
Community Digital Sound Programme (C-DSP) licence

Application form – Part A (public)

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

Birmingham City Students' Union

Proposed service name:

Scratch Radio

Radio multiplex service(s) on which the proposed C-DSP service is to be provided (note this must be a small-scale multiplex area either previously advertised or currently being advertised by Ofcom as shown in the multiplex licence advertisement)

North Birmingham

Public contact details (i.e. Contact name and/or company name, company address, telephone number(s) and email):

Publication date: 1 June 2021

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1. Overview

You should complete this form if you are applying for a community digital sound programme licence (“C-DSP”). You can find further information about C-DSP services in the [guidance notes for licensees and applicants](#).

This 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 on our website.

If you encounter any issues using these forms, please contact broadcast.licensing@ofcom.org.uk.

The purpose of this form

- 1.1 You should complete this form if you are applying for a Community Digital Sound Programme (C-DSP) licence.
- 1.2 A digital sound programme service intended for broadcast by means of a local or small-scale radio multiplex service requires either a C-DSP licence or a local DSP licence. Ofcom’s published guidance notes set out some of the key issues that potential applicants need to consider in deciding which type of licence is suitable for them. In summary, C-DSP services are not run for financial gain and are required to provide social gain. C-DSP licences therefore include strict conditions to ensure that happens, and provide less flexibility than a local DSP licence. However, they do provide access to capacity that small-scale radio multiplex service providers are required to reserve solely for C-DSP services.
- 1.3 A C-DSP licence will be required even if the same programme service is also provided on any other platforms (e.g. FM, satellite), as separate licences are required for those.
- 1.4 As noted above, small-scale radio multiplex services will have reserved capacity for C-DSP services. Issue of a C-DSP licence does not, however, guarantee carriage on a small-scale (or local) radio multiplex service. That is a matter for agreement between the C-DSP licensee and the multiplex service provider, and there may be more C-DSP licences issued in a locality than there are reserved slots on the small-scale radio multiplex service. Note that a C-DSP service does not necessarily have to broadcast using reserved capacity. It can use unreserved capacity on a small-scale radio multiplex service or capacity on a local radio multiplex service, again subject to agreement with the multiplex service provider.
- 1.5 An application for a C-DSP licence will be accepted only once Ofcom has advertised the licence for the small-scale radio multiplex service upon which the proposed C-DSP service is intended to be provided. There is no closing-date by which an application for a C-DSP licence must be submitted (i.e. it can be submitted at any time after the licence for the relevant small-scale radio multiplex licence has been advertised).
- 1.6 You can find further information about how to determine if a service requires a C-DSP licence in Section 2 of the [guidance notes for applicants and licensees](#).

Provision of information

- 1.7 Ofcom requires complete and accurate information to assess applications. This is so that we can assess your application against statutory criteria, consider whether those involved in the body applying for a licence are ‘fit and proper’ to hold a licence, and determine whether their involvement with other organisations disqualifies them from participation in a licence.
- 1.8 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 information about applications and licensed services

- 1.9 Information provided in **Part A** of the application form will typically be published by Ofcom in our Monthly Radio Update publication the month following the submission of your application. This may take longer if the application is received late in the month. Information provided in **Part B** will not be published.
- 1.10 In submitting this application you agree that, should a licence be granted, Ofcom may publish contact details for the licensee (specified in Section 2 of Part B of the application form), which may include personal data, on the Ofcom website and/or in other relevant publications. 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).
- 1.11 Ofcom considers issued C-DSP licences to be public documents and copies of licences will be made available to third parties on request albeit, other than the Key Commitments which are tailored to the service, C-DSP licences are standard form documents. A brief description of the licensed service will be published on the Ofcom website, along with the Key Commitments which form part of the licence.
- 1.12 Ofcom publishes a [monthly radio licensing update](#) which lists new services licensed, new applications, licences revoked, licence transfers, and changes to licensed services during the past month.

