



Information Policy and Compliance
bbc.co.uk/foi

By email to

23rd July 2007

Dear Mr

Freedom of information request – RFI2007000555

Thank you for your request under the Freedom of Information Act 2000 (“the Act”) dated 22 June 2007 and received by us on 25 June 2007.

You repeated the request for information which you made to us in August 2006, in the hope that the BBC’s position that this information is exempt would have changed.
Your repeat request was for:

“The percentage of households that have TV licences in the following locations (or their nearest postcode boundary equivalents):

Northern Ireland

England

Scotland

Wales

Each of the 32 London Boroughs

The Borough of Reigate and Banstead

Each of the following towns or cities:

Glasgow

Edinburgh

Belfast

Londonderry

Cardiff

Bradford

Leeds

Dewsbury

Cambridge

Norwich

Leicester

Lincoln

Dorchester

Bournemouth

The number of prosecutions against licence evaders in each of those areas in the last year”



INVESTOR IN PEOPLE

In our response, we provided the figures requested for Northern Ireland, England, Scotland and Wales. The figures for the regions and towns listed were withheld under section 31(1). The reasons for our position that this information is exempt were explained in our response letter and there has been no change in circumstances that would lead to this information now being disclosable

We are refusing your repeated request under section 14(2) of the Freedom of Information Act 2000 (“the Act”). Under this section, we are not obliged to comply with a request identical to one we have already complied with, unless a reasonable interval has elapsed between compliance with the previous request and the making of the current request. In this case, the information requested and the reasons for exempting it from disclosure have not changed, and we are therefore entitled to refuse this request.

You may request an internal review of our decision to refuse your repeated request under section 14(2). However, you are not entitled to another review of our original decision that the information is exempt under section 31(1).

You have also made a new request for
“The **number** of households that have TV licences in the following locations (or their nearest postcode boundary equivalents):

Northern Ireland

England

Scotland

Wales

Each of the 32 London Boroughs

The Borough of Reigate and Banstead

Each of the following towns or cities:

Glasgow

Edinburgh

Belfast

Londonderry

Cardiff

Bradford

Leeds

Dewsbury

Cambridge

Norwich

Leicester

Lincoln

Dorchester

Bournemouth”

Unfortunately, it is not possible to provide you with the exact number of households that have TV licences in all the locations you have specified above. This is because our database only holds records of licence holders by address, the postcodes of which do not necessarily correspond with all the regions you have stated. It would be possible for us to determine the total number of licences in force in the areas you have requested by manually collating the relevant postcodes. However, I am withholding this information under section 31(1)(a) of the Act which relates to law enforcement, specifically that disclosure would, or would be likely to, prevent the prevention or detection of crime.

I am satisfied, in terms of section 2 of the Act, that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. I have considered the public interest test in the section on why information has been withheld below.

I can, however, provide you with the following statistics for licences in force in the UK as at 31 March 2007.

Region	Licences in force (m)
England	20.415
Northern Ireland	0.624
Scotland	2.178
Wales	1.235

Why information has been withheld

In relation to your question, we do not reveal more localised figures regarding licences in force as if we were to disclose a more detailed breakdown it could disclose trends, the knowledge of which would prejudice our ability to prevent evasion of the TV licence payment. For example, releasing such a breakdown could allow someone to work out the rate of evasion by comparing the number of addresses with the number of licences in force, and where there is a higher rate of evasion in a local area, someone may be less likely to purchase a licence on the basis of their assumptions on the risk of being caught. Thus we are withholding the precise figure for some of the areas you have asked about under section 31 (1)(a) of the Act.

It is a criminal offence to install and use television-receiving equipment to watch or record television programme services without a valid licence. TV Licensing investigates and prosecutes such unlicensed use of television receiving equipment.

I am required under s 2(2) of the Act to assess whether the public interest in maintaining the exemption outlined in the sections above outweighs the public interest in disclosing the information.

The following factors are in favour of disclosure:

1. ensuring that public funds are being appropriately applied, that is:
 - a. ensuring that the TV Licensing system is being efficiently run; and
 - b. ensuring that value for money is being obtained.

I consider that the above public interest factors in favour of disclosure are served by the following:

1. The BBC has a duty to enforce the television licensing system and it is essential that effective deterrents against evasion are maintained for this purpose. Without an effective deterrent, evasion would invariably increase. This would be to the detriment of the honest majority of people who are properly licensed and to the overall amount of revenue available to the BBC.

2. The BBC is required to satisfy the National Audit Office ('NAO') as to the value for money of the collection and enforcement arrangements and is accountable for the economy, efficiency and effectiveness of such arrangements. NAO's most recent audit is published at http://www.nao.org.uk/publications/nao_reports/06-07/0607183.pdf.
3. The BBC has reduced the cost of collection from 6.2% of the total licence fee collected in 1991/2, when it took over from the Home Office, to 5% for the financial year 05/06. This demonstrates that the TV Licensing system is being efficiently run. This and further related information is available in the BBC's annual report (see www.bbc.co.uk), the TV Licensing Annual Review and the *About TV Licensing* document (see <http://www.tvlicensing.co.uk/aboutus/index.jsp>). A key part of this success has been the use of detection as a significant deterrent element.

In this instance, the public interest is served by maintaining an effective deterrent to licence fee evasion and thus in turn protecting the BBC's revenue stream.

There is hence a greater public interest in ensuring the effective collection of the licence fee than in disclosing the information you have sought. I am therefore satisfied, in terms of section 2 of the Act, that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest (outlined above) in disclosing the information.

Appeal rights

If you are not satisfied with this response you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address above, explaining what you would like us to review and including your reference number. If you are not satisfied with the internal review, you can appeal to the Information Commissioner. The contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, telephone 01625 545 700 or see <http://www.ico.gov.uk/>

Yours sincerely

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