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# Small-scale radio multiplex licence

Application form – Part A (public)

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

Canterbury DAB Ltd

Multiplex licence area being applied for (note this must be a small-scale multiplex area *currently being advertised* by Ofcom):

Canterbury



**APPLICATION FORM:**

Publication date: 30 March 2023

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## 1. Overview

### Canterbury DAB Ltd

This community led application comes from a group of shareholders made-up of radio professionals who live in Canterbury, industry experts with experience of operating DAB multiplexes and most importantly local community groups who wish to launch new DAB local radio services for the area.

There is currently no analogue FM community radio service for the City of Canterbury. Our application for the Canterbury small-scale multiplex aims to fill that much needed gap across the City of Canterbury and its wider municipal area including the towns of Herne Bay and Whitstable.

It will enable local community groups to launch new DAB radio services across the whole area and enable the only analogue service within the polygon to migrate onto DAB (Cabin FM currently only serves Herne Bay on FM).

The team of Directors, Shareholders and prospective service providers represent a wide mix of local people with radio experience and technical expertise, coupled with local knowledge. Forming this application has been a team approach, working in collaboration with local people to achieve a robust and affordable plan.

Heads of Terms have been agreed with a wide mix of talented service providers who promise to deliver a diverse breadth of radio choice for local listeners.

11 services are planned for launch. Each service targets a different local interest group or group of people. The multiplex will enable local access for radio operators and widen choice for listeners.

This plan delivers:

- An experienced group of local radio professionals and community groups
- Enables access for local radio operators and widens choice on DAB for listeners in Canterbury, Herne Bay and Whitstable
- A robust business plan which is funded for the setup and operation of the multiplex
- A transmission plan that delivers 68.2% coverage across the polygon

## 2. Extent of proposed coverage area

### About this section

Under section 51(2)(a) of the 1996 Act, we are required to consider the extent of the coverage area an applicant proposes to achieve within the area which has been advertised. This section therefore asks you to describe the coverage you are proposing to achieve. Further questions on the detailed technical arrangements for the proposed service, including questions on the transmission site(s) that you intend to use and your plans for how the multiplexing and distribution of your service will be arranged are contained in Part B of the application form.

Before completing this section of the form, you should read carefully the notes on 'Extent of proposed coverage area' in Section 4 of Ofcom's [guidance notes for licence applicants and licensees](#).

Applicants should note there are confidential questions relating to extent of coverage area in Part B of the application form.

- 2.1 Please provide a summary, fully consistent with the more detailed information about transmission sites supplied separately in Part B, of the coverage area proposed to be achieved by your technical plan. This should include a description of the target area you are seeking to serve within the advertised licence area, and also any areas you are aiming to serve outside the advertised licence area for this small-scale radio multiplex service. (You may refer to your coverage prediction in the response you provide):

Our technical proposal is founded on three principles:

1. Deliver a reliable, consistent and high-quality DAB service to as much of the indoor population of the Canterbury polygon as possible
2. Create coverage that is sustainable and affordable to our radio broadcasters, both community and commercial
3. Achieve this within a sustainable, long-term business plan.

We have used our local connections to secure space for a primary site at Iffin Meadow Farm which covers Canterbury and Whitstable, and a secondary site for the North Kent coast at the studios of Cabin FM in Herne Bay.

Our proposed coverage reaches:

● <b>Canterbury Polygon Population</b>	<b>145,530</b>
● Population covered @ 63dBuV - Total	102,521
● <b>Population covered @ 63dBuV - Within Polygon</b>	<b>99,224</b>
● Population covered @ 63dBuV - Coverage % within Polygon	68.2%
● Overspill population	3,297
● Overspill population - Percentage of Polygon	2.3%