Data protection

- 1.13 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 further information about how Ofcom handles your personal information and your corresponding rights.

Keeping up to date with broadcasting matters

- 1.14 We strongly recommend that the appropriate person at the applicant body signs up to receive Ofcom's regular email updates on broadcasting matters including notification when the Broadcast and On Demand Bulletin is published.
- 1.15 To sign up to receive these communications, you must visit [the email updates area of our website](#) and select 'Broadcasting.'

2. Applicant's details

About this section

In this section we are asking you for details about the applicant company. This must be a body corporate which is not profit distributing.

In the first part of this section, we are asking for basic details about the applicant. These include company registration number and contact information.

In the second 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 C-DSP 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 propriety to hold a C-DSP licence.

Before completing this section of the form, you should read [Ofcom's guidance on the definition of 'control' of media companies](#). Throughout this section, "control" has the meaning it is given in Part I of Schedule 2 of the Broadcasting Act 1990.

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).

Applicant information and contact details

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

Birmingham City Students' Union

2.2 Company registration number stated on Companies House:

3426445

2.3 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:

Curzon Building, 4 Cardigan Street, Birmingham, B4 7BD

- 2.4 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 4 of Part B.

- 2.5 Contact details of the individual duly authorised by the applicant for the purposes of making this application. This individual should be the company secretary, a director or (if an LLP) designated member.

(If you are an agent completing the form on behalf of the applicant please do not enter your details here – see paragraph 2.25 of the [guidance notes](#)).

Full name	Daniel Richards
Job title	Media Groups Coordinator
Address	Curzon Building, 4 Cardigan Street, Birmingham, B4 7BD
Telephone	0121 331 6820
Mobile phone	07545 091959
Email	dan.richards@bcu.ac.uk

- 2.6 If the proposed Licensed Service has/will have a website, please provide the website address below.

www.scratchradio.co.uk

- 2.7 How will the service be financed? If the applicant is receiving, or is likely to receive, any form of funding and/or financial assistance to establish and maintain the service, please provide details of who is providing that funding/financial assistance and the extent of it.

If you are receiving funding from, or on behalf of, a source that could be considered a political organisation or a religious body, you must set out the nature of that organisation here.

The service is a student radio station, funded by a mixture of Students' Union finance and fundraising by the society themselves.

The funding for this financial year has been around £10,000 with a further £500 raised in total by the society in the last academic year.

There is no ongoing cost for premises, utilities etc as this is covered by the Union.

Ownership and control of the company which will hold the licence

Details of officers, participants and shareholders of the applicant

- 2.8 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
Nathen Birkett	100 Tansley Road, Birmingham, B44 0DG	UK	None	None
Dhanusha Hemma Reddy	Block 1, Flat 1709, 46 Priors Queensway, Birmingham, B4 6FN	UK	None	None
Jinal Chandreshkumar Shah	4 Cardigan St, Birmingham, B4 7BD	UK	None	None

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

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Leanna Grant	4 Cardigan St, Birmingham, B4 7BD	UK	<ul style="list-style-type: none"> FROW Magazine Ltd Teen Families Ltd 	None
Gerda Diederiks	4 Cardigan St, Birmingham, B4 7BD	UK	None	None
Pravjoth Gill	4 Cardigan St, Birmingham, B4 7BD	UK	None	None
Stephen Craig Harrison Mirfield	4 Cardigan St, Birmingham, B4 7BD	Bahrain	<ul style="list-style-type: none"> Royal College of Surgeons in Ireland (Bahrain) 1Thirkleby Hall Management Company Ltd 	Chief Operating Officer - RCSI, Medical University of Bahrain
Victoria Bennett-Salvador	4 Cardigan St, Birmingham, B4 7BD	UK	None	None
Asha Stewart	4 Cardigan St, Birmingham, B4 7BD	UK	None	None
Christopher James Devereux Pile	4 Cardigan St, Birmingham, B4 7BD	UK	None	Senior Product Owner, BT PLC.

