

Small-scale radio multiplex licence

Application form – Part A (public)

Name of applicant (i.e. the body corporate that will hold the licence):

Alternative Broadcast Company

Multiplex licence area being applied for (note this must be a small-scale multiplex area <u>currently</u> <u>being advertised</u> by Ofcom):

Stoke-on-Trent and Newcastle-under-Lyme

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1. Overview

The purpose of this form

- 1.1 You should complete this form if you are applying for a licence to provide a small-scale radio multiplex service (a 'small-scale radio multiplex licence'). A small-scale radio multiplex service is the means by which DAB digital radio stations ('digital sound programme services') are broadcast, and can transmit around ten stereo digital sound programme services (or a significantly higher number if the DAB+ standard is utilised). The application form is divided into two parts Part A (which we will publish on our website) and Part B (which will be kept confidential). This document constitutes Part A; Part B of the application form is available <u>here</u>.
- Small-scale radio multiplex licences are awarded by Ofcom in a competitive process.
 Applications are judged against specified criteria, and Ofcom awards the licence to the applicant which it considers best meets the criteria.

How to complete the form

- 1.3 There are detailed instructions on how to complete this form, and information on the next steps in the application process, in our <u>guidance notes</u> for licence applicants and licensees. Please read this guidance and the frequently asked questions carefully before completing this form.
- 1.4 If you still have a query having read the guidance and FAQ, you can contact Ofcom's Broadcast Licensing team by email (<u>broadcast.licensing@ofcom.org.uk</u>). The team cannot provide advice or pre-approve applications, but can answer general questions.
- 1.5 Please download this form and fill it in on a computer. If completing by hand, please use block capitals and black ink.
- 1.6 Please answer all the questions as fully as possible, use extra sheets if required and provide the supporting documentation listed at Section 7 of Part B of the application form. Sufficient information must be supplied about the applicant and the proposed service to enable Ofcom to consider the application in accordance with the statutory criteria for the granting of small-scale radio multiplex licences. Ofcom may need to request further details from you before a licence can be granted.
- **1.7** Of com reserves the right to reject applications made using an old version of the form.
- 1.8 Of com will accept handwritten application forms but they must be filled in using block capitals and black ink.
- **1.9** Of com reserves the right to reject application forms that are illegible.
- 1.10 You must answer all questions in the application form and respond "N/A" to any questions that do not apply to the applicant.
- 1.11 Of com reserves the right to reject applications which do not meet the following criteria:

- a) The declarations in Section 6 of this form and in Section 8 of Part B of the application form must both be signed and dated.
- b) The person who signs and makes the declaration on behalf of the applicant must be:
 - i) A director of the company or the company secretary where the applicant is a company.
 - ii) A designated member where the applicant is a Limited Liability Partnership.
- c) All supporting documents as requested in the checklist at Section 7 of Part B of the application form must be supplied in legible form and translated into English where applicable.
- 1.12 If you are completing the form as an agent, i.e. you are acting on the applicant's behalf, please note that you cannot sign it on your client's behalf, and that the person signing the form needs to have personally checked the truth and completeness of the responses given. If your client wishes you to be Ofcom's main contact in relation to the application, please make this clear in an accompanying letter, and provide evidence of your authority to act on behalf of the applicant. The form should be filled in so as to include information about the applicant, not the agent. If Ofcom has further questions once the application has been submitted, we will direct these to the applicant, not to the agent, but we will accept responses from the agent.

How to submit the form

- 1.13 We prefer application forms and required supporting documents to be submitted by email to <u>broadcast.licensing@ofcom.org.uk</u>. Handwritten applications and required supporting documents should be scanned and attached to the email.
- 1.14 You should receive an auto-response from <u>broadcast.licensing@ofcom.org.uk</u> confirming that your application has been received by Ofcom. If you do not receive a response, it is likely your application has not been received and you should contact Ofcom's Contact Centre on 0300 123 3333 and ask for the Broadcast Licensing team who will be able to confirm if your application was received.
- 1.15 If the applicant cannot submit the application form and/or the supporting documentation by email, the applicant may submit the application and/or the supporting documentation by post to:

Ofcom Broadcast Licensing Riverside House 2a Southwark Bridge Road London SE1 9HA

1.16 Those applicants who submit their application by post will be sent an acknowledgement.

Application fee

- 1.17 A non-refundable application fee of £500 is payable either by cheque made out to 'Ofcom' or by bank transfer.
- 1.18 Applications will not be assessed until the application fee has been received in Ofcom's bank account.
- 1.19 Of com requests that applicants pay the application fee by bank transfer and that immediately after the applicant has instructed their bank to make the payment, confirmation of payment is emailed to <u>ofcom.remittances@ofcom.org.uk</u>.
- 1.20 To ensure that Ofcom can identify the payment, it must include a payment reference which is the applicant's postcode followed by the applicant's name (or as much of the name as is possible to provide within the character limit set by the bank) as provided in response to question 3.1 of this application.
- 1.21 The bank details to be used to pay the application fee are:

Account Name: Office of Communications

Bank details: Lloyds Bank, 69-73 Borough High Street, London SE1 1NQ

Account number: 00782415

Sort code: 30-97-90

BIC: LOYDGB21351 IBAN: GB05 LOYD 3097 9000 7824 15 SWIFT: LOYD GB 2L

- 1.22 If the applicant is unable to make the payment by bank transfer, a cheque should be made out to 'Ofcom' and sent in the post to Ofcom Broadcast Licensing team, Riverside House, 2a Southwark Bridge Road, London SE1 9HA. You must state the name of the applicant as provided in response to question 3.2 and proposed service name on the back of the cheque.
- 1.23 If an applicant is paying the application fee by cheque, the cheque must be received within five days of the application being received by Ofcom or the application may be rejected. If an applicant's cheque bounces, the application may be rejected.

Supporting documentation

- 1.24 You must provide a range of supporting documentation when submitting this application form. Please refer to the checklist at Section 7 of Part B of the application form for full details. Please note that failure to supply the necessary documents will delay your application.
- **1.25** Of com reserves the right to reject applications with which the necessary documents are not supplied in legible form.

1.26 Please note that Ofcom cannot receive emails larger than 35MB. If your application email exceeds this limit, please send your supporting documents in a separate email(s), clearly indicating the applicant's name in the subject line of the email.

