
Small-scale radio multiplex licence

Application form – Part A (public)

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

Foyle DAB Ltd

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

DERRY

Public contact details:

Name: Richard Moore

Email: r.moore370@btinternet.com

Address: 2 St Joseph's Avenue, Derry/Londonderry, County Derry/Londonderry, BT48 6TH

Publication date: 1 September 2020

2 Extent of proposed coverage area

- 2.1 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):

Derry is the second largest city in Northern Ireland, characterised by its distinctively hilly topography. The River Foyle forms a deep valley as it flows through the city, which presents challenges for radio transmission whilst also explaining our choice of name for the multiplex.

Derry Urban Area (DUA), includes the city and the neighbouring towns of Culmore, Newbuildings and Strathfoyle. On census day (27 March 2011) there were 81,902 people living in Derry Urban Area. This accounts for the 77.2% of the people in Ofcom's 'Derry/Londonderry' Polygon area.

Ofcom's defined Polygon area excludes some of County Londonderry's larger towns such as Coleraine (the County Town) and Limavady but does take-in parts of County Tyrone, most notably Strabane.

We are mindful of Ofcom's remit to maximise population coverage within each Polygon area but need to balance that with an achievable business model which allows for sustainability and, in time, development. Our core objective throughout the transmission planning phase, therefore, was to ensure solid coverage for the city of Derry and into the key residential and business areas across the wider Derry Urban Area. We are confident that this has been achieved thanks to our transmitter high over the city at Sheriffs Mountain.

Our second site is at Strabane in County Tyrone. Unlike Derry, the Strabane topography is flat with the town lying on the east bank of the river Foyle at an elevation of just 7 metres above sea level.

Here too, we achieve excellent coverage of the entire town and the immediate surrounding rural areas. However, coverage from our chosen site is limited by the gradual increase in elevation away from the Foyle valley. Geographically our planned coverage of the Polygon area is hindered by the topography but outside the two key centres of Derry and Strabane the population is extremely sparse with between 0 and 0.5 residents per hectare. Furthermore, little affinity exists between the tiny rural communities in the south of the Polygon area and the larger centres of Derry and Strabane.

Small-scale radio multiplex licence: application form (Part A):

We are confident that our two-site transmission plan for launch will allow us to deliver a consistently robust DAB signal for our service providers to the communities of the Derry Urban Area and Strabane.

- 2.2 Please provide 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 dB μ V/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.

A coverage prediction map for the whole transmitter network - showing the 63 dB μ V/m field strength and the advertised small-scale DAB licence area contour - is enclosed separately.



Small-scale radio multiplex licence: application form (Part A):

2.3 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 v22.6.9
Detail the terrain model used by the software and its resolution.	A digital elevation model (DEM) representation of ground surface topography or terrain. Also referred to as a digital terrain model (DTM). Resolution is a DTM step of 30mtrs with IMG (image) step of 0.022mtrs
Detail the ground cover (clutter) data used by the software and its resolution.	The height, extent, and location of groundcover elements ("clutter") are the factors which primarily govern the impact on radio signals. The RF planning tool reasonably locates the boundary between adjacent clutter types to 10m using the Holt UK clutter model
What propagation algorithm has been used?	ITU-R 370 (propagation model valid from 30 MHz to 1000 MHz)
Where multiple sites are proposed, describe what methodology has been used to assess the network (SFN) gain	The Monte-Carlo method
If these predictions have not used Ofcom-provided population data, state what population data has been used and its source.	2011 Census (adults 15+) which is included within ATDI's modelling software.
Have your predictions been generated by a commercial organisation? If so, by whom?	Coverage predictions have been generated by Viamux using HTZ Communications software from ATDI.

3 Ability to establish the proposed service

Applicant's details

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

FOYLE DAB LTD

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

NI673658

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:

2 St Josephs Avenue, Derry/Londonderry, County Derry/Londonderry, BT48 6TH

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

3.5 Contact details of the individual duly authorised by the applicant for the purposes of making this application. This individual should be the company secretary or a director.

