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## Small-scale radio multiplex licence

Application form – Part A (public)

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

**Medway & Swale DAB Limited**

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

**Sittingbourne & the Medway Towns**

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## 1. Overview

The board and shareholders of Medway & Swale DAB Ltd represent a breadth of experience and talent across the Medway and Swale communities.

They have wide radio experience - from radio and audio production to technical solutions to multiplex management, across community and commercial radio, working together in a model that's collaborative and supportive.

Sittingbourne Community Radio has been broadcasting in the Swale area for the past 11 years, but has been building contacts and forging close links since their first RSL in 2003

The Directors also have experience and connections through their previous involvement with Medway FM and commercial radio in the Medway towns since 1992, as well as the numerous local groups and charities they have worked with.

Our 11 service providers represent community radio, local services based within Medway and Swale, and commercial services that have developed to service distinct communities. Across our services, a broad range of communities of identity, locality and interest will be 'super' served. Our collaborative approach can only enhance the local communities and give further opportunities to underserved groups going forward.

We also welcome new ideas and initiatives from the numerous smaller local broadcasters in the area that will enhance our offering in the future.

## 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](#).

Applicants should note there are confidential questions relating to extent of coverage area in Part B of the application form.

- 2.1 *Please 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 proposal is based on three key principles:

1. Deliver a reliable, consistent and high-quality DAB service to as much of the indoor population of the Sittingbourne & the Medway Towns polygon as possible
2. Create coverage that is sustainable and affordable to our radio broadcasters - both community and commercial
3. Achieve this within a sustainable, long-term business plan.

We have used our local connections to secure space for a primary site at Demelza House which covers 130,000 people around Sittingbourne and Sheppey. Our primary site is supplemented by a secondary site at Medway Maritime Hospital

Our proposed coverage reaches:

● <b>Sittingbourne &amp; the Medway Towns Polygon Population</b>	<b>327,369</b>
● Population covered @ 63dBuV - Total	273,672
● Population covered @ 63dBuV - Within Polygon	271,593
● <b>Population covered @ 63dBuV - Coverage % within Polygon</b>	<b>82.9%</b>
● Overspill population	2,079
● Overspill population - Percentage of Polygon	0.6%

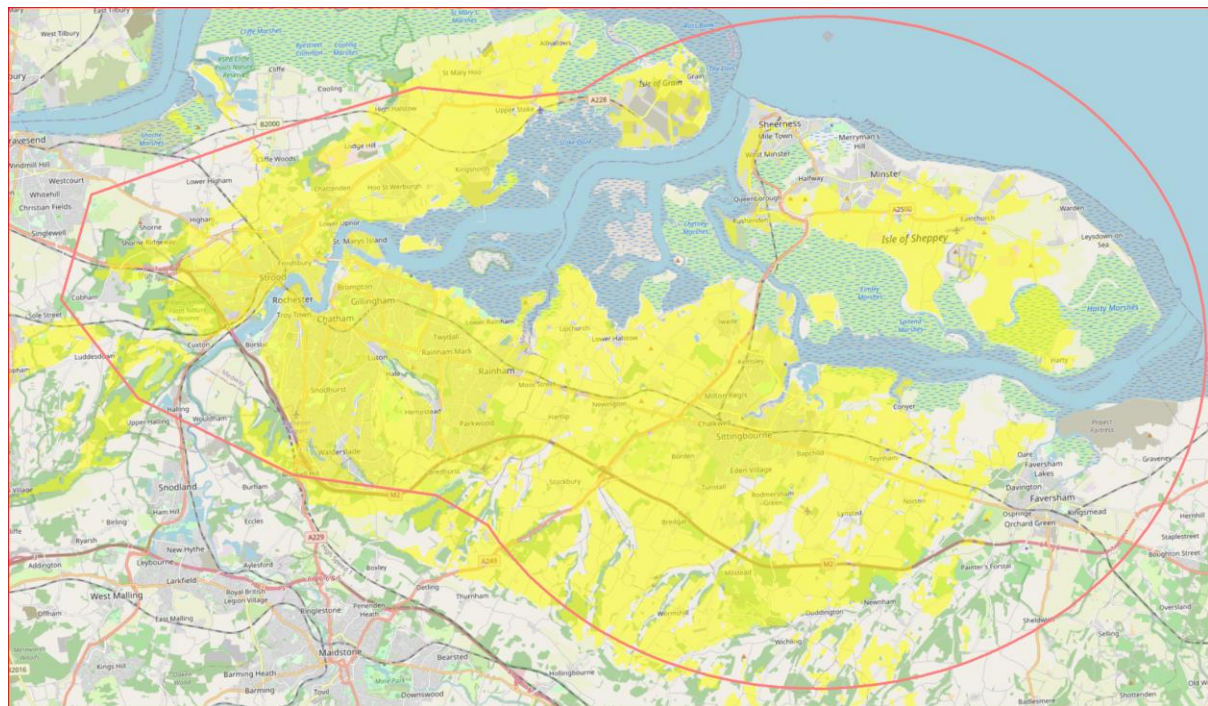
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2.2 Please provide summary details of the sites required to achieve this coverage by completing the table below (add additional rows as required):

