

Reference: 01542995

Zach Westbrook
Information Rights Advisor
information.requests@ofcom.org.uk

11 January 2023

Freedom of Information request: Right to know request

Thank you for your request for information concerning the response to a subject access request provided to you on 3 November 2022 of certain personal data held by Ofcom. You clarified the request on 9 December 2022 and we have considered it under the Freedom of Information Act 2000 (the "Act"). This is one of a number of requests you have made recently.

Your request

Please would you treat this as a Freedom of Information Act request for all information held by Ofcom which has been redacted in your response to the DSAR under Case #01492266 to the extent that (in your words) "any information that does not fall under 'personal information' for the purposes of a subject access request has been redacted".

Our response

Please find attached the relevant documentation.

Please note that some pages contain redactions as the information is either out of scope of the request or we are unable to disclose the information because we consider it is exempt under applicable sections of the Act detailed below.

Section 21 of the FOI Act

Under section 21 of the Act, we are not required to provide information in response to a request if it is already reasonably accessible to you. This is applicable to the redacted text on the following pages, and/or parts of the following pages: 18 + 19.

Section 40 of the FOI Act

Some of the information captured by the request contains personal information. We consider that this information is exempt from disclosure under Section 40(2) and 40(3)(a) of the Act, which provides that personal information about persons other than the requester is exempt where, among other things, its disclosure would contravene any of the data protection principles in the UK General Data Protection Regulation and the Data Protection Act 2018. Section 40 is an absolute exemption under the Act and does not require a public interest test.

This is applicable to the redacted text on the following pages, and/or parts of the following pages: 3 - 7, 10-14, 16-19.

Section 44 of the FOI Act

Section 44 exempts the disclosure of information which is prohibited by another enactment. In this case, we are prohibited under section 393 of the Communications Act from disclosing information which relates to a business (or businesses), which we have obtained in exercising our powers in relation to broadcast licensing and standards, unless we have the consent of that business/those businesses 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.

This is applicable to the redacted text on the following pages, and/or parts of the following pages: 4 - 5, 8 & 9, 11 – 14, 15 - 17.

Information out of scope of this FOI request

This is applicable to the redacted text on the following pages, and/or parts of the following pages: 3 & 6. We have had to leave this information within the document as it fell on the pages where other information relevant to the request was shown.

I hope this information is helpful. If you have any further queries, then please send them to information.requests@ofcom.org.uk quoting the reference number above in any future communications.

Yours sincerely

Zach Westbrook

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

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

From: [REDACTED]
To: [REDACTED]
Subject: FW: EXTERNAL:Letter
Date: 14 October 2020 14:24:00
Attachments: [Letter to Kevin Bakhurst, Ofcom - October 2020.pdf](#)
[image003.png](#)
[image001.jpg](#)
[image010.jpg](#)
[image011.jpg](#)
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[REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
Riverside House
2a Southwark Bridge Road
London SE1 9HA
020 7981 3000



:: Keep up with Ofcom on social media



[REDACTED]
[REDACTED]
[REDACTED]
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From:
To:

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Subject:
Date:
Attachments:

Melanie's upcoming meetings and briefings
22 May 2020 17:13:22
[image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)

Classification: CONFIDENTIAL

Hi all,

Please see below for a list of Melanie's calls with external stakeholders currently booked in between now and the end of June, and a reminder of the briefings required.

This list is up-to-date at time of sending and is subject to change. Just let me and [REDACTED] know if you have any questions.

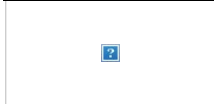
As always, thank you for your continued contributions to all the briefings. It's much appreciated by Melanie (and [REDACTED]).

