

Reference: 01600312

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

17 May 2023

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

Thank you for your request for information concerning the original Leicester Sound and Sabras Sound applications. Your request was received on 17 April 2023 and we have considered it under the Freedom of Information Act 2000 ('the Act').

### Your request

*Please could you send me a full copy of the original Leicester Sound and Sabras Sound applications from the last time it was readvertised in open competition, and the various "Promise of Performance" and "Station Format" that have existed over the years for these two licences?*

### Our response

We confirm that we do hold the requested information. However, we are unable to disclose these as this information falls within section 44 of the Act, which exempts disclosure of information if its disclosure is prohibited by or under another enactment. In particular, 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 our functions in relation to broadcast licensing, 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. In this case, the relevant businesses are the applicants for the licences. Section 44 is an absolute exemption and therefore is not subject to a public interest test. We consider that other exemptions may also apply.

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