Provision of information

- 1.27 Of com requires complete and accurate information to assess applications. In particular, we must be satisfied that those applying for a licence are 'fit and proper' to hold a licence and are not disqualified from participation in a licence.
- 1.28 It is an offence under the Broadcasting Act 1996 (as amended) to provide false information or withhold relevant information during the application process, and may be grounds for revocation of a licence subsequently granted.

Publication of applications

- 1.29 Part A of the application form (i.e. this document) will be published by Ofcom on our website as soon as practicable following the closing-date for applications. Because this is the 'public' part of the application form, and Ofcom is legally required to publish applications for public comments, <u>no questions should be answered by means of the submission of a confidential annex</u>. If, for logistical reasons, an annex is required to answer a question in Part A of the form, this will be published on our website alongside Part A of the application form. Part B of the application form will remain confidential.
- 1.30 Of com may take into account any comments received from the public, which can be made to it with respect to Part A of the application submitted.
- 1.31 In submitting Part A of the application, you agree that Ofcom may publish contact details for the licensee, which may include personal data, on the Ofcom website and/or in other relevant publications.
- 1.32 When a licence is granted, the name of the service and public contact details for the licensee will be published on the Ofcom website. These are the details supplied by the applicant in the application form. If you have any questions about the information that we publish, or there are any changes to this information, you should contact the Broadcast Licensing team by email (broadcast.licensing@ofcom.org.uk).
- 1.33 Of com considers issued small-scale radio multiplex licences to be public documents and copies of licences will be made available to third parties on request, noting that personal data apart from the name of the licensee may be redacted.

Data protection

1.34 We require the information requested in this form in order to carry out our licensing duties under the Broadcasting Act 1990, Broadcasting Act 1996 and Communications Act 2003.
 Please see Ofcom's General Privacy Statement <u>www.ofcom.org.uk/about-ofcom/foi-</u>

<u>dp/general-privacy-statement</u> for further information about how Ofcom handles your personal information and your corresponding rights.

Keeping up to date with broadcasting matters

- 1.35 We strongly recommend that you sign up to receive Ofcom's regular email updates on broadcasting matters including notification when the Broadcast Bulletin is published.
- 1.36 Ofcom publishes a <u>monthly radio licensing update</u> which lists new services licensed, licences revoked, licence transfers, and changes to licensed services during the past month.
- 1.37 To sign up to receive these communications, please visit <u>https://www.ofcom.org.uk/about-ofcom/latest/email-updates</u> and select 'Broadcasting'.

2. Extent of proposed coverage area

About this section

Under section 51(2)(a) of the 1996 Act, we are required to consider the extent of the coverage area an applicant proposes to achieve within the area which has been advertised. This section therefore asks you to describe the coverage you are proposing to achieve. Further questions on the detailed technical arrangements for the proposed service, including questions on the transmission site(s) that you intend to use and your plans for how the multiplexing and distribution of your service will be arranged are contained in Part B of the application form.

Before completing this section of the form, you should read carefully the notes on 'Extent of proposed coverage area' in Section 4 of Ofcom's <u>Guidance notes for licence applicants and licensees</u>.

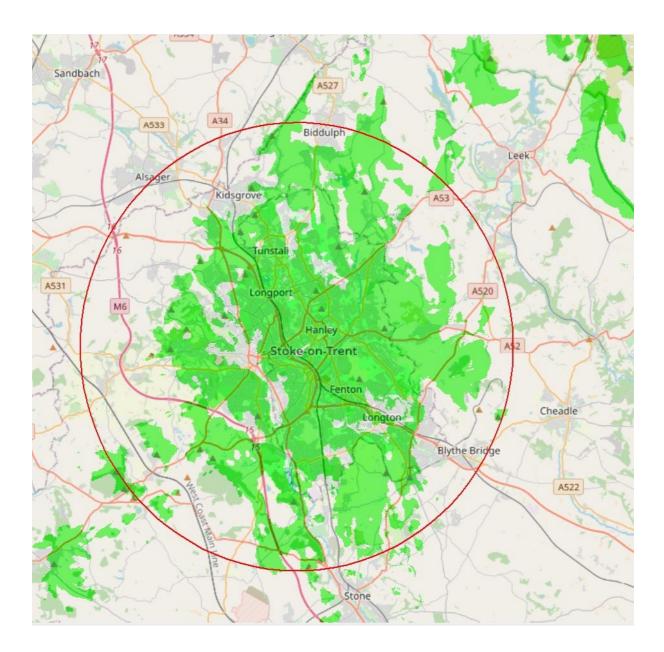
Applicants should note there are confidential questions relating to extent of coverage area in Part B of the application form.

2.1 Provide a summary, fully consistent with the more detailed information about transmission sites supplied separately in Part B, of the coverage area proposed to be achieved by your technical plan. This should include a description of the target area you are seeking to serve within the advertised licence area, and also any areas you are aiming to serve outside the advertised licence area for this small-scale radio multiplex service. (You may refer to your coverage prediction in the response you provide):

The Stoke-on-Trent and Newcastle-under-Lyme polygon area is predicted to cover 90% of the population by a single site transmitter, serving a population of over 273,700 adults.

2.2	Provide summary details of the sites required to achieve this coverage by completing the
	table below (add additional rows as required):

Site Name	NGR	Antenna height (m agl)	Antenna type proposed with bearing	New or existing antenna	ERP (W)
Seddon Court	SJ 88817 47673	42 metres	Omni	New	100



Please provide a coverage prediction map for the whole transmitter network you are proposing to build within 18 months if you are awarded a licence. The map should show the 63 dBµV/m field strength and the advertised small-scale DAB licence area contour.
 Small-scale DAB licence areas in GIS format are available on the Ofcom website.

Map of Proposed > 63 dBµV/m DAB Coverage – Stoke-on-Trent and Newcastle-under-Lyme Polygon

2.4 Please provide the following details of the prediction software used for your coverage assessments:

Provide the name and version of the	Radio Mobile V11.6.6
prediction tool used.	

Detail the terrain model used by the software and its resolution.	SRTM Resolution: 0.3-3 Arc-seconds
Detail the ground cover (clutter) data	ESA GlobCover
used by the software and its resolution.	Resolution: 1/360°
What propagation algorithm has been	Irregular Terrain Model (ITM) – a variant of
used?	Longley-Rice
Where multiple sites are proposed,	N/A (Single Site)
describe what methodology has been used to assess the network (SFN) gain	
If these predictions have not used	Population data used in this application has
Ofcom-provided population data, state what population data has been	been based on ONS 2011 figures.
used and its source.	
Have your predictions been generated	No.
by a commercial organisation? If so,	Prediction map produced by Director and
by whom?	Technical Contact, Peter Leach, who has had 42
	years' experience in the radio engineering.

