

Reference: 1631615

Information Rights  
Information.requests@ofcom.org.uk

2 August 2023

## Freedom of Information: Right to know request.

Thank you for your request for information about the original licence application for London Greek Radio. We received this request on 14 June 2023 and requested further clarification on 22 June 2023, and have considered it under the Freedom of Information Act 2000 (the 'FOI Act').

### Your request

You asked:

*'Under the Freedom of Information Act I am requesting information about the application made by London Greek Radio to obtain a Local Digital Sound Service.'*

*The Licence No. concern is DP101069BA/2*

*The application was made on 15th June 2015 and was granted on 27th July 2015.'*

You subsequently clarified your request as follows:

*'Thank you for your e-mail yesterday asking for further information about my request under the FOI Act ref:-1631615 I am requesting the information contained in the original application made by London Greek Radio on 15th June 2015.'*

### Our response

While we do hold information connected to your request, we consider that disclosure of this information is exempt under the FOI Act. In particular, section 44(1)(a) of the FOI Act exempts disclosure of information if its disclosure is prohibited under another enactment. Ofcom is prohibited under section 393 of the Communications Act 2003 ('the Communications Act') from disclosing information about a business which we have obtained in the course of exercising a power conferred by the Communications Act among others, unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Communications Act is met, neither of which applies here. Section 44 is an absolute exemption and therefore is not subject to 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