

Renewal procedure for local analogue licences

- 1.1 Under the provisions of section 104A of the Broadcasting Act 1990, as amended, the holder of a local analogue (i.e. FM or AM) commercial radio licence which is providing a local digital sound programme service on a 'relevant' local radio DAB multiplex is entitled to apply for a renewal of its analogue licence for a further twelve-year period.¹ A 'relevant' local radio multiplex is a local radio multiplex with a licensed area (PPA) that would provide potential coverage in digital form to 25% or more of the adult population within the measured coverage area (MCA) of the analogue local licence in question.
- 1.2 The holders of certain local analogue commercial radio licences ("approved licences")² can choose instead to apply for renewal on the basis of a "national nomination", i.e. to nominate a national digital sound programme service that they will provide and a national DAB multiplex on which they will provide it.
- 1.3 Under the provisions of section 104AA of the Broadcasting Act 1990 (as amended by the Digital Economy Act 2010 and the Further Renewal of Radio Licences Order 2015), a local analogue licence can be further renewed on two occasions, provided it has already been renewed under section 104A of the 1990 Act, as follows:
 - a) for a period of seven years, beginning from the date of renewal, and not the date of expiry; and then
 - b) for a period of five years, beginning from the date of renewal, and not the date of expiry.
- 1.4 If the licence was granted on or after 08 April 2010 (the date on which the statutory provisions came into force), the licence can be renewed on one occasion only for a period of seven years, beginning from the date of renewal, and not the date of expiry.

Application for licence renewal

- 1.5 To determine whether to grant an application for renewal, Ofcom is required to satisfy itself that:
 - the applicant would provide a local (analogue) service which complied with the conditions included in the licence in pursuance of section 106 of the Broadcasting Act 1990;

¹ A 'relevant' local radio multiplex is a local radio multiplex with a licensed area (PPA) that would provide potential coverage in digital form to 25% or more of the adult population within the measured coverage area (MCA) of the analogue local licence in question.

² The list of 'Approved Licences', and further information regarding 'national nominations' can be found at: <http://stakeholders.ofcom.org.uk/binaries/consultations/radio/statement/Addendum.pdf>

- the nominated digital sound programme service provided by the applicant is being broadcast by means of the nominated DAB radio multiplex service, and;
 - the period for which the nominated local digital sound programme service will be available for reception and the times at which it will be available will not be significantly different, week by week, from those for which and at which the licensed local analogue service will be broadcast.
- 1.6 Ofcom therefore requires, as part of an application for licence renewal, confirmation of the following information:
- the digital sound programme service being provided as the basis for renewal of the analogue licence;
 - the number of hours per day, and days per week, for which the identified digital sound programme service is broadcast;
 - the DAB radio multiplex service upon which the digital sound programme service identified above is being provided.
- 1.7 Ofcom will also require evidence that the digital sound programme service identified above is being, or is intended to be, broadcast on the DAB radio multiplex identified above. One copy of all relevant contractual and related documents will need to be supplied. Upon licence renewal, a condition will be included in the analogue licence requiring the licensee to do all that he can to ensure that the nominated local digital sound programme service is provided on the nominated 'relevant' local DAB radio multiplex service (or national DAB radio multiplex service) throughout the period for which the licence has been renewed.
- 1.8 Finally, we will require the licence holder to complete and sign an Original Declaration form as supplied by Ofcom.

Timetable for renewal of applications

- 1.9 Under the provisions of section 104A and section 104AA of the Broadcasting Act 1990, applications for renewal have to be made during a specified 'window'. This period begins three years before the current expiry date of the licence and ends three months before the 'relevant' date. The 'relevant' date is the date by which Ofcom would have to re-advertise the licence were it not to be renewed, and for every licence has been set at one year prior to the expiry date of the licence. Therefore, the window for applying for licence renewal closes 15 months before the current expiry date of the licence. Applications can be made at any time during this window.
- 1.10 Ofcom will write to licence holders one year in advance of the 'relevant date' (in other words, two years prior to the current licence expiry date and nine months in advance of the window close) to formally notify them of their 'relevant date' (as required by statute), and to enquire whether they intend to apply for a renewal.
- 1.11 The fee for licence renewal is as follows:

	Population (aged 15+)	FM (£)	AM (£)
National licences			
All licences		100,000	100,000
Local licences			
Category A	4,500,000 +	21,200	14,500
Category B	1,000,000-4,500,000	11,800	8,000
Category C	400,000-1,000,000	5,000	3,500
Category D	0-400,000	1,500	1,000

(Tariff for 2011/12)

- 1.12 This fee must accompany any application for renewal.
- 1.13 Queries regarding renewals should be directed to the Broadcast Licensing team in the first instance: Broadcast.Licensing@ofcom.org.uk

Data Protection

- 1.14 We require the information requested in the application 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 www.ofcom.org.uk/about-ofcom/foi-dp/general-privacy-statement for further information about how Ofcom handles your personal information and your corresponding rights.

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