3. Ability to establish the proposed service

About this section

In Section 3, we are asking questions about the applicant company, its financial and business plan, the relevant expertise and experience of those who will be involved in providing the small-scale radio multiplex service, and the timetable for coverage roll-out. The answers to these questions will enable Ofcom to assess the application under section 51(2)(c) of the 1996 Act. Additional information is requested in Part B of the application form.

In the first part of this section we are asking for details of the applicant's officers (directors or, in the case of LLPs, designated members), its shareholders and participants. Where applicable, we are also asking for details of the officers of the applicant's parent and associated companies or LLPs etc.

If any of the individuals named in your responses are known by more than one name/version of their name, all names must be provided.

Certain persons are disqualified from holding a small-scale radio multiplex licence. This section asks the questions which enable us to consider this for those types of disqualification which apply specifically to bodies corporate. It also asks questions which are relevant to our assessment of the applicant's fitness and properness to hold a small-scale radio multiplex licence.

The response boxes and tables should be expanded or repeated where necessary, or provided in a separate annex.

'Officerships' in this section refers to: directorships of bodies corporate, designated memberships of LLPs, or membership of a governing body of an unincorporated association (including partnerships).

The remaining questions in Section 3 relate to the applicant's financial and business plan, the expertise and experience of those involved, and the planned timetable for launching the proposed multiplex service.

Applicants should note there are confidential questions relating to extent of coverage area in Part B of the application form.

Applicant's details

3.1 Name of applicant (i.e. the body corporate that will hold the licence):

Alternative Broadcast Company

3.2 Company registration number stated on Companies House (if applicable):

10369182

3.3 For UK registered companies, the address of the applicant's registered office stated on Companies House. For non-UK registered companies, the principal office address:

31 Chamberlain Avenue, Stoke-on-Trent, United Kingdom, ST4 5EN.

3.4 If a UK registered company, is the **current** Memorandum and Articles of Association document available on the Companies House website?

Yes/No (delete as appropriate)

If no, please submit the up to date document and indicate you have done so in the checklist in Section 7 of Part B of the application form.

Our Memorandum and Articles of Association were updated on 13th August 2021 but were only approved by Companies House today (1st September) due to pandemic related delays at Companies House. They should be available shortly from their website but we have included them with this application, in case there of further delays at Companies House.

Ownership and control of company which will hold the licence

Details of officers

3.5 Please complete the following table, expanding it if necessary, to provide the following details for each director or designated member of the applicant (i.e. the body corporate that will hold the licence):

Full name of individual	Correspondence address ¹	Country of residence	Other officerships held (and nature of the business concerned)	Other employment
Steven Mark Perry	31 Chamberlain Avenue, Stoke- on-Trent, ST4 5EN	UK	Director/Trustee, Access Christian Media (Reg, Company No. 06403660.) Media Charity. Director, Second Look Stoke, (Reg, Company No. 09019461.) Non- Profit Community Development Organisation	Self Employed Media Consultant
Peter Leach	31 Chamberlain Avenue, Stoke-	UK	None	Engineer: Simoco

¹ This should be the same address as is held and published by Companies House.

	on-Trent, ST4 5EN			Wireless Solutions Ltd.
Leigh Preece	31 Chamberlain Avenue, Stoke- on-Trent, ST4 5EN	UK	None	Senior Science Technician, Ormiston Horizon Academy
Stephen Kenyon	31 Chamberlain Avenue, Stoke- on-Trent, ST4 5EN	UK	EBean Ltd. (Reg, Company No. 09328458) Manufacturer and E- Commerce Company.	Nursing Service Manager, BD. (Becton, Dickinson and Company.)

Details of participants

3.6 Complete the table overleaf, expanding it if necessary, to list all bodies or individuals which hold or are beneficially entitled to shares, or who possess voting powers, in the applicant (i.e. the "participants"). If you are unable to provide a complete answer to this question in relation to beneficial owners, please state whether you have any reason to suspect the existence of any beneficial owners.

(If parts of this question are not applicable to the applicant – for example, because the applicant does not have shareholders – please respond "N/A" in the relevant parts of the table.)

Full name of participant	Number of	Total	Total	% of voting
(existing and proposed)	shares	investment	investment	rights
		(£s)	(%)	
Steven Mark Perry	N/A	N/A	N/A	7.92
Leigh Preece	N/A	N/A	N/A	7.92
Stephen Kenyon	N/A	N/A	N/A	7.92
Peter Leach	N/A	N/A	N/A	7.92
Access Christian Media	N/A	N/A	N/A	7.92
Ay Up Duck Media Ltd.	N/A	N/A	N/A	7.92
Beaver Arts Limited	N/A	N/A	N/A	7.92
Blue Sky Radio Ltd.	N/A	N/A	N/A	7.92

Churnetsoundradio Community Interest Company	N/A	N/A	N/A	7.92
Cross Rhythms	N/A	N/A	N/A	5%
Potteries Media CIC	N/A	1	N/A	7.92
Rainbow FM	N/A	1	N/A	7.92
Staffordshire University	N/A	1	N/A	7.92
Commonts				

Comments

As a Non-profit Company (Limited by Guarantee) the applicant has 'members' rather than 'shareholders'. We will involve all the proposed C-DSP license holders named in this application as members and therefore "participants" in the company. The members will have the right to call General meetings, propose resolutions to Appoint/Remove Directors and exercise their "Reserve Power" to instruct the Directorate on particular issues, in accordance with the provisions in our Articles of Association.

The above company structure consists of three separate classes of membership which are detailed in our Articles of Association.

The first four 'participants are individual members (Ordinary Class). They act as the core structure to the company and are functioning as the initial Directors of the organisation. Each have offered key areas of expertise during the pre-application phase and will continue to do this post award should we be awarded the license.

The remaining participants are the 'founder' Radio Stations who will be operating C-DSP licenses on the Multiplex, should the licence be awarded. These members are part of the 'Station Partner' Class.

