Consultation question 1:
Do you agree with the proposed broadcast licensing priorities for the short to medium term? Please give reasons for your answer.

We are broadly supportive of any moves to widen choice for radio listeners, although we think priority should be given to the ideas suggested in our answer to Q6.

Consultation question 2:
Do you consider that the proposed broadcast licensing priorities for the short to medium term will provide sufficient provision for audiences? Please give reasons for your answer.

No we do not. Please see our answer to Question 6

Consultation question 3:
For post-launch SSDAB multiplex coverage improvement or extension requests only, do you agree with our proposed change in approach to our application of the rule which restricts overlap with local muxes to 40% of the population already covered by the local mux (the "40% ceiling")? Please give reasons for your answer.

Given we are using SSDAB as our only route to coverage in many major markets (see below) for our spin-off service Boom Light, yes we are supportive of rule relaxations which allow for greater coverage for individual multiplexes, even at the risk of greater overlap. We are mindful of the risks to existing commercial operators though and appreciate OFCOM would only use any powers in exceptional circumstances.

Consultation question 4:
Do you agree with Ofcom's analysis in section 3 and at Annex A1 of the existing broadcast licence types? Please give reasons for your answer.

We have no specific criticism on OFCOM's definitions, although as we point out below, the current situation where "local" licences occupy local multiplex capacity, whilst a sustaining service running essentially the same output for the vast majority of the day sits on national multiplex capacity suggests we are not collectively making best use of a scarce resource.

Consultation question 5:
Do you agree with our assessment on the impact of our proposed broadcast licensing priorities for the short to medium term at Annex A3? Please give reasons for your answer.

We are supportive of the opportunities SSDAB creates for minority communities

Consultation question 6:
Do you have any other comments to make on the proposals?

We are concerned that in point 3.22 you have stated that there is no more scope for national DAB multiplexes, ignoring the potential for creating opportunities for additional services on existing multiplexes by not fully exploring deliverable and highly valuable options which would realise OFCOM's over-arching objectives of a wide range of high-quality services. Specifically, for the industry to still be operating a dual standard of both DAB and DAB+ transmission seems to us to be inefficient and wasteful.

Over half of all radio listening is now delivered by the commercial sector with significant growth over the last decade, and this growth has been driven to a significant extent by a range of new, distinctive national commercial services – their distinctiveness only made possible by the scale of their coverage.

The future health and growth of commercial radio depends on more national services being allowed to flourish – and by creating a licensing regime where some of those services are delivered by operators beyond the three established major players.

Boom Radio is a small, new independent operator launched in 2021 aiming at older listeners - an audience less well targeted by UK radio. A small amount of DAB+ capacity fortunately became available on the second national multiplex (SDL) shortly after our launch which allowed Boom Radio to enjoy national coverage, delivering our distinctive service quickly to many listeners aged 55+. These listeners grew to be commercial radio's most loyal, indicating the value of the delivery of this extra station on DAB+. Boom Radio now enjoys a share of listening well in excess of many of the spin-off services from the major UK radio groups also launched in the last decade or so, emphasising the benefits of a system that can support new, independent players.

The multiplex capacity available however was only at 24Kbps in mono – via the SDL transmitter network with its significantly inferior coverage than the other commercial radio network D1. Until now, poor or non-existent DAB coverage at home and on the move is the most common problem our listeners write to us about (virtually no one complains about the lack of stereo or poor audio quality).

> *"I have my home radio and car radio tuned to Boom Radio, my only problem with it is the intermittent reception when travelling around the country, which means I miss out which can be very frustrating"*
>
> *"Very poor DAB (car) reception in this part of the country forcing me to tune into other stations. But otherwise keep up the good work"*
>
> *"For some reason, the DAB signal keeps dropping off so the reception is very hit and miss. I am in my kitchen listening via DAB on my Robert's multi-function radio and have never had this problem. Do you know of any weak DAB signal in my area?"*

There are serious limitations on national DAB capacity in the UK impacting on the delivery of potentially very popular and valued services and we believe this should be addressed if OFCOM is to deliver the environment for a range of high-quality services and fair and effective competition. One clear upgrade would be for SDL to extend its coverage to currently unserved areas. Can OFCOM offer more support to SDL to enable them to build out their network? We understand some proposals are in the offing – but could more be done?