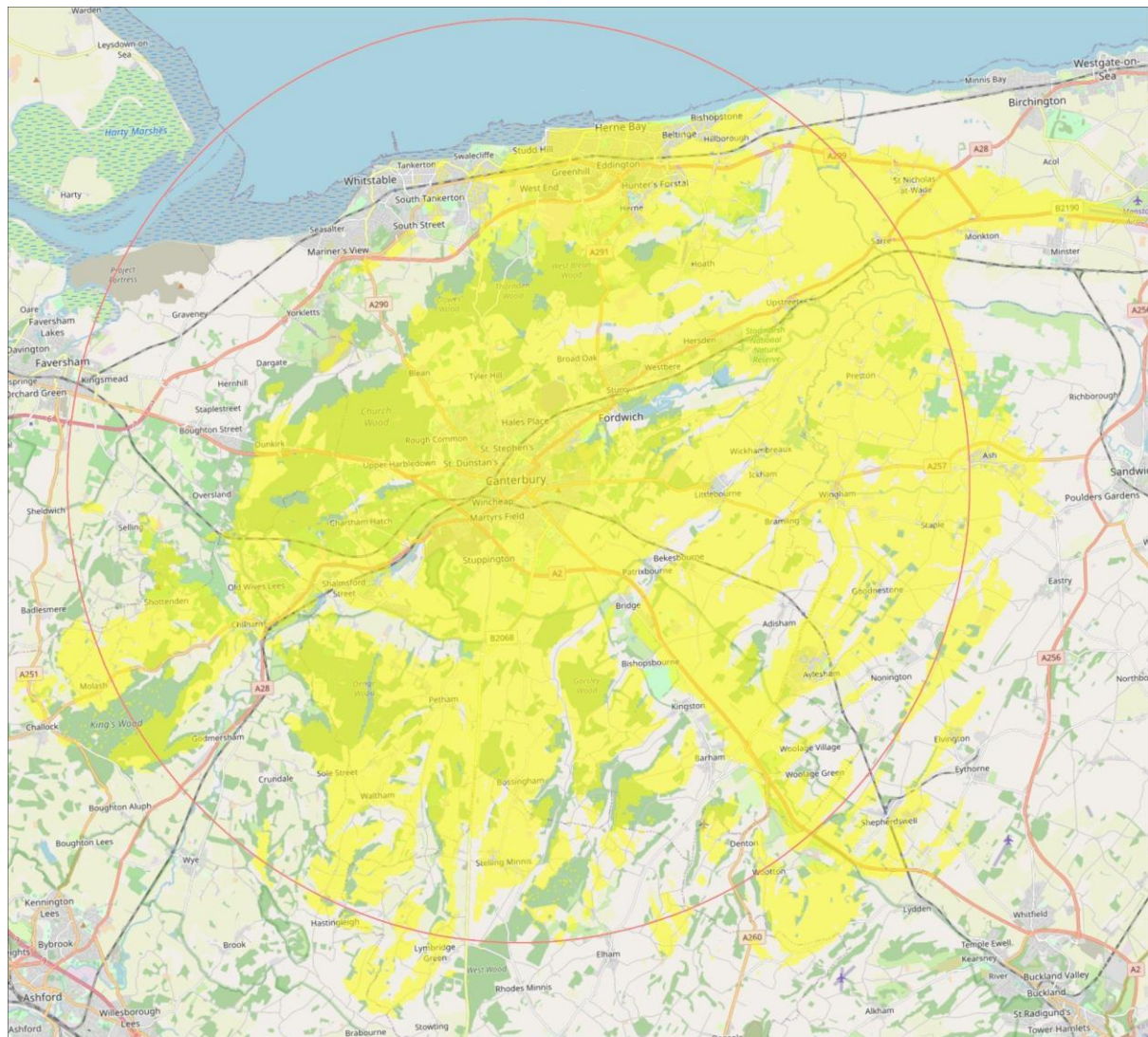
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2.2 Please provide summary details of the sites required to achieve this coverage by completing the table below (add additional rows as required):

Site name	NGR	Antenna height (m agl)	Antenna type proposed with bearing	New or existing antenna	ERP (W)
Iffin Meadow Farm	TR 13423 54418	30m	Dipole @ 60°	New	200
Cabin FM Herne Bay	TR 17800 68108	12m	Omni	New	50

2.3 Please provide below a coverage prediction map for the whole transmitter network you are proposing to build within 18 months if you are awarded a licence. The map should show the 63 dBµV/m field strength and the advertised small-scale DAB licence area contour. [Small-scale DAB licence areas in GIS format](#) are available on the Ofcom website. In the interests of transparency, you **must** embed an inline map image within this form (even if you also submit a map as a separate supporting file).



