
Small-scale radio multiplex licence

Application form – Part A (public)

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

GK DAB LTD

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

Glenrothes and Kirkcaldy

APPLICATION FORM:

Publication date: 14 July 2022

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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 separately.
- 1.2 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 [guidance notes](#) 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 (smallscaledab@ofcom.org.uk). 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 Ofcom reserves the right to reject applications made using an old version of the form.
- 1.8 Ofcom will accept handwritten application forms, but they must be filled in using block capitals and black ink.
- 1.9 Ofcom 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 Ofcom 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 smallscaledab@ofcom.org.uk. Handwritten applications and required supporting documents should be scanned and attached to the email.
- 1.14 You should receive a response from smallscaledab@ofcom.org.uk 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 to leave a message for the Broadcast Licensing team, who will respond to your message as soon as possible.
- 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 Ofcom 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 ofcom.remittances@ofcom.org.uk.
- 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 Ofcom 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 Ofcom 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, *no questions* should be answered by means of the submission of a confidential annex. 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 Ofcom 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 (smallscaledab@ofcom.org.uk).
- 1.33 Ofcom 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](#) for more information about how we handle your personal information and your corresponding rights.

Keeping up to date with broadcasting matters

- 1.35 We strongly recommend that you subscribe to receive Ofcom's regular email updates on broadcasting matters. These include a [monthly radio licensing update](#) that lists new services licensed, licences revoked, licence transfers, and changes to licensed services during the past month. To subscribe to these updates, please visit www.ofcom.org.uk/about-ofcom/latest/email-updates 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 [guidance notes for licence applicants and licensees](#).

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

- 2.1 Please 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):

We are proposing a two-site SFN to cover the main conurbations of Glenrothes and Kirkcaldy, taking into account the likely demand for services in this area. Our coverage proposal provides almost complete coverage for both Glenrothes and Kirkcaldy. The topology of the area is challenging, and therefore we are not proposing to cover every urban area within the advertisement for this area. We are keen to ensure that any multiplex we propose for this region is financially viable and stable, and therefore we submit the following proposal with that in mind.

Although within the advertised region, we are not proposing to cover the following primary areas:

- Methil/Leven/Buckhaven: These areas are also contained within the East Fife advertisement and we have not been able to identify sufficient interest in this area to justify the inclusion of this region in this application.
- Cowdenbeath/Lochgelly/Ballingry: These areas are also contained within the Dunfermline and Kinross advertisement region and we have not been able to identify sufficient interest in this area to justify the inclusion of this region in this application.

If we were successful in this application and were subsequently able to identify interest in these regions, we would be open to working with those services and Ofcom to modify our technical plan to include coverage for these areas (should such a modification be permitted).

We are not proposing to cover any areas situated outside of the advertised region.

Our measured population coverage is 71,543; whilst this only represents 43% of the advertised area, we believe this proposal is a reasonable balance between local demand and the financial viability of a SSDAB multiplex in this area.

We have designed our transmission plan in a way that maximizes coverage to the advertised area, while minimizing impact on other potential co-channel multiplexes and incumbent operators in the area.

2.2 Please 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) |
|--------------------------|----------|------------------------|------------------------------------|-------------------------|---------|
| Fife College, Glenrothes | NT270998 | 25m | Omni | New | 200W |
| Glamis Road, Kirkcaldy | NT257930 | 25m | Omni | New (Existing site) | 150W |

- 2.3 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 dB μ V/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.

A coverage map is attached.

