

Reference: 1-279268745

3 March 2015

Mr A Haines  
By email to:  
[request-252703-6f1c4c93@whatdotheyknow.com](mailto:request-252703-6f1c4c93@whatdotheyknow.com)

Information Requests  
Secretariat

[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

### **Freedom of Information request**

Dear Mr Haines

Thank you for your request for information about pirate radio in Bristol and the West of England. Your request was received on 8 February 2015.

You asked:

*"I would kindly request the following information regarding unlicensed pirate radio stations broadcasting in the Bristol and West of England areas from January 2013 until January 2015 under the freedom of information act."*

We are responding on the basis that you require up-to-date information for the area covered in our response to the FOI request ref no: 1-225995145

([https://www.whatdotheyknow.com/request/pirate\\_radio\\_enforcement\\_action#incoming-363257](https://www.whatdotheyknow.com/request/pirate_radio_enforcement_action#incoming-363257)). We have therefore covered Bristol and the counties of Gloucestershire, Somerset, Dorset, Wiltshire, Devon and Cornwall. If this assumption is incorrect, kindly let us know.

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

One.

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

None.

3. *Please list the names of all the unlicensed broadcast stations you know of and the number of times enforcement action has been carried against each of them, including where no action was taken (e.g the radio station left the air of it's own accord before any action could be taken) clearly showing the method of enforcement used (ie: studio*

*raid, main transmitter removal, mobile telephones disconnected, website domain name blocking etc).*

Three operations have been conducted against an illegal broadcast station operating on 100.6 in Taunton.; one in 2013 and two in 2014.

Section 44 of the Act prevents organisations releasing information if another Act has said that it shouldn't, such as the Communications Act 2003, or the Wireless Telegraphy Act 2006.

For further information on Section 44 of the Act, please see:

<http://www.legislation.gov.uk/ukpga/2000/36/section/44>.

This information is being withheld under Section 44 of the Act, in line with Section 38 (2) (c) (i) of the Wireless Telegraphy Act 2006. That is because releasing details about the stations, such as names or frequencies, could be seen to be facilitating their day-to-day operations.

Any enforcement action that may or may not have been taken against pirate radio broadcast stations is being withheld under Section 31 of the Act. The release of this information to the general public may prejudice Ofcom's ability to perform its ongoing regulatory functions, with the following purposes:

- (a) the purpose of ascertaining whether any person has failed to comply with the law,
- (b) the purpose of ascertaining whether any person is responsible for any conduct which is improper,
- (c) the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise,

For information on Section 31 of the Act, please see:

<http://www.legislation.gov.uk/ukpga/2000/36/section/31> It is likely that other exemptions will apply.

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

None.

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

*This information is not held. Please give details of any complaints or allegations made against Ofcom's staff in the enforcement section.*

- We can neither confirm nor deny whether we hold the information you requested, as to provide such information would fall under the exemption in section 40 of the Freedom of Information Act 2000. This exemption protects personal information from being released to the public and removes the need to confirm or deny that information is held. Further information on Section 40 can be found here:

<http://www.legislation.gov.uk/ukpga/2000/36/section/40>

*6. Out of the unlicensed broadcast stations identified, if any have not had enforcement action against them please supply information as to why it hasn't taken place.*

None

*7. How many reports of interference to safety of life services or aviation have been reported in Bristol and West of England 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?*

None.

*8. How many reports of interference to safety of life services or aviation have been reported in Bristol and West of England 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?*

None.

I hope this has been helpful, but if you have any further questions, please do let us know. It is possible to contact us directly, via our email address: [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

Please quote the reference number above in any future correspondence about this request, as this will help us to deal with your query more quickly.

Yours sincerely

Information Requests