

Small scale DAB: Call for expressions of interest

Informing spectrum planning requirements for a future licensing framework

The Broadcasting (Radio Multiplex Services) Act 2017 (“2017 Act”) made provision for the licensing and regulation of small scale radio multiplex services. Specifically, it allowed for the introduction of secondary legislation which would apply certain provisions of the Broadcasting Act 1996 and/or Communications Act 2003, with appropriate modifications, to small scale radio multiplexes. The Department for Digital, Culture, Media and Sport (“DCMS”) is now working on this secondary legislation, and earlier this year carried out a consultation on the core elements of a new licensing approach¹.

In parallel with DCMS’s consultation, and without prejudice to its outcomes, Ofcom is carrying out preparatory work, so we will be in a position to proceed promptly if and when the Government introduces the necessary secondary legislation. This includes looking at frequency planning options. To inform this technical planning work and the subsequent licensing process, Ofcom is now seeking expressions of interest from parties wanting to operate small scale DAB multiplexes and/or who are interested in providing services on these future multiplexes.

Ofcom will use the responses from these expressions of interest to help us to understand the likely level of demand from those wishing to operate small scale DAB multiplexes and the services that may be carried on them. This preliminary spectrum planning work will assist us in implementing a permanent licensing regime, once the necessary secondary legislation is in place.

The expressions of interest are indicative only; they are non-binding and will not confer any rights to parties that respond. Submitting an expression of interest provides absolutely no guarantee that a proposed location, or the person submitting the proposal, will subsequently be offered a licence. It will help Ofcom to best match the available spectrum resources to the expressed pattern of demand, but the eventual licensing of the multiplexes will be an open competitive process in which the previous submission of an expression of interest will confer no advantage.

Ofcom is inviting expressions of interest from parties interested in providing a small scale DAB multiplex and/or a programme service on a small scale DAB multiplex in any part of the UK. Following the closing-date for expressions of interest, we expect to publish some general information about the expressions we received, such as maps and location lists to summarise the data submitted. We do not intend to identify individuals or companies expressing an interest in operating a multiplex or providing a service on a multiplex.

Ofcom currently plans to consult on how it would propose to implement a small scale DAB licensing framework in early 2019, although the exact timing will depend on when Government tables the necessary legislation in Parliament. The results of this call for expressions of interest will be an important input into the service area plan and licensing framework on which we consult.

¹ ‘*Small Scale DAB Licensing Consultation*’ dated 4 January 2018:
<https://www.gov.uk/government/consultations/small-scale-dab-licensing-consultation>

For the purpose of our current work, Ofcom will consider multiple expressions of interest from a single party for different areas of the UK. However, applicants should be aware that, under the 2017 Act, the eventual licensing framework could make provision for restrictions on eligibility to hold licences, including limiting the number of licences held.

The information required (as set out below) should be provided for each geographical location of interest.

We are seeking expressions of interest from:

- Individuals or companies wanting to operate a small scale DAB multiplex in the future; and
- Programme services (including potential future services) wanting to be carried on a small scale DAB multiplex in the future

As stated above, this request for expressions of interest is not part of any formal application process and will not be taken as a binding commitment for small scale DAB multiplex operation or content carriage. Equally, any future invitations to apply for a small scale DAB multiplex licence will not be limited only to those who have previously submitted an expression of interest.

The final parameters for the size of small scale DAB multiplexes will be informed by the secondary legislation. However, for guidance purposes only for those submitting expressions of interest, we note that Government has previously indicated that a small scale DAB multiplex should not exceed 40% of the area of the existing local DAB multiplex licence area within which it is located (DCMS - Small Scale DAB Licensing Consultation, January 2018)¹. Ofcom's final decision regarding the size and shape of small scale DAB multiplex licence areas will also depend on the availability of spectrum.

The geographic areas proposed in any expression of interest will not guarantee that a specific small scale DAB multiplex will be advertised as requested. In some locations proposed by interested parties, areas may need to be merged. In other cases, larger areas may need to be split into smaller multiplex possibilities. Ofcom might find that there is insufficient spectrum available to accommodate expressions of interest in areas with a high demand.

Please note that we will not assume current involvement in the small scale DAB trials automatically indicates future interest. Consequently, any multiplex operator or service involved in a small scale DAB trial should submit an expression of interest to Ofcom should they wish to continue operating a small scale multiplex or being carried on one after the trials have ended.

Information required for expressions of interest for operating a small scale DAB multiplex

An expression form should be submitted for each area of interest. This must include the following information:

- The name of the organisation and its contact details
- A map clearly showing
 - main population centres and roads in/around the proposed service area
 - lines indicating the area proposed for coverage
 - a cross showing each of the proposed transmitter location(s)

- Details of the proposed transmitter(s) including site name, grid reference, proposed antenna height above ground level
- Proposed effective radiated power (ERP) and antenna pattern (if known)

Please remember the guidance provided above regarding the likely size of small scale multiplex coverage areas relative to the areas covered by existing local DAB multiplexes.

Information required for expressions of interest for a service to be carried on a small scale DAB multiplex

An expression of interest must include the following information:

- The name of the organisation and its contact details
- A map with lines indicating the area you would like your service to be available in. If you are interested in providing a service in more than one area, please submit a map for each area.

Please remember the guidance provided above regarding the likely size of small scale multiplex coverage areas relative to the areas covered by existing local DAB multiplexes.

How to respond to this call for expressions of interest

Access the response form from: <https://www.ofcom.org.uk/consultations-and-statements/category-2/small-scale-dab-interest>

Please complete Tables 1 and 2 for expressions of interest for operating a small scale DAB multiplex and/or Table 3 for expressions of interest for a service to be carried on a small scale DAB multiplex.

Please send your expression of interest by e-mail or letter to:

smallscaleDAB@ofcom.org.uk

Ofcom
Riverside House
2a Southwark Bridge Rd
London
SE1 9HA

The closing date for the submission of expressions of interest is 5pm on **21 September 2018**.

For further information about the current small scale DAB trials please visit Ofcom's website: <https://www.ofcom.org.uk/manage-your-licence/radio-broadcast-licensing/small-scale-trial-multiplex-licensing>

We strongly recommend that interested parties monitor the Ofcom website, or sign up for broadcasting alerts from Ofcom:

<https://confirmsubscription.com/h/i/7D1B465C1F301F71>

Next steps

Ofcom plans to collate the information received within four weeks of the closing date and publish two UK wide maps and a list of areas identified in expressions of interest, one indicating multiplex

operation interest and one indication programme service interest. We will not identify the individuals or entities expressing an interest.