
Small-scale radio multiplex licence

Application form – Part A (public)

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

DigiMux Ltd

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

Dudley & Stourbridge

Public contact details:

DigiMux Ltd
Platinum House,
Platts Road,
Stourbridge,
DY8 4YR

email: info@digimux.co.uk

telephone: 01384 565646

Publication date: 1 September 2020

Contents

Section

| | |
|-------------------------------------------------------------------------------|-----------|
| 1. Overview | <u>1</u> |
| 2. Extent of proposed coverage area | <u>3</u> |
| 3. Ability to establish the proposed service | <u>5</u> |
| 4. Involvement of C-DSP providers; demand or support from programme providers | <u>16</u> |
| 5. Fair and effective competition | <u>18</u> |
| 6. Declaration | <u>19</u> |

1. Overview

You should complete this form if you are applying for a small-scale radio multiplex licence. You can find further information about small-scale radio multiplex services in the [Guidance notes for applicants and licensees](#).

This application form is divided into two parts – **Part A** (which we will publish on our website) and **Part B** (which will be kept confidential). This document constitutes Part A; [Part B of the application form](#) is available on our website.

If you encounter any issues using these forms, please contact broadcast.licensing@ofcom.org.uk.

The purpose of this form

- 1.1 You should complete this form if you are applying for a licence to provide a small-scale radio multiplex service (a ‘small-scale radio multiplex licence’). A small-scale radio multiplex service is the means by which DAB digital radio stations (‘digital sound programme services’) are broadcast, and can transmit around ten stereo digital sound programme services (or a significantly higher number if the DAB+ standard is utilised). The application form is divided into two parts – **Part A** (which we will publish on our website) and **Part B** (which will be kept confidential). This document constitutes Part A; [Part B of the application form](#) is available on our website.
- 1.2 Small-scale radio multiplex licences are awarded by Ofcom in a competitive process. Applications are judged against specified criteria, and Ofcom awards the licence to the applicant which it considers best meets the criteria.
- 1.3 You can find more information about small-scale radio multiplex licences in Ofcom’s published [guidance notes](#) for licence applicants and licensees. This document also includes detailed instructions on how to complete the application form, and information on the next steps in the application process. Please read this guidance and the ‘frequently asked questions’ carefully before completing both parts of the application form.

Provision of information

- 1.4 Ofcom requires complete and accurate information to assess applications. In particular, we must be satisfied that those applying for a licence are ‘fit and proper’ to hold a licence and are not disqualified from participation in a licence.
- 1.5 It is an offence under the Broadcasting Act 1996 (as amended) to provide false information or withhold relevant information during the application process, and may be grounds for revocation of a licence subsequently granted.

Publication of applications

- 1.6 Part A of the application form (i.e. this document) will be published by Ofcom on our website as soon as practicable following the closing-date for applications. Part B of the

application form will remain confidential. Non-confidential responses to any clarification or amplifications will also be published on the Ofcom website, alongside the Part A application form. Ofcom may take into account any comments received from the public, which can be made to it with respect to Part A of the application submitted.

- 1.7 In submitting Part A of the application, you agree that Ofcom may publish contact details for the licensee (as required on the cover of this application form), which may include personal data, on the Ofcom website and/or in other relevant publications. If you have any questions about the information we publish, or there are any changes to this information, you should contact the Broadcast Licensing team by email (broadcast.licensing@ofcom.org.uk).
- 1.8 Ofcom considers issued small-scale radio multiplex licences to be public documents and copies of licences will be made available to third parties on request, noting that personal data apart from the name of the licensee may be redacted.

Data protection

- 1.9 We require the information requested in this form in order to carry out our licensing duties under the Broadcasting Act 1990, Broadcasting Act 1996 and Communications Act 2003. Please see Ofcom's [General Privacy Statement](#) for further information about how Ofcom handles your personal information and your corresponding rights.