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2.4 Please provide the following details of the prediction software used for your coverage assessments:

Provide the name and version of the prediction tool used.	ATDI HTZ Communications v2023.5
Detail the terrain model used by the software and its resolution.	Ordnance Survey Terrain 50m
Detail the ground cover (clutter) data used by the software and its resolution.	DEFRA and OSM at 50m
What propagation algorithm has been used?	Deygout 94
Where multiple sites are proposed, describe what methodology has been used to assess the network (SFN) gain	N/A
If these predictions have not used Ofcom-provided population data, state what population data has been used and its source.	Ofcom provided population data
Have your predictions been generated by a commercial organisation? If so, by whom?	Muxnet UK

## 3. Ability to establish the proposed service

### About this section

In Section 3, we are asking questions about the applicant company, its financial and business plan, the relevant expertise and experience of those who will be involved in providing the small-scale radio multiplex service, and the timetable for coverage roll-out. The answers to these questions will enable Ofcom to assess the application under section 51(2)(c) of the 1996 Act. Additional information is requested in Part B of the application form.

In the first 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 small-scale radio multiplex 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 small-scale radio multiplex licence. 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).

The remaining questions in Section 3 relate to the applicant's financial and business plan, the expertise and experience of those involved, and the planned timetable for launching the proposed multiplex service. Applicants should note there are confidential questions relating to extent of coverage area in Part B of the application form.

### Applicant's details

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

**CANTERBURY DAB LTD**

3.2 Company registration number stated on Companies House (if applicable):

**14537565**

3.3 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:

**Greenlands, Iffin Lane, Canterbury, CT4 7BD**

3.4 If a UK registered company, is the **current** Memorandum and Articles of Association document available on the Companies House website?

**Yes**

*If no, please submit the up-to-date document and indicate you have done so in the checklist in Section 7 of Part B of the application form.*

## Ownership and control of company which will hold the licence

### Details of officers

3.5 Please 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	Country of residence	Other officerships held (and nature of the business concerned)	Other employment
John Hirst	Greenlands, Iffin Lane, Canterbury, CT4 7BD	UK	Create Productions Ltd, Create Digital Publishing Ltd, Create Productions International Holdings Ltd, East Kent Radio Ltd, Kent Capacity Co Ltd, Create Productions HK Ltd (incorporated in Hong Kong)	Managing Director @ Create UK and APAC
Peter Leutner	Mistletoe Cottage, Maxted Street, Stelling Minnis, Canterbury, CT4 6DH	UK	Canterbury DAB Ltd, Kent Coast DAB Ltd, East Kent Radio Ltd, Kent Capacity Co Ltd	Senior Television Broadcast Sound Director
Kristoff White	10 Dering Road, Herne Bay, CT6 5RB	UK	Canterbury Area Com- munity Broadcasters Ltd	Local Business owner in Herne Bay
Sarah-Marie Collins	1-2 Jewry Lane, Canterbury, CT1 2NP	UK	None	Radio professional



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#### Details of participants

- 3.6 Please complete the table overleaf, expanding it if necessary, to list all bodies or individuals which hold or are beneficially entitled to shares, or who possess voting powers, in the applicant (i.e. the “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 participant (existing and proposed)	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
Canterbury Radio Ltd	35	£16,538	35%	35%
Canterbury Area Community Broadcasters Ltd	35	£16,538	35%	35%
Kent Capacity Co Ltd	30	£14,175	30%	30%
<b>Comments</b>				
Canterbury Area Community Broadcasters Ltd (‘CACB’) is a private company limited by guarantee without share capital. Its members will comprise local community groups licensed by Ofcom. Further information about CACB is included in Appendix G.				