The one exception to this is "Cross Rhythms" which only has a 5% vote share. (Associate Station Member Class.) The reason for this is that it is likely that "Cross Rhythms" would be viewed as a "religious" body by Ofcom and would therefore be subject to the relevant restrictions on ownership as detailed in Ofcom's guidance. Nevertheless, as an existing local FM Community Radio license-holder, we felt that it was important to involve Cross Rhythms in whatever way we could as a member. Consequently, we have included them in the list of participants. Our understanding of the guidance is that this is permissible, providing the level of voting rights remains at 5% or below. (The remaining voting rights have been divided equally between the other members at approx 7.92%). However, should Ofcom's interpretation be different, the applicant can proceed with Cross Rhythms as a non-voting member of the company.

One further point that needs to be noted here is that we do not believe that Ofcom would view Access Christian Media as an organisation whose objects are "wholly or mainly religious" as detailed in the relevant guidance. Consequently, we have included them in the same membership class as the other stations with equivalent voting rights.

However, should Ofcom take a different view, it will be possible to restrict the voting rights of Access Christian Media and Steven Perry (who is a Director of Access Christian Media) in the same way as with the example of Cross Rhythms above (i.e. 5% or less) and for the voting rights of the remaining members to be adjusted accordingly.

Details of relationships of control

3.7 Complete the following table, expanding it if necessary, to list any bodies corporate which are controlled <u>by</u> the applicant, any director of the applicant, any person/body corporate with control over the applicant, or any body corporate controlled by a person/body corporate controlling the applicant. Please include bodies corporate under joint control – i.e. which are controlled acting together in concert with third parties (e.g. because of a shareholder's agreement):

Full name of body	Address	Person/body controlling the
corporate		entity (i.e. the applicant itself
		or its associate)
N/A		

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Details of persons who control the applicant

3.8 Complete the table overleaf, expanding it if necessary, <u>to list all persons/bodies corporate</u> who control the applicant, or control any person/body corporate with control over the applicant. Please include persons or bodies that control the applicant (or body corporate with control over the applicant) jointly i.e. acting together in concert with third parties (e.g. because of a shareholder's agreement). Please note that some of this information may repeat information provided above on shareholders and other participants in the applicant:

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Full name of	Address	Person/body
person/body		controlled by the
corporate		entity (i.e. the
		applicant itself or its
		associate)
N/A		

3.9 Complete the following table, expanding it if necessary, to list other bodies in which any individual listed in response to question 3.8 is a director or designated member:

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Full name of individual	Name of body in which individual is a director or designated member
N/A	

3.10 Complete the following table, expanding it if necessary, to list all bodies corporate which are controlled (including jointly controlled) by any body corporate listed in response to question 3.8:

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Full name of body corporate listed in 3.8	Body corporate controlled
N/A	

3.11 In relation to each body corporate identified in response to question 3.8, complete the table overleaf, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, in the body corporate concerned (i.e. "participants"). You may, but are not required to, exclude from this table any bodies listed in response to question 3.8. If you are unable to provide a complete answer to this question in relation to beneficial owners, please state whether you have any reason to suspect the existence of any beneficial owners.

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Name of body corporate				
identified in response to				
question 3.8				
Full name of participant	Number of	Total	Total	% of voting
	shares	investment	investment	rights
		(£s)	(%)	
N/A				
Comments				

Involvement of the applicant in specified activities

3.12 Please state below whether the applicant, or any individual or body corporate identified in questions 3.5 to 3.11 is, or is involved in, any of the below, and the extent of that interest.

Activity/involvement	Yes or No	Please state who is involved; the name of the body/individual/agency they are involved with; and the extent of their involvement
A local authority		
A body whose objects are wholly or mainly of a political nature, or which is affiliated to such a body		
A body whose objects are wholly or mainly of a religious nature; ²	Yes	We believe that Cross Rhythms may be viewed as a Religious Body by Ofcom. However, as their voting rights are not above 5% this is within the limits set by Ofcom's guidance. (See answer to Q3.6 above)
An individual who is an officer of a body falling within (b) or (c);		

² Please refer to Sections 3 to 5 of Ofcom's religious guidance note at:

https://www.ofcom.org.uk/ data/assets/pdf file/0028/88219/Guidance-for-religious-bodies.pdf for details on how we determine the eligibility of religious bodies to hold certain broadcasting licences.

A body corporate which is an		
associate (as defined in		
paragraphs 1(1) and 1(1A) of		
Part I of Schedule 2 to the		
Broadcasting Act 1990) of a		
body falling within (b) or (c);		
An advertising agency or an		
associate of an advertising		
agency		

Details of applications, licences and sanctions

3.13 Please answer 'yes' or 'no' to the following questions about the applicant (i.e. the body corporate that will hold the licence):

(a) Is the applicant a current licensee of Ofcom?

Yes / No (delete as appropriate).

(b) Has the applicant ever held an Ofcom broadcasting licence before?

Yes / No (delete as appropriate).

(c) Has anyone involved in the proposed service held an Ofcom broadcasting licence or been involved in an Ofcom-licensed broadcast service before?

Yes / No (delete as appropriate).

(d) Does the applicant control an existing Ofcom licensee?

Yes / No (delete as appropriate).

(e) Is the applicant controlled by an existing licensee or by any person who is connected (within the meaning of Schedule 2 to the Broadcasting Act 1990) with an existing licensee (i.e. as a "participant")?

Yes / No (delete as appropriate).

(f) Has the applicant – or any person(s) controlling the applicant - made any other application to Ofcom (or its predecessor broadcast regulators – the Independent Television Commission and the Radio Authority) for any licence which has since been surrendered by the licensee or revoked by Ofcom (or one of its predecessor regulators)?

Yes / No (delete as appropriate).

(g) Has the applicant – or any person(s) controlling the applicant - made any other application to Ofcom (or its predecessor broadcast regulators – the Independent Television Commission and the Radio Authority) for any licence which has since been surrendered by the licensee or revoked by Ofcom (or one of its predecessor regulators)?

Yes / No (delete as appropriate).

(h) Is the applicant – or any person(s) controlling the applicant – subject to any current or pending investigation by any statutory regulatory or government body in the United Kingdom or abroad in respect of any broadcast-related matter?

Yes / No (delete as appropriate).

(i) Has the applicant – or any person(s) controlling the applicant – ever been subject to a statutory sanction for contravening a condition of a broadcasting licence in the UK or any other jurisdiction?

Yes / No (delete as appropriate).