Keeping up to date with broadcasting matters

- 1.10 We strongly recommend that you sign up to receive Ofcom's regular email updates on broadcasting matters including notification when the Broadcast Bulletin is published.
- 1.11 Ofcom publishes a [monthly radio licensing update](#) which lists new services licensed, licences revoked, licence transfers, and changes to licensed services during the past month.
- 1.12 To sign up to receive these communications, please visit <https://www.ofcom.org.uk/about-ofcom/latest/email-updates> and select 'Broadcasting'.

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](#).

- 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):

Our technical plan proposes to use a two-site SFN to cover the main populated areas of Dudley & Stourbridge. We have included a coverage prediction to illustrate our proposals.

Our proposed coverage area spans from Upper Gornal in the North of Dudley, to Hagley, Stourbridge in the South; and from Dudley Town in the east to Wollaston, Stourbridge in the west. Coverage from the easterly edge of the polygon tracks along Rowley Hills' Ridge. Our plan covers the major conurbations such as Rowley Regis, Cradley Heath, Dudley and Stourbridge; as well as smaller areas such as Trysull and Seisdon.

We have not planned coverage for areas toward the easterly extremities of the advertised area. This area has topological challenges, but more importantly, these areas are not administratively part of either Stourbridge or Dudley. They are also covered by other polygons which Ofcom is either advertising, or proposing to advertise subsequently. These alternative polygons are better suited to provide coverage to these areas. For example; Bartley Green, Quinton and Bearwood are administratively within Birmingham, while Causeway Green, Tipton, and Oldbury are part of Sandwell. These areas are covered more rationally by either the South Birmingham polygon, or the upcoming Walsall advertised area.

We are not proposing to actively provide service to any locality outside of the advertised licence area.

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

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](#).

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

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 will be submitted in Part B.

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 properness 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.

Applicant's details

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

DigiMux Ltd

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

13024056

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:

Platinum House, Platts Road, Stourbridge, England, DY8 4YR

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.

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 | Nigel Ball |
| Job title | Technical Director |
| Address | Platinum House, Platts Road, Stourbridge, England. DY8 4YR |
| Telephone | 01384 565646 |
| Mobile phone | Redacted at applicant's request |
| Email | nigel.ball@digimux.co.uk |

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 |
|-------------------------|------------------------------------------------------------|----------------------|----------------------------------------------------------------|-------------------------------------------------------------------------|
| Nigel Dennis Ball | Platinum House, Platts Road, Stourbridge, England. DY8 4YR | England | None | Consultant: RF / Telecoms Engineering. Hardware & Software Development. |

¹ This should be the same address as is held and published by Companies House.

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

| | | | | |
|-------------------------|------------------------------------------------------------|---------|--------------------------------------------------------|-------------------------------------------------|
| Thomas Peter Walker | Platinum House, Platts Road, Stourbridge, England. DY8 4YR | England | Director: Waterfront Media C.I.C. (Radio Broadcasting) | Employed: Service Engineer for Johnson Controls |
| Waterfront Media C.I.C. | Platinum House, Platts Road, Stourbridge, England. DY8 4YR | England | None | N/A |

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 |
|-------------------------|---------|
| N/A | |
| | |
| | |

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 | | |
| | | |
| | | |

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:

| Full name of individual or body | Address | Affiliates |
|---------------------------------|------------------------------------------------------------|------------|
| Nigel Dennis Ball | Platinum House, Platts Road, Stourbridge, England. DY8 4YR | |

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

| | | |
|-------------------------|---------------------------------------------------------------|--|
| Thomas Peter Walker | Platinum House, Platts Road, Stourbridge, England. DY8 4YR | |
| Waterfront Media C.I.C. | Platinum House, Platts Road, Stourbridge, England. DY8 4YR | |

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 |
|-------------------------|----------------------------------------|-------------------------|
| Thomas Peter Walker | Waterfront Media C.I.C. | |
| | | |

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 |
|-------------------------------------------|---------------------------|-----------------------------------------|
| | | |