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

| | |
|---|---|
| Provide the name and version of the prediction tool used. | CloudRF Sleipnir and QGIS 3.26 |
| Detail the terrain model used by the software and its resolution. | SRTM1 DTM |
| Detail the ground cover (clutter) data used by the software and its resolution. | European Space Agency (ESA) 10m Landcover data 2021 |
| What propagation algorithm has been used? | Longley-Rice (ITM) model |
| Where multiple sites are proposed, describe what methodology has been used to assess the network (SFN) gain | Power sum |
| If these predictions have not used Ofcom-provided population data, state what population data has been used and its source. | Ofcom population data has been used. |
| Have your predictions been generated by a commercial organisation? If so, by whom? | N/A |

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):

GK DAB LTD

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

SC747149

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:

New Volunteers House, C/O K107fm, 16 East Fergus Place, Kirkcaldy, Scotland, KY1 1XT

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

Yes

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 |
|-------------------------|--|----------------------|---|------------------|
| Radiofinity Ltd | New Volunteers House, C/O K107fm, 16 East Fergus Place, Kirkcaldy, Scotland, KY1 1XT | England | | |
| Martin Steers | New Volunteers House, C/O K107fm, 16 East Fergus Place, Kirkcaldy, Scotland, KY1 1XT | England | HOME COUNTIES COMMUNITY MEDIA C.I.C. (Community Radio C-DSP Bedford Radio) BEDFORD DIGITAL RADIO CIC (Bedford SSDAB Applicant) OXDAB LTD (Oxford SSDAB Applicant) BEDFORD DAB LIMITED (Other radio services – currently being dissolved) FIRST OX DIGITAL LTD (Community Radio C-DSP First Ox Digital) UK COMMUNITY RADIO NETWORK CIC (Community Radio trade body) COMMUNITY RADIO AWARDS LTD (National Awards organisation) NORTHAMPTON DAB CIC (Northampton SSDAB Applicant) | Station Manager |

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

Small-scale radio multiplex licence: Application form (Part A)

| | | | | |
|--------------------------------|--|----------|--|--|
| Kirkcaldy Community Radio SCIO | New Volunteers House, C/O K107fm, 16 East Fergus Place, Kirkcaldy, Scotland, KY1 1XT | Scotland | | |
|--------------------------------|--|----------|--|--|

Details of participants

3.6 Please 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 (existing and proposed) | Number of shares | Total investment (£s) | Total investment (%) | % of voting rights |
|--|------------------|-----------------------|----------------------|--------------------|
| Radiofinitly Ltd | 10 | 10 | 10 | 10 |
| Martin Steers | 80 | 80 | 80 | 80 |
| Kirkcaldy Community Radio SCIO | 10 | 10 | 10 | 10 |
| Comments | | | | |
| | | | | |

Details of relationships of control

3.7 Complete the following table, expanding it if necessary, to list any bodies corporate which are controlled *by* 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):

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

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

| | | |
|--|--|--|
| | | |
|--|--|--|

Details of persons who control the applicant

3.8 Complete the table overleaf, expanding it if necessary, to list all persons/bodies corporate 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 person/body corporate | Address | Person/body controlled by the entity (i.e. the applicant itself or its associate) |
|------------------------------------|--|---|
| Dean Kavanagh | 17 St Martins Close, Fordbridge, Solihull, B36 0LP | Radiofinity Ltd |
| Martin Steers | 99 High Street, Harrold, Bedford, MK43 7EA | |
| Kirkcaldy Community Radio SCIO | | Itself |

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 |
|-------------------------|---|
| Dean Kavanagh | SWITCH RADIO NOXDAB LTD COVENTRY DIGITAL BROADCASTING LTD OXDAB LTD UK COMMUNITY RADIO NETWORK OPTIMUX DIGITAL LTD RADIOFINITY LTD WULFRUN DAB LTD |
| Martin Steers | HOME COUNTIES COMMUNITY MEDIA CIC |

| | |
|--|--|
| | OXDAB LTD BEDFORD DIGITAL RADIO LTD BEDFORD DAB LIMITED FIRST OX DIGITAL LTD UK COMMUNITY RADIO NETWORK CIC COMMUNITY RADIO AWARDS LTD NORTHAMPTON DAB CIC |
|--|--|

