

# **Short-term restricted service licences**

# Guidance notes for applicants and licensees

These proposed revisions to our guidance notes have been published alongside our consultation: Short-term restricted service licensing review.

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# About this document

These notes are intended to help short-term restricted service licence ("SRSL") applicants understand the licensing process. The guidance notes should not be relied upon as legal advice or be understood as modifying the effect of the statutory requirements or the conditions of the licence.

Applicants should seek their own legal advice on the licensing process and requirements, and when making their own independent assessment of the information that should be included in their application.

In providing the information in these guidance notes, Ofcom is not making, or implying any judgements on the commercial prospects (or otherwise) of licensed services, or that they will be profitable.

Ofcom makes no representation or warranty, express or implied, with respect to information contained in these guidance notes (together with the standard form licence and other documents referred to in this document) or with respect to any written or oral information made or to be made available to any potential applicant or its professional advisers. Any liability therefore is expressly disclaimed.

These guidance notes may be updated from time to time. Applicants should check Ofcom's website to make sure they are using the most recent version because applications made on a previous version of the application form will be rejected. Applicants should also be aware that certain key features, such as fees, procedures and content rules, may change in the future.

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# 1. What is a short-term restricted service licence ("SRSL")?

- 1.1 An SRSL is a short-term radio licence broadcast on AM or FM analogue radio<sup>1</sup>, granted for coverage of events, religious festivals or for trial broadcasts in preparation for applying for a longer-term licence.<sup>2</sup>
- 1.2 SRSLs are usually granted for a maximum of 28 consecutive days and are for small-scale community use. The service is restricted in both coverage and duration to make optimal use of the radio spectrum, and to satisfy as far as is practicable the level of demand from applicants.
- 1.3 SRSLs are generally issued on demand on a first-come, first-served basis (except in periods of high demand, see section 5), subject to the conditions for their issue being met (as set out in these notes for applicants) and a suitable frequency being available.
- 1.4 An individual or organisation may usually be granted a maximum of two SRSLs within any period of twelve consecutive months, in the same area of the UK. However, Usually only one licence per applicant per year will be granted within Greater London area and other areas within the M25. This is due to extremely limited frequency availability in this area.

  There should usually be a minimum period of four months between the end of a licensee's licence and the start of the same licensee's next licence. The exceptions to this are very low power FM in-stadium SRSLs (see section 7).

However, where a licence applicant has already held two licences, within the previous 12 months, or is applying for a licence within four months of a previous one, we will consider the likelihood that a further licence grant will in practice negatively affect others wishing to broadcast, having particular regard to the power levels required and the nature of the service being licensed. We will prioritise applications from those who have not held a licence within the previous four months and have not held two licences (or one licence if within the M25) in the previous 12 months, as an exception to our usual first come first served approach (see sections 3.1 and 3.2).

- 1.5 There should usually be a minimum period of four months between the end of a licensee's first license and the start of the same licensee's second license.
- 1.6 More information on other types of broadcast radio licences that are available, including application forms and guidance notes for applicants, can be found on our website.<sup>3</sup>

<sup>&</sup>lt;sup>1</sup> Services that are broadcast from a satellite only are unlikely to be considered restricted radio services.

<sup>&</sup>lt;sup>2</sup> For the full definition of a restricted radio service, see section 245 of the Communications Act 2003.

<sup>&</sup>lt;sup>3</sup> Available at: https://www.ofcom.org.uk/manage-your-licence/radio-broadcast-licensing

# 2. Before you apply for an SRSL

2.1 This section contains important information you should read before submitting your SRSL application form. Failure to meet the application criteria set out below is likely to result in your application being rejected.

# Submitting a valid application

- 2.2 The application form for SRSL licences can be found on the Ofcom website. Applications can only be made using this form. Applicants should ensure that they always refer to the most recent version of these guidance notes and use the application form on our website when submitting their application. We will not accept applications made on previous versions of the application form.
- 2.3 We request that applicants download the editable version of the application form from our website and complete it on a computer. Ofcom will accept handwritten application forms but they must be filled in using block capitals and black ink. We will reject application forms that are not in legible form.
- 2.4 Application forms and the required supporting documents must be submitted by email to <a href="mailto:broadcast.applications@ofcom.org.uk">broadcast.applications@ofcom.org.uk</a>. Handwritten applications and required supporting documents should be scanned and attached to the email.
- 2.5 You should receive an auto-response from broadcast.applications@ofcom.org.uk confirming that your application has been received by Ofcom. If you do not receive a response, it is likely your application has not been received and you should contact the call Ofcom's Contact Centre on 0300 123 3333 and ask for the Broadcast Licensing team who will be able to confirm if your application was received.
- 2.6 Please note that Ofcom cannot receive emails larger than 35MB. If your application email exceeds this limit please send your supporting documents in a separate email(s) clearly stating the applicant's name in the subject line of the email along with "SRSL."
- 2.7 If there is a compelling reason why the applicant cannot submit the application form and/or the supporting documentation by email, the applicant must contact Ofcom at least a week in advance of wishing to submit their application to discuss this and at least a week in advance of any deadline. In such cases please call Ofcom's Contact Centre on 0300 123 3333 and ask for the Broadcast Licensing team, or email <a href="mailto:broadcast.licensing@ofcom.org.uk">broadcast.licensing@ofcom.org.uk</a>
- 2.8 Reasons for wishing to submit an application by post that Ofcom would consider not to be compelling include not owning a scanner (as there are commercial and public facilities available for this purpose) and lack of time before the deadline for applications.

<sup>&</sup>lt;sup>4</sup> Available at: https://www.ofcom.org.uk/ data/assets/file/0019/10576/rsl-application-form.docx

- 2.9 You must answer <u>all</u> questions in the application form.
- 2.10 Applications which are not submitted within the following timeframes will be rejected:
  - a) Applications submitted earlier than 180 clear days (i.e. six months) before the proposed broadcast start date.
  - b) Applications submitted later than 60 clear days (i.e. two months) between the date Ofcom receives the application and the proposed broadcast start date.
  - By "clear days" we mean that we will not count the date of receipt or the start date of broadcast and will only count the whole days in between those two dates. Where the deadline falls on a weekend or public holiday, we will deem it to have fallen on the first weekday that is not a public holiday immediately preceding it.
  - UK public holidays will be taken to mean those defined by the UK Government
     https://www.gov.uk/bank-holidays
     To take account of the fact that Scotland and
     Northern Ireland have more public holidays than England and Wales, we will count the public holidays applicable to the country of the UK in which the proposed broadcast will take place.
- 2.11 Any application for an SRSL during a period of high demand (see section 5) which is received after the specified application window has closed will only be considered only if it is for an area for which we have not already received an application, and subject to the availability of a suitable frequency. Applications received before an application window opens will be rejected.
- 2.12 Of com will also reject an application on specific grounds:
  - Applications submitted using previous versions of the application form (Ofcom periodically updates application forms so applicants should always check the website for the latest version before applying).
  - ii) Failure to submit the required supporting documents in legible form.
  - iii) Failure to pay the application fee, which must be received in Ofcom's bank account within five working days of the application being received i.e. if we receive an application on a Monday, the fee must have been received by the end of the day on the following Monday. Ofcom's preferred method of application fee payment is BACS/CHAPS but if an applicant is paying the application fee by cheque, the cheque must be received within five days of the electronic application being received by Ofcom. Any cheques will be banked before any draw is conducted. If a cheque bounces, the applicant will not be put into the draw.
  - iv) Applications where the declaration is not made by the individual applying for the licence, or in the case of a company applying for the licence, the company secretary or a director of the company.
  - v) Applications where the declaration is not dated.