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 question 3.9 | Waterfront Media C.I.C. (no share capital) | | | |
| Full name of >5% participant | Number of shares | Total investment (£s) | Total investment (%) | % of voting rights |
| Keith Horsfall | N/A | N/A | N/A | 25 |

| | | | | |
|-------------------------|-----|-----|-----|----|
| David Michael Brownhill | N/A | N/A | N/A | 25 |
| Thomas Peter Walker | N/A | N/A | N/A | 25 |
| Alex James Totney | N/A | N/A | N/A | 25 |
| Comments | | | | |
| | | | | |

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 | |
| 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; ² | 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 | |

² Please refer to Sections 3 to 5 of [Ofcom's religious guidance note](#) for details on how we determine the eligibility of religious bodies to hold certain broadcasting licences.

| | | |
|----------------------------------------------------------------|----|--|
| An advertising agency or an associate of an advertising agency | No | |
|----------------------------------------------------------------|----|--|

Details of applications, licences and sanctions

3.14 Is the applicant a current licensee of Ofcom?

No

If yes, please provide the licence details expanding the table if necessary:

| Licence number | Name of multiplex |
|----------------|-------------------|
| | |
| | |
| | |

3.15 Has the applicant held an Ofcom broadcasting licence before?

No

| Licence number | Name of service or multiplex |
|----------------|------------------------------|
| | |
| | |
| | |

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 |
|------------------------------------------------|---------------------------|----------------------------------------|
| Current | CR000041BA/2 | Black Country Radio |
| Current | DP101118BA/1 | Black Country Radio - Trial Birmingham |
| | | |

3.17 Does the applicant control an existing Ofcom licensee?

No

If yes, please provide the licence details expanding the table if necessary:

| Licence number | Name of service or multiplex |
|----------------|------------------------------|
| | |
| | |
| | |

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”)?

No

If yes, please provide the following information, expanding the table if necessary:

| Licence number | Name of service or multiplex |
|----------------|------------------------------|
| | |
| | |
| | |

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

If yes, please provide the following information, expanding the table if necessary:

| Licence number | Name of service or multiplex |
|----------------|------------------------------|
| | |
| | |
| | |

3.20 Is 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

If yes, please provide the following details expanding the table if necessary:

| Licence number (or equivalent) | Name of service or multiplex | Details of the investigation |
|-----------------------------------|---------------------------------|------------------------------|
| | | |
| | | |
| | | |

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

If yes, please provide the following details relating to each sanction expanding the table if necessary:

| Licence number (or equivalent) | Name of service or multiplex | Nature of the breach | Sanction imposed | Date sanction imposed |
|-----------------------------------|---------------------------------|-------------------------|---------------------|--------------------------|
| | | | | |
| | | | | |
| | | | | |

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 to provide, please respond “N/A”.

Nigel Ball: has over 30 years experience working within the Broadcast Radio Industry in a professional technical capacity - having worked for BRMB (under Midlands Radio Group & Capital Radio Group) as a Senior Engineer, and Heart FM (Midlands) as Technical Manager/Engineer. Nigel has operated as a consultant since 2000, in both Software and Hardware Engineering Development, particularly within the field of Broadcast Radio, Radio Communications & Telecommunications.

Nigel was involved with the initial DAB tests (prior to roll-out), as part of his involvement at the time with NTL & the Radio Authority. He developed test software for commercial stations across the UK to test DLS before going live (to prevent failure of early version DAB multiplexes). Recently he has developed & engineered (including the writing of control software) a bespoke Digital Switch Matrix - for Black Country Radio, for its new four studio complex - for the routing and monitoring of AES67 digital transmission audio, and switching of AES67 digital audio sources. He has experience/knowledge/understanding of Radio Frequency Engineering, and has commissioned transmission equipment on behalf of Ofcom. His professional technical experience extends into Technical Support for Government related projects. Nigel is the holder of an Advanced Ofcom AR Licence and has supported Ofcom in this field.