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 | Radiofinitly Ltd | | | |
| Full name of participant | Number of shares | Total investment (£s) | Total investment (%) | % of voting rights |
| Dean Kavanagh | 1 | 1 | 100 | 100 |
| | | | | |
| | | | | |
| Comments | | | | |

| | | | | |
|--|--------------------------------|------------------------------|-----------------------------|---------------------------|
| | | | | |
| Name of body corporate identified in response to question 3.8 | Kirkcaldy Community Radio SCIO | | | |
| Full name of participant | Number of shares | Total investment (£s) | Total investment (%) | % of voting rights |
| | NA | NA | NA | |
| | NA | NA | NA | |
| | NA | NA | NA | |
| Comments | | | | |
| Charity, no share allocation | | | | |

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 | No | |
| A body whose objects are wholly or mainly of a political nature, or which is affiliated to such a body | No | |
| A body whose objects are wholly or mainly of a religious nature; ² | No | |
| An individual who is an officer of a body falling within (b) or (c); | No | |

² Please refer to sections 3 to 5 of Ofcom's [religious guidance note](#) 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); | No | |
| An advertising agency or an associate of an advertising agency | No | |

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?

No

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

No

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

Yes

d) Does the applicant control an existing Ofcom licensee?

No

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

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)?

No

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)?

No

- 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?

No

- 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?

No

Small-scale radio multiplex licence: Application form (Part A)

3.14 If the response to any of the questions (a) to (i) in 3.13 above is 'yes', please provide the details, expanding the table where necessary:

| | Licence number(s) (if known) | Details |
|-----|---|---|
| (a) | | |
| (b) | | |
| (c) | CR000174BA/4 DP101073BA/1 CDP104270BA/1 SSDABWT007 DS103936 CR100783BA CR000261BA | Switch Radio (Dean Kavanagh) NLive Radio - Martin Steers K107 |
| (d) | | |
| (e) | | |
| (f) | | |
| (g) | | |
| (h) | | |
| (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".

N/A

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

No

If yes, please provide the following details:

| Full name | Date of conviction/action (dd/mm/yy) | Penalty |
|-----------|---|---------|
| N/A | | |
| | | |
| | | |

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.

In order to deliver our transmission network, we estimate a spend of approximately £15,000. This capital investment is required for the purchase of transmission equipment required to cover the area and deliver the proposed plan. This value also reflects the decreasing cost of small scale DAB transmission equipment.

This equipment includes the transmitters, filters, antennas, associated metal work, and installation costs (we will manage some of this installation internally in order to reduce expenses). These costs have been calculated based on the real-world experience of members of our applicant body, who have successfully launched the North Birmingham SSDAB multiplex and are involved in hardware purchases in preparation for launch of the Dudley and Stourbridge SSDAB multiplex. We are proposing to use the same tried and trusted equipment at our sites that are being used in the two SSDAB multiplexes in the West Midlands in which Radiofinity Ltd/Dean Kavanagh are involved with the support of (see Part B and appendices for more detailed technical plans).

It is our proposal to utilise the Optimux multiplexing platform to manage the day-to-day operations of the multiplex. The subscriptions fees for this service will be sourced from the carriage fees charged to operators. Dean Kavanagh (Radiofinity Ltd) is the lead developer for Optimux.

The initial costs associated with setup of the multiplex will be met by capital investments by the participants (see below) and offset by carriage fees collected during the first months of operation.

A detailed business plan is submitted as Appendix 2, with projected income and expenditure for Years 1 – 3. As this plan contains commercially sensitive information, it is submitted confidentially.

- 3.18 Please indicate how the costs outlined in 3.17 (above) will be met, under the following headings:

- a) Share capital
See 3.19

- b) Loan stock
N/A
- c) Leasing/HP facilities (capital value)
N/A
- d) Bank overdraft
N/A
- e) Grants and donations
Our participant, Kirkcaldy Community Radio SCIO proposes to apply for grant funding to support our initial capital expenses (for clarity, we have not included these in our business planning).
- f) Other (please specify)
N/A

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 investor | Percentage of shares held (if applicable) | Amount of funding provided (£) |
|---------------------------------|---|--------------------------------|
| Martin Steers | 80% | £15k |
| | | |
| | | |
| | | |
| | | |

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.

