

Consultation on Ofcom's proposed strategic approach to broadcast radio licensing

The Local DAB Association (LDAB) is the representative body for small-scale DAB multiplex operators across the UK. LDAB was formed to provide a coherent voice for the SSDAB sector, champion its growth and sustainability, engage with regulators, support members, and promote innovation in local digital radio. As the body representing SSDAB multiplex operators, LDAB has a particular interest in ensuring that Ofcom's short- to medium-term licensing priorities promote plurality, efficient spectrum use, sustainable digital growth, and practical audience benefit across local radio.

LDAB welcomes the opportunity to respond to Ofcom's consultation on its proposed strategic approach to broadcast radio licensing.

LDAB broadly supports the overall direction of Ofcom's proposed short- to medium-term licensing priorities. It is sensible for Ofcom to focus on licensing activity that reflects audience behaviour, practical demand and spectrum constraints, including SSDAB, technical change requests, analogue renewals and extensions, ongoing DAB support, and further community FM licensing where justified.

SSDAB has become an important and affordable digital platform for a wide range of smaller commercial services as well as community broadcasters. Its value lies not simply in the number of licences awarded, but in whether multiplexes are able to provide robust and coherent real-world coverage to the communities they are intended to serve. Evidence from the sector suggests that current power levels, coverage constraints and the operation of the 40% overlap rule are preventing that in a number of areas.

For that reason, LDAB believes Ofcom should give greater priority to strengthening existing SSDAB provision and enabling further SSDAB growth where justified before advertising additional overlapping local DAB multiplex licences. Once scarce Band III spectrum is committed to a new local DAB multiplex, the opportunity to improve SSDAB coverage or enable additional SSDAB provision in that area may be reduced or lost.

LDAB welcomes Ofcom's proposal to adopt a more flexible approach to the 40% overlap ceiling for post-launch SSDAB coverage improvements and extensions. But the current proposal appears too narrow if it only allows "minimal exceedance" in exceptional cases. In many real-world cases, a meaningful coverage improvement may require more than a slight increase above the threshold. LDAB therefore argues that the final policy should allow broader flexibility where there is a strong technical case and clear audience benefit, and that Ofcom should review whether its current indoor coverage modelling accurately reflects reception on the ground.

LDAB also rejects the argument that Ofcom should protect incumbent local DAB interests by constraining further SSDAB development. SSDAB is not simply a niche or community adjunct to the radio market; it is now an important route to market for smaller operators and a significant contributor to plurality and affordable digital carriage. If Ofcom is to assess market impact, it should do so symmetrically, including the risk that new local DAB licensing could undermine SSDAB sustainability, increase carriage barriers for smaller services, and reduce effective plurality.

In summary, LDAB supports the broad direction of the consultation, but believes the final policy should be strengthened by:

1. Prioritising SSDAB coverage improvement and development ahead of overlapping local DAB expansion;
2. Widening the *practical* flexibility around the 40% overlap rule;
3. Committing to a formal impact assessment of the effect of new local DAB licensing on SSDAB sustainability; and
4. Ensuring that practical listener benefit, plurality and fair access to digital carriage remain central to Ofcom's final approach.

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

1. We broadly agree with the overall direction of Ofcom's proposed licensing priorities for the short to medium term. It is sensible to focus finite regulatory resources on areas where there is clear audience benefit. In particular, it makes sense to continue supporting SSDAB, technical change requests, analogue renewals and extensions, ongoing DAB licensing activity, and to consider further community FM licensing where justified.
2. However, we do not believe all elements of the proposed priorities should carry equal weight. In our view, Ofcom should give greater priority to strengthening existing SSDAB provision, and to enabling further SSDAB growth where justified, before advertising additional overlapping local DAB multiplex licences.
3. SSDAB is not a marginal or purely community add-on. It has become an important and affordable digital platform for a broad range of services, including many smaller commercial operators, as well as community broadcasters. It has lowered barriers to entry, supported plurality, and provided a realistic digital route to market for services that could not otherwise access local DAB carriage at traditional cost levels.
4. The evidence and representations from our members indicate that SSDAB's main weakness is not the model but the coverage constraints under which many multiplexes are operating. In many areas, low power, restricted coverage and the current overlap limitations mean that multiplexes do not yet provide the robust and coherent coverage that listeners would reasonably expect from a town or city service. The priority should therefore be to make SSDAB work properly in practice, not simply to note that it has been licensed in principle.
5. For that reason, we are concerned by the proposal to prioritise new local DAB multiplex licensing in areas of demand where spectrum is available, without a clearer statement that Ofcom will first consider whether the same spectrum could more effectively be used to improve existing SSDAB coverage or enable additional SSDAB provision. Once scarce Band III spectrum is committed to a new local multiplex, the opportunity to solve SSDAB coverage problems in that area may be reduced or lost forever.
6. We also do not agree with arguments that Ofcom should protect existing commercial multiplexes by limiting further SSDAB development. That risks treating incumbent protection as if it were the same thing as audience benefit.

