is defined in the Act; it includes all public bodies and government departments in the UK. The BBC, Channel 4, S4C and MG Alba are the only broadcasting organisations covered by the Act.

Application to the BBC

The BBC has a long tradition of making information available and accessible. It seeks to be open and accountable and already provides the public with a great deal of information about its activities. BBC Audience Services operates 24 hours a day, seven days a week handling telephone and written comments and queries, and the BBC’s website bbc.co.uk provides an extensive online information resource.

It is important to bear this in mind when considering the Freedom of Information Act and how it applies to the BBC. The Act does not apply to the BBC in the way it does to most public authorities in one significant respect. It recognises the different position of the BBC (as well as Channel 4 and S4C) by saying that it covers information “held for purposes other than those of journalism, art or literature”. This means the Act does not apply to information held for the purposes of creating the BBC’s output (TV, radio, online etc), or information that supports and is closely associated with these creative activities.

A great deal of information within this category is currently available from the BBC and will continue to be so. If this is the type of information you are looking for, you can check whether it is available on the BBC’s website bbc.co.uk or contact BBC Audience Services.

The Act does apply to all of the other information we hold about the management and running of the BBC.

The BBC

The BBC’s aim is to enrich people’s lives with great programmes and services that inform, educate and entertain. It broadcasts radio and television programmes on analogue and digital services in the UK. It delivers interactive services across the web, television and mobile devices. The BBC’s online service is one of Europe’s most widely visited content sites. Around the world, international multimedia broadcaster BBC World Service delivers a wide range of language and regional services on radio, TV, online and via wireless handheld devices, together with BBC World News, the commercially-funded international news and information television channel.

The BBC’s remit as a public service broadcaster is defined in the BBC Charter and Agreement. It is the responsibility of the BBC Trust (the sovereign body within the BBC) to ensure that the organisation delivers against this remit by setting key objectives, approving strategy and policy, and monitoring and assessing performance. The Trustees also safeguard the BBC’s independence and ensure the Corporation is accountable to its audiences and to Parliament.

Day-to-day operations are run by the Director-General and his senior management team, the Executive Board. All BBC output in the UK is funded by an annual Licence Fee. This is determined and regularly reviewed by Parliament. Each year, the BBC publishes an Annual Report & Accounts, and reports to Parliament on how it has delivered against its public service remit.