
Pre-advertisement of local analogue commercial radio licence

Sunderland

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1. Introduction

- 1.1 The local analogue commercial radio licence on the FM (VHF) waveband for the Sunderland area, currently held by Sun FM Limited (broadcasting as 'Sun FM'), is due to expire on 31 December 2021.
- 1.2 Ofcom proposes to grant a further licence for this area, for a period from 1 January 2022 to 31 December 2033.
- 1.3 In accordance with the provisions of section 104B of the Broadcasting Act 1990 as amended, Ofcom now invites declarations of intent to apply for such a licence.
- 1.4 Declarations of intent must be submitted in the format specified in Section 2 of this Notice.
- 1.5 The closing-date for the receipt of declarations of intent from prospective licence applicants is 3.00pm on 28 April 2021.
- 1.6 An application fee of £5,000 will be payable with each declaration of intent. This fee will not be refundable in any circumstances.
- 1.7 A declaration of intent must also be accompanied by payment of a deposit of £20,000 which will be refundable upon receipt by Ofcom of a valid application in response to the subsequent re-advertisement of this licence.
- 1.8 If the only declaration of intent submitted is from the existing licensee, we will then invite Sun FM Limited to reapply for the licence. If a declaration of intent is received from any party in addition to, or rather than, the existing licensee, we will proceed to re-advertise the licence.
- 1.9 If no declaration of intent is received from any party, the licence will not be re-advertised.

2. Guideline and procedures for submission of declarations of intent

- 2.1 Ofcom has published general guidance regarding the 'pre-advertisement' and, if appropriate, re-advertisement of local analogue commercial radio licences. This can be viewed at: https://www.ofcom.org.uk/_data/assets/pdf_file/0021/93027/Local-analogue-commercial-radio-licence-re-advertisement-Notes-of-guidance-for-applicants.pdf. Anyone proposing to submit a declaration of intent to apply for a local analogue commercial radio licence is advised to study this document carefully.

Format of declaration of intent

- 2.2 A declaration of intent should be submitted, in writing, and signed and dated by the applicant, in the format prescribed below:

"I, [insert name], on behalf of [insert name of party submitting declaration of intent – this could be a body corporate, a group which is in the process of obtaining this status, or an individual] hereby confirm that [insert name of party submitting declaration of intent, as above] intends to apply for the local analogue commercial radio licence for Sunderland.

I also confirm that the non-refundable application fee of £5,000 and the deposit of £20,000 have been paid into the Ofcom bank account."

- 2.3 A signed and dated declaration of intent must be received by Ofcom no later than the closing-date specified in paragraph 1.5 of this Notice. Declarations of intent received after this time will not normally be accepted. All declarations of intent will be acknowledged upon receipt.
- 2.4 Declarations of intent must be submitted by email to broadcast.licensing@ofcom.org.uk¹.

Payment of application fee and cash deposit

- 2.5 Payment of the application fee and cash deposit must be received (i.e. the funds must be present in the Ofcom bank account) by the closing-date specified in paragraph 1.5 of this Notice.

- 2.6 The bank account details for payment of the application fee and cash deposit are as follows:

Bank: Lloyd's TSB

Account Number: 00782415

¹ This is a change from previous processes. In light of the fact that Ofcom employees are, for the most part, working from home, an email with the declaration of intent attached must be submitted to Ofcom to ensure that all declarations of intent can be accounted for by the stated deadline.

Sort code: 30-97-90
BIC number: LOYDGB21351
IBAN number: GB43 LOYD 3097 9000 7824 15
SWIFT address: LOYD GB 2L

- 2.7 Payment details must include information which identifies the applicant, such as the applicant's name (see paragraph 2.12 below).
- 2.8 In the case of transfers from UK banks, it is our understanding that the cut-off times for BACS & CHAPS payments to be made may vary within the different banking organisations. All applicants are strongly advised to check with their own banks to ascertain when the transfer of money into the BACS or CHAPS system must be made to ensure it is received by us on or before the required deadline.
- 2.9 In the case of transfers from non-UK banks, it is our understanding that the time required to complete the transfer may vary. Applicants should take their own advice as to how to achieve the required deadline in their specific circumstances. You may wish to consider transferring an appropriate sum to a UK bank in advance of the closing-date, and then arranging the transfer into our bank account with that UK bank.
- 2.10 Payment instructions must be notified in advance to AR@ofcom.org.uk
- 2.11 It is a requirement that the electronic transfer contains information which identifies the applicant. Accordingly, applicants must ensure that their banks include information to accompany the electronic transfer which clearly identifies that the payment has been made on behalf of the applicant (e.g., its Ofcom customer account number, if relevant). Applicants should note that failure to ensure that this happens may mean that we are not able correctly to identify the payment by the required deadline, and accordingly may not accept the declaration of intent. If paying by CHAPS, please also ensure that payment is accompanied by details of the bank account from which the payment is drawn, in order to facilitate the refund of any such payment if such a refund is required/appropriate.
- 2.12 It is the applicant's responsibility to meet any charges associated with the payment transfer such that the required amount is received in Ofcom's bank account. This will include checking not only for any charges levied by the applicant's own bank, but also any charges levied by Ofcom's receiving bank (Lloyds TSB).
- 2.13 In the case of payments made from UK banks, Ofcom can confirm that its bank (Lloyd's TSB) will not charge a fee for receiving electronic payments using the CHAPS system unless the issuer specifically requires that charges associated to the transaction are covered by the receiving bank, i.e. Ofcom's bank (Lloyd's TSB). Where the issuer requires that charges are paid by Ofcom's bank, applicants must ensure that they adjust the amount transferred accordingly.

- 2.14 Separately, applicants' banks (the remitting banks) are likely to charge for the transfer, and it is the applicant's responsibility to meet those charges in such a way that the required amount is transferred in its entirety to Ofcom's bank account.
- 2.15 In the case of payments from non-UK banks, Ofcom's bank, Lloyd's TSB, will levy a small charge for receiving such payments unless the remitting bank undertakes to pay "all" charges for the transaction. The current level of the charge is £7.00; however it is for applicants to determine its precise value at the time of their transaction. Accordingly, any applicant who chooses to use a non-UK bank to pay the deposit and/or application fee must take this position into account when submitting payment and ensure that the required amount is transferred in its entirety to Ofcom's bank account.
- 2.16 Separately, applicants' banks (the remitting banks) are likely to charge for the transfer, and it is the applicant's responsibility to meet those charges in such a way that the required amount is transferred in its entirety to Ofcom's bank account.
- 2.17 We will publish the names of all those parties who have submitted a declaration of intent (if any) in the following Monthly Radio Broadcasting Update (currently scheduled for 4 May 2021), and announce what will be the next stage in the process.