Site name	NGR	Antenna height (m agl)	Antenna type proposed with bearing	New or existing antenna	ERP (W)
Demelza House	TQ 87561 64739	12	Omni	New	200
Medway Maritime Hospital	TQ 77681 66685	29	Omni	New	100

2.3 Please provide below 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 $\mu$ 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. In the interests of transparency, you must embed an inline map image within this form (even if you also submit a map as a separate supporting file).



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2.4 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 v2023.5
Detail the terrain model used by the software and its resolution.	Ordnance Survey Terrain 50m
Detail the ground cover (clutter) data used by the software and its resolution.	DEFRA and OSM at 50m
What propagation algorithm has been used?	Deygout 94
Where multiple sites are proposed, describe what methodology has been used to assess the network (SFN) gain	Power sum method
If these predictions have not used Ofcom-provided population data, state what population data has been used and its source.	Ofcom provided population data
Have your predictions been generated by a commercial organisation? If so, by whom?	Muxnet UK Limited

## 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 is requested in Part B of the application form.

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. Applicants should note there are confidential questions relating to extent of coverage area in Part B of the application form.

### Applicant's details

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

**MEDWAY & SWALE DAB LTD**

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

**13763509**

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:*

**The Bourne Studios 2nd Floor, Swale House, East Street, Sittingbourne, ME10 3HT**

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

**Yes**

## Ownership and control of company which will hold the licence

### Details of officers

3.5 Please complete the following table, expanding it if necessary, to provide the following details for each director or designated member of the applicant (i.e. the body corporate that will hold the licence):

Full name of individual	Correspondence address <sup>1</sup>	Country of residence	Other officerships held (and nature of the business concerned)	Other employment
<b>Peter Flynn</b>	The Bourne Studios 2nd Floor Swale House East Street Sittingbourne ME10 3HT	UK	Sittingbourne Community Radio Ltd	Station Manager, SFM 106.9
<b>Anthony Weaver</b>	The Bourne Studios 2nd Floor Swale House East Street Sittingbourne ME10 3HT	UK	Sittingbourne Community Radio Ltd, Glenview Flats Syndicate Ltd	Retired
<b>John Hirst</b>	The Bourne Studios 2nd Floor Swale House East Street Sittingbourne ME10 3HT	UK	Create Productions Ltd, Create Digital Publishing Ltd, Create Productions International Holdings Ltd, East Kent Radio Ltd, Kent Capacity Co Ltd, Canterbury DAB Ltd, Create Productions HK Ltd (incorporated in Hong Kong)	Managing Director @ Create Productions Ltd and Create International Holdings Ltd and Create Productions HK Ltd (incorporated in Hong Kong)
<b>Gregory Watson</b>	The Bourne Studios 2nd Floor Swale House East Street Sittingbourne ME10 3HT	UK	MuxNet Ltd, MuxNet UK Ltd, Children's Radio UK Ltd, Children's Radio UK (London) Ltd, Inspiring Audio Ltd, Upload Radio Ltd, Folder Media Ltd, Folder & Co Ltd, Folder & Co Two Ltd, Folder Media Digital Investments Ltd, Muxco Ltd, Muxco Investments Ltd, Muxco South Midlands Ltd, Muxco North East Wales and West Cheshire Ltd,	Managing Director @ Folder Media Ltd, Children's Radio UK Ltd, MuxCo Ltd