Thanks,

[REDACTED]

Date	Meeting	Organisation	Briefing required	Briefing Lead	Briefing Coordinator	Briefing Deadline
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[REDACTED]





Subject:
Date:



Ofcom Stakeholder Review
12 October 2020 12:09:00

Hi

Please see below list of names provided by Lintstock. They have provided the names of the primary contact at each organisation, although in a significant proportion of cases these individuals asked one or more other individuals to contribute to their survey responses and/or speak with Lintstock in the follow-up interviews. Therefore, I think it will be appropriate to ask them to pass on their thanks to anyone within their organisation who contributed to the feedback. Revised text of email below (I also think, on reflection, we should change the header to “Ofcom Stakeholder Review”).

- [Redacted name]
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Please do not hesitate to get in touch if you have any questions.

Best wishes,

[Redacted]

Dear x,

On behalf of the Ofcom Board, we would like to thank you for participating in our recent Stakeholder Review, conducted by Linstock.

The Stakeholder Review findings were recently presented, on an anonymous basis, to the Ofcom Board. The Board and the Senior Management Team have found the review very helpful. We were encouraged by many positive comments, and also welcomed the constructive recommendations for improving Ofcom's approach and effectiveness.

We are currently reflecting on the feedback received and will be drawing up a plan to act on what we have heard.

Thank you once again for your participation in our Review and please pass on our thanks to anyone within your organisation who contributed to the feedback.

Best wishes,

Terry Burns and Melanie Dawes

[Redacted signature block]

[Redacted]

[Redacted signature block]

[Redacted]

Dear x,

On behalf of the Ofcom Board, we would like to thank you for participating in our recent Stakeholder Review, conducted by Linstock.

The Stakeholder Review findings were recently presented, on an anonymous basis, to the Ofcom Board. The Board and the Senior Management Team have found the review very helpful. We were encouraged by many positive comments, and also welcomed the constructive recommendations for improving Ofcom's approach and effectiveness.

[REDACTED]

Subject: FW: Melanie's upcoming meetings

Classification: CONFIDENTIAL

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Subject: Melanie's upcoming meetings

Classification: CONFIDENTIAL

Hello everyone

Here's the latest list of Melanie's external meetings that are coming up over the next few weeks and which we will need briefings for. For each briefing, the CE Office lead will be in touch with the lead Director to discuss the meeting agenda and anything else that the briefing should cover. All briefings for external meetings should be sent to the [CE Office team](#) at least 48 hours before the meeting (in some cases, briefings may be needed earlier – for example to discuss at a pre-meet - but we'll make sure these instances are flagged as early as possible). This gives the CE Office team time to review for clarity, pick up any outstanding questions, and for Melanie to have time to read and digest the briefing materials ahead of the meeting.

If you have any questions about an upcoming meeting, please do get in touch with the relevant CE Office lead.

Best wishes

[REDACTED]

[REDACTED]

This is an introductory meeting [REDACTED] of Global Radio.
This briefing covers;

- Background on Global and [REDACTED]
- COVID-19 impacts
- Commercial radio deregulation
- DCMS and analogue licence renewals
- Government/industry Digital Radio & Audio Review
- BBC
- Diversity
- Annexes:
 - Letter to Kevin Bakhurst from [REDACTED] and our response, May 2020;
 - Latest advice to all broadcasters on our regulatory approach

Key themes for discussion are likely to be how the sector recovers from Coronavirus impacts, the future of our regulatory approach and our work in regulating the BBC.

[REDACTED]

Background

- Global is Europe's largest commercial radio company. It is also now one of the UK's largest outdoor advertising companies, following its purchases in 2018 of Primesight, Outdoor Plus and Exterior Media.
- Ashley Tabor-King is the company's Founder & Executive President. Lord (Charles) Allen of Kensington is the company chairman.
- Global was founded in 2007 by Ashley Tabor-King, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- Its main stations/brands are: Classic FM, LBC, Heart, Capital and Smooth Radio.
- It also sponsors a state-funded school located in Hayes, West London called the Global Academy, which provides broadcast and digital media training for Year 10-13 students.
- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
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[REDACTED]
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Commercial radio deregulation