- vi) Applications where the proposed length of broadcast significantly exceeds the period over which the event is actually taking place.
- 2.13 Application fees will not be refunded if an application is rejected for any of the reasons set out in paragraphs 2.10 2.12.

# 3. General approach<sup>5</sup>

- 3.1 Ofcom's general approach is to consider licence applications on a first-come, first-served basis. An application must be submitted with at least 60 clear days (which is approximately two months) between the date Ofcom receives the application and the proposed broadcast start date. This allows Ofcom sufficient time to process the application, identify a suitable frequency and collect the Broadcasting Act and Wireless Telegraphy Act licence fees. Applications received after this deadline will be rejected.
- 3.2 For applications submitted on a first-come, first-served basis, but rejected for any of the reasons in paragraph 3.12, the applicant may subsequently submit another application which, assuming it meets those criteria, and is received 60 clear days in advance of the proposed broadcast start date, will be accepted if another applicant has not applied in the meantime for a service for the same event or a different service but in the same location.

## Applying for a trial service

- 3.3 A 'trial' service can be applied for when an applicant has longer-term plans to run a permanent commercial or community radio station and wishes to first test how their service is likely to sound and to gauge audience and advertisers' likely response.
- 3.4 SRSLs for 'trial' analogue (FM) services will usually only be granted in geographical areas which are currently listed on Ofcom's community radio licensing timetable<sup>6</sup> or planned readvertisement timetable of commercial radio licences.<sup>7</sup> Please note that at present Ofcom is not undertaking any new analogue commercial radio licensing, although we are relicensing existing services.
- 3.5 Ofcom will also consider SRSL applications for 'trial' digital radio services, whether your intention is to launch with a permanent service on an existing digital radio multiplex or a small-scale digital radio multiplex<sup>8</sup>.

# Applying to cover an event or religious period or festival

3.6 The duration of any SRSL broadcast should not significantly exceed the duration of the event or religious period or festival that is being covered. We are likely to reject

<sup>&</sup>lt;sup>5</sup> For periods of high demand (such as Ramadan) we may not apply our general first come, first served approach. Instead, Ofcom may invite applications to be submitted within a specified window and different timescales are then likely to apply (see section 5).

 $<sup>^6</sup>$  Available at:  $\underline{\text{https://www.ofcom.org.uk/manage-your-licence/radio-broadcast-licensing/community-radio/community-radio-regions/timetable}$ 

<sup>&</sup>lt;sup>7</sup> Available at: <a href="https://www.ofcom.org.uk/manage-your-licence/radio-broadcast-licensing/apply-for-a-radio-broadcast-licensing/apply-for-

<sup>&</sup>lt;sup>8</sup> Permanent small-scale digital radio multiplexes will not be licensed unless and until secondary legislation is implemented as outlined on the Ofcom website: <a href="https://www.ofcom.org.uk/manage-your-licence/radio-broadcast-licensing/small-scale-DAB-licensing">https://www.ofcom.org.uk/manage-your-licence/radio-broadcast-licensing/small-scale-DAB-licensing</a>. Ofcom can give no guarantees that a small-scale digital radio multiplex will be licensed in any given area.

- applications if the proposed length of broadcast exceeds the period over which the event is actually taking place.
- 3.7 We will not normally grant more than one licence for coverage of an event in the same area (or significantly overlapping with one another). If two or more applications are received to cover the same event (such as an air show, a dog agility event, a carnival) in the same area with the same or overlapping dates, we will request that the applicant forward a letter of support from the event organiser to clarify which application should be taken forward. If neither application is supported by the official event organiser, and they are received on the same day, we will hold a draw.

# 4. Applications in periods of high demand

- 4.1 If we anticipate receiving a large number of applications for broadcasts in the same or similar geographical area during a particular period of time (for example, around Ramadan), we may not apply our usual first-come, first-served approach. Instead, Ofcom may invite applications to be submitted within a specified window. We will then decide whether the licence should be awarded by means of a draw, taking into account the number of applications received and the availability of suitable frequencies. The dates of the application window will be announced in advance on our website. To ensure you are alerted to these announcements, you may wish to subscribe to our Broadcasting email updates on Ofcom's website: https://www.ofcom.org.uk/about-ofcom/latest/email-updates
- 4.2 Any application for an SRSL during a period of high demand which is received after the specified window (see above) has closed will only be considered if it is for an area for which we have not already received an application, and subject to the availability of a suitable frequency. Applications received before an application window opens will be rejected. After the window for submitting applications has closed, we will publish a list of areas for which applications have been received on our website: https://www.ofcom.org.uk/manage-your-licence/radio-broadcast-licensing/apply-for-aradio-broadcast-licence.
- 4.3 Where Ofcom has not anticipated a large number of applications for broadcasts in the same or similar geographical areas, but receives two or more applications on the same day 180 days in advance of the requested broadcast dates, which both propose to broadcast to a similar area in a similar time period, we will hold a draw regardless of whether or not the services propose to cover the same event<sup>9</sup> or religious festival/period. Ofcom will notify applicants if it intends to award a licence via a draw.
- 4.4 Once the application window has closed, we will check each application to ensure it meets the criteria set out in paragraph 3.12. Any applications which do not meet the criteria will be rejected and we will provide a summary of the reason for rejection to the applicant. We will not refund the application fee.
- 4.5 All draws will be filmed and the recording will be published on YouTube for a short period after the draw. We will email the link to the video to those applicants who were in the draw.
- 4.6 For each draw we will pull out each applicant in turn, formally noting the order in which they were drawn.
- 4.7 Shortly after a draw, we will publish on our website a list of the order in which each application was drawn. The delay is necessary to allow us to add subtitles to the video for those who are visually impaired.

<sup>&</sup>lt;sup>9</sup> Unless there is an official event organiser that can inform Ofcom which application it supports. See paragraph 4.7

- 4.8 After the draw we will fully assess the applications. If the first applicant to be drawn is not eligible to hold a licence or fails to respond to enquiries within a time frame we specify, we will reject the application and assess the application of the second applicant to be drawn, and so on. We will continue this process until we assess an application which we can grant. If none of the applications is eligible, no licence will be awarded.
- 4.9 We are likely to need to assess concurrently at least the first and the second applications drawn, to prepare for the risk that there may be issues regarding whether the first applicant meets our licensing requirements, and these may take some time to resolve. If we could not grant the first applicant a licence, and there was not time to assess the application of the next one down, no licence would be granted in that area, which we would want to avoid. If we ask the second (or a later) applicant for clarifications, we will make it clear that they are not first in the assessment process and that if the first applicant that was drawn meets our requirements it will be that applicant who is awarded the licence.
- 4.10 If we reject an application for failing to meet our licensing criteria, we will provide a summary of the reason for rejection to the applicant but we will not refund the application fee
- 4.11 Ofcom reserves the right to vary the rules for the draw process outlined above if it is justified by particular circumstances. However, any change to the draw process will be clearly set out by Ofcom in our communications about the draw.