Tom Walker: has over 14 years experience in the electronic and electrotechnical industry carrying out preventive maintenance and large scale installations within the Government and private sectors. He currently manages an Engineering Team of four highly skilled broadcast engineers with combined experience within the Broadcast Radio/TV industry. Tom has been providing technical support on a consultancy basis to a number of community and hospital radio stations for over 15 years, including Ambur Radio, The Bridge, Black Country Radio, Dudley & District Hospital Broadcasting; providing training/support and installation of studio and transmission equipment. He has experience installing STL's and FM broadcast equipment that have been commissioned by Ofcom. He is also a holder of an Ofcom AR Licence.

Waterfront Media: is the parent CIC of Black Country Radio, an award-winning successful community radio station based in the Metropolitan Borough of Dudley, and the only community radio service serving Dudley & Stourbridge, currently broadcasting locally on 102.5 FM, on-line and DAB across Birmingham. It is entirely run by dedicated and experienced volunteers who bring with them their own areas of expertise (e.g. radio broadcasting, project management, communications expertise, technical knowledge etc.). It has a long and successful track record in local radio broadcasting and is financially stable.

It is well respected by all sections of the local community (e.g. emergency services, charitable and cultural sectors, schools and colleges, business community etc.) and has a particularly strong, yet independent, relationship with the local authority in both disseminating important local information as well as engaging in high quality cross-media community-focused projects. Waterfront Media has a proud record of working cooperatively with many local organisations.

Black Country Radio has been shortlisted for the Queen’s Award for Voluntary Service (QAVS) 2021.

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

No

If yes, please provide the following details:

| Full name | Date of conviction/action (dd/mm/yy) | Penalty |
|-----------|--------------------------------------|---------|
| | | |
| | | |
| | | |

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:

We estimate that, to deliver our transmission plan, we will need to make a capital spend in the region of £20,000. This initial spend will be funded by the three founding shareholders in the form of a Directors loan to the company. Each Director will contribute one-third of the required capital. This loan will be repayable to the Directors from Month 13 onwards.

This capital investment is required for the purchase of the transmission equipment required to cover the Dudley and Stourbridge area and to deliver our proposed transmission plan. This equipment includes, but is not limited to, SDRs (with GPSDO boards), antennas, amplifiers, filters, and IT hardware. We will not seek to obtain lump sum upfront carriage fees to cover any part of the initial equipment purchasing plan.

Our yearly income is expected to be in the region of £60,000 for Year 1 (including the initial investment), £48,000 for Year 2, and £55,650 for Year 3. This income (barring the initial investment) is derived solely from carriage fees on the multiplex. Our business plan has been developed using relatively conservative estimates for carriage, to ensure that our proposals are on solid ground. Our projections for the number of stations carried each year is based on other local experience (having spoken in detail with the operators of Trial Birmingham), the radio landscape in the local area, and an assessment of stations who have signed our Heads of Terms.

Yearly expenditure is expected to be approximately £37,400 in Year 1, £29,650 in Year 2, and £32,150 in Year 3 (including tax liabilities). This relates primarily to transmission space rental, maintenance costs, telecoms, insurance costs, payments to HMRC, and repair/replacement allowances. We will, where possible, work with other organisations to help reduce costs (for instance, by organising procurement to enhance our purchasing power for common equipment).

As evidenced in our financial projections (which are based on conservative estimates), we believe that our proposals are reasonable and that a multiplex based on these projections is sustainable in the long-term.

3.25 Detail the sources of finance that will be used to fund the multiplex service, under the following headings:

a) Share capital:

The initial investment will be made by means of a Directors' Loan to the company, rather than in exchange for share capital.

b) Loan stock

We do not propose to issue Loan Stock to fund this proposal.

c) Leasing/HP facilities (capital value)

We do not propose to utilise leasing facilities for equipment.

d) Bank overdraft

We do not propose to use bank overdrafts, loans, or credit to fund this proposal.

e) Grants and donations

We do not propose to use grants/donations to fund this proposal.

f) Other (please specify)

The initial investment will be made by means of a Directors' Loan to the company. Each director will provide a third of the required initial funding.

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.

✂ This information has been redacted by Ofcom for reasons of confidentiality

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 shareholders have the available funds to hand. Evidence is provided.

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.)

