

Local Radio Multiplex Licence Award: Suffolk

10 Aug 2015

The local radio multiplex licence for Suffolk was awarded by Ofcom's Broadcast Licensing Committee (BLC) on 4 August 2015 to MuxCo Suffolk Limited.

In relation to sections 51(2) (a) – the extent of coverage to be achieved and (b) – the timetable proposed to achieve the stated coverage, Muxco Suffolk Limited (“MuxCo”) intends to use three transmitters to cover 87% of the ‘outdoor’ licensed area reaching 55.7% of adults with an adequate ‘indoor’ signal. The service proposes to launch October 2015.

With regard to section 51(2) (c) the BLC noted that the detailed business plans together with the operational and financial contribution proposed from its business partners Lincs FM Group Ltd and Town and Country Broadcasting Ltd., indicated that the applicant would be in a position to establish and run this service for the duration of the licence term.

In considering whether the applicant’s proposals catered for the tastes and interests of people living in the area section 51(2) (d) the BLC noted two existing services (Heart FM and Smooth Radio) together with two new services Suffolk First and Anglia collectively would meet this criteria through the age ranges targeted and/or through the type of music played.

There are currently no local DAB radio services in the Suffolk area. By introducing two existing local analogue licensed services and two new local digital services, this statutory criterion (section 51(2) (e) the broadening local digital choice) was considered by the BLC to have been met. In assessing whether there was local demand or support section 51 (2) (f) the applicant submitted findings from RAJAR audience research for Heart and Smooth in the Suffolk area. In this case these figures indicated a level of demand locally.

The BLC agreed that the following commitments should be included as conditions of MuxCo’s licence when granted:

- The implementation by Q4 2016 of the three transmitters and transmission parameters proposed in the technical plan, or of a network of transmitters and transmission parameters offering broadly equivalent coverage.
- The provision of the local digital sound programme services as proposed in the application (and summarised below).

Format description	Service name	Audio Provider
Local service	Heart Suffolk	Global Radio
Music service	Smooth Radio	Global Radio
Music service	Suffolk First	Lincs FM Group
Music service	Anglia	Town and Country Broadcasting

- The provision of the local digital sound programme services listed above with the audio characteristics (e.g. stereo or mono) proposed in the application.

This local radio multiplex service will also transmit the BBC Suffolk radio service.

The following pages set out the statutory requirements relating to local radio multiplex licensing, and details of the licensing process. Further information about these, and detailed information relating to the application for the Suffolk local multiplex licence, can be found at:

<http://licensing.ofcom.org.uk/radio-broadcast-licensing/digital-radio/>

Statutory requirements relating to local radio multiplex licensing

In carrying out all of its functions, Ofcom is required to have regard to the general duties set out in section 3 of the Communications Act 2003.

Specific local radio multiplex licence award criteria

In considering the applications it receives for local radio multiplex licences, Ofcom is required to have regard to each of the statutory criteria set out in section 51(2) of the Broadcasting Act 1996. These are as follows:

- a. the extent of the coverage area proposed to be achieved by the applicant
- b. the timetables proposed by the applicant for achieving the stated coverage (i.e. transmission roll-out) and for the commencement of broadcasting of the digital sound programme services proposed;
- c. the ability of the applicant to establish the proposed service and to maintain it throughout the period for which the licence would be in force;
- d. the extent to which the digital sound programme services (other than BBC services) proposed to be included in the service would cater for the tastes and interests of persons living in the area or locality for which the service is to be provided and, where it is proposed to cater for any particular tastes and interests of such persons, the extent to which those services would cater for those tastes and interests;
- e. the extent to which any such digital sound programme services would broaden the range of programmes available by way of local digital sound programme services to persons living in the area or locality for which it is to be provided and, in particular, the extent to which they would cater for tastes and interests different from those already catered for by local digital sound programme services provided for that area or locality
- f. the extent to which there is evidence that, amongst persons living in that area or locality, there is a demand for, or support for, the provision of the proposed service; and
- g. whether, in contracting or offering to contract with persons providing digital sound programme services, television licensable content services or digital additional services, the applicant has acted in a manner calculated to ensure fair and effective competition in the provision of those services.

The legislation does not rate these requirements in order of priority, but it may be that Ofcom will regard one or more of the criteria as being particularly important in view of the characteristics of the licence to be awarded and the applications for it.

Process for assessment of applications

The Suffolk local radio multiplex licence was advertised in March 2015. By the closing-date of 11 June 2015, one application was received, as follows:

MuxCo Suffolk Ltd.

The membership of Ofcom's Broadcast Licensing Committee (BLC) for this licence award was as follows:

Tim Gardam – Content Board member (chair)

Peter Davies – Director Content Policy

Tony Close – Director Content Standards, Licensing & Enforcement

Neil Stock – Head of Radio Policy

The application was circulated among members of the BLC as well as among relevant Ofcom colleagues. A copy of the non-confidential section of the application was made available for public scrutiny on the Ofcom website, and public comment on the local radio needs of listeners in the area, and the type of service required, was invited on the day after the application was received.

A paper which summarised the issues of relevance for the application under each of the statutory criteria was presented to the BLC on 3 August 2015.