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



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			Triple Muxco Somerset Ltd, Muxco Surrey and North Sussex Ltd, Muxco Lincolnshire Ltd, Muxco North Yorkshire Ltd, Muxco Suffolk Ltd, Muxco Cumbria Ltd, Hallett Arendt Marketing and Research Ltd, St Andrew's Club, Watercress Line Heritage Railway Trust Ltd, Wadebridge (34007) Locomotive Ltd, South Birmingham Digital Radio Ltd, South Birmingham Community Radio Ltd, Kent Capacity Co Ltd, West Kent DAB Ltd , Kent Coast DAB Ltd	
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### Details of participants

3.6 *Please complete the table overleaf, expanding it if necessary, to list all bodies or individuals which hold or are beneficially entitled to shares, or who possess voting powers, in the applicant (i.e. the "participants"). 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.*

(If parts of this question are not applicable to the applicant – for example, because the applicant does not have shareholders – please respond "N/A" in the relevant parts of the table.)

Full name of participant (existing and proposed)	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
Sittingbourne Community Radio Ltd	50%	£23,675	50%	50%
Kent Capacity Co Ltd	50%	£23,675	50%	50%
<b>Comments</b>				

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### Details of relationships of control

3.7 Complete the following table, expanding it if necessary, to list any bodies corporate which are controlled by the applicant (or any director of the applicant, any person/body corporate with control over the applicant, or any body corporate controlled by a person/body corporate controlling the applicant). Please include bodies corporate under joint control – i.e. which are controlled acting together in concert with third parties (e.g. because of a shareholder's agreement):

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Full name of body corporate	Address	Person/body controlling the entity (i.e. the applicant itself or its associate)
Create Productions Ltd, Create Digital Publishing Ltd, Create Productions International Holdings Ltd, Create Productions HK Ltd, East Kent Radio Ltd	Greenworks Dog and Duck Yard Princeton Street London, WC1R 4BH	John Hirst
MuxNet Ltd, MuxNet UK Ltd, Children's Radio UK Ltd, Children's Radio UK (London) Ltd, Inspiring Audio Ltd, Upload Radio Ltd, Folder Media Ltd, Folder & Co Ltd, Folder Media Digital Investments Ltd	Greenworks, Dog and Duck Yard, Princeton Street, London, WC1R 4BH	Gregory Watson

### Details of persons who control the applicant

3.8 Complete the table overleaf, expanding it if necessary, to list all persons/bodies corporate who control the applicant, or control any person/body corporate with control over the applicant. Please include persons or bodies that control the applicant (or body corporate with control over the applicant) jointly i.e. acting together in concert with third parties (e.g. because of a shareholder's agreement). Please note that some of this information may repeat information provided above on shareholders and other participants in the applicant:

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Full name of person/body corporate	Address	Person/body controlled by the entity (i.e. the applicant itself or its associate)
N/A		

3.9 Complete the following table, expanding it if necessary, to list other bodies in which any individual listed in response to question 3.8 is a director or designated member:

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Full name of individual	Name of body in which individual is a director or designated member
N/A	

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3.10 Complete the following table, expanding it if necessary, to list all bodies corporate which are controlled (including jointly controlled) by any body corporate listed in response to question 3.8:

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Full name of body corporate listed in 3.8	Body corporate controlled
N/A	

3.11 In relation to each body corporate identified in response to question 3.8, complete the table overleaf, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, in the body corporate concerned (i.e. "participants"). You may, but are not required to, exclude from this table any bodies listed in response to question 3.8. 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.

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Name of body corporate identified in response to question 3.8				
Full name of participant	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
N/A				

## Involvement of the applicant in specified activities

3.12 Please state below whether the applicant, or any individual or body corporate identified in questions 3.5 to 3.11 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;	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	
An advertising agency or an associate of an advertising agency	No	

## **Details of applications, licences and sanctions**

3.13 *Please answer 'yes' or 'no' to the following questions about the applicant (i.e. the body corporate that will hold the licence):*

a) Is the applicant a current licensee of Ofcom?

No

b) Has the applicant ever held an Ofcom broadcasting licence before?