All funding in 3.19 is confirmed. Grants referred to in 3.18 are subject to application; we have not included these in our business planning.

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.)

Dean Kavanagh, who represents Radiofinity Ltd on this application, has been a director at Switch Radio since 2013. Switch Radio has held multiple broadcast licences (DSP, CDSP) and transmission licences (SSDAB Trial and SSDAB ‘proper’). During that time, Switch Radio has an exemplary track record in compliance and operation of the licences it holds. Dean has also been an advisor to a number of SSDAB applicants and is involved in a range of applications across the country. From a technical perspective, Dean has been responsible for the day to day management of the North Birmingham Small Scale DAB multiplex, and is the lead developer for Optimux Digital Ltd – a DAB software and development company which provides multiplexing solutions for a number of SSDAB multiplexes in operation up and down the country. In addition, Dean Kavanagh is a director of the UK Community Radio Network CIC, and thus holds a position of responsibility in a sector organisation.

Martin Steers has been involved in radio since he was involved in studio radio in 2006, he was station manager of his student radio station CUR1350, whilst there he wrote their successful CR application which they now broadcast as Cam FM. Since then he has worked for the BBC (BBC Oxford), commercial radio (Eagle Radio) and within the community radio sector (Diverse FM), currently holding the position of station manager of NLive Radio since September 2019. He has also held numerous RSL licenses for Scout Radio broadcasting at Jamborees and Scout events as either Scout Radio or Jam FM. During all this time he has an exemplary track record in compliance, training and in some cases the operation and management of broadcast radio stations. In addition he is also a Co-Founder and Director of the UK Community Radio Network CIC, and thus holds a position of responsibility for a sector based organisation. He is also the Founder, Chair and Director of the Community Radio Awards; an organisation that champions and promotes best practice within the sector.

Alex Airnes, representing Kirkcaldy Community Radio SCIO (K107FM), is responsible for Press, Programming and Promotions at the station.

His experience in local broadcasting started with the Kirkcaldy based hospital radio station, the Victoria Radio Network including the period of the station broadcasting locally via an OFCOM AM Licence. His experience here led to employment within commercial radio, appointed as Head of Commercial Production and Music with Nevis Radio in Fort William in 2006.

Since his involvement in K107FM since May 2019 he has successfully applied for OFCOM Community Radio Fund grants alongside various local authority and small scale funding sources. His efforts with the station resulting in a Bronze Award for Volunteer of The Year in the 2020 Community Radio Awards.

Furthermore the station has increased its revenue through traditional radio advertising, with connections with media buyers and additional revenue streams being generated. He has established strong working relationships with local authority, local health board, Fife College, elected officials and other stakeholders in the area. As such he has a strong knowledge of the area, both in terms of broadcasting and community organisations, he also has a strong record of promoting K107FM with numerous press releases and coverage in both local and trade publications.

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 | Radiofinity Ltd, Viamux Ltd | Dean Kavanagh (Radiofinity Ltd) has been involved in the installation of a number of transmission sites including North Birmingham and Stourbridge and Dudley. Viamux Ltd will provide additional support as necessary (in particular around commissioning). |
| Ongoing maintenance of the transmission equipment | Radiofinity Ltd, Viamux Ltd | Dean Kavanagh (Radiofinity Ltd) has almost eight years of experience in the maintenance and management of DAB transmission equipment. If we require additional support around maintenance, we will contract Viamux Ltd. |
| Installation of the Multiplexing equipment | Optimux Digital Ltd | We are proposing to use the Optimux platform to deliver and manage our multiplexing. Dean Kavanagh (Radiofinity Ltd) is the lead development and co-Director for Optimux Digital Ltd and will manage the installation of multiplexing equipment. |
| Day-to-day technical management and maintenance of the multiplexing equipment (if different from response to question 3.28 above) | Kirkcaldy Community Radio SCIO, Optimux Digital Ltd | Optimux Digital Ltd will provide full training to members of Kirkcaldy Community Radio SCIO in order to allow them to monitor and maintain their multiplex via the Optimux platform. As part of the contractual agreement be- |

| | | |
|--|--|--|
| | | tween the applicant and Optimux Digital Ltd, Optimux will provide ongoing support should it be required. |
|--|--|--|

