

## Your response

Question	Your response
<p><b>Question 1: Do you agree with the planning principles and methodologies that we will use in our work to refine the coverage area plan for small-scale DAB?</b></p>	<p>Broadly, yes. However we would ask for some flexibility to be afforded to multiplex licence applicants in terms of the specific area being applied for.</p> <p>Firstly, we believe that it may be prudent in smaller polygons to be able, at application stage, to apply for a single multiplex that encompasses two or more polygon areas, subject to the statutory maximum 40% population overlap requirement. This would be beneficial in areas where there are neighbouring polygons that cover a relatively small area, making them more financially sustainable to operate, and reducing the likelihood that there may not be a potential applicant for an individual area. Angel Radio also believes that where polygons are combined in to one larger polygon, they should thereafter be treated as a single licence.</p> <p>Secondly, we believe that in highly populated areas, that being able to propose an alternative polygon would better enable multiplex operators to plan coverage with maximum efficiency, while respecting the maximum 40% population overlap requirement. We are mindful that there is tremendous pressure on the frequency blocks to be used for small scale DAB, however, even Ofcom itself recognises in its consultation, that there will be inevitable coverage overspill. We are proposing that allowing minor tweaks to the polygon areas at application stage will better enable multiplex operators to tailor coverage to fit coverage to the local population. Allowing alternative polygons would also enable multiplex applicants to ensure that the fringe districts/boroughs of a polygon can be tailored to those with stronger local affinities to the core multiplex area.</p> <p>Specifically, in the case of the Portsmouth DAB polygon, we would redraw it to encompass the town of Petersfield (population circa 15,000). Petersfield has a strong cultural affinity to Portsmouth, and we have identified several</p>

	<p>partners in the town that would prefer to be part of a Portsmouth DAB multiplex than one covering Alton. Including Petersfield would not increase the Portsmouth polygon beyond 40% population of the South Hampshire DAB multiplex either.</p>
<p><b>Question 2: Do you agree with our proposed approach to the required technical licence conditions for small-scale radio multiplex services, and the proposed amendments to the Digital Radio Technical Code?</b></p>	<p>We believe it is unnecessary for Ofcom to mandate the use of DAB+ on small scale DAB. We strongly believe that there should be a market led approach. The 10 trial small scale DAB multiplex licences have to date, delivered a broad range of services, many of which are using DAB+, without any intervention at all.</p> <p>On our own Portsmouth small scale DAB multiplex, we are, at the time of this consultation submission, 27 of the 28 audio services broadcast are in DAB+ using a mixture of HE-AAC v2 and AAC LC as appropriate. One of our services, Express FM is broadcasting in MP2 DAB. We do not believe it is right that Express FM, a long standing community station, that has been on the Portsmouth DAB multiplex since day one, is forced to switch to DAB+, especially as it has built a loyal following on the platform.</p> <p>In less populated areas, it is likely that there will be lower demand of multiplex capacity. Arbitrarily prohibiting the use of MP2 DAB may result in multiplexes having unused, wasted, capacity. Several higher bitrate commercial MP2 services may also have the benefit of being of being able to subsidise capacity for the C-DSP services.</p>
<p><b>Question 3: Do you agree with Ofcom's proposed approach to setting the level of reserved capacity for C-DSP services on small-scale radio multiplex services?</b></p>	<p>Although we acknowledge the statutory minimum of three C-DSP services per multiplex, we believe that it should be left to the potential multiplex operator at application stage to determine to Ofcom what the level of reserved capacity should be. Setting an arbitrary reservation of 48kbps per service may mean C-DSP services paying for capacity they don't actually require or want to pay for. Angel Radio feels that setting a minimum bitrate does not take in to account the actual transmission chain. For example, in Portsmouth we use different audio codecs to those used by 8 of the 10 trial small scale DAB multiplexes. We strongly argue that depending on factors such</p>

as studio set up, contribution and the type of encoder used, lower bitrates than 48kbps can be acceptable.

The proposal of three services at 48kbps poses a quandary for Angel Radio.