2.9 Complete the following table, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, amounting to more than 5% in the applicant (“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.

Full name of >5% participant (existing and proposed)	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
Comments				

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2.10 Complete the following table, expanding if necessary, to identify any entities with which the applicant is affiliated. By affiliated, we mean companies that are related through ownership, either with one company being a minority shareholder in the other, or through multiple companies being owned by a third party.

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

Full name of the entity	Address
Birmingham City Enterprises Ltd	4 Cardigan St, Birmingham, B4 7BD

2.11 Complete the following table, expanding it if necessary, to list any bodies corporate which are controlled by the applicant, and their affiliates:

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

Full name of entity	Address	Affiliates
N/A		

Details of persons who control the applicant

2.12 Complete the following table, expanding it if necessary, to list all persons who control the applicant, together with their affiliates. If any persons or bodies control the applicant jointly because they act together in concert (e.g. because of a shareholder’s agreement), each such person must be identified here:

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

Full name of individual or body	Address	Affiliates
N/A		

- 2.13 Complete the following table, expanding it if necessary, to list all officerships in other bodies that are held by any individual listed in response to question 2.12, and any affiliates of those bodies. An “officership” refers to being a director of a body corporate, designated member of a limited liability partnership, or member of the governing body of an unincorporated association:

(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 officership held	Affiliates of that body

- 2.14 Complete the following table, expanding it if necessary, to list all bodies corporate which are controlled by any body corporate listed in response to question 2.12, and their affiliates:

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

Full name of body corporate listed in 2.11	Body corporate controlled	Affiliates of body corporate controlled
N/A		

- 2.15 In relation to each body corporate identified in response to question 2.12, complete the following table, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, amounting to more than 5% 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 2.12. 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 2.11				
Full name of >5% participant	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
N/A				

Comments

Involvement of the applicant in specified activities

2.16 Please state below whether the applicant, or any of the directors, shareholders or other individuals named above, including their associates (i.e. directors of their associates and other group companies), 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	
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	

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.

Details of applications, licences and sanctions

2.17 Is the applicant (i.e. the body corporate that will hold the licence) a current licensee of Ofcom?

No

If yes, please provide the licence details expanding the table if necessary:

Licence number	Name of multiplex

2.18 Has the applicant (i.e. the body corporate that will hold the licence) held an Ofcom broadcasting licence before?

No

If yes, please provide the details expanding the table if necessary:

Licence number	Name of service or multiplex

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

Yes

If yes, please provide the details expanding the table if necessary:

Dates licence was held or dates of involvement	Licence number (if known)	Name of service or multiplex
Current	CR000041BA/2	Black Country Radio
Current	DP101118BA/1	Black Country Radio (Trial Birmingham)

2.20 Does the applicant (i.e. the body corporate that will hold the licence) control an existing Ofcom licensee?

No

If yes, please provide the licence details expanding the table if necessary:

Licence number	Name of service or multiplex

2.21 Is the applicant (i.e. the body corporate that will hold the licence) 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”)?

No

If yes, please provide the following information, expanding the table if necessary:

Licence number	Name of service or multiplex

2.22 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

If yes, please provide the following information, expanding the table if necessary:

Licence number	Name of service or multiplex

2.23 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

If yes, please provide the following details expanding the table if necessary:

Licence number (or equivalent)	Name of service or multiplex	Details of the investigation

- 2.24 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

If yes, please provide the following details relating to each sanction expanding the table if necessary:

Licence number (or equivalent)	Name of service or multiplex	Nature of the breach	Sanction im- posed	Date sanction imposed

- 2.25 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

- 2.26 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 do 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. The proposed service

About this section

This section asks you to describe your proposed service, including the Key Commitments you propose to include in your licence. This includes your service name, multiplex name and character of service, in addition to standard commitments that all C-DSP licensees need to abide by. Holders of an existing analogue community radio licence to be a simulcast on the proposed C-DSP service can replicate the existing analogue key commitments as it is our expectation that the key commitments for simulcast services are to be in keeping with one another. If a licence is granted, the information you provide in this section will be used to form the basis of the annex to your licence. You will only be authorised to broadcast what is detailed in the annex of the licence.