Full name	Richard Moore
Job title	Director
Address	2 St Josephs Avenue, Derry/Londonderry, County Derry/Londonderry, BT48 6TH
Telephone	028 71278942
Mobile phone	07967 373359
Email	r.moore370@btinternet.com

Ownership and control of company which will hold the licence

Details of officers, participants and shareholders of the applicant

3.6 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
Richard Moore	2 St Josephs Avenue, Derry/Londonderry, County Derry/Londonderry, BT48 6TH	UK	Director: Malinderry LTD Director: Moore Brothers LTD Director: Drive 105 Community Radio	Executive Director of Children in Crossfire
Drive 105 FM Community Radio Ltd	2 St Josephs Avenue, Derry/Londonderry, County Derry/Londonderry, BT48 6TH	UK	NONE	NONE

3.7 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
Drive 105 FM Community Radio Ltd	2 St Josephs Avenue, Derry/Londonderry, County Derry/Londonderry, BT48 6TH

3.8 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	N/A	N/A

3.9 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:

Small-scale radio multiplex licence: application form (Part A):

Full name of individual or body	Address	Affiliates
Richard Moore	2 St Josephs Avenue, Derry/Londonderry, County Derry/Londonderry, BT48 6TH	Drive 105 FM Community Radio Ltd

3.10 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 3.9, and any affiliates of those bodies:

Full name of individual	Name of body in which officership held	Affiliates of that body
Richard Moore	Drive 105 FM Community Radio Ltd	N/A
Richard Moore	Malinderry LTD	N/A
Richard Moore	Moore Brothers LTD	N/A

3.11 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 3.9, and their affiliates:

Full name of body corporate listed in 3.9	Body corporate controlled	Affiliates of body corporate controlled
N/A	N/A	N/A

3.12 In relation to each body corporate identified in response to question 3.9, 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 3.9. 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 Q3.9	Drive 105 FM Community Radio Ltd			
Full name of >5% participant	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
N/A	N/A	N/A	N/A	N/A

Drive 105 FM Community Radio Ltd id company limited by guarantee and as such is in the hands of its members

Involvement of the applicant in specified activities

3.13 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	No	N/A
A body whose objects are wholly or mainly of a political nature, or which is affiliated to such a body	No	N/A
A body whose objects are wholly or mainly of a religious nature; ²	No	N/A
An individual who is an officer of a body falling within (b) or (c);	No	N/A
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	N/A
An advertising agency or an associate of an advertising agency	No	N/A

Details of applications, licences and sanctions

3.14 Is the applicant a current licensee of Ofcom? **NO**

Licence number	Name of multiplex
N/A	N/A

3.15 Has the applicant held an Ofcom broadcasting licence before? **NO**

Licence number	Name of service or multiplex
N/A	N/A

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

Dates licence was held or dates of involvement	Licence number (if known)	Name of service or multiplex
2009 - current	CR000132BA/3	Drive 105 – Community radio station Drive FM is for the people of Derry/Londonderry with an entertaining radio service that acts as the voice of the community and reflects the city’s multicultural make-up. It promotes good community relations and provides a forum for debate of local issues. It also delivers training in skills allied to radio broadcasting.

3.17 Does the applicant control an existing Ofcom licensee? **NO**

Licence number	Name of service or multiplex
N/A	N/A

3.18 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**

Licence number	Name of service or multiplex
CR000132BA/3	Drive 105 FM COMMUNITY RADIO LTD

Small-scale radio multiplex licence: application form (Part A):

- 3.19 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**

Licence number	Name of service or multiplex
N/A	N/A

- 3.20 Is the applicant subject to any current or pending investigation by any statutory regulatory or government body in the UK or abroad in respect of any broadcast-related matter? **NO**

Licence number	Name of service or multiplex	Details of the investigation
N/A	N/A	N/A

- 3.21 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**

Licence number (or equivalent)	Name of service or multiplex	Nature of the breach	Sanction imposed	Date sanction imposed
N/A	N/A	N/A	N/A	N/A

- 3.22 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 you have no information, please respond “N/A”.

N/A

- 3.23 Has the applicant – or any person(s) controlling the applicant – ever been convicted of an unlicensed broadcasting offence? **NO**

Full name	Date of conviction/action	Penalty
N/A	N/A	N/A

Financial and business plan

- 3.24 Explain how the applicant considers it will be able to establish its proposed service. This should include an explanation of the costs required to establish the multiplex service, and how these costs will be met:

Foyle DAB Ltd will establish a successful multiplex operation by providing existing community and commercial broadcasters as well as new entrants with a reliable digital broadcast platform on both affordable and flexible terms.