Of the 28 services on our Portsmouth DAB multiplex, 7 are community radio stations, and a further 3 are provided as spin-off services from Angel Radio (60s, Christmas Angel and Weather 24/7 Radio). Taking in to account Ofcom's proposed criteria of who could hold a C-DSP licence, only two of our services would actually be eligible for reserved capacity – Express FM and The Flash. Others, such as BFBS Portsmouth, who provide local programmes would be excluded from reserved capacity by virtue of not having a studio within the transmission area.

If Angel Radio were required to reserve 3x 48kbps slots as a minimum, we would have to make a difficult decision about what services may have to be dropped from our multiplex to set aside an arbitrary 108 capacity units that may or may not be occupied.

Allowing bitrates lower than 48kbps would mean that in Portsmouth, we could maintain the breadth of choice currently provided to listeners, enabling a stronger range of smaller broadcasters access to DAB. The other benefit of not setting a reservation at 48kbps per service is that it allows the multiplex operator a better opportunity to ensure commercial carriage fees are able to subsidise the rates charged to C-DSP services.

Angel Radio itself broadcasts on other small scale DAB multiplexes using a mixture of MP2 DAB and DAB+ as we feel appropriate to the area we are broadcasting to. We select our bitrate based on what we feel is appropriate. For example, the Glasgow small scale DAB multiplex uses the Factum Radioscape platform, which means that 24kbps can provide good sound quality for our programmes, whereas in other areas 32kbps may be more appropriate.

	<p>For a station such as Angel Radio, to take 48kbps would simply be excessive for our programming, but would cause us additional financial burden.</p> <p>It is also not clear what Ofcom's position is regarding the scenario of a C-DSP not taking up the reserved capacity. By way of example, three C-DSP services want to be on a multiplex, but two only require and want to pay for 32kbps. Rather than setting aside 24CUs (32kbps) indefinitely, on the assumption that one or both services might want to upgrade at a future date, we suggest that the multiplex operator be able to contract with another C-DSP provider to take on this capacity.</p> <p>We also propose that existing community radio stations should be able to convert their DSPS licence to a C-DSP licence without paying an additional application fee to Ofcom.</p>
<p><b>Question 4: Do you agree with the factors we are proposing to take into account of in deciding the order and timescale in which Ofcom will advertise small-scale radio multiplex licences?</b></p>	<p>We agree with Ofcom's propose to advertise the existing trial DAB multiplex locations first.</p> <p>Angel Radio does not agree with Ofcom's proposals on making ratecard information freely available. We understand the Statutory requirement to have a ratecard, and our preferred approach is to provide this information confidentially to Ofcom and potential service providers only. We do not see a compelling reason to make ratecard information freely available. The existing 10 DAB trial licences do not make their ratecards freely available, yet there is no evidence to suggest this has hampered services from obtaining DAB capacity at a fair price.</p> <p>We are surprised that Ofcom is proposing to force multiplex operators to make ratecard information freely available, because it has not offered any evidence of any detriment caused during the 4+ years of small scale DAB from this information being kept commercially confidential. Ofcom has requested financial information from small scale DAB multiplex operators from time to time, and we suggest that going forward, ratecard information should be disclosed to Ofcom in confidence.</p>

	<p>Angel Radio argues that we have demonstrated beyond reasonable doubt, that a light touch approach, can be capable of providing fair access to potential services, without necessitating ratecards being made publicly available on our website.</p> <p>If ratecards were forced to be made freely available, this may result in rival operators gaining an unfair insight in to the commercial operation of a licence holder in future licence advertisements by Ofcom, either at the end of the 5/12 year period, or even at the latter stages of the initial small scale DAB licencing process.</p>
<p><b>Question 5: Do you agree with our proposed approach for assessing the technical plans submitted in small-scale radio multiplex licence applications?</b></p>	<p>We understand Ofcom’s rationale behind wanting to ensure spectral efficiency by encouraging multiplex applicants to submit plans that provide coverage to as much of a polygon as possible, however we would strongly caution Ofcom against making it the sole, or major factor in a licence award decision. A statement suggesting coverage being the major factor in a licence award, may encourage more risky licence applications, to the detriment of operators with sensible, and financially viable coverage plans.</p> <p>It may be that Ofcom may want to consider coverage proposals in the event of multiplex application submissions being equal in other criteria, but we would strongly advise against coverage proposals being the de-facto reason to award a multiplex licence.</p> <p>We also refer to our response to question 1, Angel Radio supports allowing applicants to redraw or combine polygon areas, This would have the affect of applicants proposing to cover the exact area they want to, as opposed to feeling pressured to make unrealistic coverage promises.</p>
<p><b>Question 6: Do you agree with our proposed approach for assessing the ability of applicants to establish their proposed small-scale radio multiplex service?</b></p>	<p>We broadly support Ofcom’s proposals, but we also believe that the proposed launch services be taken in to consideration by Ofcom, including evidence of agreements with service providers and/or details about how the multiplex operator will offer a range of services on the multiplex.</p>