3.14 If the response to any of the questions (a) to (i) in 3.14 above is 'yes', please provide the details, expanding the table where necessary:

	Licence number(s) (if known)	Details
(a)	Not known	Potteries Media CIC has held Restricted Service Licences on previous occasions.
(b)	Not known	Staffordshire University has held Restricted Service Licences on previous occasions. (Cre8 Radio)
(c)	CR000003BA/2	Cross Rhythms currently holds this Community FM Licence. Steven Perry (who was an employee of Cross Rhythms at the time) was involved in the initial FM Pilot Application and the subsequent Full FM Community Licence Application in 2005, which is still held by Cross Rhythms. Peter Leach has also been employed as a contractor for Cross Rhythms
(d)	DSP Licence (Number not known.)	Stephen Kenyon, Peter Leach and Steven Perry have all previously been contractors/employees of United Christian Broadcasters who has been a DSP licence holder for a number of years.
(e)	CR000155BA/3 and related DSP Licence.	Both Peter Leach and Steven Perry have acted as contractors for Community Station "Flame Radio" (Wirral Christian Media Limited.)
(f)	CR000161BA/3	Leigh Preece has previously been part of the team at Moorlands Radio Ltd, Leek as a presenter and technical support.

(g)	CR100399BA/2	Leigh Preece has previously been part of the team at The Hitmix Radio Ltd, Newcastle-under-Lyme, as a presenter and technical support.
(h)	AL000079BA/7	Stephen Kenyon has previously worked on the presentation team for this licence under it's "Piccadilly Radio" branding.
(i)		

3.15 Please provide any further information you hold, relating to the past conduct of the applicant or those individuals listed, in regulatory matters or in matters going to honesty and/or compliance, which may be relevant to Ofcom's consideration of whether or not the applicant is fit and proper to hold a broadcast licence. If the applicant or the form signatory fails without reasonable excuse at this point to declare any matter of which Ofcom subsequently becomes aware, and which we consider to be relevant to the applicant's eligibility to hold a licence, we will take it into account in determining the question of whether the applicant/licensee remains fit and proper to hold a licence.

If you have no information to provide, please respond "N/A".

Whilst this information does not apply to "Past conduct" as such, this seems to be the most appropriate place on the form to include this information.

Steven Perry is both a Director of the Applicant and a Director of Access Christian Media (Registered Company 06403660). As stated above in the answer to question 3.6, we do not believe that Ofcom would view Access Christian Media as an Organisation "whose objects are wholly or mainly of a religious nature" as set out in Q3.12 and the relevant Ofcom guidance. Therefore, the matter of Steven Perry being a Director of both organisations should not be a cause for concern. Nevertheless, should Ofcom have a different opinion, it will be possible for the application to proceed without Steven Perry as a Director i.e. with just with three remaining Directors in place.

In that scenario, should the licence application be successful, Steve will still be involved in the implementation of the licence, but will be involved only as a contractor under the supervision of the remaining Directors.

3.16 Has the applicant – or any person(s) controlling the applicant – ever been convicted of an unlicensed broadcasting offence?

Yes / No (delete as appropriate).

If yes, please provide the following details:

Full name	Date of conviction/action (dd/mm/yy)	Penalty

Financial and business plan

3.17 Please provide a high-level estimate of the costs you believe will be required to establish the multiplex service.

Capital Expenditure	Amount
Equipment	£11880
Installation	£4240
Operation Expenditure	Amount (Annual)
Transmitter Site Rental	£4000
Electricity	£2400
Broadband	£600
Operational Management	£3000
Multiplex Management	£2880
Ofcom Fee	£500
Maintenance	£3000
Accounts	£500

As indicated below, a total of up to £76,400 will be available during the initial phases of the project. This includes a £20,000 donation to cover the purchase of equipment, installation and a small contingency. The remainder of this funding will come from client stations who have agreed to pay their fees annually, in advance of the project commencing. Almost all of the stations who have signed 'Heads Of Terms' agreements have indicated their intention to pay annually, in advance.

Whilst the various stations have all expressed a desire to start as soon as possible, as with any funding, we are aware that circumstances of 'investors' sometimes change. Bearing this in mind, in our business plan, we have been conservative in our prediction of the timing and availability of advance fees. Nevertheless, even with

this taken into account, our financial forecast for the project remain robust. More detail are provided in our 3 year cash-flow projection included in Confidential Annex A 3-17 which is supplied as a separate attachment.

- 3.18 Please indicate how the costs outlined in 3.17 (above) will be met, under the following headings:
 - a) Share capital
 - b) Loan stock
 - c) Leasing/HP facilities (capital value)
 - d) Bank overdraft
 - e) Grants and donations

A donation of £20,000 has been made to the start-up costs of the project.

f) Other (please specify)

Various stations have indicated in their signed "Heads Of Terms" documents that they will pay for their first year's fees in advance. This adds a total of £56,400 funds that are potentially available to the project during the launch period.

3.19 Expanding the table if necessary, please list the providers of the funding which will be used to establish the service, and the amount of funding that each will provide. For incorporated investing shareholders, please provide a copy of the most recent statutory accounts if they are not currently available on Companies House.

Name of shareholder or	Percentage of shares held (if	Amount of funding
investor	applicable)	provided (£)
Peter Leach	N/A (Donation.)	£20,000
Various Client Stations	N/A (Advance Fees)	£56,400

3.20 All of the funding identified above should be confirmed. If any funding has not been confirmed, or if there are any pre-conditions before the funding is released which have not yet been met, provide an explanation of what needs to be done, the dates by which it needs to be carried out, and any steps the applicant needs to take to ensure the funding is confirmed and/or released.

The proportion of the funding based on advanced fees from Client Stations is dependent on Stations obtaining the appropriate C-DSP or DSP licences in order for the stations to be allowed to broadcast. However, a number of the stations involved (4) already have DSP licences. As indicated in the timetable in 3.23 below, there will be significant time for the remaining stations to apply for licences before the funding is required.

Relevant expertise and experience

3.21 Please provide details of who will be responsible for the day-to-day general management of the multiplex service (for example, dealing with programme service providers and contractual matters). Please also briefly state their previous relevant experience. (Note that any individuals or contractors who cannot be identified at this stage can instead be included in the confidential section (Part B) of the application form.)

Steven Perry – Project Manager

Steve has been overseeing the application process and will remain responsible for the overall management of the company should we be awarded the licence. Steve will provide project management support to launch on a pro bono basis and then take responsibility for the operational management from then onwards.

Key Roles In Day To Day Management of the Company:-

Responsible for the day to day running of the company

- Installation and management of the multiplex
- Dealing with service providers and contractual matters.
- Finances and administration.
- Ensuring regulatory compliance with Ofcom.
- Liaising with relevant bodies such as the local authority, non-profits and charities, businesses etc who may have an interest in the project.
- Connecting with press/marketing and publicity.
- Networking with other relevant groups around the UK to ensure best practice.