#### Details of relationships of control

- 3.7 Complete the following table, expanding it if necessary, to list any bodies corporate which are controlled by the applicant (or any director of the applicant, any person/body corporate with control over the applicant, or any body corporate controlled by a person/body corporate controlling the applicant). Please include bodies corporate under joint control – i.e. which are controlled acting together in concert with third parties (e.g. because of a shareholder’s agreement):

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

Full name of body corporate	Address	Person/body controlling the entity (i.e. the applicant itself or its associate)
East Kent Radio Ltd	Mistletoe Cottage, Maxted Street, Stelling Minnis, Canterbury, CT4 6DH	Peter Leutner
Create Productions Ltd, Create Digital Publishing Ltd, Create Productions International Holdings Ltd, Create Productions HK Ltd, East Kent Radio Ltd	Greenworks Dog and Duck Yard Princeton Street London, WC1R 4BH	John Hirst

## Details of persons who control the applicant

- 3.8 Complete the table overleaf, expanding it if necessary, to list all persons/bodies corporate who control the applicant, or control any person/body corporate with control over the applicant. Please include persons or bodies that control the applicant (or body corporate with control over the applicant) jointly i.e. acting together in concert with third parties (e.g. because of a shareholder’s agreement). Please note that some of this information may repeat information provided above on shareholders and other participants in the applicant:

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

Full name of person/body corporate	Address	Person/body controlled by the entity (i.e. the applicant itself or its associate)
Not applicable		

- 3.9 Complete the following table, expanding it if necessary, to list other bodies in which any individual listed in response to question 3.8 is a director or designated member:

(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 individual is a director or designated member
Not applicable	

- 3.10 Complete the following table, expanding it if necessary, to list all bodies corporate which are controlled (including jointly controlled) by any body corporate listed in response to question 3.8:

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

Full name of body corporate listed in 3.8	Body corporate controlled
Not applicable	

- 3.11 In relation to each body corporate identified in response to question 3.8, complete the table overleaf, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, 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 3.8. 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 3.8				
Full name of participant	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
Not applicable				

### Involvement of the applicant in specified activities

3.12 Please state below whether the applicant, or any individual or body corporate identified in questions 3.5 to 3.11 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;	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

3.13 Please answer 'yes' or 'no' to the following questions about the applicant (i.e. the body corporate that will hold the licence):

a) Is the applicant a current licensee of Ofcom?

No

b) Has the applicant ever held an Ofcom broadcasting licence before?

No

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

No

d) Does the applicant control an existing Ofcom licensee?

No

e) 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")?

No

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f) 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

g) 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

h) 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

i) 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

3.14 If the response to any of the questions (a) to (i) in 3.13 above is ‘yes’, please provide the details, expanding the table where necessary:

	Licence number(s) (if known)	Details
(a)		
(b)		
(c)		
(d)		
(e)		
(f)		
(g)		
(h)		
(i)		

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- 3.15 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 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

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

No

## **Financial and business plan**

3.17 Please provide a high-level estimate of the costs you believe will be required to establish the multiplex service.

Canterbury DAB Ltd has been created to establish and operate a successful small scale multiplex operation, providing community and commercial broadcasters, established and new, with a reliable digital broadcast platform on both affordable and flexible terms.

Across the board and shareholders, there's extensive experience in community radio, local radio and digital radio and particular experience in making new small and medium sized radio projects work.

### **Low Cost Carriage**

The core ambition is to offer service providers a low cost, easy to access, high quality digital broadcast platform and to ensure its long-term sustainability. To achieve this, reserved capacity to C-DSP licence holders will be offered at a discount to the equivalent rate of unreserved capacity. Carriage fees will be invoiced monthly in advance and increase annually by RPI.

