

Notice of revocation of licence number AN000002 held by Bauer Radio Limited under section 111(4) of the Broadcasting Act 1990

Background

Bauer Radio Ltd ('Bauer') holds the national AM licence AN000002 (the 'Licence') to provide Absolute Radio (the 'Licensed Service'). The Licence was granted in 1993 and has been renewed on four occasions. It has been renewed for a period of 10 years from 1 May 2021.

On 2 December 2022, Bauer informed Ofcom that it intended to cease provision of the Licensed Service in January 2023. It explained that its decision was based on the declining audience for the station on AM and the rising costs of transmission. On 26 January 2023 Bauer confirmed that it had ceased provision of the Licensed Service.

Section 111(4) of the Broadcasting Act 1990 (the 'Act') requires that:

- "(4) If OFCOM are satisfied in the case of any national licence –*
- (a) that the holder of the licence has ceased to provide the licensed service before the end of the period for which the licence is to continue in force, and*
 - (b) that it is appropriate for them to do so,*
- they shall (subject to subsection (8)) serve on him a notice revoking his licence."*

Section 111(8) of the Act provides that Ofcom shall not serve a notice unless they have given the licensee a reasonable opportunity of making representations.

Ofcom's preliminary view

On 27 January 2023, Ofcom wrote to Bauer setting out its preliminary view that Bauer had ceased to provide the Licensed Service before the end of the period for which the Licence was to continue in force, and that it was appropriate for Ofcom to serve on Bauer a notice revoking the Licence.

Ofcom gave Bauer until 3 February 2023 to make representations on its preliminary view.


Representations

On 27 January 2023, Bauer responded that it did not anticipate making any representations on Ofcom's preliminary view that it was appropriate to revoke the Licence.

Ofcom's decision

Having considered Bauer's response, Ofcom has decided that it is satisfied that Bauer has ceased to provide the Licensed Service before the end of the period for which the licence is to continue in force, and that it is appropriate to serve on Bauer a notice revoking the Licence.

Therefore, Ofcom hereby gives notice to Bauer that, pursuant to section 111(4) of the Act, the Licence is revoked with immediate effect upon service of this Notice.



Kevin Bakhurst

Group Director, Broadcasting and Online Content

13 February 2023