No

c) Has anyone involved in the proposed service held an Ofcom broadcasting licence or been involved in an Ofcom-licensed broadcast service before?

Yes

d) Does the applicant control an existing Ofcom licensee?

No

e) 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

f) Has the applicant – or any person(s) controlling 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

g) Has the applicant – or any person(s) controlling 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

h) Is the applicant – or any person(s) controlling 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

i) 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

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3.14 If the response to any of the questions (a) to (i) in 3.13 above is 'yes', please provide the details, expanding the table where necessary:

	Licence number(s) (if known)	Details
(a)		
(b)		
(c)	CR000219 DP000051 / DP102178 DP102939 DL000049 DL000054 DL000050 DL000057 DL000053 DL000055 DL101051 DL104302 DL000058 DS103908	Sittingbourne Community Radio Ltd - SFM 106.9 Children's Radio UK Ltd – Gregory Watson Upload Radio Ltd – Gregory Watson MuxCo North East Wales & West Cheshire Ltd – Gregory Watson MuxCo South Midlands Ltd (Gloucs) – Gregory Watson MuxCo South Midlands Ltd (Hereford Worcester) – Gregory Watson MuxCo Surrey & North Sussex Ltd – Gregory Watson MuxCo North Yorkshire Ltd – Gregory Watson MuxCo Lincolnshire Ltd – Gregory Watson MuxCo Suffolk Ltd – Gregory Watson MuxCo Cumbria Ltd – Gregory Watson Triple MuxCo Somerset Ltd – Gregory Watson South Birmingham Digital Radio Ltd – Gregory Watson
(d)		
(e)		
(f)		
(g)		
(h)		
(i)		

3.15 Please provide any further information you hold, relating to the past conduct of the applicant or those individuals listed, in regulatory matters or in matters going to honesty and/or compliance, which may be relevant to Ofcom's consideration of whether or not the applicant is fit and proper to hold a broadcast licence. If the applicant or the form signatory fails without reasonable excuse at this point to declare any matter of which Ofcom subsequently becomes aware, and which we consider to be relevant to the applicant's eligibility to hold a licence, we will take it into account in determining the question of whether the applicant/licensee remains fit and proper to hold a licence.

If you have no information to provide, please respond "N/A".

N/A

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

No

## **Financial and business plan**

3.17 *Please provide a high-level estimate of the costs you believe will be required to establish the multiplex service.*

### **Our area**

Sittingbourne is a modern market town with historic links and the largest of the three main towns in Swale, with strong transport links to London and the rest of Kent. It has seen significant residential developments in recent years and has a large commuter population. That said, parts of the polygon fall within the 10% most deprived neighbourhoods in England.

The wider Swale municipal area includes the island of Sheppey with its own distinct community. Reached by a bridge over a natural border of sea water, this island in Kent is a community in its own right and is served by two existing FM community radio services.

Medway is a unitary authority district combining Strood, Rochester, Chatham, Gillingham and Rainham. It's one of the South East's most aspiring and developing destinations, marrying its celebrated maritime and cultural heritage with a rapidly emerging continental-style scene. It is the only unitary authority within the wider county of Kent and is home to a significant part of the population of the South East.

The Medway and Swale areas were served by its own ILR service in the 1990's/2000's before that was amalgamated into a wider regional group. Since then community radio has thrived, broadcasting a mix of analogue and internet based services.

Together the polygon area covers multiple distinct towns with thriving community radio services that are popular with local people from all backgrounds and interest groups.

### **Sittingbourne Community Radio Ltd**

SCR has been broadcasting full time to Sittingbourne and the surrounding area of Kent as 106.9 SFM since July 2012, prior to which it operated a number of RSLs. 106.9 SFM currently has 28 volunteers in a variety of roles – the youngest is 17, the oldest is 74 and the team includes several generations from the same family. A number of volunteers are from disadvantaged backgrounds, including mental health issues, physical disabilities, visual and speech impairments and long-term unemployed.

106.9 SFM's main objectives are to offer high quality programming aimed at a wide age range of listeners, and provide a service that is informative and supportive to the local community - raising community spirit and awareness of what's on in and around the area.

SCR is pleased to support this application, contribute as a significant shareholder for its robust setup and operation and provide SFM radio as a service on the multiplex.