- Other than to secure standards, we primarily regulate commercial radio so that listeners receive a variety of services appealing to different tastes and interests, and local radio delivers an appropriate degree of 'localness'.
- We do this by including conditions in licences which describe the type of service required, covering both music and speech content. In terms of localness, we are also required to publish guidance about how we think this should best be delivered.
- Our current localness guidance is that local FM stations need only provide three hours of locally-made programming each weekday, and none at weekends, but that they should still provide local material (including news) throughout the day as this is what our research tells us listeners expect.
- The definition of what constitutes 'locally-made' has been gradually loosened over the years, which has enabled groups like Global to broadcast the same 'local' programme across multiple stations in a particular region of the UK.
- [Redacted]
- [Redacted]
- [Redacted]
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Analogue licence renewals

- [Redacted]
- [Redacted]
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Annex 2: Latest advice to all broadcasters, 27 May

Dear Broadcaster,

We previously sent letters of guidance to all broadcasters, copies of which are also available to read on our website dated 23 March and 27 April 2020. These letters set out our approach to enforcement over this unprecedented time, particularly in relation to compliance with the Broadcasting Code, programming commitments, the payment of annual licence fees and information requests. This letter provides an update to broadcasters on our position in all these areas.

We recognise that not all the matters set out in this letter will apply to all broadcasters, and that individual concerns will vary depending on the nature of the service each of you provide. We provide contact details at the end of the letter and encourage you to get in touch if you have any questions on this update. In summary, this letter provides details of the following matters:

1. Broadcasting Code

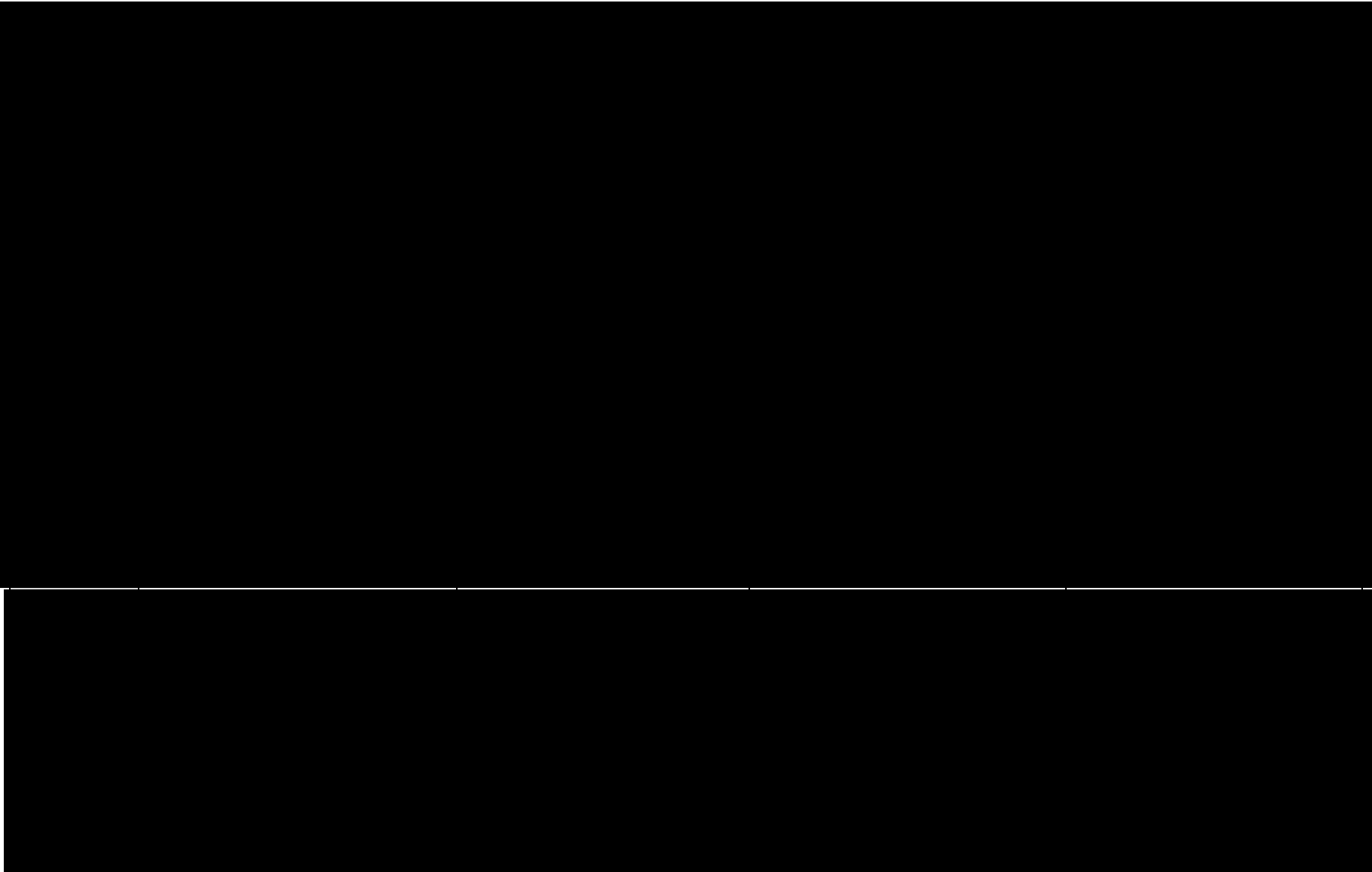
We continue to expect broadcasters to comply with Ofcom’s Broadcasting Code and to be able to provide recordings to Ofcom on request. Ofcom will continue to prioritise enforcement of broadcasting standards in relation to Coronavirus related content. This letter provides additional guidance to broadcasters in this area, including reference to recent sanction decisions and guidance we have issued to broadcasters.