Ofcom's role is to promote plurality, efficient spectrum use, and the widest practical availability of services to citizens and consumers. SSDAB has had limited adverse effect on local DAB, while the reverse risk is likely to be significant if further local DAB licensing is allowed to proceed before SSDAB coverage issues are properly resolved.

7. We therefore support the broad direction of Ofcom's strategy, but believe the final statement should make clear that existing SSDAB multiplexes must be given a fair opportunity to achieve technically effective and sustainable coverage, and that spectrum should not be allocated to new overlapping local DAB multiplexes without first considering whether it could deliver greater public benefit through SSDAB improvement or extension.

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.

8. Potentially yes, but only if Ofcom applies the strategy in a way that addresses real-world coverage, affordability and local accessibility, rather than focusing only on formal licence categories.
9. The consultation is right to note that radio remains widely used, while listening is increasingly shifting toward digital platforms. It is also right to recognise that analogue remains important for some audiences, especially older listeners, some rural communities and those in places where digital reception or broadband is weaker. The proposed combination of SSDAB development, analogue renewals and extensions, technical changes, and possible new community FM licensing would seem to provide a reasonable framework for maintaining and improving provision.
10. But sufficient provision must be judged by what audiences can actually receive and rely on. In many areas, SSDAB coverage remains too weak, patchy or restricted to deliver a dependable service across the community it is meant to serve. Where that is the case, listeners remain underserved in practice, regardless of whether a multiplex has technically been licensed.
11. This matters because SSDAB now carries a wide range of smaller commercial and community services that are unlikely to have viable access to local DAB on equivalent terms. If SSDAB remains underpowered while local DAB is expanded above it, that may not increase meaningful audience provision overall. In fact, it may instead shift advantage toward higher-cost carriage platforms and better-capitalised operators, while weakening routes to market for smaller services that audiences value.
12. So our answer is broadly yes in principle, but only if Ofcom uses the policy to improve actual reception and service availability on the ground.

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.

13. We agree with the principle of a more flexible approach, but we do not think the proposal as currently framed goes far enough.
14. Ofcom is right to recognise that rigid application of the 40% ceiling can produce perverse outcomes, where a clearly beneficial coverage improvement is rejected simply because it takes overlap beyond an inflexible threshold. That shift in principle is welcome and recognises what is actually allowed for in the existing legislation.
15. However, the consultation appears to limit flexibility to exceptional circumstances involving “significant public benefit” and only “minimal exceedance” of the 40% level. We are concerned that this will prove too narrow to solve the very serious problems the policy is supposed to address.
16. In many places, the issue is not a tiny marginal anomaly. It is that current SSDAB coverage is too weak, too fragmented, or too constrained to provide a reliable service across the intended area. In some cases, a meaningful coverage improvement may require more than a slight increase above 40%. If Ofcom allows flexibility only in cases of very limited exceedance, the most important deficiencies will almost certainly remain unresolved.
17. We also think there is merit in reviewing whether the current methodology for predicting indoor SSDAB coverage and defining licensed-area reach remains sufficiently reliable in light of operational experience. A recurring concern from our members is that modelled coverage overstates reception on the ground. If that is the case, then a threshold that appears reasonable in theory may be delivering poorer audience outcomes than intended in practice.
18. In addition, there are unserved or previously advertised-but-unlicensed areas where extending an existing SSDAB multiplex may be more practical and cost-effective than expecting a new standalone multiplex to emerge. The 40% framework should not prevent sensible extensions of that kind where they deliver clear public benefit.
19. We do not support arguments that flexibility should be tightly constrained in order to protect existing local DAB operators from additional SSDAB overlap. That would prioritise incumbent protection over efficient spectrum use and audience benefit. If Ofcom is concerned about market impact, that concern should apply in both directions. It would be inconsistent to scrutinise SSDAB extensions for their effect on local DAB while ignoring the equal or greater risk - that new local DAB licensing could destabilise SSDAB services, raise carriage barriers for smaller stations, and reduce effective platform plurality.
20. We therefore support a change in approach, but recommend that the final statement should (i) allow scope for exceedance beyond merely marginal levels where the audience benefit is clear and the technical case is strong, (ii) explain the factors Ofcom will use to assess “significant public benefit”, and (iii) review whether the current indoor coverage assumptions remain fit for purpose.