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### **Why DAB?**

Small-scale DAB is a great opportunity for the FM community stations in Swale and Medway to continue to serve their existing audience bases, whilst also reaching a wider audience across the area on a new platform. DAB has previously been out of reach in terms of cost and geographical targeting to local people.

### **Collaborative Partnership**

The shareholders started to work together in 2021 making plans to apply for this multiplex. Working together in collaboration as shareholders, the Directors have reached out to all parties who are working in radio across the area. Heads of Terms or expressions of interest have been sought with all the existing Ofcom licenced community radio groups, those currently broadcasting online and other or new service providers who wish to launch services for Medway and Swale. This application brings together local radio and community connections and recognised digital experience for the benefit of everyone.

### **Our proposal**

Our aim is to establish a successful small scale multiplex operation, providing community and commercial broadcasters, established and new, with a reliable digital broadcast platform on both affordable and flexible terms. The board and shareholders have, between them, extensive experience in community radio, local radio and digital radio and particular experience in making new small and medium sized radio projects work.

### **Low Cost Carriage**

Our core ambition is to offer service providers a low cost, easy to access, high quality digital broadcast platform and to ensure its long-term sustainability. To achieve this, we will offer reserved capacity to C-DSP licence holders at a discount to the equivalent rate of unreserved capacity. Carriage fees will be invoiced monthly in advance and increase annually by RPI.

Each service provider will be offered similar carriage contracts, with identical terms and conditions. All will be offered contracts that run to the end of the multiplex licences. We recognise that some service providers may wish to contract for shorter periods and will accommodate such requests. We believe that our chosen tariff structure provides certainty to service providers over their carriage costs throughout the contract and / or licence term.

### **Promoting the Opportunity**

As well as direct communication, we have promoted the new multiplex opportunity via social media and news releases in industry and local press.

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### Service Providers

The number of confirmed services gives us confidence in the financial stability of our plans to launch and sustain the multiplex. Several of the proposed service providers have worked with the shareholders before or have a positive experience on existing small-scale DAB trials and / or local multiplexes.

### Objectives

We have signed Heads of Terms for 11 services and have ongoing discussions with a number of other potential providers. Under our operating model, Kent Capacity Co has agreed to underwrite capacity fees to ensure the multiplex runs cash positive.

### Commitment

The shareholders have come together with a shared long-term commitment to DAB broadcasting, and are committed to investing in the platform to keep abreast of technical developments during the licence term.

### Establishment and Running Costs

We anticipate the majority of costs to be related to the build of our transmission site - £36,000. Legal and other administrative costs in pre-launch period are assumed at £6,000 and we have included a 12.5% contingency.

### Funding

The company will be funded through a combination of equity and primarily shareholder working capital loans. The shareholders have confirmed their ability to cover this funding.

3.18 Please indicate how the costs outlined in 3.17 (above) will be met, under the following headings:

a) Share capital	£100
b) Loan stock from shareholders	£47,250
c) Leasing/HP facilities (capital value)	£0
d) Bank overdraft	£0
e) Grants and donations	£0
f) Other (please specify)	£0
<b>Total</b>	<b>£47,350</b>



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3.19 *Expanding the table if necessary, please list the providers of the funding which will be used to establish the service, and the amount of funding that each will provide. For incorporated investing shareholders, please provide a copy of the most recent statutory accounts if they are not currently available on Companies House.*

Name of shareholder or investor	Percentage of shares held (if applicable)	Amount of funding provided (£)
Sittingbourne Community Radio Ltd	50%	£23,675
Kent Capacity Co Ltd	50%	£23,675

3.20 *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.*

The latest Statutory Accounts on Companies House are:

- Sittingbourne Community Radio Ltd 31<sup>st</sup> December 2022
- Kent Capacity Co Ltd Dormant; incorporated June 2021

Further information on Funding Ability is submitted in Appendix G.

## Relevant expertise and experience

3.21 *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.)*

### The Shareholders

Medway & Swale DAB Ltd is a strong applicant group with collaboration at the heart of its ethos:

- **Sittingbourne Community Radio Ltd** – Sittingbourne’s local community radio station that has been broadcasting since July 2012, but has been garnering support in the area with RSLs as far back as 2003.
- **Kent Capacity Co** is a collaboration of Kent experienced broadcasters and digital radio multiplex managers. It will market opportunities to broadcast across Kent’s small scale DAB multiplexes, sell spare capacity on the multiplex and identify new revenue streams on behalf of Medway & Swale DAB. In addition to representing revenue for the multiplex it will also operate its own DSP service ‘Kent!’ – a wide mix of adult music and What’s On Leisure information for Kent.