Relevant Experience:-

Steve has extensive experience in non-profit media including several years at United Christian Broadcasters, as a Programme Controller of one of their digital radio channels. Steve went on to manage and launch the UK's first full-time community radio station, Cross Rhythms, in 2002. More recently, Steve has founded the on-line radio station accessradio.biz and acts as a consultant advising stations around the UK and the world on programming, technology and corporate structure. Other areas of experience include being a Director of the 'Hope Centre' project in Stoke-on-Trent between 2001-2005 which involved the build and launch of a £1.4 million community centre. More recently, as a director of Access Media, Steve oversaw the financial management of the annual 'London Road Festival' in Stoke (annual budget of around £80k) and successfully delivered various smaller community projects (between £20-30k).

He's lived in North Staffordshire for pretty much all his life and so has a deep understanding of the area, with particular experience in the community/local media network.

Steve will be assisted and supported by the other Directors who have a wealth of experience to assist the management of the project. Their roles/experience are detailed below.

Leigh Preece - Networking and Client Liaison

- Working with existing and new clients to ensure good communication

- Conveying information between the clients and the management

- Devising and exploring possibilities for new projects and collaboration between the various client groups.

Leigh has been an established figure in the North Staffordshire radio scene both in commercial and community radio. He's worked alongside many of the different groups both in a technical capacity and also as a presenter/programme provider. As a Amateur radio enthusiast he will also provide invaluable technical advice on many areas of transmission and studio technology.

Peter Leach – Technical and Engineering:-

Key Roles In Day To Day Management of the Company:-

- Planning the technical aspects of the multiplex
- Overseeing the installation process
- Liaising with site owners
- Monitoring the technical performance
- Advising on maintenance/ remedial work

Relevant Experience:-

Peter Leach is a radio and television engineer with 33 years experience including roles at Band Three Radio, Marconi, Ram Three Data, Simoco and United Christian Broadcasters.

Since obtaining the City and Guilds 244 Diploma in Radio and TV technology Peter has obtained numerous industry based qualifications including training in Aerial Combiner Systems, Digital Radio, and Multiplexed Bandwidth Manager systems. Peter has a huge amount of experience in Broadcast Radio Transmission in a wide variety of formats including high powered AM, FM and Digital Radio and has advised groups on a consultancy basis across the UK and around the world.

More of Peter's experience is detailed in 3.22 below.

Stephen Kenyon - Programming and Content:-

- Monitoring the programming content of the multiplex and advising of types of content that might be need more coverage

- Making recommendations for in regard to potential new services/content that could be carried

- Providing advice and monitoring on the business and financial side of the project

Steve has over two decades of experience at local, satellite and national stations including Piccadilly Radio and BBC Radio Stoke, Cross Rhythms and UCB. He has many good links with local radio groups in the local area which will be invaluable for this project. His solid technical background and great knowledge of programming will help to develop the programming content of the multiplex during the trial. He also has significant business experience through his own web design activities and growing tablet accessory company, Ebean, which will be of great value to the project. Whilst not a native of the local area like the other directors, Steve has lived in North Staffordshire for around 25 years and so has a thorough understanding of the area's culture and background.

3.22 Please provide details of who will be carrying out the installation and on-going maintenance of your multiplexing / transmitter equipment (or the name of your proposed transmission and multiplex provider if you intend to use a third-party organisation for these services). Please also briefly state their previous relevant experience. (Note that any individuals or contractors who cannot be identified at this stage can instead be included in the confidential section (Part B) of the application form.)

Function	Responsible party	Previous experience
Installation of transmission equipment	Peter Leach	Peter Leach has 33 years' experience and qualifications in

Ongoing maintenance of the transmission equipment	Peter Leach John Hibbert	numerous areas of radio broadcasting including Aerial Combiner Systems, Digital Radio, and Multiplexed Bandwidth Manager systems.
		He has installed AM/FM broadcast equipment from 100 watts to 50KWs and has experience in the design and installation of simple Band II broadcast antenna systems rated up to 1.5 kilowatts.
		He has also designed and installed multiple frequency combiner systems into a single LF antenna. High power 30+30 kilowatts in the 531–1602KHz band and multiple channel Band III combiner systems into a single antenna.
		Through his work, Peter has developed a wide range of contacts to be able to bring in specialist expertise in areas, where required.
		John Hibbert has a wide range of experience in Radio/TV engineering and repair but also in IT with particular expertise in Unix and Linux systems.
Installation of the Multiplexing equipment	Peter Leach John Hibbert Supported by Factum Radioscape Ltd.	We intend to use cloud based multiplex management and support provided by Factum Radioscape via their ENMUXA DAB+ system.
Day-to-day technical management and maintenance of the multiplexing equipment (if different from response to question 3.28 above)	Peter Leach John Hibbert. Supported by Factum Radioscape Ltd.	Factum Radioscape have extensive experience in the area of DAB.

Timetable for coverage roll-out

3.23 Please tell us how soon after licence award you expect your multiplex service to become operational and achieve the coverage you are proposing:

We anticipate that the launch of the project will take place approximately 9-10 months after the licence award. Therefore, assuming that **Ofcom** makes an award at the end of this year or early in 2022 we envisage the project progressing in a number of stages, as outlined below:-

1. Complete technical agreement with Ofcom including broadcast antenna design, ERP etc. January 2022.

2. Finalise negotiations of Carriage Agreements with Service providers. Jan-March

3. Providing support for those Service Providers needing to apply for C-DSP/DSP licences as required. Jan-Jun.

4. Negotiate final legal agreement with site Landlord and submit final rooftop antenna design to Landlord to be approved February - March 2022.

5. Order equipment and materials with long lead times February - March 2022.

6. Start installation of Antenna system, auxiliary equipment and networking installation for main site and remote locations April-June 2022.

7. Liaise with programme service providers, provide where necessary technical support, provide link equipment and setup streaming feeds ready for MUX testing June-July 2022.

8. Test multiplex, RF hardware and filtering in a workshop environment with live streaming feeds for soak testing July-August 2022

9. Install on-site multiplex hardware ready for Ofcom inspection pre-going live September 2022.

10. Live Testing and Launch September- October 2022

3.24 In addition, please provide, as an annex to be submitted with this application, an outline project plan with timeline (e.g. a Gantt chart or similar) showing the high level activities and tasks leading up to the launch of your multiplex service.