# 5. Description of the licensed service

- 5.1 A licence is issued for a specific, named service and authorises the provision of that service only. The licensed service is described in the Annex, which forms part of the licence.
- 5.2 Ofcom has a statutory duty to secure the availability throughout the UK of a wide range of television and radio services which taken as a whole are both of high quality and calculated to appeal to a variety of tastes and interests. The programme format of a short-term restricted service should broaden audience choice. You should provide output that is different from what is available on the commercial and community services in the area where you wish to broadcast. We may reject applications that do not appear to be different from a commercial or community radio service in the same area.
- 5.3 An exception to this is in an area where the re-advertisement of a local commercial radio licence is planned. From one year before the planned re-advertisement date, Ofcom may permit trial services of a format the same as the local commercial radio service operated by groups which intend to compete for that local licence. Please see Ofcom's planned re-advertisement timetable of commercial radio licences for more information.<sup>11</sup>

 $<sup>^{10}</sup>$  As set out in Section 3 of the Communications Act 2003.

<sup>11</sup> https://www.ofcom.org.uk/manage-your-licence/radio-broadcast-licensing/apply-for-a-radio-broadcast-licence

# 6. Extended duration SRSLs

- Onder some circumstances we will accept applications for up to 28 days of non-consecutive broadcasts from the same transmitter site, extending across an agreed period of time for coverage of a series of events. These broadcasts must take place within a twelve-month period (and cannot be postponed to the same event the in the following twelve-month period). Typical uses include football or motor racing seasons. The fee for these licences depends on the overall duration of the licence (as opposed to the number of days the service will broadcast). Please see the tariff table in Annex 1 for fees for extended duration SRSLs.
- 6.2 Extended duration SRSLs should be event-focused, including content such as information and commentary, and cover events taking place at the site of the service. These licences are not granted for trial services.
- 6.3 Extended duration SRSLs can be licensed either:
  - on FM at a maximum power level of 300 milliwatts (mW) effective radiated power (ERP) (for in-stadium/site coverage only);
  - on AM at a maximum power level of 1 watt effective radiated monopole power (EMRP)12; or
  - on FM at a maximum power level of 25 watts ERP, subject to the following:
  - a power level of more than 300mW being required to deliver adequate coverage of the site/venue.
  - the use of a power level above 300mW not impeding our ability to license other SRSLs in neighbouring areas (based on past and known future SRSL activity). For example, we are very unlikely to agree to such requests in any major town/city. This is because an extended duration SRSL may cause a frequency to be unavailable for other broadcasters for some months, and there is a general lack of suitable FM frequencies in many areas of the UK.
- 6.4 If after the licence has been granted, the licensee requires Ofcom to consider amending the broadcast dates (e.g. due to sporting fixture changes), which may also result in the duration of the licence needing to be extended, the licensee must request a variation to their licence from Ofcom as soon as they become aware of the need to vary the licence. If, in exceptional circumstances, and after prior agreement with Ofcom, the usual 28-day limit is exceeded, no additional fee will be payable.
- 6.5 When a low-power FM in-stadium/site-only SRSL is proposed, we are also willing to consider a separate application for an extended duration SRSL on AM for the same event, for example to serve people travelling to and from the event.

<sup>&</sup>lt;sup>12</sup> EMRP is the AM equivalent of ERP. The "M" refers to the monopole antenna used for AM transmission.

The frequency allocated for an extended duration SRSL may be licensed for other services nearby when the service is not on-air. For this reason, event dates should be specified in advance and Ofcom must be notified of any changes required to broadcast dates.

# 7. Timescales for assessing applications

- 7.1 Applicants will receive an auto-response from broadcast.applications@ofcom.org.uk, which should be taken as acknowledgment of receipt of the electronic application. In the event that the auto-response is not received, the applicant should call Ofcom's Contact Centre on 0300 123 3333 and ask to speak to someone in the Broadcast Licensing team. Those applicants who have sought Ofcom's consent to submit their application by post will be sent an acknowledgement by post within five working days.
- 7.2 In periods of high demand where we have invited applications within a specified window (see section 5), we will not be able to confirm whether we have received other applications for the same period or event in the same area in response to individual queries from applicants, while that window remains open.
- 7.3 Applications for which potential issues arise relating to ownership restrictions and eligibility requirements may take longer to assess. Applicants with religious objects are also advised to allow longer for the assessment and consideration of their application by Ofcom in the light of the Guidance for religious bodies applying for a Broadcasting Act licence.<sup>13</sup>
- 7.4 Applications for proposed services in Northern Ireland take longer to assess because engineers in Ofcom's head office need to work with engineers in Ofcom's Belfast office to find suitable frequencies.
- 7.5 Ofcom has a duty to ensure that it does not license bodies with objects which are of a wholly or mainly political nature. If questions arise on this issue, an application may take significantly longer than usual for Ofcom to consider.
- 7.6 In cases where Ofcom has instigated sanctions procedures against an existing Licensee which may lead to the revocation of any licence(s) it holds, it will not generally consider any applications for new licences by the same licensee or by a person/body connected to that licensee until such time as that aspect of the sanctions procedure is concluded. Similarly, Ofcom will not generally consider transfer applications either to or from a licensee while a sanctions procedure which may lead to licence revocation is ongoing.
- 7.7 To be able to fully consider an application, we may need to request further information or clarification from the applicant. If we do not receive an appropriate response to a request for further information within five working days, we will consider the application to have lapsed, or in periods of high demand resulting in a draw we will move the application to the back of the queue and move to assess the next application to have been drawn.

<sup>&</sup>lt;sup>13</sup> Available at: https://www.ofcom.org.uk/ data/assets/pdf file/0028/88219/Guidance-for-religious-bodies.pdf

# 8. Fees

## **Payment methods**

8.1 Different payment methods may take different periods of time to clear in Ofcom's bank account. It is the applicant's responsibility to check how long their chosen payment method will take to transfer and clear into Ofcom's account and ensure that this enables the payment to reach Ofcom by the specified deadline.

# **Application fee**

- 8.2 A £400 non-refundable application fee is payable.
- Applications will not be assessed (or, where appropriate, entered into a draw) if the application fee has not been received into Ofcom's bank account within five working days of the application being received i.e. if we receive an application on a Monday, the fee must have been received by the end of the day on the following Monday.
- 8.4 Ofcom requests that applicants pay the application fee by bank transfer (BACS/CHAPS) and that immediately after the applicant has instructed their bank to make the payment, confirmation of payment is emailed to <a href="mailto:ofcom.remittances@ofcom.org.uk">ofcom.org.uk</a> and copied to <a href="mailto:broadcast.applications@ofcom.org.uk">broadcast.applications@ofcom.org.uk</a>.
- 8.5 To ensure that Ofcom can identify the payment, it must include a payment reference which is the applicant's postcode followed by their surname (or as much of their surname as is possible to provide within the character limit set by the bank) as provided in response to question 2.6 of the application form.
- 8.6 The bank details to be used to pay the application fee are:

Account Name: Ofcom

Bank details: Lloyds Bank, 69-73 Borough High Street, London SE1 1NQ

Account number: 00782415

Sort code: 30-97-90

- 8.7 If the applicant is unable to make the payment by bank transfer, a cheque should be made out to 'Ofcom' and sent in the post. On the back of the cheque you must state a reference which is the applicant's postcode followed by the surname of the applicant as provided in response to question 2.6.
- If an applicant is paying the application fee by cheque, the cheque must be received within five days of the application being received by Ofcom. In the case of a period of high demand where Ofcom puts competing applications into a draw, cheques will be banked before any draw is conducted. If an applicant's cheque bounces, the application will be rejected prior to the draw.

