
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):

Community Broadcast Initiative Tyneside

Proposed service name:

Nova Radio North East 102.5fm

Radio multiplex service(s) on which the proposed C-DSP service is to be provided:

Tyneside Community Digital serving Newcastle/Gateshead

Public contact details:

Neil Kipling

neilkipling@novaradio.co.uk

Contents

Section

1. Overview	1
2. Applicant's details	4
3. The proposed service	13
4. Compliance of the service	20
5. Declaration	24

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 be published by Ofcom following the submission of your application. 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, 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):

COMMUNITY BROADCAST INITIATIVE TYNESIDE LTD

2.2 Company registration number stated on Companies House:

05022142

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:

30 Merchant House,
 Cloth Market,
 Newcastle Upon Tyne,
 United Kingdom,
 NE1 1EE

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	Neil Kipling
Job title	Director
Address	97 Woodbine Avenue Wallsend Newcastle upon Tyne NE28 8HE
Telephone	07534507422
Mobile phone	07534507422
Email	neilkipling@hotmail.com

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

www.novaradio.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.

Funded in several parts

Presenter contributions (subs)

Advertising

As part of the Newcastle/Gateshead multiplex small scale DAB team. Any surplus after operational costs are covered will be split between 4 stations. We receive 25%

Any shortfall supplied by director

Ownership and control of the company which will hold the licence

Details of officers, participants and shareholders of the applicant

2.8 Please provide the following details for each director or designated member of the applicant:

Full name of individual	Correspondence address ¹	Country of residence	Other officerships held (and nature of the business concerned)	Other employment
Neil Kipling	97 woodbine avenue, Walls-end, Newcastle upon tyne, NE28 8HE			

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

2.9 Please identify any entities with which the applicant is affiliated:

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

Full name of the entity	Address
N/A	

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

Full name of entity	Address	Affiliates
N/A		

2.11 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:

Full name of individual or body	Address	Affiliates
Neil Kipling	97 woodbine avenue, Wallsend, Newcastle upon tyne, NE28 8HE	

2.12 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 2.11, and any affiliates of those bodies:

Full name of individual	Name of body in which officership held	Affiliates of that body
N/A		

--	--	--

2.13 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 2.11, and their affiliates:

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

2.14 In relation to each body corporate identified in response to question 2.11, 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 (“participants”). You may, but are not required to, exclude from this table any bodies listed in response to question 2.11. 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.

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
Neil Kipling				100
Comments				

Involvement of the applicant in specified activities

2.15 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	Yes	Local updates and news from the area
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	

Details of applications, licences and sanctions

2.16 Is the applicant a current licensee of Ofcom?

Yes

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.

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

Licence number	Name of multiplex
CR000050BA	Newcastle upon Tyne and Gateshead

2.17 Has the applicant held an Ofcom broadcasting licence before?

Yes (delete as appropriate).

Licence number	Name of service or multiplex
CR000050BA	Newcastle upon Tyne and Gateshead

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

Yes / No (delete as appropriate).

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

2.19 Does the applicant control an existing Ofcom licensee?

Yes (delete as appropriate).

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

Licence number	Name of service or multiplex
CR000050BA	Newcastle upon Tyne and Gateshead

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

Yes / No (delete as appropriate).

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

Licence number	Name of service or multiplex

2.21 Has 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 (delete as appropriate).

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

Licence number	Name of service or multiplex

2.22 Is 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 (delete as appropriate).

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

--	--	--

2.23 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 (delete as appropriate).

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 imposed	Date sanction imposed

2.24 In relation to any of the directors, shareholders or other individuals named in this application, please provide any information which you think may be a relevant consideration for Ofcom in determining whether or not the applicant is fit and proper to hold a Broadcasting Act 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

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

No (delete as appropriate).

If yes, please provide the following details:

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

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. 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.

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?

Nova Radio North East 102.5fm

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.

Tyneside Community Digital serving Newcastle/Gateshead

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.

30 Merchant House,
Cloth Market,
Newcastle Upon Tyne,
United Kingdom,
NE1 1EE

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

CR000050BA

- 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.**

Nova Radio serves residents of parts of central Newcastle upon Tyne, in particular those areas with high levels of deprivation.

