

Reference: 1859610

Information Requests
information.requests@ofcom.org.uk

22 August 2024

Freedom of Information request: Right to know request

Thank you for your request for information about the assessment documents for South of the River Digital Radio's & South London DAB's SSDAB licence applications.

We received this request on 29 July 2024 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request

'We looked over the application award statement and the publicly available non-confidential section. ...I am requesting the assessment sheets for South of the River Digital's application and [South London DAB's application] once more.'

Our response

We can confirm that our assessment of South of the River Digital Radio's application, including the criteria used and the factors considered, can be found in [our award statement](#).

We consider that disclosure of further information, including the assessment sheets for South of the River Digital Radio and South London DAB's applications, 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.

We 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,

Information Requests

Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress. Please email the Information Requests team (information.requests@ofcom.org.uk) to request an internal review.

Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).