The combined experience of SCR and KCC as service providers and multiplex operators gives us an excellent understanding of what is required – good coverage, service reliability and easy access for programme providers at an affordable and realistic price.

## **Medway & Swale DAB Limited**

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### **Multiplex Management**

Medway & Swale DAB has entered into a multiplex management agreement with MuxNet UK who will oversee the build of the multiplex and transmitter network, contracts with service providers, liaison with Ofcom and service providers and oversee day to day multiplex management and service provider liaison ongoing.

MuxNet has substantial digital radio experience in terms of both multiplex build and operation, as well as digital radio services, at the local and small-scale DAB level, and is involved in the Bristol and South Birmingham small-scale multiplexes. They have the required technical competence, operational expertise, financial knowledge and aptitude to manage third party relationships successfully.

MuxNet will be responsible for the launch of the multiplex and its subsequent day to day operation; in particular:

- Overseeing bit rate variations, enhancements or projects required by service providers, such as EPG provision, temporary services and data developments.
- Maximising multiplex functionality and efficiency.
- Monitoring and fault reporting, ensuring output of all service providers is correctly logged and compliant with legislation and codes.
- Multiplex management involves supporting, maintaining and upgrading the multiplex system hardware & software; as well as invoice management and payment collection.

### **Key Personnel**

**Pete Flynn** has worked in radio for 30 years – from Talk Radio, Capital and Heart 106.2 to the team that launched the UK's first LGBT+ radio station Purple Radio on DAB in 2000. Since 2012, Pete has been at the helm of 106.9 SFM, making sure the radio station is directly at the heart of the local community in Sittingbourne and working closely with local government agencies, charities and voluntary groups. He is Vice Chair of the Sittingbourne Retail & Business Association forging a direct link with local business, local authorities and local MP Gordon Henderson.

**John Hirst** was the Commercial Director for Medway FM across Medway and Swale through its RSL trials and then its successful launch as the ILR station for North Kent in 1997. He became its Managing Director and kept its core focus on local programming, management, business links and community profile. He has worked with Medway Council and local government organisations since his time at Medway FM and has continued to do so right up to now. As MD at Create, he is currently working with NHS Kent & Medway and the two local councils in Medway and Swale to bring new healthcare solutions and Covid-19 support to local people. John has worked in radio in Kent for over 35 years and has commercial relationships with local business, community groups and organisations.

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**The MuxNet team** - Gregory Watson, Nick Piggott and Matt Deegan have been involved in DAB broadcasting since 1999 and the launch of Digital One and the subsequent development of the Now Digital Network.

- Since 2008, Gregory Watson and Matt Deegan, along with colleague Nicky Tate, have successfully built the MuxCo, working with local shareholders to ensure that all broadcasters have opportunities to participate in DAB. Gregory has deep experience of regulatory and business affairs, whilst Matt has been involved with strategic and commercial development of digital radio for many years and leads on commercial opportunities.
- Nick Piggott has extensive experience in digital radio technology. He has been deeply involved with Small Scale DAB trials in several locations, as well as the Open Digital Radio project, and has decades of technical experience of Digital Radio, sitting on the Technical Committee of WorldDAB and contributing to the creation of technical standards and guidance papers.

3.22 *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	MuxNet UK	MuxNet UK is an existing multiplex operator with substantial experience in delivering and operating local and small-scale multiplexes.
Ongoing maintenance of the transmission equipment	MuxNet UK	
Installation of the Multiplexing equipment	MuxNet UK	
Day-to-day technical management and maintenance of the multiplexing equipment (if different from response to question 3.28 above)	MuxNet UK	

## Timetable for coverage roll-out

3.23 *Please tell us how soon after licence award you expect your multiplex service to become operational and achieve the coverage you are proposing:*

We intend to launch the Medway & Swale small-scale DAB multiplex within 8 months of approval of our technical plan.