Each service provider will be provided with similar carriage contracts, with identical terms and conditions. All will be offered contracts that run to the end of the multiplex licences. It is recognised that some service providers may wish to contract for shorter periods, and these wishes will be accommodated. The chosen tariff structure provides certainty to service providers over their carriage costs throughout the contract and / or licence term.

### **Promoting the Opportunity**

As well as extensive direct communication, the multiplex opportunity has been shared via social media.

### **Service Providers**

The number of confirmed services provides confidence in the financial stability of plans to launch and sustain the multiplex. Several of the proposed service providers have worked with the shareholders before or have a positive experience on existing small-scale DAB trials and / or local multiplexes.

### **Objectives**

Heads of Terms for nine services have been agreed. Under the operating model, Kent Capacity Co has agreed to underwrite capacity fees to ensure the multiplex runs cash positive.

### **Commitment**

The shareholders have come together with a shared long term commitment to DAB broadcasting, and are committed to investing in the platform to keep abreast of technical developments during the licence term.

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#### Establishment and Running Costs

We anticipate the majority of costs to be related to the build of our transmission sites - £36,000. Legal and other administrative costs in pre-launch period are assumed at £6,000 and we have included a 12.5% contingency.

#### Funding

The company will be funded through a combination of equity and primarily shareholder working capital loans. The shareholders have confirmed their ability to cover this funding.

3.18 Please indicate how the costs outlined in 3.17 (above) will be met, under the following headings:

a) Share capital	£100
b) Loan stock from shareholders	£47,250
c) Leasing/HP facilities (capital value)	£0
d) Bank overdraft	£0
e) Grants and donations	£0
f) Other (please specify)	£0
<b>Total</b>	<b>£47,260</b>

3.19 Expanding the table if necessary, please list the providers of the funding which will be used to establish the service, and the amount of funding that each will provide. For incorporated investing shareholders, please provide a copy of the most recent statutory accounts if they are not currently available on Companies House.

Name of shareholder or investor	Percentage of shares held (if applicable)	Amount of funding provided (£)
Radio Canterbury Ltd	35%	£16,538
Canterbury Area Community Broadcasters Ltd	35%	£16,538
Kent Capacity Co Ltd	35%	£14,175

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3.20 All of the funding identified above should be confirmed. If any funding has not been confirmed, or if there are any pre-conditions before the funding is released which have not yet been met, provide an explanation of what needs to be done, the dates by which it needs to be carried out, and any steps the applicant needs to take to ensure the funding is confirmed and/or released.

The three shareholders are relatively recently incorporated, are dormant with minimal records at Companies House. The shareholders are committed to providing the required funding through interest free loan stock to establish and operate the multiplex. Further information is provided in **Appendix G**.

- Canterbury Area Community Broadcasters Ltd Incorporated June 2023
- Radio Canterbury Ltd Incorporated June 2023
- Kent Capacity Co Ltd Dormant; incorporated June 2021

## Relevant expertise and experience

3.21 Please provide details of who will be responsible for the day-to-day general management of the multiplex service (for example, dealing with programme service providers and contractual matters). Please also briefly state their previous relevant experience. (Note that any individuals or contractors who cannot be identified at this stage can instead be included in the confidential section (Part B) of the application form.)

Canterbury DAB Ltd has collaboration at the heart of its ethos, with each shareholders making a unique contribution by way of relevant skills and knowledge:

