

Reference: 1553770

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Freedom of Information: Right to know request

Thank you for your request for the final technical plan and coverage map for the Bedford small-scale radio multiplex service, and for the new FM coverage map for In2beats.

We received this request on 22 December 2022 and have considered it under the Freedom of Information Act 2000 (“the Act”).

Your request

You asked: ‘Can I please ask for a copy of the final technical plan for Bedford SSDAB Mux and a copy of the Ofcom coverage map for that mux. In addition to that, can I please have a copy of the new FM coverage map for In2beats once their granted power increase will have been implemented’.

Our response

A final technical plan for the Bedford small-scale radio multiplex service has not yet been submitted by the successful licence applicant and approved by Ofcom. We therefore do not hold this information.

The coverage map for the Bedford small-scale radio multiplex service will be published after the final technical plan has been approved and the multiplex service has commenced. Similarly, the new FM coverage map for In2beats, reflecting its revised coverage, will be produced and published once the granted power increase has been implemented. We therefore consider that this information is exempt from disclosure under section 22 of the Act as it is intended for future publication.

In applying the exemption in section 22 of the FOI Act, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. I have attached a table setting out the factors Ofcom considered when deciding where the public interest lay (see Annex A).

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,

Gloria Akinyemi

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

Annex A

Section 22: Information Intended For Future Publication

Section 22 may apply if there is an intention to publish the requested information at some future date. This ensures that the FOI Act does not force public authorities into premature publication of information.

Key points:

- Section 22 may apply even if the specific date for publication has not yet been determined but the proposed publication timetable must be **reasonable** in all the circumstances;
- Section 22 will only apply if a public authority has decided, before the request is received, to publish the information concerned;
- Section 22 is subject to a public interest balance.

Factors for disclosure	Factors for withholding
<ul style="list-style-type: none"> • Open policy making and public confidence in Ofcom’s regulated activities. 	<ul style="list-style-type: none"> • Release of the information in advance of finalisation and formal publication could lead to confusion or misinformation in the public domain, as the information is not finalised and is subject to change. • Release of the information prior to finalisation could damage working relationships Ofcom has with its customers and stakeholders. • Ofcom intends to publish the requested documentation once the final technical plans have been approved and the service has commenced/changes to the service have been implemented.
Reasons why public interest favours withholding information	
<ul style="list-style-type: none"> • We have concluded that it is not in the public interest to release this information at this stage, taking into account that the information requested is still to be confirmed and finalised. 	