This is supplied in Annex 3-24 included as an attachment with this application.

4. Involvement of C-DSP providers; demand or support from programme providers

About this section

Section 51(2)(ca) of the 1996 Act requires Ofcom to take into account the desirability of awarding a small-scale radio multiplex licence to a body corporate that is providing – or proposing to provide – a C-DSP service in the locality being advertised (or involving such a person as a participant in the licence-holding company).

Section 51(2)(f) of the 1996 Act requires Ofcom to take into account evidence that the applicant has support from providers interested in having their existing or planned programme services carried on the proposed multiplex.

Note that we do not require applicants to provide us with a full-line up of services they intend to provide, or details about the content of those services.

Involvement of C-DSP providers

4.1 Is the applicant body proposing to provide its own C-DSP service on the multiplex?

YES/ NO (please delete accordingly)

4.2 If the answer to the above question is 'yes', please provide a name and brief details of this proposed service. If the service is already licensed by Ofcom, the licence number should be provided:

4.3 If the answer to the above question is 'no', please provide details of any participant in the applicant body that is proposing to provide a C-DSP service on the multiplex. In this

context, a "participant" refers to a person who holds or is beneficially entitled to shares in the applicant or possesses voting power in the applicant. If the service is already licensed by Ofcom, the licence number should be provided. Please refer to the nature of the participation (e.g. shareholding or agreement in relation to voting power):

Participant	Service Name	Licence Number		
Access Christian Media	Access Radio	Not yet licensed		
Ay Up Duck Media Ltd.	Ay Up Duck Radio	Not yet licensed		
Beaver Arts Limited	Artcity Radio	Not yet licensed		
Blue Sky Radio Ltd.	Blue Sky Radio	Not yet licensed		
Churnetsoundradio Community Interest Company	Churnet Sound	Not yet licensed		
Cross Rhythms	Cross Rhythms City Radio	Not yet licensed as a C-DSP service but the service provided will be a retransmission of Community FM Licence CR000003BA/2		
Potteries Media CIC		Not yet licensed		
Rainbow FM		Not yet licensed		
Staffordshire University		Not yet licensed		
All the participants above are members and therefore possess voting rights as outlined in question 3.6 above.				

Demand or support from programme providers

4.4 Please provide in the table below (expanding the table if necessary) the names of providers (or prospective providers) of community or local digital sound programme services who have expressed their demand or support for the provision of the proposed multiplex service in the area to be served by the multiplex service. For reasons of transparency, the response to this question <u>must be answered below and should not be provided as a separate annex</u>. The evidence of the demand or support, such as signed heads of terms or emails, should be provided as a confidential annex, and relate only to the specific multiplex being applied for.

Name of service provider and station name (if	Proposed	Nature of evidence of
known)	C-DSP or DSP	support provided
Access Christian Media.	C-DSP	Signed Heads Of Terms
Access Radio		of Agreement
Ay Up Duck Media Ltd.	C-DSP	Signed Heads Of Terms
Ay Up Duck Radio		of Agreement
Beaver Arts Limited	C-DSP	Signed Heads Of Terms
Art City Radio		of Agreement
Blue Sky Radio Ltd.	C-DSP	Signed Heads Of Terms
Blue Sky Radio		of Agreement
Churnetsoundradio Community Interest Company	C-DSP	Signed Heads Of Terms
Churnet Sound		of Agreement
Cross Rhythms	C-DSP	Signed Heads Of Terms
Cross Rhythms City		of Agreement
Cross Rhythms	DSP	Signed Heads Of Terms
xrhythms		of Agreement
Knot FM	C-DSP	Letter of Intent Received
Knot FM		
Potteries Media CIC	C-DSP	Signed Heads Of Terms
6TR - 6 Towns Radio		of Agreement
Rainbow FM	C-DSP	Signed Heads Of Terms
Rainbow FM		of Agreement
Staffordshire University	C-DSP	Signed Heads Of Terms
OMG Radio		of Agreement
Angel Radio Limited	DSP	Signed Heads Of Terms
		of Agreement
Leek Radio CIC	DSP	Signed Heads Of Terms
	DCD	of Agreement
Moorlands Radio Ltd.	DSP	Signed Heads Of Terms of Agreement
Moorlands Radio		
Moorlands Radio Ltd.	DSP	Signed Heads Of Terms of Agreement
Moorlands Gold		or Agreement

Radio Caroline AM Broadcasting Ltd.	DSP	Signed Heads Of Terms
Radio Caroline		of Agreement
Radio Caroline AM Broadcasting Ltd.	DSP	Signed Heads Of Terms
Caroline Flashback		of Agreement
Powerhouse Christ Church	DSP	Signed Heads Of Terms
Powerhouse Radio		of Agreement
Wirral Christian Media Limited	DSP	Signed Heads Of Terms
Flame Radio		of Agreement
Simon Yates	DSP	Letter of Intent Received
The Groove Radio		

In addition to this list a map of the proposed local (North Staffordshire) stations which will be carried on the mux is include in a separate confidential annex A Q4-4.

5. Fair and effective competition

About this section

Section 51(2)(g) of the 1996 Act requires Ofcom to assess whether, in contracting or offering to contract with programme service providers, the applicant has acted in a manner calculated to ensure fair and effective competition in the provision of community and local digital sound programme services.

In assessing applications, we need to have confidence that the prospective small-scale radio multiplex licensee has approached a wide range of potential service providers. Negotiations that have taken place between the applicant and potential service providers need to have been demonstrably fair, and the terms of any contract for service provision must be fair and non-discriminatory.

Applicants should note there is one further question relating to fair and effective competition in Part B of the application form.

5.1 Please detail the measures that have already been taken, and will be taken before and during the licence period, to demonstrate that, in contracting or offering to contract with programme services providers, the applicant has acted in a manner calculated to ensure fair and effective competition in the provision of such services:

Measures taken up to submission of the licence application

Prior to Announcement of Advertisement Schedule

Ofcom publicised the schedule for this round of licensing in February this year. Prior to this point we had already conducted extensive research to identify the various radio stations within the proposed Polygon area for Stoke on Trent and Newcastle-under-Lyme. We then approached these stations to ask them whether they would like to be involved in continued informal discussions on the subject.