- **Canterbury Area Community Broadcasters Ltd** is a new not-for-profit company whose members will comprise community radio services licenced by Ofcom and who operate within the Canterbury area (as defined by Ofcom). This company has board representation on Canterbury DAB Ltd and will share the surplus of the multiplex for the benefit of community radio services.
- **Radio Canterbury Ltd** has been formed by a collective of local people from Canterbury who are planning to provide a new community based radio service. In recent years, the community radio licence for Canterbury was handed back to Ofcom and the 1990s 'sallie' service was amalgamated into a regional group, leaving a gap for a community radio service for residents and visitors to Canterbury, Herne Bay and Whitstable. The new 'Radio Canterbury' intends to provide content for local residents, students and visitors alike, with voices of local people talking about subjects that matter to them and championing local musicians and performers.
- **Kent Capacity Co** is a collaboration of Kent based experienced broadcasters and digital radio multiplex managers. It will market opportunities to broadcast across Kent's small scale DAB multiplexes, sell spare capacity on the multiplex and identify new revenue streams on behalf of Canterbury DAB. In addition to representing revenue for the multiplex, KCC will also operate its own service 'Kent!' on the Canterbury multiplex,



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providing an adult wide mix of music and local what's on information for a great day out in Kent.

The combined experiences of the shareholders gives Canterbury DAB an excellent understanding of what is required – good coverage, service reliability and easy access for programme providers at an affordable and realistic price.

#### **Multiplex Management and Engineering**

Canterbury DAB Ltd has entered into a multiplex management agreement with MuxNet UK, whose directors are Nick Piggott, Gregory Watson and Matt Deegan. All three have extensive experience of DAB Digital Radio – from build and operation to digital radio services. They have the required technical competence, operational expertise, financial knowledge and aptitude to manage third party relationships successfully.

MuxNet will oversee the build of the multiplex and transmitter network, liaison with Ofcom and service providers and oversee day to day multiplex management and service provider liaison ongoing.

MuxNet has considerable experience in launching, establishing and maintaining local and small-scale DAB multiplexes.

- Nick Piggott has been deeply involved with the small scale DAB trials in several locations, as well as the Open Digital Radio project, and has decades of technical experience of Digital Radio, sitting on the Technical Committee of WorldDAB and contributing to the creation of technical standards and guidance papers.
- Gregory Watson and Matt Deegan have been involved in DAB broadcasting since 1999 and the launch of Digital One and the subsequent development of the Now Digital Network. Since 2008, Gregory and Matt along with colleague Nicky Tate have successfully built the MuxCo, working with local shareholders to ensure that all broadcasters have opportunities to participate in DAB. Gregory has deep experience of regulatory and business affairs, whilst Matt has been involved with strategic and commercial development of digital radio for many years and leads on commercial opportunities.

MuxNet will provide continuous technical support, support for service providers, manage legal and contractual compliance on behalf of Ashford DAB. It will contract any required specialist skills or resources to build, install and maintain the transmission equipment, and will take on responsibility for technical compliance.

MuxNet will be responsible for the launch of the multiplex and its subsequent day to day operation; in particular:

- Overseeing bit rate variations, enhancements or projects required by service providers, such as EPG provision, temporary services and data developments.

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- Working with service providers and the transmission subcontractor to maximise multiplex functionality and efficiency.
- Monitoring and fault reporting, ensuring that the output of all service providers is correctly logged and compliant with legislation and codes.
- Supporting, maintaining and upgrading the multiplex system hardware & software.
- Invoice management and payment collection
- Liaising with programme services to ensure DSPS and regulatory licence compliance.

3.22 Please provide details of who will be carrying out the installation and on-going maintenance of your multiplexing / transmitter equipment (or the name of your proposed transmission and multiplex provider if you intend to use a third-party organisation for these services). Please also briefly state their previous relevant experience. (Note that any individuals or contractors who cannot be identified at this stage can instead be included in the confidential section [Part B] of the application form.)

Function	Responsible party	Previous experience
Installation of transmission equipment	MuxNet UK	MuxNet UK is an existing multiplex operator with substantial experience in delivering and operating local and small-scale multiplexes.
Ongoing maintenance of the transmission equipment	MuxNet UK	
Installation of the Multiplexing equipment	MuxNet UK	
Day-to-day technical management and maintenance of the multiplexing equipment (if different from response to question 3.28 above)	MuxNet UK	

## Timetable for coverage roll-out

3.23 Please tell us how soon after licence award you expect your multiplex service to become operational and achieve the coverage you are proposing:

We intend to launch the Canterbury small-scale DAB multiplex within 10 months of approval of the technical plan.