In this section, you will also need to set out how your service will provide social gain, community participation and how you will be accountable to the target community. This is in line with statutory requirements for the granting of C-DSP licences. **The information provided in this section is also the basis on which decisions are made.**

If you hold, or intend to hold, multiple C-DSP licences, the answers given in this section and the intended delivery of your Key Commitments must apply to the locality in which your proposed service will broadcast (as set out in the Draft Key Commitments in this application form).

Your proposed service and target community

3.1 What is the proposed service name?

Scratch Radio

3.2 On which radio multiplex service do you intend to broadcast? If the relevant radio multiplex licence has not yet been awarded, please state the name of the area that the multiplex service is intended to cover, as defined in the multiplex licence advertisement.

North Birmingham

3.3 Where is your proposed studio located? Please note that this must be located within the coverage area of the small-scale radio multiplex service identified in answer to 5.2 (or the advertised area for a small-scale radio multiplex service that has not yet been awarded).³

³ If you propose to provide your service on a local, rather than a small-scale, radio multiplex service, there is no requirement for your studio to be located within the licensed area of that local radio multiplex service.

4 Cardigan St,
Birmingham,
B4 7BD

- 3.4 If the proposed service is a simulcast or corresponding service of an existing licensed radio service, please list that below and provide the licence number.

N/A

- 3.5 What is the target community of the service? Please include the geographical area that you wish to serve in addition to the interests or characteristics that define your target community. The area you wish to serve must be geographically located within the coverage area of the radio multiplex service on which you intend to broadcast. **Answer in fewer than 400 words.**

The service targets current and prospective students within the coverage area of the multiplex.

Around 70% of students at BCU are commuter students who travel from within the city and the immediate area around its boundaries. The remainder live within halls of residence within the area.

It's important for us, as a Students' Union, to foster a sense of community within those students and Scratch Radio (as an online-only station) is at the heart of that.

- 3.6 How will you ensure that your proposed C-DSP service is run on a not-for-profit basis? Please give details of specific measures or arrangements in place to ensure this, and how any profit will be wholly and exclusively used for securing or improving the future provision of the service, or for the delivery of social gain. **Answer in fewer than 400 words.**

The service is a student society, linked to Birmingham City Students' Union, which is itself a charity. Every society we create is run on a not-for-profit basis.

Social gain

- 3.7 What community benefits will your service bring to your target community(ies) and, if applicable, the general public. Please include summaries of evidence to support your answer,

including details about other organisations you intend to work with. **Answer in fewer than 500 words. Please do not provide names of individuals in your answer.**

Scratch Radio currently works – and will continue to work – with a wide cross section of students at a central Birmingham University. These include those from a variety of religions, faiths and cultures and a number of societies who represent those with protected characteristics.

These include students who identify as LGBTQ+, disabled and who are from a BAME background.

Those individuals are not only catered for as listeners by a diverse range of programming, but are also encouraged to interact with the station and contribute in ways they feel comfortable.

- 3.8 Please summarise how your service will facilitate discussion and the expression of opinion. **Answer in fewer than 200 words.**

The students mentioned in 3.7 are encouraged to use Scratch Radio as a platform to express themselves, both as part of their own communities and the wider student population. Presenters are also able to hold the University and local organisations to account, with guests drawn from a cross-section of society for them to engage and debate with.

- 3.9 How will you ensure that members of your target community(ies) can gain access to the facilities used to provide your service, and receive training in using these? In particular, please set out how this will be done practically, formally and/or informally. **Answer in fewer than 400 words.**

Any student who is enrolled at the University is able to join Scratch Radio and, after appropriate training (in conjunction with the University School of Media and its staff who are practicing media workers) are supported to present, produce or otherwise contribute both autonomously and as part of a team.