We intend to build a strong and sustainable business that provides capacity for high quality services offering listeners an extended range of new and distinctive formats including niche brands for those with tastes and interests as yet unserved.

Our core ambition is to offer service providers a low cost, easy to access, high quality service. Our target market comprises existing Ofcom-licensed analogue community and commercial broadcasters looking for a digital future – who wish to simulcast existing services as well as develop and launch new brand extensions. The DAB platform will also appeal to existing internet radio stations as well as potential broadcasters who have been unable to obtain an Ofcom licence due to a lack of available analogue spectrum.

Foyle DAB will benefit from deploying the Optimux small-scale DAB multiplex management and monitoring system. Optimux was developed jointly by Niocast, the Manchester trial operator, and Switch Digital, the Birmingham trial operator to simplify the operation of a digital multiplex through a cloud-based control panel.

We will offer broadcasters the flexibility of having their service encoded at source or via our cloud encoders – making it very flexible and affordable.

Foyle DAB has developed a pricing strategy which allows it to be competitive enough to attract services but sufficient to deliver a profit to ensure long-term sustainability.

Advertising and Promotion

In addition to outreach via email and telephone calls, we have attracted prospective services to the multiplex via our website and social media presence. We have successfully published news releases in industry, ethnic and local press and digital media which has further reinforced our message to service providers. The number of confirmed services at this time gives us confidence in the financial stability of our plans to launch and maintain the multiplex.

Several of the service providers that have expressed interest in joining the multiplex have had a positive experience of one of the other small-scale DAB trials.

Objectives

Our aim is to launch with 6 services which would immediately cover our running costs.

Funding

The company will be funded through a working capital loan. The shareholders have agreed that the loan is interest free and will be repaid from month 13 through to month 61.

This financial structure ensures that we are not over capitalised and that the amount of funding invested in the business is not significantly higher than the real value of our assets; that earnings represent a fair return on the capital employed; and it avoids a situation where capital is either idle or invested in assets which are not fully utilised. This will allow us to ensure that we can continue to offer low carriage fees.

Financial Forecast

We have attached a confidential spreadsheet that sets out the income and outgoings with a 36-month cashflow and P&L forecast.

3.25 Detail the sources of finance that will be used to fund the multiplex service,

A. Share capital

The company is capitalised at £10.

B. Loan stock

A working capital loan of £33,000 will be provided by the shareholders. We anticipate this loan being repaid within a 5 year period.

C. Leasing/HP facilities (capital value)

There is no requirement for Leasing/HP facilities.

D. Bank overdraft

There is no requirement for a Bank overdraft.

E. Grants and donations

There is no requirement for grants or donations.

F. Other (please specify)

None

3.26 Provide evidence that sufficient funds are available to each investing shareholder to cover their proposed investment. For incorporated investing shareholders, provide a copy of the most recent statutory accounts.

Evidence of funding is provided in a confidential attachment.

3.27 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.

All funding is confirmed.

Relevant expertise and experience

- 3.28 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.)

Team

Members of the Foyle DAB Ltd. team share a track record of conceiving, establishing and operating a successful radio station. Working with Niocast our combined experience and capabilities gives us an excellent appreciation of what is required to deliver a successful broadcasting platform – good coverage, service reliability and easy access for programme providers at an affordable and realistic price.

General Management

Launching, establishing and maintaining a DAB multiplex requires technical competence, operational expertise, financial stability, and an aptitude to manage third party relationships successfully. The directors of Drive 105 are recognised as experienced radio managers with a broad range of relevant skills in all the vital functions required to operate a successful multiplex.

The day-to-day tasks will include; supporting, maintaining and upgrading the multiplex hardware and software; recruiting new services to ensure that the multiplex is always running at – or near – full capacity; negotiating carriage agreements; invoice management and payment collection; and working with programme services to ensure DSPS and regulatory licence compliance.