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:

Based on our experience in other multiplex areas after award, we would expect our service to become operational within 12 months of notification of licence award. This allows time for liaison with Ofcom with regard our final technical plan, discussions with incumbent operators, agreements with service providers, and lead times on purchase and installation of kit.

- 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.

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?

No

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:

N/A

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):

Kirkcaldy Community Radio SCIO is proposing to provide a C-DSP service on the multiplex.

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 *must be answered below and should not be provided as a separate annex*. 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 known) | Proposed C-DSP or DSP | Nature of evidence of support provided |
|--|-----------------------|--|
| K107 | C-DSP | Bid Partner |
| Timeless Radio | DSP | Email/Letter |
| Pink Saltire | C-DSP | Email/Letter |
| Victoria Radio Network | C-DSP | Email/Letter |
| Boom Radio (Fife College Radio) | C-DSP | Email/Letter |
| Angel Radio | DSP | Email |

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.

For example, how have you sought to engage a broad range of prospective service providers including those not directly involved as participants in the application and those who have decided not to proceed to express an interest or agree heads of terms at this stage, and how have you sought to make prospective service providers aware of your proposals and potential terms for carriage?

Our applicant body has significant experience in the operation of multiplexes in ways that are fair and transparent. With the contribution on the applicant body of an existing operator, we have access to processes, procedures, and experience of running a SSDAB multiplex in terms of fair pricing, clear contracts, and open opportunity.

We have contacted a wide array of local services including local CR services, Hospital Radio services, and online radio services.

During the terms of the licence, we propose to operate a simple rate card, with costing based on the number of capacity units required. We are proposing to offer a 50% discount to C-DSP services utilising the reserved multiplex capacity. In line with the expectations of Ofcom and the legislation, we will make our rate card public well in advance of the launch of the multiplex.

If we are successful in a licence award, we intend to ensure sufficient publicity to allow for potential service providers to come forward. If we have firm and binding interest from more services than we can carry, we will select services that provide the best range of programming from the local area. We will open a public consultation to help us ensure we meet the needs of the area (members of our applicant body have done something similar previously to identify the services to carry on their trial SSDAB multiplex).

Once the multiplex is in its licence period, we will assess applications in chronological order. If capacity allows, we expect to accept applications provided they are legitimate and possess the correct licencing and administrative documentation. However, if multiple enquiries arrive in quick succession and we are not able to accommodate them all, we may select services that better expand the range of programming available to the local area on the multiplex. We again would reserve the right to garner public opinion on how best to use the capacity and use this information to help inform our decisions.

We propose to make a clear carriage agreement and make this available for both services and the public to scrutinise upon request. The terms and conditions in this carriage agreement would apply for all services joining the multiplex at a given time, and we do not propose to create, modify, or edit these agreements for each service beyond simple elements such as names, addresses, and technical parameters. Our proposed carriage agreement, as it currently stands is included as Appendix 5 of this application.

Under no circumstances would we auction capacity, nor would we consider a willingness to 'pay more' as a factor in deciding on carriage. We will not charge or accept carriage payments at above what is illustrated on our public rate card.

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:
 - i) 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;
 - ii) 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 cross-media 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:

DEAN KAVANAGH

Date of application:

12/10/2022

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

Company Director (RADIOFINITY LTD)

You now need to complete the [confidential section \(Part B\)](#) of the application form.