It uses the production and broadcast of community radio to promote community learning, cohesion, regeneration, celebration and empowerment. The station provides an accessible public

platform for individuals and local community groups to express opinion and stimulate discussion.

The service broadcasts:

- Music. The main types of music broadcast over the course of each week are: popular music from the last six decades, world music and unsigned artists.

- Speech. The main types of speech output broadcast over the course of each week are: news, community news and information, features, discussions or interviews on topics of local interest.

- The service provides original output

for a minimum of 10 hours per day.

- The service provides locally-produced output

for a minimum of 13 hours per day.

The studio is located within the licensed coverage area.

The service provides a range of community benefits (social gain objectives mandated by statute) for the target community, both on-air and off-air, and in doing so, achieves the following objectives:

- the facilitation of discussion and the expression of opinion,

- 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

- the better understanding of the particular community and the strengthening of links within it.

Members of the target community contribute to the operation and management of the service.

The service has mechanisms in place to ensure it is accountable to its target community.

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.**

Any profit generated by the service will be used to improve the service via new equipment or via studio improvements. For the last few years the service has been run at a loss with the director Neil Kipling making up any deficit.

The arrangement in place is Neil Kipling's continued commitment to provide the local region with the best community station possible.

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.**

Nova Radio serves residents of parts of central Newcastle upon Tyne, in particular those areas with high levels of deprivation. It uses the production and broadcast of community radio to promote community learning, cohesion, regeneration, celebration and empowerment. The station provides an accessible public platform for individuals and local community groups to express opinion and stimulate discussion.

The service broadcasts:

- Music. The main types of music broadcast over the course of each week are: popular music from the

last six decades, world music and unsigned artists.

- Speech. The main types of speech output broadcast over the course of each week are: news,

community news and information, features, discussions or interviews on topics of local interest.

- The service provides original output

for a minimum of 10 hours per day.

- The service provides locally-produced output

for a minimum of 13 hours per day.

The studio is located within the licensed coverage area.

The service provides a range of community benefits (social gain objectives mandated by statute) for the

target community, both on-air and off-air, and in doing so, achieves the following objectives:

- the facilitation of discussion and the expression of opinion,

- 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

- the better understanding of the particular community and the strengthening of links within it.

Members of the target community contribute to the operation and management of the service.

The service has mechanisms in place to ensure it is accountable to its target community.

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

We plan to interview Local community, mental health experts, local artists groups on a weekly basis.

These interviews will be set up by our team of volunteers and through on air appeals and our social media channels, we will give airtime to those who wish to speak on air about the various issues and challenges they are facing. We will showcase potential resources and solutions as well as highlighting the challenges.

- 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**.

Community Broadcast initiative Tyneside have a proven record of bringing in new members of the public to experience radio presentation and production. Many of the people who have worked with the us have previously, started with no previous experience in radio presentation or production.

We would run a recruitment campaign on air and on social media to invite members of the community to get involved. This would also be promoted on our social media platforms.

For those who are keen to get involved, a training co-ordinator supports new volunteers with new skills including presentation techniques, recording, producing, audio editing, interviewing, content creation, broadcast law and the Ofcom code.

- 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.**

We would entertain, educate and inform. We have many years of experience of commercial and community broadcasting experience. We would work closely with our community and stakeholders; bringing people and organisations together to raise awareness, form alliances, develop relationships and build on positive partnerships. Our programming will raise awareness of mental health issues and highlight the issues, challenges and obstacles the community faces; and help provide guidance, support and solutions. Isolation is particularly hard for those in our community who are facing mental health issues. It is also challenging for service providers to reach this audience. We will provide that bridge and help forge stronger links within the community.

- 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.**

Neil Kipling has continued to be involved with community radio on Tyneside. Working with Anxious Minds radio, Pride Radio (LGBT), Radio Tyneside(Health and wellbeing) and Spice FM (aimed at listeners from the Asian community onTyneside). All have trained volunteers, worked with stakeholders to create new programmes or services and reached out to other organisations to work with their respective stations. Together they bring many years of experience in providing social gain.