Foyle DAB will benefit from Optimux – a software platform specifically developed, in 2020, for the day-to-day management of small-scale DAB multiplexes. Optimux equips small-scale DAB licensees with an easy to use dashboard for managing, monitoring and reporting on all aspects of their multiplex as well as providing invoicing and direct debit collection to simplify the payment of carriage fees. Every aspect of the day-to-day management of a small-scale multiplex has been incorporated into the system which will play an essential role in streamlining the management of our multiplex.

Viamux will be responsible for the setup and launch of the multiplex. Specifically:

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

2. Working with service providers and the transmission subcontractor to maximise multiplex functionality and efficiency.
3. Monitoring and fault reporting protocols, ensuring that the output of all service providers is correctly logged and compliant with legislation and codes.
4. Advising on the development of new revenue streams.

Foyle DAB will internally oversee any multiplex re-configurations, and these will be undertaken in line with our policies and contractual agreements with service providers. Financial management of the multiplex will also be handled in-house:

- Accounts;
- IT;
- Admin;
- Legal;
- Customer Service;
- Technical Support.

Key Personnel

Richard Moore:

Richard Moore is a proud native of Derry, Northern Ireland. He has a wealth of managerial experience having run his own businesses for many years as well as being the Founder of an International Children's charity for which he is now Executive Director.

Richard was the managing director of 2 pubs for 14 years and also his family's property development business. In 1996 he set up an international charity, Children in Crossfire which is now well-established supporting projects in Tanzania, Ethiopia and Ireland. The organisation has grown significantly over the last 25 years and has enjoyed the support of the general public, Irish Aid and UK Aid to name a few.

Throughout his life Richard has had a keen interest in broadcasting and is a qualified amateur radio operator. In 2009 he turned this passion into a reality and set up a not-for-profit, community radio station. Drive 105 has been successfully broadcasting in Derry for the past 10 years and is run on an entirely voluntary basis, broadcasting 24 hours per day, 7 days a week.

Richard has been recognised over the years for his achievements, among them being an honorary doctorate from the University of Ulster from which he graduated; a lifetime achievement award from the all-party group on international development in Stormont; the Beacon special prize for his humanitarian work and the Lifetime achievement award from the Derry Journal People of the Year awards.

All of the above has been achieved despite the fact that Richard was blinded as a 10-year-old boy in the Northern Ireland conflict. Against the odds he overcame any challenges his blindness presented and did not allow it to hold him back in any way.

Drive 105 Community Radio:

Drive 105 Community radio was launched in January 2009. It is a not for profit registered charity and the only community radio station in the Northwest of Ireland. Drive 105 has become a well-established, integral part of the local community, supported by local business, charities and community groups. Over the last 11 years Drive 105 has trained almost 500 people on a number of skills such as: Producing, presenting, recording and editing, interviewing, IT etc. Broadcasting 24 hours per day, playing classics from the 60's, to the present day, the service is run entirely by volunteers irrespective of age, gender, or disability. The station is an avenue through which local charities, community groups, the arts, businesses, local council, tourist and leisure, disability organisations, local sport and political organisations from across the religious and cultural spectrum promote and advertise their work. It is an essential platform for the general public to learn about, participate in discussions and engage with local issues relevant to their daily lives. It also provides a platform for local entertainers such as musicians, songwriters and drama organisations to perform or promote themselves to a wider audience. The station, over many years, has developed its ability to carry out outside broadcasts and is therefore able to take the station out into the community covering live sport, festivals and a variety of charitable events.

3.29 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	Viamux Ltd	Viamux is a leading supplier of small-scale DAB solutions having installed systems in the UK & Republic of Ireland. Viamux was borne out of the Niocast Digital team that has successfully operated the Trial Manchester small-scale multiplex over the past five years. www.viamux.com
Ongoing maintenance of the transmission equipment	Viamux Ltd	
Installation of the Multiplexing equipment	Viamux Ltd	
Day-to-day technical management and maintenance of the multiplexing equipment (if different from response to question 3.28 above)	Viamux Ltd	

Timetable for coverage roll-out

- 3.30 In no more than 250 words, please tell us how soon after licence award you expect your multiplex service to become operational and achieve the coverage you are proposing. Please provide 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:

Foyle DAB Ltd intends to launch the multiplex in the last quarter of 2021.