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.

21. We agree with much of Ofcom's analysis, but parts of it are too broad and do not fully reflect the real-world coverage issues and competitive effects between SSDAB, local DAB and community FM
22. Our main concern is that Ofcom's analysis should more clearly distinguish between rollout success and effective service delivery. SSDAB is correctly identified as aligned with the changing landscape and with demand, but that does not fully capture the fact that the main unresolved issues are now about coverage on the ground and technical effectiveness. SSDAB has proved its value as a model. The question is whether it is being allowed to perform properly in operational terms.
23. We also think the changed relationship between SSDAB and local DAB after the Media Act deserves fuller consideration. There is a real risk that the strategic balance could tip too far toward incumbent multiplex interests if Ofcom does not explicitly take into account the role SSDAB now plays in commercial plurality, market entry and affordable digital carriage.

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.

24. We broadly agree with Annex A3, but believe the final version should more clearly (i) acknowledge the need for timely and transparent implementation, (ii) the possibility of negative effects if SSDAB remains underpowered while overlapping local DAB expands, and (iii) the importance of assessing platform interaction symmetrically rather than only from the perspective of incumbent operators.
25. We do not consider that the impact assessment is sufficiently balanced unless it also considers the effect that additional local DAB licensing could have on SSDAB sustainability. SSDAB appears to have had limited negative effect on local DAB. The reverse may not be true. In overlapping areas, a new local DAB multiplex could draw away a small number of higher-paying commercial services whose carriage helps make SSDAB viable and affordable for smaller operators and community stations. That is a plausible and material regulatory risk, and it should be assessed explicitly.

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

Yes.

26. First, Ofcom should publish clearer guidance on what constitutes sufficient evidence of demand for a new SSDAB multiplex area under the proposed ad hoc process. If Ofcom is moving away from structured rounds, applicants need to know what evidence is likely to be persuasive, how overlapping or competing expressions of interest will be managed, and what timescales they can reasonably expect.
27. Second, Ofcom should explain how it will prioritise between three competing uses of scarce spectrum in a given area: (i) extending an existing SSDAB multiplex, (ii) advertising a new SSDAB multiplex, or (iii) advertising a new local DAB multiplex. In our view, there should generally be a rebuttable presumption in favour of the option that most effectively improves real coverage, supports plurality, and provides the most accessible route to digital carriage for smaller operators and community services.
28. Third, before advertising a new local DAB multiplex in an area served by, or realistically extendable by, SSDAB, Ofcom should carry out an explicit impact assessment on SSDAB. That assessment should consider carriage affordability, multiplex sustainability, the effect on smaller commercial services and community stations, and whether equivalent or greater public benefit could be delivered by improving SSDAB instead.
29. Fourth, Ofcom should publish clearer criteria or worked examples showing how it will apply the more flexible 40% ceiling approach in practice. Without that, the new flexibility may remain uncertain and difficult to use effectively.
30. Fifth, Ofcom should review whether its current methodology for predicted indoor SSDAB coverage remains sufficiently accurate in light of real-world operating experience. If coverage is being overstated in planning models, then decisions on overlap, service areas and public benefit may not be producing the intended listener outcomes.
31. Finally, it would be helpful for Ofcom to commit to a review point for this short- to medium-term strategy. The consultation sits alongside a broader Review of Broadcast Regulation and a changing radio market. A defined review period would help ensure that these priorities remain genuinely transitional and do not become fixed by default without reassessment.