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.**

The proposed service would reach out to the community and would have an open door policy. We would work with local community groups and other charities to engage a range of interested individuals and groups. Training sessions would be held at convenient times for volunteers and new volunteers would be assigned a mentor who work with them in their chosen field (i.e.; presentation, production, fund raising etc)

We work with a training matrix to help with presentation, production and legal/compliance matters for radio.

Accountability

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

We would ask for feedback on social media and on air and will look to set up a board from the community to give feedback on the programmes broadcast on the station.

We'd also welcome input from bodies such as the mental health trust, mental health charities and other groups from the sector. We attend open days and invite members

of the community along plus we will aim to attend seminars/events organised by other relevant organisations and agencies.

- 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.**

We would welcome criticism and feedback from the target community and would want to shape our output to meet their needs. As mentioned earlier, we will look to set up a board made up of members of the community. This would meet on a regular basis and give feedback on programmes broadcast by the station. The director would discuss the recommendations made by the board and report back on the progress of the suggestions made by the steering committee. It might not always be possible for logistical, financial or other reasons to accommodate the wishes of the steering committee but it would be our intention to act on their advice as closely as possible

Draft Key Commitments

Service name: *the on-air name of the programme service (as in question 3.1 of this application)*

Nova Radio North East serves residents of parts of central Newcastle upon Tyne, in particular those areas with high levels of deprivation. It uses the production and broadcast of community radio to promote community learning, cohesion, regeneration, celebration and empowerment. The station provides an accessible public platform for individuals and local community groups to express opinion and stimulate discussion.

The service broadcasts:

- Music. The main types of music broadcast over the course of each week are: popular music from the

last six decades, world music and unsigned artists.

- Speech. The main types of speech output broadcast over the course of each week are: news, community news and information, features, discussions or interviews on topics of local interest.

- The service provides original output¹

for a minimum of 10 hours per day.

- The service provides locally-produced output²

for a minimum of 13 hours per day.

The studio is located within the licensed coverage area.

The service provides a range of community benefits (social gain objectives mandated by statute) for the

target community, both on-air and off-air, and in doing so, achieves the following objectives:

- the facilitation of discussion and the expression of opinion,

- 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

- the better understanding of the particular community and the strengthening of links within it.

Members of the target community contribute to the operation and management of the service.

The service has mechanisms in place to ensure it is accountable to its target community.

Proposed radio multiplex service: *as in question 3.2 of this application, specify if small-scale or local multiplex the radio station plans to broadcast on*

Tyneside Community Digital serving Newcastle/Gateshead

Description of target audience:

As we maintain a wide variety of shows including Soul, news, dance Rock, pop our audience is quite wide 18-70

Description of locality, which can be all of, or a subset of, the area covered by the radio multiplex service specified above:

Newcastle upon Tyne

Brief statement of main purpose of the radio service, its functions/activities: *describe in no more than 50 words*

To act as a voice for the community, connecting people with discussions and events around the local area. To educate and build skills for those that wouldn't have the opportunity under normal circumstances. To promote awareness for the activities of local community groups & mental health organisations .

The text below is included in the Key Commitments in all C-DSP licences, and does not need to be amended or augmented. 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.

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 as a result of technical changes to the Small-Scale Radio Multiplex Service outside the control of the Licensee).

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:

- **the facilitation of discussion and the expression of opinion,**
- **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**
- **the better understanding of the particular community and the strengthening of links within it.**

Members of the target community shall contribute to the operation and management of the service.

The service shall have mechanisms in place to ensure it is accountable to its target community in the specific area or locality.

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 Will the individual named as Compliance Contact in response to question 2.3 in Part B have overall responsibility for compliance for the duration of the licence?

Yes/No (delete as appropriate)

- 4.2 Please give details of all compliance training and compliance experience (including dates) the person named in response to question 2.3 in Part B has received in the relevant codes and rules (for example, those referred to in the box at the start of this section).

Neil Kipling has attended Bauer organised training sessions 2016

He has a thorough understanding of the Ofcom code, the BCAP Code and the Phone Paid Services Authority Code of Practice. He has maintained the compliance for the past three years of FM community station Nova Radio North East.