#### Licence fees

- 8.9 Please refer to Annex 1 for current SRSL fees. VAT is not payable on SRSL fees.
- 8.10 Licence fees are charged on a daily rate basis in accordance with a published tariff, reviewed periodically. The daily rate charge varies depending on waveband and power level (see Annex 1 to this document).
  - You will be charged for every day in the licence period, including days for testing and any days during the period when you do not broadcast (except in the case of extended duration SRSLs, which have a separate pricing structure).
- 8.11 Two licences are required to broadcast a short-term restricted service: a licence under the Broadcasting Act 1990 and a licence under the Wireless Telegraphy Act 2006. Both these licences are issued by Ofcom. Fees for each type of licence are collected separately into two different bank accounts, and you will therefore be sent **two invoices**. This is because fees collected for Broadcasting Act licences are used to pay Ofcom's costs in administering SRSLs, whereas the fees for Wireless Telegraphy Act licences are paid to the Government for the use of the spectrum.
- 8.12 You will need to make the two licence fee payments before the stated payment deadline (normally two weeks).
- 8.13 The most straightforward method of payment is the Ofcom payment portal because the funds will be automatically matched to the open invoices. This is Ofcom's preferred method of licence fee payment.
- 8.14 **Online payment portal:** <a href="https://secure.ofcom.org.uk/payments/">https://secure.ofcom.org.uk/payments/</a>. Credit card payments can only be accepted up to a maximum limit of £5000. You can only pay licence fees by this method, <a href="notation">not</a> application or amendment/postponement fees.
- 8.15 **Electronic bank transfer (BACS/CHAPS):** Please use the reference "SRSL [invoice number]" Confirmation of payment should be emailed to <a href="mailto:broadcast.applications@ofcom.org.uk">broadcast.applications@ofcom.org.uk</a> and a printed copy should be included with your application. Ofcom's bank details are:

Account Name: Ofcom

Bank details: Lloyds Bank, 69-73 Borough High Street, London SE1 1NQ

Sort Code: 30-97-90

- 8.16 The Broadcasting Act licence fee must be paid into account number 00782415
- 8.17 Wireless Telegraphy licence fees must be paid into account number 00740372
- 8.18 If you wish to pay by cheque please send two cheques (one for each licence fee) and write the appropriate reference "SRSL [relevant invoice number] on the back of the cheques.
- 8.19 We will not confirm your frequency or issue licences until all the required fees have been received in Ofcom's account.
- 8.20 Broadcasts must not commence until Ofcom has granted the licences. Broadcasting without both licences is a criminal offence.

8.21 Licence fees are non-refundable once a licence has been issued and the broadcast start date has passed.

# **Amendment/postponement fees**

- 8.22 It is important that applicants/licensee do not make changes to their transmitter site details or broadcast dates once the application has been submitted/licence has been issued. This is because in some overlapping geographical areas frequency planning has to be done at the same time to ensure that all frequencies can be used without interference. If one applicant changes their transmitter site or broadcast dates, Ofcom must re-do its frequency planning for the surrounding areas.
- 8.23 Of com will therefore not permit a transmitter change and/or change to broadcast dates if the change requires frequency re-planning.
- 8.24 Any request which Ofcom is able to consider (i.e. because it does not require frequency replanning) is subject to a £200 amendment fee.
- 8.25 Of com will also reject any change request it considers to be too close to the broadcast start date to be implemented.
- 8.26 With the exception of applications made in a period of high demand, you may postpone an application for up to twelve months from the original date that you planned to commence broadcasting. All postponement requests will be charged a £200 fee.
- 8.27 You should pay for any amendment or postponement fees using one of the following methods.
- 8.28 **Online payment portal:** <a href="https://secure.ofcom.org.uk/payments/">https://secure.ofcom.org.uk/payments/</a>. Credit card payments can only be accepted up to a maximum limit of £5000. You can only pay licence fees by this method, <a href="mailto:not">not</a> application or amendment/postponement fees.
- 8.29 **Electronic bank transfer:** Confirmation of payment should be emailed to <a href="mailto:broadcast.applications@ofcom.org.uk">broadcast.applications@ofcom.org.uk</a>. To ensure that Ofcom can identify the payment, it must include a payment reference which is the applicant's postcode followed by their surname (or as much of their surname as is possible to provide within the character limit set by the bank) as provided in response to question 2.6 of the application form. Ofcom's bank details are:

Account Name: Ofcom

Bank details: Lloyds Bank, 69-73 Borough High Street, London SE1 1NQ

Account number: 00782415

Sort Code: 30-97-90

8.30 **Cheque:** you must make cheques payable to 'Ofcom'. On the back of the cheque you must state a reference which is the applicant's postcode followed by the surname of the applicant as provided in response to question 2.6.

# 9. Completing your application form

9.1 This section of the guidance notes provides information on the corresponding sections of the SRSL application form, to help you fill in your application form correctly.

#### **Data Protection**

9.2 We require the information requested in the application 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 <a href="https://www.ofcom.org.uk/about-ofcom/foi-dp/general-privacy-statement">www.ofcom.org.uk/about-ofcom/foi-dp/general-privacy-statement</a> for further information about how Ofcom handles your personal information and your corresponding rights.

# **Section 2: Applicant's details**

- 9.3 In Section 2 of the application form, we are asking you for basic details about the applicant (whether an individual or body corporate).
- 9.4 The requested details include company registration number (where applicable) and contact information.
- 9.5 We are asking for this information so that Ofcom knows precisely who to contact at the applicant company during the application process and if a licence is granted.
- 9.6 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.
- 9.7 If you are successful in your SRSL application, it will be a condition of your licence that the licence holder must notify Ofcom as soon as possible of any changes to the information provided in this section.
- 9.8 The applicant is asked for contact details for the following contacts:
  - **Person authorised to make the application:** This is the person who is duly authorised by the applicant for the purposes of making the application. If the applicant is an individual their details will need to be provided. If the applicant is a company, details of the company secretary or a director must be provided.
  - Licence contact: This is the day-to-day contact for Ofcom on licensing matters. Examples of the type of communication between the licence contact and Ofcom could be questions about the ownership of the licensee; changes to the licence; and responses to information requests. The licence contact is also the emergency contact for Ofcom, who can provide access to the transmitter and shut it down if necessary in the event of interference or other problems arising during the broadcast.
  - Compliance officer: This is the person for Ofcom to contact on matters relating to compliance with the Broadcasting Code and other content-related codes and rules. If

we receive a complaint about the licensed service we will contact the compliance officer to request recordings of output. We will correspond with the compliance officer during any investigations into whether content was compliant with our codes and rules.

Public contact: Contact details for publication on the Ofcom website and/or in other
relevant Ofcom publications. When a licence is granted, the name of the service,
contact details for the licensee, duration of the licence and a brief description of the
licensed service are published on the Ofcom website. The name of the licence
contact is not published.

## **Sources of funding (question 2.12)**

9.9 Ofcom needs the applicant to provide details about its source of funding so that Ofcom can ensure that the applicant is not disqualified from holding a licence under Schedule 2 of the Broadcasting Act 1990, for example, where the funder is a political body or, in Ofcom's opinion, appears to be exerting influence over the applicant's activities in a way which may be adverse to the public interest. Such influence may include, for instance, the management of the station and/or the content of its programming, but might also extend to the applicant's other activities.