Upon award, we will immediately advance negotiations regarding the proposed transmission sites and liaise with other radio multiplex licensees on any impact our proposed transmitters might have. Once completed, we 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.

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

We have confirmed the availability of all equipment and professional services to meet our timescales.

3.24 *In addition, please provide, as an annex to be submitted with this application, 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.*

A GANTT chart is included in **Appendix E**

## 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:*

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. In this context, a "participant" refers to a person who holds or is beneficially entitled to shares in the applicant or possesses voting power in the applicant. If the service is already licensed by Ofcom, the licence number should be provided. Please refer to the nature of the participation (e.g. shareholding or agreement in relation to voting power):*

Sittingbourne Community Radio Ltd

- C-DSP for 'SFM 106.9'
- Analogue licence CR000219

## Demand or support from programme providers

4.4 *Please provide in the table below (expanding the table if necessary) the names of providers (or prospective providers) of community or local digital sound programme services who have expressed their demand or support for the provision of the proposed multiplex service in the area to be served by the multiplex service. For reasons of transparency, the response to this question must be answered below and should not be provided as a separate annex. The evidence of the demand or support, such as signed heads of terms or emails, should be provided as a confidential annex, and relate only to the specific multiplex being applied for.*

Name of service provider and station name (if known)	Proposed C-DSP or DSP	Nature of evidence of support provided
Sittingbourne Community Radio Ltd – SFM 106.9	C-DSP	Signed heads of terms
Sheppey Matters – Sheppey FM 92.2	C-DSP	Signed heads of terms
Cinque Ports Radio CIC – Cinque Ports Radio	DSP	Signed heads of terms
Hospital Radio Maidstone	DSP	Signed heads of terms
Kent Capacity Co Ltd – Kent!	DSP	Signed heads of terms
East Kent Radio Ltd - EKR	DSP	Signed heads of terms
Children’s Radio UK Ltd – Fun Kids Party	DSP	Signed heads of terms
Made in Kent Ltd - Made in Kent Radio	DSP	Signed heads of terms
Gaydio Radio Ltd – Gaydio	DSP	Signed heads of terms
Thames Radio Ltd - Nation	DSP	Signed heads of terms
Angel Radio Ltd – Angel Vintage	DSP	Signed heads of terms

If successful, we will welcome and work with all community radio providers based within the licence area to broadcast on the multiplex.

## 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 is one further question 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.*
- 5.2 *For example, how have you sought to engage a broad range of prospective service providers including those not directly involved as participants in the application and those who have decided not to proceed to express an interest or agree heads of terms at this stage, and how have you sought to make prospective service providers aware of your proposals and potential terms for carriage?*

Our application is made by a consortium who are committed to providing affordable and efficient digital radio services to Sittingbourne, Sheppey and Medway.

We have contacted all community radio services that broadcast within and / or are audible within the licence area, and have identified there is strong interest and support for a small-scale multiplex, as well as strong interest in carriage on the multiplex on the terms and conditions that we have proposed.

We have also discussed the opportunity with community services that currently do not serve the area, as well as commercial services who are looking for carriage on multiple multiplexes, and have received equally strong support.

We are confident that we will provide a strong line-up of local, community and commercial services on the multiplex from launch, covering a wide range of tastes and interests; local, regional and national.

We will continue to promote opportunities on the multiplex to broaden the range of formats and suppliers on the multiplex.

In approaching prospective programme service providers, we have acted in a manner to ensure fair and effective competition in the provision of community and local digital sound programme services.

- We contacted the known potential service providers; both local and national.

## **Medway & Swale DAB Limited**

Small-scale radio multiplex licence for Sittingbourne & the Medway Towns - PART A

- We created and maintain a register of requests for capacity for services, and those requests are assessed on a 'first-come, first-served' basis. Details of our contacts and discussions with prospective programme service providers are attached in Appendix H.
- We have published and provided each prospective service providers a rate card which identifies tiering for Reserved and Un-reserved capacity.
- We will maintain promotion of the multiplex and carriage opportunities on our website throughout the licence term, including full details of rate card and terms.



## 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 in 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 of the person authorised to make the application of behalf of the applicant:**

**PETER FLYNN**

**Date of application: 29<sup>th</sup> June 2023**

**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.**