



Invitation of applications for community radio licences: SOUTHWEST ENGLAND AND SOUTH WALES

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Section 1

Introduction

1.1 Ofcom, in accordance with section 104(1) of the Broadcasting Act 1990 (as amended by the Communications Act 2003 and as modified by the Community Radio Order 2004), invites applications for licences to provide community radio services in localities within southwest England (defined as the counties of Cornwall, Devon, Somerset, Dorset, Wiltshire, Gloucestershire and Herefordshire, including the Unitary Authority areas of Plymouth, Torbay, Poole, Bournemouth, North Somerset, Bath and North East Somerset, City of Bristol, South Gloucestershire and Swindon) and south Wales (defined as all parts of Wales south of a line drawn between where Ceredigion borders Gwynedd and where Powys, Shropshire and Herefordshire meet). This part of the United Kingdom is shown as Area 1 on the map in Annex 4 to this notice. These licences are being offered for the provision of services on either the FM (VHF) waveband or the AM (medium wave) band, for a maximum period of five years from the commencement of broadcasting.

1.2 The closing-date for the receipt of completed applications will be **5.00 p.m. on Tuesday 7 November 2006**. A fee of £600 will be payable for each application submitted. This fee will not be refundable in any circumstances.

Section 2

Restricted areas

2.1 The Community Radio Order 2004 (SI 2004/1944) contains requirements aimed at ensuring that new community radio services do not prejudice unduly the economic viability of other local services. In this regard, two specific tiers of restrictions are included in the Order:

Areas where Ofcom cannot license community radio services

2.2 The Schedule to the Community Radio Order modifies Section 105 of the Broadcasting Act 1990, in relation to areas served by commercial radio stations with a measured coverage area containing an adult (aged 15+) population of 50,000 or fewer. It states that Ofcom may not license a community radio station in any such location if the measured coverage area of either the existing commercial radio service, or the proposed community radio service, overlaps by 50% or more in population terms with the measured coverage area of the other service. Details of the existing station measured coverage areas to which this restriction applies are contained in Annex 1 to this notice.

Areas where community radio services cannot generate on-air commercial revenues

2.3 The Schedule to the Community Radio Order further modifies Section 105 of the Broadcasting Act 1990, in relation to areas served by commercial radio stations with a measured coverage area containing an adult (aged 15+) population of between 50,001 and 150,000. It states that if the measured coverage area of either the commercial radio service or the community radio service overlaps by 50% or more in population terms with the measured coverage area of the other service, then Ofcom must include conditions in the community radio licence to prohibit on-air paid-for advertising or the sponsorship of programmes. Details of the existing areas affected by this restriction are contained in Annex 2 to this notice.

2.4 Applicants should note that the obligation to include conditions in community radio licences to prohibit on-air paid-for advertising and sponsorship of programmes is a continuing obligation. This means that even if there is no existing overlapping commercial radio station with an adult population in its measured coverage area of between 50,001 and 150,000 at the time a community radio service licence is awarded, the prohibition of on-air paid-for advertising and programme sponsorship would be triggered at a future date were such a commercial service to be licensed. Under the terms of the Community Radio Order, Ofcom has no discretion to disapply this rule. Details of the potential areas affected by this restriction are contained in Annex 3 to this notice. (It is possible, although unlikely, that other areas may be added to those listed in Annex 3.)

Frequency availability

2.5 In addition to the restrictions detailed above, applicants should note that Ofcom cannot guarantee the availability of suitable frequency resources to meet the needs of all applicant groups. This being the case, prospective community radio operators should note that applications are made entirely at their own risk.

Section 3

Guidelines and procedures for submission of applications

3.1 The application form, notes of guidance for applicants, and other supporting documentation, may be obtained from the Ofcom website at: http://www.ofcom.org.uk/radio/ifi/rbl/commun_radio/, or on written request from communityradio@ofcom.org.uk or Community Radio Licensing, 5th Floor, Ofcom, Riverside House, 2a Southwark Bridge Road, London SE1 9HA.

3.2 At least one typed copy of an application should be submitted.

3.3 One electronic or paper copy of an application must be received by Ofcom no later than the closing-date specified in Section 1 of this Notice. Applications received after this time will not normally be accepted. All applications will be acknowledged upon receipt (by email or written receipt). Paper copies of applications, together with any supporting documentation, must be sent to the address given in 3.1 above. If e-mail is the chosen method of submission, the application must be sent to communityradio@ofcom.org.uk. Applicants should be aware, however, that e-mails are not an instantaneous means of communication, especially when they have large attachments. Applicants are therefore strongly advised to submit e-mail applications at least 48 hours in advance of the closing-date, so that urgent steps can be taken by the applicant if no acknowledgement from Ofcom is received.

3.4 Payment of the application fee must also be received (i.e. the funds must be present in the Ofcom bank account) by the closing-date specified in Section 1 of this Notice. Applicants may submit their payment by any of the following methods:

- a) Payment by BACS into the Ofcom bank account (sort code: 30-97-90, account number: 00740372, account name: Ofcom). Please note that any payments made using this method will take at least three working days to reach the Ofcom account. In the mandate reference field of your payment, please write 'CR' followed by the applicant's company name or proposed station name.
- b) Payment by CHAPS into the Ofcom bank account (details as above). Please note that although this is a 'same day' payment method, applicants intending to submit their payment on the closing-date itself should confirm with their bank the deadline for ensuring that it is received by Ofcom on that date. In the mandate reference field of your payment, please write 'CR' followed by the applicant's company name or proposed station name.
- c) Payment by cheque. Cheques must be made payable to 'Ofcom', and posted to the address given in 3.1 above. If an applicant wishes to submit a cheque without an accompanying paper copy of the application, the cheque must be accompanied by a note detailing the applicant's company name or proposed station name.

3.5 Failure to comply with any of the above guidelines is likely to result in the disqualification of the application.

Annex 1

Existing local services with a measured coverage area which contains a population of 50,000 adults (aged 15+) or fewer

- | | | |
|-----|------------------|-------------------------------|
| 01) | Andover FM (*) | (Andover 106.4 FM) |
| 02) | Bridgwater FM | (Quay 107.4 FM Sedgemoor) |
| 03) | Warminster FM | (107.5 3TR FM) |
| 04) | West Somerset FM | (Quay 102.4 FM West Somerset) |
- (*) = Estimated population coverage

Annex 2

Existing local services with a measured coverage area which contains a population of between 50,001 and 150,000 adults (aged 15+)

01)	Barnstaple FM	(Lantern FM)
02)	Bath FM	(Bath FM)
03)	Bridgend FM	(Bridge FM)
04)	Ceredigion FM	(Radio Ceredigion)
05)	Cheltenham FM	(Star 107.5)
06)	Ludlow AM	(Sunshine 855)
07)	Montgomeryshire AM	(Radio Maldwyn)
08)	Pembrokeshire FM	(Radio Pembrokeshire)
09)	Salisbury FM	(Spire FM)
10)	Shaftesbury FM	(97.4 Vale FM)
11)	South Hams FM	(South Hams Radio)
12)	Swindon	(Brunel FM)
13)	Weston-Super-Mare FM	(Star 107.7 FM)
14)	Weymouth & Dorchester FM	(Wessex FM)
15)	Yeovil FM	(Ivel FM)

(*) = Estimated population coverage

Annex 3

Planned local services with a predicted coverage area which contains an estimated population of between 50,001 and 150,000 adults (aged 15+)

- 01) Exeter FM (*) (To be confirmed)
 - 02) Herefordshire and Monmouthshire FM (*) (To be confirmed)
- (*) = Estimated population coverage

