

Reference: 01581933

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

5 April 2023

### Freedom of Information request: Right to know request

Thank you for your request for information concerning IX Wireless and IXWBuild. Your request was received on 8 March 2023 and we have considered it under the Freedom of Information Act 2000 (the “FOI Act”) and the Environmental Information Regulations 2004 (the “EIR”).

### Your request & our response

*I write with regard to the following company/companies which I believe trade/s under two names:*

*IX Wireless*

*IXWBuild*

*I request the following information (in electronic format) under the FOI Act:*

- 1. All complaints (including dates and towns/cities) made to Ofcom by the public regarding the roll-out and installation of electronic communications infrastructure since the company/companies received permission from Ofcom*
- 2. All complaints made to Ofcom by local authorities (including dates and towns/cities) regarding the roll-out and installation of electronic communications infrastructure since the company/companies received permission from Ofcom*
- 3. All and any action taken by Ofcom against the same company/companies with regard to the complaints*
- 4. If no action was taken by Ofcom with regard to any complaint, the full reasons for non-action*

We can confirm that we hold information falling within scope of the above questions however we consider that disclosure of this information is exempt under section 44 of the FOI Act.

Section 44 of the FOI Act exempts the disclosure of information which is prohibited by another enactment. In this case, we are prohibited under section 393 of the Communications Act 2003 from disclosing information which relates to a business (in this case, IX Wireless and IXWBuild), which we have obtained in exercising our powers, unless we have the consent of that business or one of the statutory gateways for disclosure under section 393(2) is met, neither of which applies here. Section 44 is an absolute exemption and does not require a public interest test.

If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk) quoting the reference number above in any future communications.

Yours sincerely

## Information Requests

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

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 responding to 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 exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

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. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF