

Reference: 1-224227705

25 January 2013

By email

Eleanor Berg
Information Requests

Craig Andrews
request-143393-4c5562b7@whatdotheyknow.com

information.requests@ofcom.org.uk

Dear Mr Andrews

Freedom of Information: Right to know request

Thank you for your request for information regarding illegal broadcasting in Suffolk and Essex between January 2005 and January 2012 which we received on 27 December 2012 and have considered under the Freedom of Information Act 2000.


Please note the following information does not include information pre 2007. 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.

The Suffolk and Essex areas are defined as the following postcodes:

Postcodes in Suffolk

We found 39 Postcode areas in Suffolk. [Click on](#)

Districts




1. Ipswich
2. Suffolk Coastal
3. Waveney
4. Mid Suffolk
5. Babergh
6. St Edmundsbury
7. Forest Heath

CB8	IP21
CB9	IP22
CO10	IP23
CO11	IP24
CO5	IP27
CO7	IP28
CO8	IP29
IP1	IP30
IP10	IP31
IP11	IP33
IP12	IP5
IP13	IP6
IP14	IP7
IP15	IP8
IP16	IP9
IP17	NR32
IP18	NR33
IP19	NR34
IP2	NR35
IP20	

Postcodes in Essex

We found 72 Postcode areas in Essex. [Click on](#)

Districts



1. Harlow
2. Epping Forest
3. Brentwood
4. Basildon
5. Castle Point
6. Rochford
7. Maldon
8. Chelmsford
9. Uttlesford
10. Braintree
11. Colchester
12. Tendring
13. Thurrock (Unitary)
14. Southend-on-Sea (Unitary)

CB1	CO4
CB10	CO5
CB11	CO6
CB9	CO7
CM0	CO8
CM1	CO9
CM11	E4
CM12	EN9
CM13	IG10
CM14	IG7
CM15	IG9
CM16	RM14
CM17	RM15
CM19	RM16
CM2	RM17
CM20	RM18
CM22	RM19
CM23	RM20
CM24	RM4
CM3	SG8
CM4	SS0
CM5	SS1
CM6	SS11
CM7	SS12
CM8	SS13
CM9	SS14
CO1	SS15
CO10	SS16

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

7

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

0

3. Please list the names of all the unlicensed broadcast stations the number of times enforcement action has been carried against each of them, clearly showing the method of enforcement used (i.e. studio raid, main transmitter removal, mobile telephones disconnected, website domain name blocking etc).

Please find the information below:

2007

Station	Freq	Location	TX	Studio	Mid Link	Aerial only	Total
Charge FM	90.8	Southend on Sea	1	1			2
Cyndicut FM - Romford, Essex)	97.8	Romford	4		1	1	6
Mystery	106.7	Colchester	1				1
UK Obsession	89.6	Epping	1				1

2008

Station	Freq	Location	TX	Studio	Mid Link	Aerial only	Total
Cyndicut FM - Romford, Essex)	97.8	Romford	2				2
Dlight - Essex	97.0	Southend-on-Sea	2				2
Flava - Essex	92.1	Great Baddow CM2 / Rochford SS4	1	1			2
UK Obsession	89.6	Epping	1				1
Unidentified stations		Brentwood	1				1

2009

Station	Freq	Location	TX	Studio	Mid Link	Aerial only	Total
Klash FM	92.6 / 92.8	Southend-on-Sea BC / Basildon	4				4
Mystery	106.7	Tendring DC	1	1			2
UK Obsession	89.6	Epping	4				4
Unidentified stations		Southend-on-Sea/ Colchester				2	2

2010

Station	Freq	Location	TX	Studio	Mid Link	Aerial only	Total
Desire FM - Southend-on-Sea	87.5 / 92.1	Southend-on-Sea	1				1
Klash FM	92.6 / 92.8	Southend-on-Sea BC / Basildon DC	2	1			3

2011

Station	Freq	Location	TX	Studio	Mid Link	Aerial only	Total
Klash FM	92.6 / 92.8	Chelmsford BC	1				1
Never Say Die	94.3	Waltham Abbey				1	1
Unidentified stations		Southend-on-Sea	1				1

Vuit FM	97.0	Brentwood	2				2
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2012

Station	Freq	Location	TX	Studio	Mid Link	Aerial only	Total
Desire FM - Southend-on-Sea	87.5 / 92.1	Southend-on-Sea	1				1

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

Reports and complaints from the public can determine the level of action that Ofcom takes.

However, we cannot easily attribute each single report to an enforcement operation, to determine this would take considerable time. Section 12 of the Act applies.

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

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

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 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 West Yorkshire 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?

The reports below were proven to be attributed to illegal broadcast stations. Data pre-2008 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.

2008	0
2009	3
2010	0
2011	0
2012	0

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