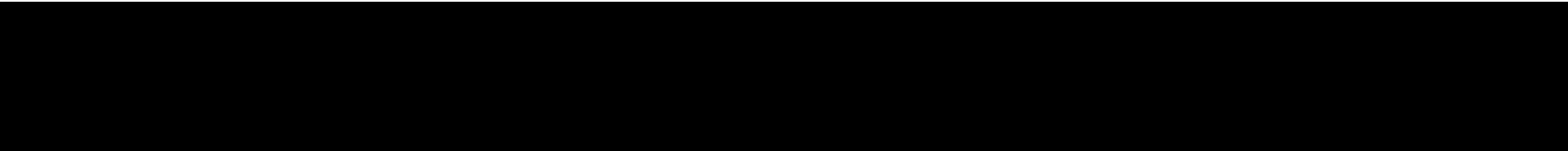
2. Programming commitments

We understand that operational challenges continue for many broadcasters and we want to provide all broadcasters with the flexibility they need to protect their staff and provide the best possible service to their audiences. We expect all broadcasters to continue to make every reasonable effort to meet the programming and production requirements set out in their licence.

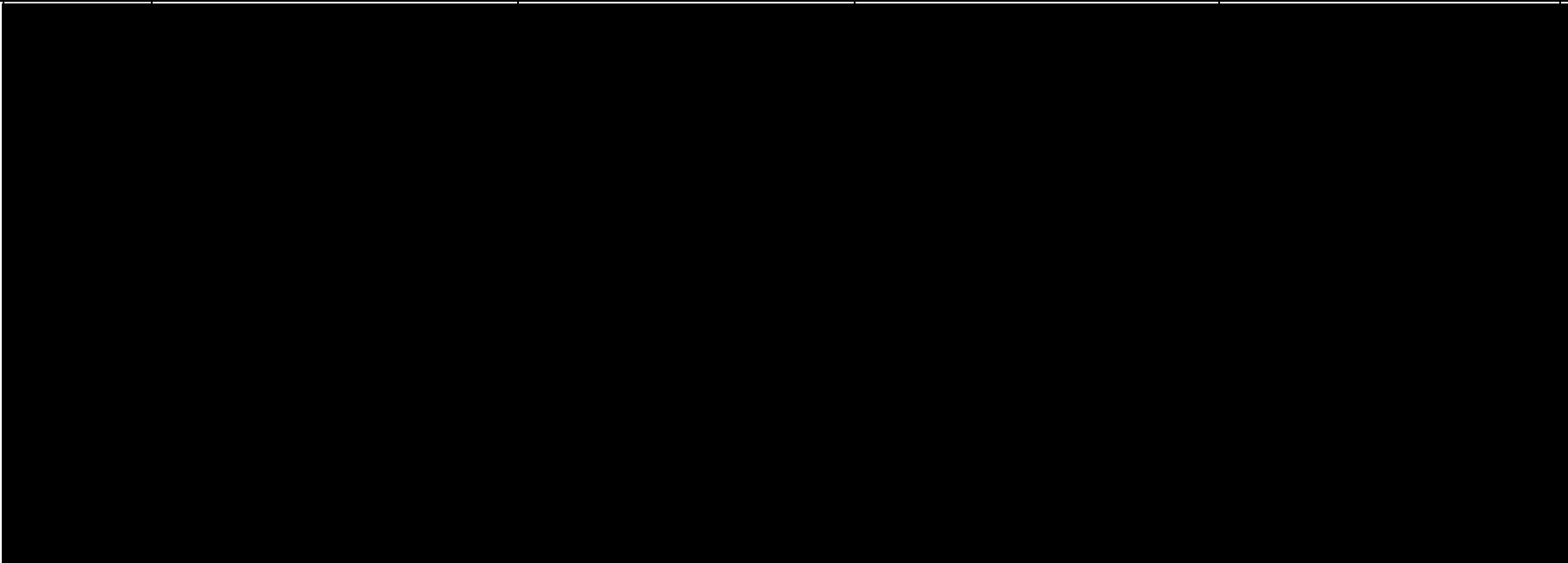
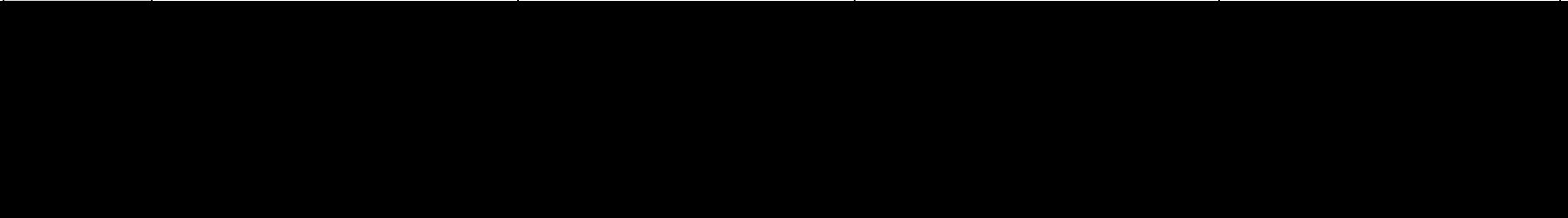
¹ [Commercial radio deregulation consultation: Government response](#), paragraph 61.

III. STAKEHOLDERS





[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
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Chief Exec 2021 planning (February 2021 version)

