

I would like to respond to Ofcom's consultation on the future of radio in the UK, particularly with regard to the roll-out of DAB digital radio.

I am a radio listener from Nottingham with no immediate professional connection to the radio industry. I have owned a DAB radio since summer 2002 in order to hear the sort of stations and formats already available in other parts of the country on FM and AM.

Nottingham has had a raw deal out of the allocation of analogue spectrum. We have a smaller choice of radio stations here not just than in larger cities like Birmingham and Manchester, but also similar sized cities like Wolverhampton and Coventry, and even far smaller towns like Loughborough and Doncaster.

Nevertheless, with Ofcom declaring FM full, and not willing to replan the band to fit in more stations, DAB can and should offer a great expansion of choice *for everyone*.

However, I am concerned that without more clarity and direction from Ofcom, the inequalities of local FM licencing, which have seemed to owe as much to quirks of geography rather than either by the wishes of the market, or the controlling hand of a regulator, could be repeated and indeed exacerbated by your plans for further DAB licences, and I hope that you will swiftly clarify that this will not be the case. I can also see how, if your proposals were implemented, you could actually decrease choice in stations and I trust you will ensure this cannot happen

8. Do you agree with our proposals to allocate more spectrum in VHF Band III for DAB-compatible use (subject to spectrum clearance and international agreement) in the following way:

- Three blocks to provide local multiplexes to those areas which currently do not have their own local multiplex and some areas which already have local multiplexes?*
- One or two blocks for national coverage (depending upon whether four or five blocks of spectrum are available in total)?*

Well, it all depends...

Firstly, your document doesn't make clear how you plan to parcel out the spectrum. I really hope you are not (but rather suspect you are) just intending to cover the current "white areas" with the three new spectrum blocks, rather than taking the opportunity to re-plan a coherent new local/regional structure using all 8 available frequency blocks (5 existing, 3 new, discounting the blocks assigned to national services), which would of course allow you to cover more people with more multiplexes. (And the technology of DAB would mean the listener would not even notice such a re-plan (listeners scroll to a station name, and don't ever need to know if their station is appearing via block 12A or 10D)).

You recommend "if local radio coverage in-fill is prioritised, further work on the use of specific frequency blocks in individual coverage areas to maximise efficient use of the available spectrum through an optimum frequency re-use plan" will be carried out.

I urge Ofcom to draw up a re-plan using *all 12 frequency blocks* "to maximise efficient use of the available spectrum through an optimum frequency re-use plan".

Secondly, you don't seem to have any clear policy goal regarding local multiplexes beyond the provision of one tier across the country. Yet already the difference in the allocation of a second local tier (the regionals) gives hugely different numbers of new formats and stations available to the listener in different areas of similar population, and a hugely different incentive to upgrade to DAB.

For instance, there is no regional East Midlands multiplex, despite there being two East Midlands FM licences based in Nottingham. As a result, the local Nottingham multiplex is full, with simulcasts of the three local or regional FM commercial stations, the sole local commercial AM station, BBC Radio Nottingham, and just *four* new "local" digital only programme services. Compare that with London (20 new local digital-only services); Leeds (12 new local services); Bath (12 new local services), or Middlesbrough (13 new local services, and by a glance at the map in Fig 83, with potential for at least one more local multiplex)

This not only means that a Nottingham listener (i.e. me) has no way of hearing specialist radio formats which may best serve my tastes and interests i.e. indie/alternative, black music, rolling news, jazz and soul, country music, world music, gay stations, and which may only be provided economically to the larger population that a regional licence brings; it also means that such stations are already established over large populated areas of the country with regional multiplexes and so are less likely to appear on your putative national multiplexes (Jazz Fm, for example, is less likely to appear on a future national multiplex, if it is already contracted to appear on several regional multiplexes that give it quasi-national coverage). Furthermore, your proposal to offer Wireless Telegraphy Act licences to future national multiplexes means there will be no regulatory barrier to quality or range or number of services on them.

Ofcom should therefore prioritise additional regional multiplexes where they do not already exist, particularly in areas where FM stations have been licenced at the regional level (i.e. east Midlands, East Anglia, Solent)

Thirdly, of course spectrum should be found to allow a tier of multiplexes carrying local programme services across the whole of the country. But there is no reason why these should so closely mirror the boundaries of existing ILR areas, when most of the content on such multiplexes is in no sense local, and where doing so would diminish the maximum amount of choice to the greatest amount of people.

Take Derby. Your proposals would give Derby its own multiplex which, in all likelihood would duplicate seven of the services of the neighbouring Nottingham multiplex, replacing BBC Derby for BBC Nottingham and Ram FM for Trent FM. That's fine except that providing that for Derby may well take away any chance of an East Midlands regional multiplex (I was alarmed to see in the report "Assessment of options for allocating available spectrum within VHF Band III and L-Band" the proposal that Derby, Lincoln and Northampton all have different frequency allocations which would prevent an E Mids multiplex.).

If this were the case (and in other areas of the country) I would hope Ofcom will seek the most flexible and imaginative solution to the problem. For example, a Derby multiplex could be replaced by a Derby/East Midlands multiplex, with reserved capacity for the two Derby stations, but with a coverage area that would take in Notts and Leicestershire too. Remaining capacity would allow an additional tier for Nottingham and Leicester whilst providing Derbyshire with a local multiplex for the first time. It is clear that the economics of digital radio, with up to fifty or sixty stations potentially available in certain marketplaces, will lead (as it does now) to local

multiplexes being filled with quasi-national stations. It would be wasteful and inequitable to pursue a slavish mirroring of analogue licence areas to provide local coverage of stations that cannot be considered local in any sense.

Ofcom should combine, overlap and otherwise break from the pattern of ILR coverage areas if it will provide more listeners with more distinct services.

9. Do you agree that the proposed local DAB digital radio multiplexes should be awarded as Broadcasting Act licences?

Yes.

10. Do you agree that the frequency blocks proposed to be allocated to national coverage should be awarded under the terms of the Wireless Telegraphy Act only (i.e. without the need for a Broadcasting Act licence)?

No.

Wireless Telegraphy Act licences may not best serve the public policy objectives you have identified.

You have published this consultation under the title “Radio – Preparing For the Future”. A Wireless Telegraphy Act licence would be under no compulsion to broadcast any sound broadcasting (radio) services at all, and could fill the multiplex with data services.

The outcome for radio listeners could conceivably be very few or even no new digital radio services on these multiplexes. Indeed a variety of subscription data services, perhaps serving a small number of specialist or professional uses could prove more profitable to the market, whilst depriving the general public of the public benefit of the spectrum.

Indeed, if Ofcom were to also allow greater data capacity on Broadcasting Act Multiplexes, then there could conceivably even be a diminution of current choice as stations were dropped to fit in data streams.

If the industry as a whole requests greater capacity for data services, then Ofcom should consider raising the percentage of capacity of multiplexes allotted to this, under the Broadcasting Act, and including the new national multiplexes, but with the aim of ensuring an increase in choice for the radio listener.