The station, and its members, often engage in training others as well, with aspirations to collaborate with other societies within the Union to provide an element of support to school and college students with an interest in media.

- 3.10 How will your service provide better understanding of your target community and the strengthening of links within it? **Answer in fewer than 200 words.**

Scratch works to both promote its target communities to a cross section of students who may not otherwise engage with them – this is on a basis of tolerance and understanding to strengthen the student community at BCU.

- 3.11 Please summarise the relevant experience of the group or its members in activities related to the provision of social gain or other relevant non-broadcast areas (such as third sector, training or education). **Answer in fewer than 200 words.**

The station has a wide range of student members from across a variety of specialist degree pathways. There are also links, both via taught degrees within the University and external contacts who form a part of the structure of those courses.

Furthermore, the Union is currently forging links with a number of charities and organisations such as the Canal and River Trust, Environment Agency and a substantial group of mental health and wellbeing organisations.

Participation

- 3.12 How do you propose to ensure that members of your target community(ies) are given opportunities to participate in the operation and management of the service? **Answer in fewer than 400 words.**

Each of our societies – including Scratch Radio – is student led, with a committee of members, from across a range of courses and years of study, leading the organisation, supported by a Students' Union staff team.

Accountability

- 3.13 How will members of your target community contact your service and influence its operation? **Answer in fewer than 300 words.**

Members of the community can contact the station via text message, social media or email on a day to day basis. The studio is situated in a communal area within the main building at our City Centre campus so face to face contact is also possible.

Following on from 3.12, any student at the University can become a member of the station and stand for a position on the committee. Those positions are democratically elected on an annual basis, with occasional by-elections to fill space.

- 3.14 How will suggestions and/or criticisms from members of your target community(ies) be considered and acted upon? **Answer in fewer than 300 words.**

The Union runs an idea portal on our website where any student can submit a formal suggestion for our officer team to act upon. Members of the organisation are also able to scrutinise the officer team to ensure they're following ideas up.

On a more informal basis, the committee will hold regular meetings to consider any feedback from individuals or larger cross sections of the community. This may be in person, or via a feedback form on our website.

For either scenario, expectations will be met by the inclusion of a timeframe for the matter to be considered in and contact details for Ofcom, should the internal process not be satisfactory.

Draft Key Commitments

Below is an example of the licence annex where the Key Commitments appear. Should a licence be awarded, the entries you provide below will form the Key Commitments section of your licence. Holders of a community radio analogue licence that is to be simulcast, or a corresponding service, are expected to provide key commitments that are in line with their existing service(s). As such, applicants may refer to the existing key commitments of the relevant simulcast or corresponding service(s) to ensure that the draft below is in line with those of the existing service(s).

Please provide entries where specified in **BOLD** below. The information you enter here should reflect your answers to Sections 3 and 4 of the Part A of your completed Application Form. This will form the basis of your Key Commitments alongside the mandatory text in italics. Do not amend the text in italics as every service is required to comply with these requirements, but the details of how each service does so do not need to be included in the Key Commitments.

ANNEX TO LICENCE

LICENSED SERVICE NO tbc

Licensed Service	Service Description	Transmission Schedule	Multiplex
Scratch Radio	<p><i>Scratch Radio is a radio service intended to serve current and former students of Birmingham City University in Birmingham and its surrounding areas by providing a music, entertainment and information service with training opportunities for local communities.</i></p> <p><i>The studio of the Licensed Service is located within the coverage area of the Small-Scale Radio Multiplex Service identified above (n.b. the Licensee will not be in breach of this requirement if an existing studio ceases to fall within the coverage area merely</i></p>		North Birmingham

C-DSP licence: Application form (Part A)