## Section 3: Details of directors of the applicant

- 9.10 Section 3 of the application form applies to applicants which are body corporates. If you are applying as an individual, please skip to Section 5 of the application form.
- 9.11 In Section 3, we are asking for details of the directors, and where applicable the directors of the applicant's parent and associated companies.
- 9.12 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.
- 9.13 The response boxes and tables should be expanded or repeated where necessary or provided in a separate annex.

# Section 4: Details of applicant's shareholders, members and participants

- 9.14 Section 4 of the application form applies to applicants which are body corporates. If you are applying as an individual, please skip to Section 5 of the application form.
- 9.15 In Section 4, we are asking for the details of shareholders (corporate or individual) who have more than a 5% interest in the applicant body.
- 9.16 Before completing this section of the form, you should also read Ofcom's guidance on the definition of 'control' of media companies:

  https://www.ofcom.org.uk/\_\_data/assets/pdf\_file/0022/45292/media\_statement.pdf

- 9.17 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.
- 9.18 If you need more space to fill in the details, either expand the boxes or provide the information in a separate annex.

## **Section 5: Eligibility requirements**

- 9.19 Ofcom has a duty to ensure that anyone who applies for a broadcasting licence is fit and proper to hold one.<sup>14</sup>
- 9.20 When considering whether an applicant is fit and proper to hold a licence, Ofcom will consider the individuals who are likely to exercise control over the applicant and its activities (e.g. directors, substantial shareholders or members). The types of issues we consider include, but are not limited to:
  - Criminal convictions (in any jurisdiction);
  - Insolvency and bankruptcy;
  - Disqualified directors (if the applicant is a company);
  - Removal from a professional or trade body;
  - General statutory disqualifications; and
  - Details of applications, licences and sanctions previous broadcasting compliance history (inc. licences held, licence breaches and sanctions).
- 9.21 Anyone convicted of an unlicensed broadcasting offence within the last five years is prohibited, under the Broadcasting Act 1990, from holding a licence. An applicant who is granted a licence is also required to ensure that such a convicted person is not involved in the operation of the service, or in the making of its programmes.
- 9.22 The Broadcasting Act 1990 and the Communications Act 2003 specify a number of restrictions on who may hold Ofcom's broadcasting licences. The following are among those who are disqualified from holding a SRSL licence or from controlling a licensed company<sup>15</sup>:
  - a local authority<sup>16</sup>;
  - a political body;
  - a religious body, other than where Ofcom is satisfied that it is appropriate for a particular person to hold a licence and makes a determination to that effect. If you

<sup>&</sup>lt;sup>14</sup> For RSL licences, the relevant provision is section 86(4) of the Broadcasting Act 1990.

<sup>&</sup>lt;sup>15</sup> In accordance with the Broadcasting Act 1990 (as amended).

<sup>&</sup>lt;sup>16</sup>Except where the service is provided exclusively for the purposes of carrying out the functions of a local authority under Section 142 of the Local Government Act 1972 (as amended) provision by local authorities of information relating to their activities.

- wish to seek such a determination, please consult the Ofcom Guidance for religious bodies applying for a Broadcasting Act licence<sup>17</sup>;
- any company controlled by any of the above or by their officers or associates;
- an advertising agency or any company controlled by such an agency or in which it holds more than a 5 per cent interest.<sup>18</sup>
- 9.23 The term 'control' applies in a number of different scenarios. Please see our guidance on the definition of control of media companies for more information.<sup>19</sup>
- 9.24 If information is relevant to determining whether an applicant is a disqualified person, it is an offence for the applicant to supply false information or to withhold information with the intention of misleading Ofcom. If a person is convicted in such cases, the court may make an order disqualifying the applicant from holding a licence for a specified period. A disqualification order applies to both the individual concerned and to any company of which he or she is a director or involved in the management of (whether directly or indirectly).
- 9.25 Please note: information provided in this section of the form will not necessarily result in the applicant being refused a licence this will depend on all the circumstances of the applicant as a whole but Ofcom may ask for further details.

## **Section 6: The proposed service**

- 9.26 Section 6 of the application form asks you to describe your programme service and its target audience.
- 9.27 If a licence is granted the information you provide in this section will be used to form the basis of an annex to your licence. You will only be authorised to broadcast what is detailed in the annex of the licence. It is therefore important that you provide complete and detailed responses to the questions in this section.
- 9.28 If you are granted a licence and decide subsequently to change your content, you must contact Ofcom in advance so that the change is specifically reflected in the annex to your licence. Such requests must be made in writing via email to broadcast.licensing@ofcom.org.uk prior to any change.

#### Name of the licensed service

9.29 The applicant chooses the name for their proposed service. It is the responsibility of the applicant to ensure the name can be used.

<sup>&</sup>lt;sup>17</sup> Available at: https://www.ofcom.org.uk/ data/assets/pdf file/0028/88219/Guidance-for-religious-bodies.pdf

<sup>&</sup>lt;sup>18</sup> Under the Broadcasting Act 1990 (as amended), an "advertising agency" means an individual or body corporate who carries on business as an advertising agent involved in the selection and purchase or advertising time or space for the person who wishes to advertise (section 202 (7)(a) of the 1990 Act).

<sup>&</sup>lt;sup>19</sup> Available at: <a href="https://www.ofcom.org.uk/">https://www.ofcom.org.uk/</a> data/assets/pdf file/0022/45292/media statement.pdf

- 9.30 It is the responsibility of the applicant to enter into agreements with the appropriate copyright licensing bodies before commencing broadcasting. The granting of a licence does not constitute a right to use a particular name.
- 9.31 Ofcom considers the proposed name of a service in an application to the extent that it may be relevant to the licensing criteria. This could concern, for example, matters relating to the Ofcom Broadcasting Code, such as the use of explicit language that listeners may find offensive. The name of the service will be included in the terms of your licence, and therefore we need to be notified of any proposed change prior to the issue of your licence.
- 9.32 The name of the service, along with the frequency, should be broadcast at regular intervals.

## **Compliance of the service**

- 9.33 Section 7 of the application form asks you to describe the compliance arrangements for the proposed licensed service, i.e. the arrangements which the applicant will put in place to ensure the content it proposes to broadcast will comply with the relevant regulatory codes and rules for programming and advertising: These include
  - a) The Ofcom Broadcasting Code.
  - b) The BCAP Code: the UK Code of Broadcast Advertising.
  - c) The Phone-paid Services Authority Code of Practice.
- 9.34 Before you submit your application, you should refer to Ofcom's Compliance Checklist for further details of the codes and rules you should consider. <sup>20</sup> The checklist is intended to help applicants and new licensees understand the obligations and rules with which they must comply as a condition of their Ofcom licence to broadcast. Prospective licensees must be aware of the potential scope of their regulatory responsibilities so that robust compliance procedures can be planned and financed at an early stage.
- 9.35 It is the responsibility of the licensee to ensure that all material broadcast on the service, both live and pre-recorded (and including material sourced from third parties) is compliant with all the Ofcom's codes and rules.
- 9.36 Condition 15(2) of a SRSL licence requires that you have compliance procedures in place, and this section asks that you demonstrate the ability to meet this licence condition.
- 9.37 Ofcom can impose sanctions on a licensee for serious, deliberate, repeated and/or reckless breaches of the licence conditions (for example, if broadcast content does not comply with the codes and rules). The sanctions available to Ofcom include the imposition of a financial penalty on the licensee, and/or revocation of the licence.