Nigel Ball and Tom Walker will be responsible for the day to day management of the multiplex, with support from other members of the Digimux Ltd team. We are also in a fortunate position to be able to call on a wide range of skills from Waterfront Media C.I.C. and from our collaborators at Switch Radio, who run the existing Trial Multiplex in North Birmingham.

Nigel Ball: as a Software & Hardware Engineer is extremely conversant with different programming languages and the operating system Linux - used by the ODR platform. In his technical capacity as consultant to Black Country Radio - who are currently carried on the North Birmingham Trial multiplex - he has been fortunate to have attained a vast amount of knowledge with regard to the ODR platform, by working closely with the operators of the Trial Birmingham multiplex who are extremely knowledgeable on the subject.

Tom Walker: similarly, Tom - the Technical Director of Black Country Radio - has also learned a great amount, as a close colleague and collaborator with Switch Radio, the operator of the North Birmingham Trial multiplex; which has carried Black Country Radio since its initial inception. Tom in his capacity as a Service Engineer is familiar with dealing with customer problems and following through a logical process to rectify expediently, the skill of which will be of great benefit to the running of the multiplex.

In order to streamline our management of the multiplex, we will use the Optimux SSDAB platform. This software platform incorporates financial, technical, and administrative management of multiplexes built on ODR technology. This tool allows us to manage the full workflow of SSDAB – from the management and delivery of contractual documents, monitoring and technical management, through to invoicing, reporting, and analysis. This tool has made the day-to-day fundamental administration of a multiplex relatively straightforward and we propose to use it to manage our multiplex. We are liaising with Dean Kavanagh, from Switch Radio/Optimux Digital, to help us deliver this installation.

If we are successful in licence award, we will ensure that a number of colleagues are trained in the operation of the multiplex in order to ensure that we have business continuity should our primary managers become indisposed.

- 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 | Digimux Ltd | Members of Digimux Ltd have past experience installing transmission equipment for Broadcast (FM |

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

| | | |
|---------------------------------------------------|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | Transmitters), including VHF Radio Talkback Systems, UHF Programme Links and STL's. Also PBR and AR (Repeaters and Relays). This includes commissioning on behalf of Ofcom. [Both Nigel Ball & Tom Walker are holders of an AR Ofcom Licence] |
| Ongoing maintenance of the transmission equipment | Digimux Ltd | Members of Digimux Ltd have past experience maintaining transmission equipment for Broadcast (FM Transmitters), including VHF Radio Talkback Systems, UHF Programme Links and STL's. Also PBR and AR (Repeaters and Relays). |
| Installation of the Multiplexing equipment | Digimux Ltd Optimux Digital Ltd | Members of Digimux Ltd have worked with Switch Radio (Trial Birmingham SSDAB mux) and developed detailed knowledge over time with regard to the operation and installation of the multiplexing software. Optimux Digital Ltd will also be available to assist in the installation of the multiplexing software if required (at the same time as the required tools for |

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------------------|
| | | interfacing with the Optimux platform). |
| Day-to-day technical management and maintenance of the multiplexing equipment (if different from response to question 3.28 above) | N/A | |

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:

We propose to bring the network to air by the end of August 2021. We have provided a detailed Gantt chart in the appendix to detail our plans. Our plans give us significant headroom against the legislated time frame in the case of unexpected problems, difficulties or delays.

Upon licence award, we would immediately begin a program of equipment purchase for the two sites. We would also liaise with TX site owners to finalise our work plans, and to engage communications suppliers to prepare for installation of backup circuits at our sites (we already have microwave data links set up between the sites we're proposing).

Once plans are finalised, we will initiate our communications with other multiplex operators and Ofcom to clear our plans for delivery. Following approval - which we would expect to reach by mid-June - we will begin installation at the transmission sites in preparation for commissioning towards the end of June/early July. Evidence of compliance will be sent to Ofcom following this.

With Ofcom's approval, we will aim to bring both sites online during August. Once the second site is enabled, we will test the SFN setup ready to declare the network fully live towards the end of August.