	<p><i>as a result of technical changes to the Small-Scale Radio Multiplex Service outside the control of the Licensee).</i></p> <p><i>The Licensed Service shall have the characteristics of a Community Digital Sound Programme Service as set out in the 2019 Order and, in so doing, shall achieve the following objectives:</i></p> <ul style="list-style-type: none"><i>• the facilitation of discussion and the expression of opinion,</i><i>• the provision (whether by means of programmes included in the service or otherwise) of education or training to individuals not employed by the person providing the service, and</i><i>• the better understanding of the particular community and the strengthening of links within it.</i> <p><i>Members of the target community shall contribute to the operation and management of the service.</i></p> <p><i>The service shall have mechanisms in place to ensure it is accountable to its target community in the specific area or locality.</i></p>		
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4. Compliance of the service

About this section

This section asks you to describe the compliance arrangements for the proposed licensed service, i.e. the arrangements which the applicant will put in place to ensure that the content it proposes to broadcast will comply with the relevant regulatory codes and rules for programming and advertising. These include:

- The Ofcom Broadcasting Code
- The BCAP Code: the UK Code of Broadcast Advertising
- The Phone-paid Services Authority Code of Practice

Condition 17 of a C-DSP licence requires that you have compliance procedures in place, and this section asks that you demonstrate your ability to meet this licence condition.

Before completing this section of the form you should read Section 4 of the [C-DSP guidance notes](#), where you will also find links to the codes and rules listed above.

- 4.1 Please give details of all compliance training (including dates) the person named in response to either question 2.3 or 2.5 in Part B (i.e. the individual who holds overall responsibility for compliance of the service) has received in the relevant codes and rules (for example, those referred to in the box at the start of this section).

Degree in Radio Production (including media law modules) obtained in 2011

Masters degree in Radio and Audio Production obtained in 2017

Employment with Birmingham City Students' Union, including media law refresher training – last attended in 2019.

- 4.2 Please give details of any practical compliance experience (including dates) the person named in response to either question 2.3 or 2.5 in Part B (i.e. the individual who holds overall responsibility for compliance of the service) has with respect to the relevant codes and rules.

Ongoing work with Black Country Radio (2010 – present) both on air and in a management capacity.

- 4.3 For each role within your compliance team please provide job title and a brief description of the functions of the role specific to ensuring compliance of the proposed service. Please do not give names of individual members of staff – this question relates to job roles rather than currently employed individuals.

Head of Engagement

Overall responsibility for the effective, and compliant functioning of the engagement team that Scratch radio falls under.

Societies, Sports and Volunteering Manager

Executive control of all societies and – in this instance – the ability of those groups to conduct their function.

Media Groups Coordinator

Day to day responsibility for the station and its function, specifically compliance with regulation. Responsibility for ensuring those presenters on air have undergone suitable training programmes.

Station Manager

Responsible for recruitment and retention of presenters and, alongside colleagues from the University, delivering training to those involved in the stations operation.

- 4.4 How does the applicant intend to formally train staff in compliance procedures? Please include details of the compliance training that will be given to those responsible for live programming, including compliance staff, presenters and producers.

Many members of the station are already undergoing mandatory media law and further compliance training as part of their degree courses.

Proof of completion of that session, as well as organisation-specific compliance training will be delivered as part of an existing training structure for societies would become mandatory for members before engaging with activity with the station.

This training would be valid for a period of 12 months with any updates communicated to members during that time. Those wishing to continue with the organisation would need to undergo a refresher course each year.

- 4.5 Will the training described in response to question 4.5 be mandatory for all staff and volunteers? If not, outline who will receive it.

Yes.

- 4.6 It is a licence requirement that a licensee must ensure that all programming on its service (broadcast at any time of the day or night) complies with Ofcom's codes and rules (e.g. Ofcom's Broadcasting Code, which sets requirements on standards to be observed in programme content for the protection of the public).

- a) Set out in detail below the systems the applicant intends to have in place to ensure it will be able to comply with the codes and rules when the service is broadcasting live content. Your response should include details of what you will do to prepare presenters and guests pre-broadcast and the process for ensuring that any non-complaint content is dealt with swiftly during the broadcast.