<sup>&</sup>lt;sup>20</sup> Available at:

#### **Advertising and sponsorship**

9.38 You may sell airtime, as commercial communications – i.e. advertisements (in commercial breaks) and commercial references (in editorial) – provided you follow all requirements of the Ofcom Broadcasting Code<sup>21</sup> and the UK Code of Broadcast Advertising<sup>22</sup> (i.e. the BCAP Code, enforced by the Advertising Standards Authority). It is important that you are familiar with the provisions of these Codes. Please see our Compliance Checklist for further information.<sup>23</sup>

## Copyright

- 9.39 The licensee is responsible for reaching agreement with those owning copyright or performing rights to any of the material which it proposes to broadcast.
- 9.40 If you intend to broadcast recorded or live music, you must contact Phonographic Performance Ltd (PPL) and PRS for Music. We cannot advise on copyright or performing rights requirements and you should contact the relevant bodies directly for such information.

#### **Promotional material**

9.41 The fact that the service is being broadcast on a restricted service licence and its duration must be made clear both on-air, and in written promotional material. It should not be implied that a restricted service is any other type of licensed service.

## Retention and production of recordings

9.42 If you are granted a licence, you must retain, or arrange for the retention of, recordings of everything broadcast on the licensed service for a period of 42 days. If Ofcom receives a complaint regarding the broadcast, we will request a copy of the recordings in order to assess the complaint. Recordings must be of a standard and in a format which allows Ofcom to listen to the material as broadcast. The licensee must also provide Ofcom with scripts or transcripts of any material included in the service when requested to do so.

<sup>&</sup>lt;sup>21</sup> Available at: <a href="http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/">http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/</a>

<sup>&</sup>lt;sup>22</sup> Available at: https://www.asa.org.uk/codes-and-rulings/advertising-codes/broadcast-code.html

<sup>&</sup>lt;sup>23</sup> Available at: <a href="http://licensing.ofcom.org.uk/binaries/radio/Compliance\_checklist\_for\_radio\_broadcasters.pdf">http://licensing.ofcom.org.uk/binaries/radio/Compliance\_checklist\_for\_radio\_broadcasters.pdf</a>

#### **Technical matters**

- 9.43 Section 8 of the application form asks you to describe the technical arrangements for the proposed service. This section includes questions on the transmission site, frequency bands and radio data systems (RDS).
- 9.44 SRSL transmissions are e required to comply with Ofcom's Engineering Code. 24

#### Studio site

- 9.45 The programme service for a short-term restricted service should normally originate from a studio within, or close to, the transmission coverage area. Please provide us with a studio telephone number, when available.
- 9.46 If your studio and transmitter are going to be at different locations, you will need to connect them by a leased line, ISDN or radio link.<sup>25</sup>

#### Coverage area

- 9.47 SRSL licensees should not expect every part of their desired coverage area to receive a perfect signal. There may be some parts of the coverage area that will have poor reception, or no reception at all. This will arise particularly where terrain and building density obstruct signals to a greater extent than typical, and all the more so when the frequency is subject to other incoming signals on the same and adjacent frequencies.<sup>26</sup>
- 9.48 If your service is broadcast on AM (medium wave), the agreed coverage area is for broadcasts during daylight hours. Although the same power level will apply after dark, AM reception may be reduced during this time sometimes substantially by incoming interference. Please bear this in mind when planning an SRSL service broadcast on AM (medium wave).

#### Transmitter site

9.49 Your transmitter site must be appropriate for the town/location you wish to cover. We reserve the right to reject high sites which may deliver an inappropriately large coverage area for this type of licence. Generally, field strengths and the ease of reception increase closer to the transmitter, so you may have to make a trade-off between the overall area covered and the ease of reception in the core of the target area.

<sup>&</sup>lt;sup>24</sup> Available at: <a href="https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/guidance/tech-guidance/eng">https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/guidance/tech-guidance/eng</a> code

<sup>&</sup>lt;sup>25</sup> If you wish to do this via a radio link, you will need to contact Ofcom's Programme Making for Special Events team. See here for details: <a href="https://www.ofcom.org.uk/manage-your-licence/radiocommunication-licences/pmse/pmse-technical-info/audio-links/point-to-point">https://www.ofcom.org.uk/manage-your-licence/radiocommunication-licences/pmse/pmse-technical-info/audio-links/point-to-point</a>

<sup>&</sup>lt;sup>26</sup> For more information about coverage, you may find it useful to read our document entitled 'Coverage: Planning Policy, Definitions and Assessment'. Available at:

 $<sup>\</sup>underline{\text{http://webarchive.nationalarchives.gov.uk/20090205031507/http://www.ofcom.org.uk/radio/ifi/rbl/car/coverage/pp\_def} \ \angle$ 

9.50 It is important that you provide the correct national grid reference (NGR) and full address of your chosen transmitter site. Failure to do so may delay the processing of your application. Any proposed change to your transmitter site after the submission of your application must be checked and agreed by Ofcom, and is subject to an amendment fee of £200 (see paragraphs 9.23 to 9.31).

#### Coverage area and power levels

- 9.51 SRSL licences are issued for coverage of a town or part of a city, typically a 3km (2 mile) radius in an urban area, or a 5-7km (3-4 mile) radius in a rural area. Power levels are set accordingly, with account also taken of interference levels, which limit coverage of the service. Coverage areas and transmitter sites, particularly for the higher power levels on FM, will be scrutinised carefully. Please note the following:
- 9.52 The maximum power for which we can license these services is 25 watts effective radiated power (ERP) on FM. This is typically used for rural locations, with a usual 10 watts maximum in urban areas.
- 9.53 A low power (1 watt ERP) option is available on FM, where very localised coverage only is required (e.g. for a drive-in cinema, or to cover a campsite).
- 9.54 1 watt effective radiated monopole power (EMRP) is the maximum available on AM.
- 9.55 In-stadium or on-site based SRSLs (for coverage within an enclosed sports venue or building) for an extended period (e.g. coverage of rugby or football matches) will be licensed at a maximum power of 300mW ERP on FM, to facilitate coverage within the venue only.
- 9.56 For an extended period (for coverage of a series of events only), up to 25 watts ERP on FM may be considered for coverage of a larger site/venue, but only in areas of low SRSL activity.
- 9.57 Ofcom may request a coverage map during assessment of the application. Under those circumstances, we would ask the applicant to indicate the intended geographical coverage area of the proposed service. Any requested map (including scale) would be required to show the transmission site; the location of the event or establishment (if different from the transmission site); and the area over which acceptable reception is desired. An applicant would need to be able to provide a coverage map and any requested information regarding the coverage for their proposed service, at short notice within five working days.

#### **Frequencies**

9.58 The coverage obtained on a given frequency for a given power and aerial height varies according to the levels of interference present. Generally speaking, restricted services are likely to experience higher levels of interference, especially on the fringes of their coverage area, than commercial radio and BBC stations. Applicants cannot assume that levels of interference will remain at levels they may have experienced in the past, as spectrum is increasingly congested. This is due to increasingly congested spectrum.