- 4.3 How many staff does the applicant have (or plan to have) in its compliance team? Please provide a brief description of the functions each person will be performing. Please do not give names of individual members of staff.

We have 6 volunteers in our compliance team,
3 of us maintain the operation elements of the station,
ensuring continuous broadcast,
updating news
music database.
Computer maintenance
Facilitate training needs
3 of us maintain the social media & communication elements:
Website
Facebook
Instagram
Twitter
Email traffic

- 4.4 How does the applicant intend to 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.

The director of Community Broadcast Initiative Tyneside has already trained presenters in compliance as they involved at station that hold FM Community Radio Licences.
Training sessions would be held to which all team members MUST attend. A presentation would set out the code and what is expected by the broadcaster of team members.
A Training Matrix is used to gauge progress of training which team member to take away as well as signed declarations of understanding the rules & regulations, along with a commitment to uphold them. Continued sessions are set a regular basis as a refresher and to introduce new compliance information . Our compliance team will always be on hand on the premises or on the phone to advise if there are any urgent/last minute questions.

- 4.5 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). 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 at all times while the service is broadcasting, in particular when the service is broadcasting live content but also when pre-recorded material⁴ is being broadcast.

All material being added to our database is screened to ensure it complies with the codes and rules at all times. This is maintained by four volunteers who screen any new music or other database loaded materials.

Pre-recorded material is only permitted to be aired by volunteers those who have been through the training processes and understand the codes & rules regarding content and broadcastability. They all sign declarations that they understand the rules and will periodically be asked to attend refresher meetings

- 4.6 Please set out how you will ensure compliance with your Key Commitments, including how you will maintain up-to-date information on how these are being delivered.

⁴ This could include, for example, material obtained from, or streamed from, third-party sources as well as content produced by the licensee.

The director of Community Broadcast Initiative Tyneside has worked at a station which have held Ofcom Community radio licences for many years. The systems used at these stations would be implemented and observed and adhered to at all times.

The director & compliance will be responsible for all aspects of output. As mentioned earlier, all team members will have been trained and will continue to be trained in compliance sessions. All interviews and features on the output of the station will be assessed by the compliance team– this would apply whether the programme is live or recorded.

All music would be listened to for inappropriate language or other elements by the programme director. If issues arise about any programme content , the programme director can call on the experience of outside experts who have many decades of experience when

it comes to the Ofcom code.

If a complaint were to come in regarding the content of any show we would investigate by first checking the logger system we have in place. We keep 6-12 months of material recorded in case of any issues in order to review.

Once we had checked the content of show receiving a complaint if any material were to deemed a breach in the guidance (The Ofcom Broadcasting Code ("the Code") covers all programmes broadcast on or after 23:00 on 31 December 2020) is what we would use as reference to gauge this, we would then issue a formal apology to the person raising the complaint. Along with reassurance that the material had been removed from our system along with any disciplinary action taken.

When the offensive material stored within our database is being removed. We would also investigate how that material got onto the database in the first place. We have a procedure in place that all new material being added to our database be screened first. If this procedure wasn't followed and a presenter was found to be adding material without the proper screening. We would discuss the matter with the presenter to make them aware of the proper process. If the offense was serious in nature, we would issue the presenter with a warning and monitor the output of their show for the next month to ensure no further transgressions. Any further transgressions would force us enact the removal of that presenter from the schedule.

A complaint may be not as simple as an offensive track being played out, perhaps a presenter has opinions that are considered racist, sexist, homophobic or inflammatory to any other sensitive topic written out in the ("the Code") guidelines. All presenters go through an initial training programme to inform on how to use equipment and how to conduct themselves as a presenter along with giving them an understanding of what sort of topics can be though of as sensitive. If a presenter was unable to maintain the right level of "appropriateness" after being giving an education of the guidelines we would remove them from the schedule.

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

English

4.8 For each language listed in response to question 4.7, 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 6 member are fluent

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:

NEIL OWEN KIPLING

Date of application:

11/05/22

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