



Information Policy & Compliance  
[bbc.co.uk/foi](http://bbc.co.uk/foi)    [bbc.co.uk/privacy](http://bbc.co.uk/privacy)

Mrs Denyse Grant  
e-mail: [request-470242-a7f912ea@whatdotheyknow.com](mailto:request-470242-a7f912ea@whatdotheyknow.com)

11 April 2018

Dear Mrs Grant,

### **Freedom of Information Request - RF120180458**

Thank you for your request under the Freedom of Information Act 2000 (the Act) dated 12 March, seeking the following information:

*'As the BBC licence are to be distributed to independent TV & Radio stations who use advertising to fund their companies and to make profits for their owners, is this fair to the public who have no equal bargaining power in contract form, as to how licence fees are distributed?*

*As statutory broadcasting requires advertising of all licenced programmes and websites in the Radio & TV Times etc, what is the status of non licenced broadcasting and where do the seamless profits go? "Exemptions" under the D.P.A refer to authorised broadcasts not to non alleged broadcasts. A request is for "transparency" in programming of all broadcasts under BBC Licence payers agreement within Government regulations. If there is no transparency the public may believe they are watching authorised broadcasting suitable for children and adults in compliance with OFCOM regulations for the "watershed." If they send e mails to these websitse, the web traffic is not declared as they have no official website addresses.*

*A "yes" or "no" answer under the F.O.I, is requested as to the existence of non licenced websites by BBC and privately owned Radio 2 and if they contribute to the personal profits of BBC channel owners and now independent channel owners and radio websites which may be in the public domain but are non-compliant with existing laws of authorised broadcasting.'*

Please be advised that the Freedom of Information Act gives a general right of access to all types of recorded information held by public authorities. As this is not a request for recorded information, and we are not required to create new information to respond to a request, or give a judgement or opinion that is not already recorded, we cannot provide the information in your request.

However, we can clarify a number of points that may be of interest to you.

The licence fee is formally set by the Secretary of State for Culture, Media and Sport. Further details about the way the licence fee is spent can be found in the BBC's Annual Report & Accounts at the following link: <http://www.bbc.co.uk/aboutthebbc/insidethebbc/howwework/reports/ara>

Radio 2 is not “privately owned” and there are no “personal profits of BBC channel owners”.

### **Appeal Rights**

If you are not satisfied that we have 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 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, Tel: 0303 123 1113 or see <https://ico.org.uk/>.

Yours sincerely

Information Rights