Upon award, we will immediately advance negotiations regarding the proposed transmission sites and liaise with other radio multiplex licensees on any impact our proposed transmitters might have. Once completed, we will seek agreement from Ofcom for the proposed technical plan – mindful that the coverage proposed in our application is an award criterion and that any change will need to deliver broadly equivalent coverage.

We will send final site details to Ofcom for clearance and provide evidence of liaison and agreement with other radio multiplex licensees. Given the time taken to co-ordinate services we recognise the importance getting the final transmitter plans to Ofcom as quickly as possible.

Our timeline then focuses on the following key stages:

- Building and installing the DAB multiplex and transmission chain
- Finalising carriage agreements with the service providers
- Commissioning and testing the transmitter equipment for compliance with Ofcom's Digital Radio Technical Code
- Providing Ofcom with evidence of compliance with the licence and the Digital Radio Technical Code

We have confirmed the availability of all equipment and professional services to meet our timescales.

3.24 In addition, please provide, as an annex to be submitted with this application, an outline project plan with timeline (e.g. a Gantt chart or similar) showing the high level activities and tasks leading up to the launch of your multiplex service.

A GANTT chart is included in **Appendix E**

## 4. Involvement of C-DSP providers; demand or support from programme providers

### About this section

Section 51(2)(ca) of the 1996 Act requires Ofcom to take into account the desirability of awarding a small-scale radio multiplex licence to a body corporate that is providing – or proposing to provide – a C-DSP service in the locality being advertised (or involving such a person as a participant in the licence-holding company).

Section 51(2)(f) of the 1996 Act requires Ofcom to take into account evidence that the applicant has support from providers interested in having their existing or planned programme services carried on the proposed multiplex. Note that we do not require applicants to provide us with a full line-up of services they intend to provide, or details about the content of those services.

### Involvement of C-DSP providers

4.1 Is the applicant body proposing to provide its own C-DSP service on the multiplex?

No

4.2 If the answer to the above question is ‘yes’, please provide a name and brief details of this proposed service. If the service is already licensed by Ofcom, the licence number should be provided:

N/A

4.3 If the answer to the above question is ‘no’, please provide details of any participant in the applicant body that is proposing to provide a C-DSP service on the multiplex. In this context, a “participant” refers to a person who holds or is beneficially entitled to shares in the applicant or possesses voting power in the applicant. If the service is already licensed by Ofcom, the licence number should be provided. Please refer to the nature of the participation (e.g. shareholding or agreement in relation to voting power):

N/A

## Demand or support from programme providers

4.4 Please provide in the table below (expanding the table if necessary) the names of providers (or prospective providers) of community or local digital sound programme services who have expressed their demand or support for the provision of the proposed multiplex service in the area to be served by the multiplex service. For reasons of transparency, the response to this question *must be answered below and should not be provided as a separate annex*. The evidence of the demand or support, such as signed heads of terms or emails, should be provided as a confidential annex, and relate only to the specific multiplex being applied for.

Name of service provider and station name (if known)	Proposed C-DSP or DSP	Nature of evidence of support provided
Herne Bay's Radio Cabin Ltd - Cabin FM	C-DSP	Signed heads of terms
Cinque Ports Radio CIC – Cinque Ports Radio	DSP	Signed heads of terms
Radio Canterbury Ltd – Radio Canterbury	DSP	Signed heads of terms
SupaJam Education in Music and Media Ltd - SupaJam	DSP	Signed heads of terms
UKC 'Kent Union' – CSR	DSP	Interested provider
Kent Capacity Co Ltd – Kent!	DSP	Signed heads of terms
East Kent Radio Ltd – EKR	DSP	Signed heads of terms
Children's Radio UK Ltd – Fun Kids Party	DSP	Signed heads of terms
Made in Kent Ltd – Made in Kent Radio	DSP	Signed heads of terms
Gaydio Radio Ltd – Gaydio	DSP	Signed heads of terms
Angel Radio Ltd – Angel Vintage	DSP	Signed heads of terms

## 5. Fair and effective competition

### About this section

Section 51(2)(g) of the 1996 Act requires Ofcom to assess whether, in contracting or offering to contract with programme service providers, the applicant has acted in a manner calculated to ensure fair and effective competition in the provision of community and local digital sound programme services.