Upon award Foyle DAB will immediately advance negotiations regarding the proposed transmission site(s). Following the procedure set out in Ofcom's Technical Policy Guidance, we will also liaise with other radio multiplex licensees on any impact our proposed transmitters might have. Once completed, Foyle DAB 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.

Foyle DAB will send final site details to Ofcom for clearance and evidence of liaison and agreement with those 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; and
- Providing Ofcom with evidence of compliance with the licence and the Digital Radio Technical Code

Viamux has confirmed the availability of all equipment and services to meet our timescales. Assuming a licence award in Q2 2021, we aim to commence operations in Q4 2021.

The attached GANTT chart sets out precisely the key stages in the implementation of the multiplex together with a timeline.

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

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. If the service is already licensed by Ofcom, the licence number should be provided:

Drive 105

- Currently licenced under Ofcom analogue community radio licence CR000132BA/3.
- A C-DSP licence has been applied for.

Character of Service

Drive FM is for the people of Derry/Londonderry with an entertaining radio service playing hits from the 1970's to present day and broadcasts 24 hours per day, 7 days per week that acts as a voice for the community and reflects the city's multicultural make-up. It promotes good community relations and provides a forum for debate of local issues. It also delivers training in skills allied to radio broadcasting.

Demand or support from programme providers

- 4.4 Please provide any evidence which has been gathered of support for the provision of the proposed multiplex service among providers or prospective providers of community or local digital sound programme services in the area to be served by the multiplex service:

Drive 105 has proactively reached out and engaged with many prospective service providers on a non-exclusive basis. We have openly shared our transmission plans, headline terms of agreement and indicative carriage fees. This transparency has allowed us to win the confidence of many service providers and we are committed to continuing with this open style of operation for the duration of the licence term.

To satisfy GDPR requirements, a full summary of contacts and conversations is included as a confidential attachment. Our draft carriage agreement is also attached.

C-DSP STATIONS (4 RESERVED SLOTS)

- Drive 105
- Drive Country

DSP STATIONS

- Your FM Coleraine
- Your FM Portadown
- IUR Fm Newry
- Causeway Coase Blast 106
- Blast 106
- Sunshine 1049
- Podcast Radio
- Q Radio
- Radio Fáilte
- Life Radio
- Voice of Islam

Furthermore, it is our intention, if possible and practical, to reserve sufficient capacity to allow carriage to 'pop-up' radio stations that might wish to broadcast for a limited time period on the multiplex (similar to the analogue RSL approach).

We will also be delighted to welcome any other services, including those which may have formed an allegiance with rival applicant groups.

5 Fair and effective competition

- 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:

An award of this licence to Foyle DAB Ltd ensures that the multiplex is operated by a locally led company with a community radio shareholder supported by experienced individuals who have successfully implemented and operated DAB multiplexes.

Foyle DAB takes seriously its responsibility to ensure fair and effective competition as the first small-scale DAB licensee in Northern Ireland. We believe that when competition works well, service providers are motivated to maximise audience share and are better able to secure funding on the basis of their service offering - its uniqueness, its audience and the value it delivers.

Alongside brands already established here in Northern Ireland, competition will provide a greater choice for listeners and a better outcome for the public at large. It will also underpin the long-term sustainability of service providers. Constrained only by capacity, our small-scale DAB platform will remain accessible to new entrants – a place where innovative formats will be encouraged and nurtured.

The shareholders of Foyle DAB are committed to small-scale DAB and have the financial stability to support that ambition. Our team is hugely experienced and well resourced, with significant practical radio expertise.

We recognise that launching a small-scale DAB platform is a significant undertaking and we have been encouraged by the number of positive responses to our plans and are confident in its long-term potential. We have openly discussed our transmission plans, carriage terms and indicative fees. Foyle DAB has engaged with potential service providers in an open, non-exclusive manner and will continue to do so throughout the duration of this licence. Each service provider will enter into a carriage agreement - the key terms of which are identical for all service providers. All fees charged will be pro-rata to capacity contracted by each service provider based on whether they are utilising reserved or un-reserved capacity on the multiplex.

6 Declaration

- 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.
- 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.
- 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 of the person authorised to make the application of behalf of the applicant:

RICHARD MOORE

Date of application:

20 NOVEMBER 2020

I am authorised to make this application on behalf of the applicant in my capacity as:

COMPANY DIRECTOR