As this stage, discussions about the project revolved around very general considerations. e.g. informing stations of Ofcom's progress towards licencing SSDAB, making stations aware of the publication of relevant documents (such as Ofcom's report on the SSDAB pilot scheme), informing stations of opportunities to provide input such as *DCMS/Ofcom* consultations etc. This period of discussion also allowed us to receive feedback on very general proposals about how an SSDAB multiplex might operate. e.g. the idea of operating the mux on a non-profit basis, avoiding the need for lengthy contracts and making pricing affordable.

At this stage no specific details were proposed or agreed with stations but this was a useful opportunity to get feedback on various aspects of the project and develop and maintain the core support for a potential application.

Post Licence Advertisement

Once the Ofcom's intention to advertise the current round of licences was publicised (February 2021) we began more detailed work on gathering support for the project. A website was developed (www.dabstoke.co.uk) which was launched on 9th May 2021. The website contained information about the project and contact details via phone and email. We also set up social media channels (Instagram, Facebook and Twitter) to promote the project further and provide further contact methods that also were publicised through our website. A press release was sent to local and national Press Contacts and distributed via our social media channels, to ensure that the launch of the project was widely publicised.

We have also pro-actively sought to engage the interest of service providers/stations who, in our judgement, would add to the range and diversity of services available to local audience.

We also put together a Rate-Card and Prospectus (which detailed how the project would operate) based on the feedback that had been received up to this point. We then held conversations with representatives of the various radio stations that had expressed an interest so far, either via our preliminary discussions or those that we had connected with since publicising our intention to apply.

In these conversations we discussed the various points covered in the Prospectus. We also talked through the various alternatives set out in the Rate-Card such as Licence Type (DSP or C-DSP), bit rates and pricing plans (monthly, annual etc.) and ascertained what the preferences of each station would be. (The vast majority of discussions were held via Phone, Zoom, MS Teams or Messenger with one or two exceptions being solely via email.)

These conversations also included, to all who requested it, advice and guidance on relevant matters including, C-DSP/DSP application process, business models and incorporation.

We then sent a copy of our Prospectus and Rate-Card to the stations that wished receive more information. The details supplied varied slightly according to the type of station involved (e.g. whether the provider was a C-DSP station, based outside the area or a commercial operator) but all stations received broadly the same information about the project.

All the stations that demonstrated a firm interest were then sent similar 'Heads of Terms Of Agreement' documents that set out the various options that we had discussed. After making any necessary alterations, the Stations returned a signed copy of this document to confirm their interest in the project.

Stations that proposed to operate C-DSP licences for the area were also offered the chance to become members of the non-profit company behind the application, so they could truly be participants in the scheme.

These 'Heads of Terms' and copies of the Prospectus Information provided are included in the confidential section of this application along with a summary of conversations and emails sent/received by each provider.

By sticking to this set process with all the potential applicants this has ensured that consistent information has been communicated to all the potential service providers and that the process has been fair.

Post Licence Award

At time of writing this we have allocated approximately 80 per cent of the bandwidth available on the multiplex on the basis of 'Heads of Terms of Agreement' in place from potential service providers. Consequently, as we may be approaching the point where the multiplex will be at capacity, particular consideration needs to be taken on how the remaining space will be allocated. Particularly so, as demand at that stage is likely to outstrip the remaining capacity available with additional demand shown from providers that have supported other bids.

Consequently we have taken the decision to wait until a future date after the licence award (in the event that our application is successful) before allocating the final 20%. This will be undertaken via an open selection process with a fixed window and transparent assessment criteria. That is likely to include the ability of the proposer to sustain the service and the contribution the service is likely to make in responding to local interests and to increasing the diversity of services available.

Post Launch

Once the Multiplex have been launched, we will operate a transparent rate card policy, publicised via our website, which sets the maximum amount chargeable to any client station for a given data rate.

The structure of our rate-card underlines our core aims of encouraging the transmission of services that are considered to be of relevance to members of the local community, encourages applications from not-for-profit organisations and seeks to establish long-term partnerships with these licence holders to optimise sustainability for both broadcaster and multiplex operator.

However, should there be a shortage of available capacity and we receive competing applications to make use of remaining capacity, our policy would be to consider each application on its merits and to offer pricing based upon our rate card. As per our policy during the **Post Licence Award** period above, key factors will be the ability of the proposer to sustain the service and the contribution the service is likely to make in responding to local interests and to increasing the diversity of services available.

6. Declaration

About this section

This form must be submitted by the body corporate which will hold the licence. The declaration must be certified by a company director or the company secretary, and covers all information provided by in the applicant in both Part A and Part B of the application form. The declaration must also be dated.

- a) I hereby apply to Ofcom for the grant of a licence for the small-scale radio multiplex licence described above and declare that the information given in this application form is, to the best of my knowledge and belief, correct.
- b) I further declare and warrant:
 - that the applicant is not a disqualified person within the meaning of that expression as defined in Part 2 of Schedule 2 to the Broadcasting Act 1990, as amended, or as a result of a disqualification order under section 145 of the Broadcasting Act 1996;
 - that having made all reasonable enquiries neither the applicant nor any person controlling the applicant, as result of the grant to me of the licence, breach any requirement of Schedule 14 to the Communications Act 2003 with regard to the accumulation of interests in broadcasting services or to the restrictions on crossmedia interests;
 - iii) that the applicant is not disqualified by virtue of the provisions of section 143 (5) of the Broadcasting Act 1996 in relation to political objects and the provisions of section 144 (3) of the Broadcasting Act 1996 in relation to the provision of false information or through the withholding of information with the intention of misleading Ofcom; and
 - iv) that no director or person concerned directly or indirectly in the management of the Licensee is the subject to a disqualification order as defined by section 145 (1) of the Broadcasting Act 1996.
- c) I understand that Ofcom reserves the right to revoke the licence (if granted) if at any time any material statement made to Ofcom is found to be false and to have been by the applicant or any member or officer thereof knowing it to be false. I also understand that under sections 144 and 145 of the Broadcasting Act 1996, the provision of false information could incur a criminal conviction and a disqualification from the holding of a Broadcasting Act licence. I further certify that, to the best of my knowledge, any matters which might influence Ofcom's judgement as to whether the directors and substantial shareholders involved in this application are fit and proper persons to participate in a radio licence, have been made known to Ofcom.

Full name (BLOCK CAPITALS) of the person authorised to make the application of behalf of the applicant:

STEVEN MARK PERRY

Date of application:

1st September 2021

I am authorised to make this application on behalf of the applicant in my capacity as (delete as appropriate):

Company secretary / Company director.

You now need to complete the <u>confidential section (Part B)</u> of the application form.