- 9.59 Stereo transmission is permitted; however, you may prefer to transmit in mono to offset the effect of interference from other services. This may increase your effective coverage area.
- 9.60 In the case of FM frequencies for in-stadium use, Ofcom will usually only regard frequencies as suitable if they are subject to very high levels of interference (e.g. approximately 40dB ( $\mu$ V/m) at 10m receiving height for co-channel interference). This condition is to avoid limiting the availability of FM frequencies for other services (such as standard SRSLs or community radio stations) for the duration of the restricted service.
- 9.61 You may request a preferred frequency on the FM or AM band. However, there is no guarantee that a requested frequency can be cleared, and you should not assume that if you have had a particular frequency in the past you will get it again. There can also be no guarantee that an available frequency will be found on your preferred waveband, given that suitable frequencies in metropolitan areas are scarce.
- 9.62 Each approved application will have a suitable frequency identified and cleared. The frequency clearance process allows Ofcom to carry out the necessary checks to ensure that the proposed frequency is suitable. Applications should be submitted as early as possible within the limits set by Ofcom to enable prompt frequency clearance. Early application is particularly important in areas where there is high demand and few suitable FM frequencies (e.g. Greater London). In such areas we may have to turn down applications due to the lack of suitable FM frequencies.
- 9.63 If an application is received early enough, and accompanied with the required fees, we aim to get official clearance confirmed up to two months in advance of the proposed on-air date.
- 9.64 Confirmation of frequency clearance and allocated frequency will be provided when your fees have been paid and your licence has been issued. At this stage, details of your frequency will be placed on our website alongside other information relating to your broadcast. Ofcom reserves the right to change an allocated frequency, if necessary.

#### **Technical characteristics**

9.65 The technical conditions governing the installation and operation of short-term restricted services are set out in this document and in Ofcom's Engineering Code.<sup>27</sup> At the time of application, we require an undertaking that transmission equipment (including aerials) complies with these technical conditions. We need to be satisfied that these are acceptable before the necessary licences can be granted. We deal directly with applicants regarding all aspects of transmission characteristics and frequency clearance. Please note that your equipment may be inspected, and your transmissions monitored by Ofcom's Technical Investigation Officers.

<sup>&</sup>lt;sup>27</sup> Available at: <a href="https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/guidance/tech-guidance/eng\_code">https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/guidance/tech-guidance/eng\_code</a>

9.66 Applicants should take note of section 1.2 of Ofcom's Engineering Code, in particular the need for compliance with EC Directive 1999/5/EC on radio equipment (the R&TTE Directive), as embodied by Statutory Instrument 2000 No. 730. This only applies to newly installed transmitters, which are required to either carry an appropriate CE stamp indicating compliance, or be accompanied by a bill of sale, indicating purchase prior to 8 April 2000. The serial number and manufacturer's name, matching those on the equipment concerned, must also be included on the bill of sale. Frequently asked questions regarding these rules are available on Ofcom's website.<sup>28</sup>

# Radio Data System (RDS)

- 9.67 The Radio Data System (RDS) enables data to be transmitted to radio receivers via a radio signal. RDS is used for a variety of functions, such as scanning for traffic information or displaying text (in the form of a programme service name) on a radio's display screen.
- 9.68 If you wish to change your programme service name, you must obtain consent in advance from Ofcom. Scrolling RDS programme service names are not permitted.
- 9.69 If your service will feature regular traffic bulletins, you may wish to use RDS to alert drivers that a traffic announcement is about to be broadcast. This is done through the use of traffic programme (TP) flags, which informs car radios that your station broadcasts traffic bulletins. TP flags must be used in conjunction with traffic announcement (TA) flags, which cause an increase in the volume to a predefined level and a relevant message to be displayed on screen. Transmission of the TP flag is not permitted unless dynamic control of the TA flag is available.
- 9.70 If you intend to transmit radio data through a RDS, you must indicate this on your application form to allow for us to allocate a programme identification (PI) code. A PI code is required by all licensees intending to transmit RDS information.
- 9.71 All RDS data must be accurate, and in accordance with IEC62106, the international standard for RDS.

#### Additional technical information

#### Antenna height restrictions

9.72 The maximum antenna height for FM or AM transmissions is 20 metres above ground level. We may need to impose power and/or antenna height restrictions in certain areas, such as coastal regions, where an applicant wishes to broadcast on FM, in order to avoid the need for international clearance. We reserve the right to vary agreed maximum power and/or antenna height in any area, should problems occur (e.g. interference to other users of the spectrum).

<sup>&</sup>lt;sup>28</sup> Available at: http://stakeholders.ofcom.org.uk/spectrum/technical/rtte/rtte faq/

9.73 For FM in-stadium services, the radiating aerial should be mounted within the stadium arena, and no higher than the tallest of the principal structures (excluding pylons).

#### **Test transmissions**

9.74 Any time required for test transmissions should be included within the dates for which the licence is requested, meaning that the testing and broadcast period together should not exceed 28 days in total (unless the licence has exceptionally been granted for a longer period). Announcements made during test transmissions should refer to the fact that they are for a restricted service licence, the duration of the licence and the name of the service.

## Interference problems

- 9.75 It is important that you have reliable technical assistance. Failure to do so can lead inadvertently to interference to other authorised spectrum users (such as the emergency services) and Ofcom taking action to close the station until the problem is resolved. Licence conditions must be strictly adhered to. The station should additionally be designed, constructed, maintained and operated that its use does not cause any interference with any wireless telegraphy or other services.
- 9.76 Any unauthorised action to increase the power level beyond the maximum permitted, or otherwise to alter the characteristics specified in the licence, will be treated very seriously by Ofcom, and may result in Ofcom revoking the licence and disqualifying the licensee from holding future licences. The licensee will be held responsible if any terms of the Wireless Telegraphy Act licence or the Broadcasting Act licence are not adhered to.
- 9.77 If, within your designated service area, you should suffer from interference on your allocated frequency during your broadcast or discover another service on your frequency, please call 020 7981 3131 (selecting option 2 for interference) or visit the Interference Complaints section of our website.<sup>29</sup>
- 9.78 Please be aware that Ofcom cannot give compensation for disruption to your service by the actions of an illegal operator.

#### **Further information**

9.79 For further information relating to SRSL technical matters, please contact:

Broadcast Radio Engineering team

Ofcom

Riverside House

2a Southwark Bridge Road

London

SE1 9HA

Email: BroadcastRadioEng@ofcom.org.uk

<sup>&</sup>lt;sup>29</sup> Available at: <a href="https://www.ofcom.org.uk/spectrum/interference-enforcement/interference-complaints">https://www.ofcom.org.uk/spectrum/interference-enforcement/interference-complaints</a>

# 10. Publication of information about licensed services

- 10.1 When a licence is granted the following details which have been provided in the application form will be published on Ofcom's website:
  - name of the licensee;
  - service name;
  - public contact details for the licensee;
  - duration of the licence;
  - brief description of the licensed service.
- 10.2 If you have any questions about the information that we publish, or there are any changes to this information, you should contact the Broadcast Licensing team by email (broadcast.licensing@ofcom.org.uk).
- 10.3 Additionally, Ofcom considers issued SRSL licences to be public documents and will make copies of licences available to third parties on request.

# 11. After you have been granted a restricted service licence

- 11.1 You must read your licence carefully.
- 11.2 Below is some information you may find useful throughout the duration of your licence.