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:

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:

Waterfront Media C.I.C., a corporate director of Digimux Ltd, is proposing to apply for a C-DSP licence for its service “Black Country Radio”, the existing community radio station (CR000041BA/2) operated by Waterfront Media C.I.C. Currently, Black Country Radio is the only licenced FM community radio station in the Dudley and Stourbridge area.

Black Country Radio provides a radio service focussed on people in Dudley and Stourbridge, providing them with information pertinent to their local area. It involves itself with the local community as much as possible, broadcasting local voices and opinions.

The station broadcasts local news bulletins hourly from 0700 until 1830, Monday to Friday. Bulletins contain a mix of local stories, sport and weather. It also broadcasts national news hourly, except for certain exceptional circumstances including the dance music output on Saturday evenings, and sports programming on Saturday afternoons.

The station provides coverage and support to several charity initiatives each year. This is achieved through a free events listing on its website and mentions, where appropriate, on air. Always endeavouring to get guests from local good causes for interviews on-air, and promote via social media. The Station also offers a roadshow service, which visits many charitable events throughout the year.

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:

There is significant support for the provision of a digital radio multiplex service in the local area. Prior to constructing our application, we had a number of preliminary discussions with local services about the difficulty with accessing existing commercial multiplexes and the potential role that SSDAB may play in facilitating access to broadcast radio for smaller services in the local area.

We have signed Heads of Terms agreements with providers for 14 potential services. These numbers are indicative of the potential demand in the area for this multiplex, and ensure that should we be successful in our application, we are in a position to bring a significant number of services to air in a timely fashion.

As well as Black Country Radio (operated by Waterfront Media C.I.C), our preliminary discussions have identified a number of other services for whom C-DSP licencing is a valid route to air. We will liaise with these services to support them with their applications and ensure they are able to access the right type of capacity for their service.

A list of interested services, as well as copies of the Heads of Terms we have agreed, are included in Part B of this application.

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 are two further questions 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:

We strongly believe that SSDAB is a vital new tool in supporting the next generation of radio stations and the platform is a vital public resource. Therefore, we believe - equally strongly - that fair and equitable access to this capacity is essential. Our proposals for ensuring fair and effective competition are based on this belief.

During the terms of the licence, we would operate a simple rate card, based on a static base charge, with an additional charge based on the number of required capacity units. We are proposing to offer a 65% discount to C-DSP licence holders if they are using the reserved capacity on the multiplex. In line with the expectations of Ofcom and the legislation, we will make our rate card public. Our proposed management platform, Optimux, has capabilities built into it that allow for public access to our rate card.

If we are successful in a licence award, we intend to ensure sufficient publicity to allow for potential service providers to come forward, particularly those who may be interested in running a C-DSP service. If we have firm interest from more services than we can carry, we will form a multiplex public panel – made up of people from the local area – to help shape the outcome for the multiplex layout. Prior to our application, we have contacted a number of services who have made clear their interest locally, including some who have previously unsuccessfully applied for FM coverage in the local area.

Once the multiplex is in its licence period, we will assess applications in chronological order. If capacity allows, we would expect to accept applications provided that they are legitimate and possess the correct licencing and administrative documentation. However, if multiple enquiries arrive in quick succession (e.g. within a week) and we are not able to accommodate them all, we

may select services that better expand the range of programming available to the local area on the multiplex. We may seek the views of the general public to help guide these decisions.

We propose to utilise a clear carriage agreement and make this available on our website for not only services, but also the public to scrutinise. The terms and conditions in this carriage agreement would apply for all services joining the multiplex at that time; e.g. two services joining at the same time would have near identical agreements (except for some technical parameters if they differ). Our proposed carriage agreement, as it currently stands is included as an Appendix to Part B of this application.

Under no circumstances would we auction capacity, nor would we consider a willingness to 'pay more' as a factor in making a decision on carriage. We undertake to not charge or accept carriage payments at a rate that is above what is illustrated on our public 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 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:

NIGEL BALL

Date of application:

22/11/2020

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.