In assessing applications, we need to have confidence that the prospective small-scale radio multiplex licensee has approached a wide range of potential service providers. Negotiations that have taken place between the applicant and potential service providers need to have been demonstrably fair, and the terms of any contract for service provision must be fair and non-discriminatory. Applicants should note there is one further question relating to fair and effective competition in Part B of the application form.

- 5.1 Please detail the measures that have already been taken, and will be taken before and during the licence period, to demonstrate that, in contracting or offering to contract with programme services providers, the applicant has acted in a manner calculated to ensure fair and effective competition in the provision of such services.

For example, how have you sought to engage a broad range of prospective service providers including those not directly involved as participants in the application and those who have decided not to proceed to express an interest or agree heads of terms at this stage, and how have you sought to make prospective service providers aware of your proposals and potential terms for carriage?

Our application is made by a consortium who are committed to providing affordable and efficient digital radio services to Canterbury.

We have contacted all community radio services that broadcast within and / or are audible within the licence area. We have identified that there is strong interest and support for a small-scale multiplex, as well as strong interest in carriage on the multiplex on the terms and conditions that we have proposed.

We have also discussed the opportunity with community services that currently do not serve the area, as well as commercial services who are looking for carriage on multiple multiplexes and have received equally strong support.

We are therefore confident that we will provide a strong line up of local, community and commercial services on the multiplex from launch, covering a wide range of tastes and interests; local, regional and national.

We will continue to promote opportunities on the multiplex to broaden the range of formats and suppliers on the multiplex.

If successful, we commit to work with all community radio providers based within the licence area and who wish to broadcast on the multiplex.

## **Canterbury DAB Limited**

### **Small-scale radio multiplex licence for Canterbury – PART A**

In approaching prospective programme service providers, we have acted in a manner to ensure fair and effective competition in the provision of community and local digital sound programme services.

- We contacted the known potential service providers; both local and national.
- We created and maintain a register of requests for capacity for services, and those requests are assessed on a 'first-come, first-served' basis. Details of our contacts and discussions with prospective programme service providers are attached in Appendix H.
- We have published and provided each prospective service providers a rate card which identifies tiering for Reserved and Un-reserved capacity.
- We will maintain our promotion of the multiplex and carriage opportunities on our website, including rate card.

## 6. Declaration

### About this section

This form must be submitted by the body corporate which will hold the licence. The declaration must be certified by a company director or the company secretary, and covers all information provided by in the applicant in both Part A and Part B of the application form. The declaration must also be dated.

- a) I hereby apply to Ofcom for the grant of a licence for the small-scale radio multiplex licence described above and declare that the information given in this application form is, to the best of my knowledge and belief, correct.
- b) I further declare and warrant:
  - i) that the applicant is not a disqualified person within the meaning of that expression as defined in Part 2 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;
  - ii) that having made all reasonable enquiries neither the applicant nor any person controlling the applicant, as 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;
  - iii) 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
  - iv) that no director or person concerned directly or indirectly in the management of the Licensee is the subject to a disqualification order as defined by section 145 (1) of the Broadcasting Act 1996.
- c) 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 influence Ofcom's judgement as to whether the directors and substantial shareholders involved 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 person authorised to make the application of behalf of the applicant:**

**JOHN HIRST**

**Date of application: 29<sup>th</sup> June 2023**

**I am authorised to make this application on behalf of the applicant in my capacity as Company director.**

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