**Question 7: Should Ofcom require that the studio of a C-DSP licensee be located within the coverage area of the small-scale radio multiplex service it plans to broadcast on? Please explain the reasons for your view.**

The existing 10 small scale DAB trial multiplexes have enabled community of interest community radio services to expand their coverage in an economical way. In Portsmouth, 5 of the 7 community radio services we broadcast do not have a studio in our transmission area. It is unfair that some stations may be precluded from taking advantage of the benefits of a C-DSP licence, by virtue of being out of area, even though they are a community of interest service that may be of genuine appeal to those in the area to which the multiplex operates.

Our main Angel Radio service is also carried on the Aldershot, Birmingham, Brighton, Bristol, Cambridge, Glasgow, London and Norwich small scale DAB multiplexes. As a community of interest service, we feel it is unfair that we would be excluded from obtaining C-DSP capacity by virtue of not having a studio in the transmission area. On the small scale DAB multiplexes we currently broadcast on, Angel Radio is the only service providing programming for older persons. It would be to great detriment to older persons in the UK, if Angel Radio was excluded from C-DSP capacity, because as a registered charity, we could not afford to pay commercial rates and cover the same locations as we do already.

We would also suggest to Ofcom that where services like Angel Radio want to establish a wider footprint on small scale DAB, that one C-DSP licence should be sufficient to cover any number of multiplexes the service is carried on, provided programming is identical on each multiplex. Finally, we would expect that out of area C-DSP services should be able to obtain access to reserved C-DSP capacity on multiple small scale DAB multiplexes. As a registered charity, it is crucial that Ofcom agree with these points if it wants to ensure that community of interest C-DSP services are able to reach as many listeners as possible within their target community.

**Question 8: We propose that holders of corresponding analogue community radio and DSP licences apportion their income equally across their licences, unless there are compelling reasons why a different**

Angel Radio believes that Ofcom should conduct a short consultation specifically on the exact content of C-DSP conditions. Although in principle we do not have any objection to Ofcom's proposal, we feel it is unfair that

apportionment is reasonable. Do you agree with our suggested approach?

Ofcom have not produced a draft C-DSP template alongside this consultation.

**Question 9: Do you agree with our proposal that a prospective C-DSP service provider will be able to apply for a C-DSP licence once we have invited applications for the small-scale radio multiplex licence upon which their proposed C-DSP service is intended to be provided?**

Ofcom currently requires evidence of capacity being secured on a multiplex before issuing a DSPS licence, and we propose that Ofcom require evidence of capacity being secured before awarding a C-DSP licence. In areas of high demand, it is feasible that more organisations may apply for a C-DSP licence than actual capacity available, especially if Ofcom specifies a minimum bitrate of 48kbps per service. It does not seem fair that Ofcom would allow non-profit organisations to go to the time and expense of applying for a C-DSP licence to then find that they do not have agreement to be carried on a multiplex.

Although not explicitly part of the consultation questions, Angel Radio would also expect that multiplex operators would retain control of deciding whether or not to ultimately contract with a C-DSP service. We acknowledge that capacity reserved for C-DSP services is intended for community services, however we would want to ensure as a minimum C-DSP services were of suitable standing in terms of finances and technical competence, to ensure that quality services are broadcast on the multiplex, as opposed to a service that simply applied for it's licence a short time before another.