Whilst the D1 multiplex would be a logical upgrade for Boom, when existing capacity holders on that network can free up capacity, they are effectively granted first right of refusal on the use of that capacity by the mux licence holder – a right inevitably taken up – so any freed-up capacity is recycled amongst the three major groups and not offered on the open market. Virtually no capacity, save for GB News, has been made available to any third party on D1 in recent years. We appreciate the Catch 22 here – why would an existing operator voluntarily give up capacity if it couldn't use that capacity itself (apart obviously for reasons of cost), but it is frustrating for independent operators to be "frozen out" of significant platforms.

The current structure, therefore, means that no fresh operator can deliver a service with satisfactory reception to listeners across the UK. The capacity on the two national multiplexes is fully allocated and effectively controlled by the big three UK radio groups, with Bauer controlling 39% of capacity, Global 35% and NewsUK 16%. All other operators collectively only control 10% (see attached appendix).

That cannot be right.

To illustrate, we have a second service, Boom Light, with a highly original format of '50s and easy listening music. This is highly valued by its target audience of those aged over 70. It is significantly hampered, however, by its lack of national DAB coverage. We would be prepared to consider national coverage instantly were it available, but it is not.

We cannot place Boom Light on multiple local multiplexes as that local capacity is cost-prohibitive. Many are not yet coded for the more cost-efficient DAB+, although we understand this is imminent, but even only using DAB+ at low capacity levels, the costs being quoted to us are way above any sensible cost-benefit analysis for a niche service such as Boom Light which is only able to attract national revenue, and then only at relatively low levels due to audience size and demographics.

Instead, we have found space on the London II multiplex and a collection of city-based SSDAB multiplexes. Even here, many of the fees payable are at the limit of affordability, given the services themselves (excepting London II) fall some way short of providing proper city-region coverage.

We would ask OFCOM to recognise the huge potential of creating more national DAB capacity in delivering more distinctive services to more people from a more diverse range of providers.

One obvious way for OFCOM to facilitate this is via strongly encouraging conversion to DAB+ for all national services on either national or local multiplexes and encouraging both national and local Multiplex Operators to allocate freed-up capacity to new national services at rates which reflect their national status (i.e. they are not able to generate local revenues).

In the case of capacity freed-up on local multiplexes, operators could offer capacity to those services currently only available in London which aspire to national coverage. OFCOM's public rate-card proposals and a "most favoured nation" status for new entrants would help here, as would a regulatory regime tilted in favour of smaller players over the Big Three operators.

It is also open to question whether the significant duplication of services on Local multiplexes with an identical sustaining service running nationally for 20 hours per day is the most effective use of scarce resource. Could OFCOM look again at the licensing regime here?

Finally, were the commercial sector under OFCOM's direction to embrace DAB+ for all national and quasi-national services, DCMS and OFCOM may wish to consider asking the BBC to also go DAB+ only on the 12B multiplex, ringfencing any capacity freed-up by this for commercial operators only – and again finding a mechanism so this capacity is not taken by those who already have significant existing national capacity. There is no doubt a significant amount of capacity that could be freed-up in this way – potentially up to 10 new services, with charter renewal an ideal time to implement this initiative and move BBC networks to DAB+ - and perhaps generate additional income for the BBC in the process.

Appendix – Capacity Analysis of National Digital Radio in the UK

- **Digital One (D1) Multiplex**
- Total capacity: **864 CU**
- Total stations: **29**

Owner	Number of Stations	Total Raw CU	% of Multiplex Capacity (864 CU)
Global	17	510	59.0%
Bauer	8	228	26.4%
News UK	1	48	5.6%
Other	3	78	9.0%
Total	**29**	**864**	**100.0%**

- D1 Coverage 93% of households
- Of the 3 Other, 2 are not funded by airtime sales (UCB x2)

Sound Digital (SDL) Multiplex – Unweighted (Adjusted to Your Counts)

Owner	Number of Stations	Total Raw CU	% of Multiplex Capacity (864 CU)
Bauer	17	438	50.7%
Global	4	96	11.1%
News UK	6	234	27.1%
Other	7	96	11.1%
Total	**34**	**864**	**100.0%**

Breakout for Boom Radio UK (on SDL):

- Number of Stations: **1** Total Raw CU: **18** % of Multiplex Capacity: **2.1%**

SDL Coverage 82% of households