## **Changes to contact details**

11.3 If there are any changes to the broadcaster's contact details once the licence is granted, the licensee must inform Ofcom immediately by submitting the contact update form available on our website.<sup>30</sup>

# **Compliance of the service**

## **Retention and production of recordings**

11.4 The licensee must retain, or arrange for the retention of, recordings of everything broadcast on the licensed service for a period of 42 days. If Ofcom requests a copy of any broadcast material, the licensee must provide this by the deadline given. Recordings must be of a standard and in a format which allows Ofcom to listen to the material as broadcast. The licensee must also provide Ofcom with scripts or transcripts of any material included in the service when requested to do so.

#### Complaints relating to the licensed service

- 11.5 Licensees must ensure that they have in place procedures acceptable to Ofcom for the handling and resolution of complaints about their service.
- 11.6 The licensee must also comply with all the specific provisions relating to fairness complaints (such as the provision of transcripts, copies of documents and correspondence related to the complaint, recordings etc. to Ofcom and the complainant).
- 11.7 If requested by Ofcom, the licensee must publicise Ofcom's functions in relation to complaints.

#### Compliance with ownership restrictions

11.8 The Broadcasting Act 1990 lays down a number of restrictions on who may hold Ofcom's broadcasting licences. The licensee is obliged to comply with these ownership restrictions and failure by a licensee to do so will constitute a breach of the licence which, if not rectified, may result in revocation of the licence.

<sup>&</sup>lt;sup>30</sup> Available at: <a href="https://licensing.ofcom.org.uk/binaries/tv/UpdateForm.pdf">https://licensing.ofcom.org.uk/binaries/tv/UpdateForm.pdf</a>

#### **Sanctions**

11.9 Ofcom can impose sanctions on a licensee for serious, deliberate, repeated and/or reckless breaches of the licence conditions (for example, if broadcast content does not comply with the relevant codes). The sanctions available to Ofcom range from requiring the licensee to broadcast a statement of Ofcom's findings on their service, to the imposition of a financial penalty on the licensee, and/or revocation of the licence. For further information about sanctions, please consult Ofcom's Procedures for the consideration of statutory sanctions in breaches of broadcast licences.<sup>31</sup>

#### **Provision of information to Ofcom**

- 11.10 The licensee must supply to Ofcom by the deadline provided, any information that we may require for carrying out our duties. This includes (but is not limited to) information about the licensee's corporate structure (if a company or other type of organisation), or any information that Ofcom may need to determine whether the licensee is on any ground a "disqualified" person.32 Please note that the requirements in the licence for the provision of information to Ofcom are broad, and that this is only a brief overview.
- 11.11 You should notify Ofcom in writing at the below address immediately of the following changes:
  - Changes in management, key staff and contact details.
  - If a court judgment is passed against the licensee relating to any matter specified in the relevant license condition or the licensee is convicted of a criminal offence.

Broadcast Licensing
Ofcom
Riverside House
2a Southwark Bridge Road
London
SE1 9HA

<sup>&</sup>lt;sup>31</sup> Available at: https://www.ofcom.org.uk/ data/assets/pdf file/0030/71967/Procedures for consideration.pdf

<sup>&</sup>lt;sup>32</sup> Under Schedule 2, Part II of the Broadcasting Act 1990.

# A1. Licence fee tariff tables

# Daily charges for short-term restricted service licences

	B Act	WT Act	Total	B Act	WT Act	Total	B Act	WT Act	Total fees
	fee*	m de de		and the					
	1 Watt AM			1 Watt FM			Above 1 Watt FM (Up to 25		
							watts)		
Daily Rate	£10.00	£15.00	£25.00	£10.00	£25.00	£35.00	£30.00	£40.00	£70.00
Days on air									
1	£10.00	£15.00	£25.00	£10.00	£25.00	£35.00	£30.00	£40.00	£70.00
2	£20.00	£30.00	£50.00	£20.00	£50.00	£70.00	£60.00	£80.00	£140.00
3	£30.00	£45.00	£75.00	£30.00	£75.00	£105.00	£90.00	£120.00	£210.00
4	£40.00	£60.00	£100.00	£40.00	£100.00	£140.00	£120.00	£160.00	£280.00
5	£50.00	£75.00	£125.00	£50.00	£125.00	£175.00	£150.00	£200.00	£350.00
6	£60.00	£90.00	£150.00	£60.00	£150.00	£210.00	£180.00	£240.00	£420.00
7	£70.00	£105.00	£175.00	£70.00	£175.00	£245.00	£210.00	£280.00	£490.00
8	£80.00	£120.00	£200.00	£80.00	£200.00	£280.00	£240.00	£320.00	£560.00
9	£90.00	£135.00	£225.00	£90.00	£225.00	£315.00	£270.00	£360.00	£630.00
10	£100.00	£150.00	£250.00	£100.00	£250.00	£350.00	£300.00	£400.00	£700.00
11	£110.00	£165.00	£275.00	£110.00	£275.00	£385.00	£330.00	£440.00	£770.00
12	£120.00	£180.00	£300.00	£120.00	£300.00	£420.00	£360.00	£480.00	£840.00
13	£130.00	£195.00	£325.00	£130.00	£325.00	£455.00	£390.00	£520.00	£910.00
14	£140.00	£210.00	£350.00	£140.00	£350.00	£490.00	£420.00	£560.00	£980.00
15	£150.00	£225.00	£375.00	£150.00	£375.00	£525.00	£450.00	£600.00	£1,050.00
16	£160.00	£240.00	£400.00	£160.00	£400.00	£560.00	£480.00	£640.00	£1,120.00
17	£170.00	£255.00	£425.00	£170.00	£425.00	£595.00	£510.00	£680.00	£1,190.00
18	£180.00	£270.00	£450.00	£180.00	£450.00	£630.00	£540.00	£720.00	£1,260.00
19	£190.00	£285.00	£475.00	£190.00	£475.00	£665.00	£570.00	£760.00	£1,330.00
20	£200.00	£300.00	£500.00	£200.00	£500.00	£700.00	£600.00	£800.00	£1,400.00
21	£210.00	£315.00	£525.00	£210.00	£525.00	£735.00	£630.00	£840.00	£1,470.00
22	£220.00	£330.00	£550.00	£220.00	£550.00	£770.00	£660.00	£880.00	£1,540.00
23	£230.00	£345.00	£575.00	£230.00	£575.00	£805.00	£690.00	£920.00	£1,610.00
24	£240.00	£360.00	£600.00	£240.00	£600.00	£840.00	£720.00	£960.00	£1,680.00
25	£250.00	£375.00	£625.00	£250.00	£625.00	£875.00	£750.00	£1,000.00	£1,750.00
26	£260.00	£390.00	£650.00	£260.00	£650.00	£910.00	£780.00	£1,040.00	£1,820.00
27	£270.00	£405.00	£675.00	£270.00	£675.00	£945.00	£810.00	£1,080.00	£1,890.00
28	£280.00	£420.00	£700.00	£280.0	£700.0	£980.00	£840.00	£1,120.0	£1,960.00

<sup>\*</sup> B Act fee: Broadcasting Act licence fee

<sup>\*\*</sup> WT Act fee: Wireless Telegraphy Act licence fee

# **Extended duration short-term restricted service licence tariff table:**

	Duration	B Act fee*	WT Act fee**	Total
1W AM	29 – 140 days	£675	£420	£1095
1W AM	140 days +	£1250	£420	£1670
300mW to 25W FM	29 – 140 days	£1000	£700	£1700
300mW to 25W FM	140 days +	£1550	£700	£2250
Application fee				£400
Amendment fee				£200