Live programming will be supplemented by members of the stations management committee who will fulfil a brief to act as producers. The stations day to day management rests on their shoulders and they will all have undergone the relevant training to ensure understanding.

Guests and co-presenters will all be briefed by that producer before they are allowed on air and given a standardised overview on the understanding that, should they break the stations guidelines, they will be blacklisted from appearing on air in future.

Should anyone fall foul of compliance measures, an immediate apology will be issued by the presenter currently on air. If the presenter is the person who falls foul, the producer will step in and either offer the apology or instruct the presenter to.

If the breach was accidental, the person at fault will be reminded informally of the need to avoid the same mistake in future. If the mistake was intentional, or severe, the presenter will be taken off air and will undergo further refresher training before being allowed back on air.

Repeated instances will be dealt with via the station's disciplinary code, in conjunction with the Students' Union.

Occasions where issues could arise which are outside the control of the station – for example, chants at football grounds – an appropriate warning will be issued on air followed by an apology should an issue occur.

- b) Set out in detail below how the applicant intends to ensure that pre-recorded material will comply with Ofcom's codes and rules. Pre-recorded content could include, for example, material obtained from, or streamed from, third party sources as well as content produced by the licensee.

In a similar manner to point A above, every pre-recorded interview/feature or any other third party content will be subject to compliance checks by a producer who will be a member of the stations management team.

Over time, others may undergo the same level of training in compliance to allow them to make judgements on content being used on air.

Should audio be streamed from a third party source which is live, due diligence will be undergone to ensure the third party is reputable and, where applicable, subscribes to the same standards of compliance.

- 4.7 Please set out how you will ensure ongoing compliance with your Key Commitments that relate to what you will broadcast on the station, including how you will monitor that these

are being delivered e.g. who will be responsible for monitoring this, how often will they monitor it, how you ensure this information is published.

The station manager in position has ultimate responsibility to the Media Groups Coordinator and management team for the day to day programming content of the station and for ensuring quotas are met where applicable.

This will be reported regularly to the management team and license holder, who will step in and query the programming decisions if commitments are not being met.

- 4.8 Please set out how you will ensure ongoing compliance with your Key Commitments that relate to the station's off-air social gain activities, including how you will monitor that these are being delivered e.g. who will be responsible for monitoring this, how often will they monitor it, how you ensure this information is published.

Monitoring already exists and information is published as part of regular reports from the Students' Union. This takes the form of both informative reports and data based on student feedback.

- 4.9 What language(s) does the applicant intend to broadcast in?

English

- 4.10 For each language listed in response to question 4.9 please provide details of how many compliance team member(s) are fluent in each language and will be responsible for ensuring that content broadcast in that language complies with the Ofcom's code and rules.

Please do not give names of individual members of staff.

All members

5. Declaration

About this section

This form must be submitted by the applicant named in response to question 2.2. An agent may not sign **the form**.

The person authorised to make the declaration on behalf of the applicant must print their name and must be one of the following :

- A director of the company or the company secretary where the applicant is a company.
- A designated member where the applicant is a Limited Liability Partnership.

The declaration must also be dated.

- 5.1 I hereby apply to Ofcom for the grant of a licence for the community digital sound programme service described above and declare that the information given in this application form is, to the best of my knowledge and belief, correct.
- 5.2 I further declare and warrant:
- a) that I am not a disqualified person within the meaning of that expression as defined in Part II 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;
 - b) that having made all reasonable enquiries neither the applicant nor any person controlling the applicant, as a 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; and
 - c) 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
 - d) that no director or person concerned directly or indirectly in the management of the applicant is subject to a disqualification order as defined by section 145 (1) of the Broadcasting Act 1996.
- 5.3 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 influ-

ence Ofcom's judgement as to whether the directors and any other individuals and/or bodies corporate with substantial involvement 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 applicant or person authorised to make the application of behalf of the applicant:

VICTORIA AURORA BENNETT-SALVADOR

Date of application:

07/01/22

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

Company secretary / company director / designated member (in the case of a Limited Liability Partnership)

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