	March to July 2020	September to December 2020	January to March 2021	April-Jun 2021
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
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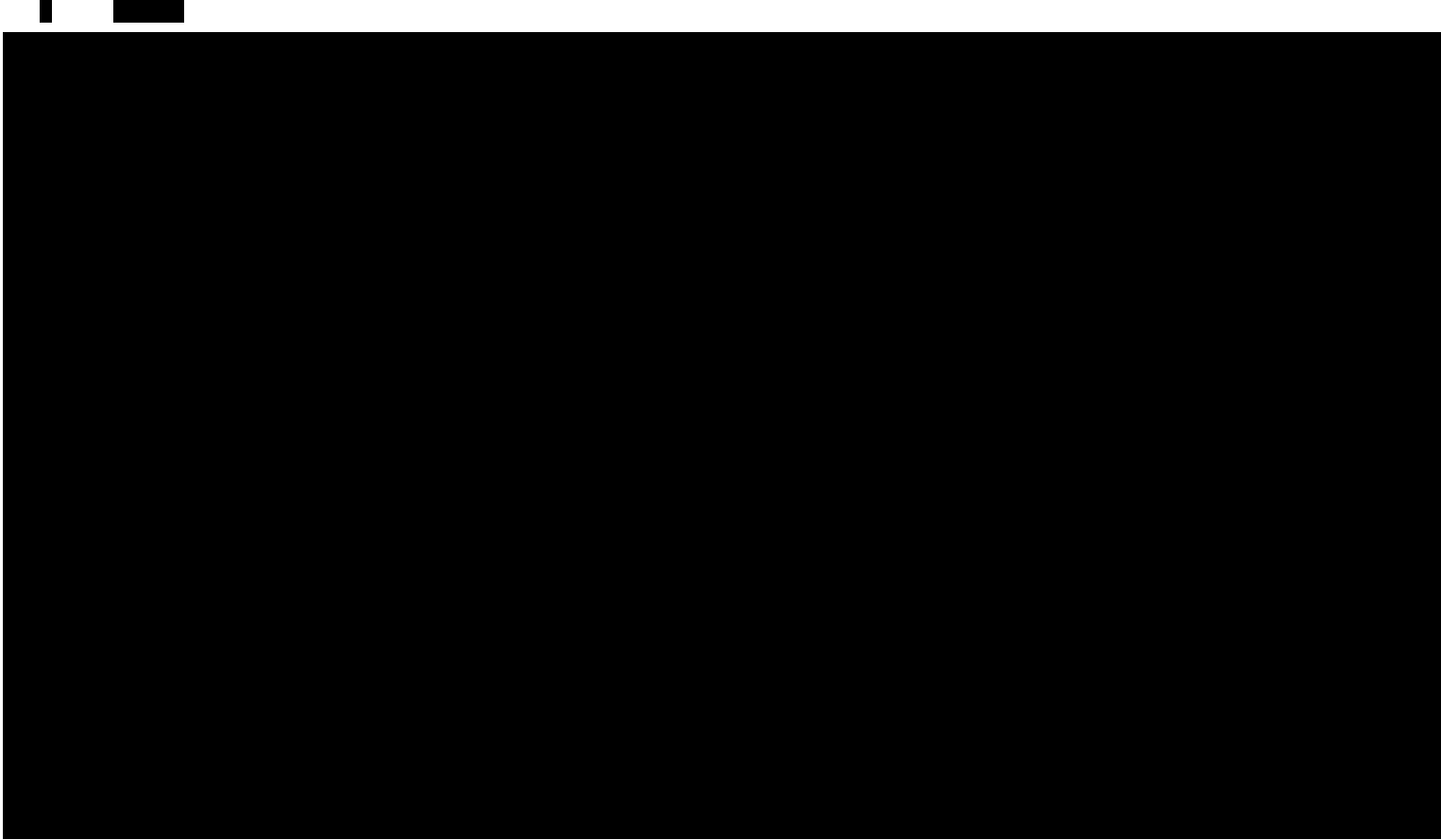
III. STAKEHOLDERS

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Classification: HIGHLY SENSITIVE

Draft v1

Chief Exec 5-month work plan



	[REDACTED]	[REDACTED]	[REDACTED] ✓			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Orion Media Ltd acquisition of Birmingham Broadcasting Ltd

Ownership Report – [REDACTED]

[REDACTED]

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Report and decision on an application to transfer the Cambridge & Newmarket
local commercial radio licence

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