Your response

Question	Your response
Question 1: Do you agree with the planning principles and methodologies that we will use in our work to refine the coverage area plan for small-scale DAB?	Yes.
Question 2: Do you agree with our proposed approach to the required technical licence conditions for small-scale radio multiplex services, and the proposed amendments to the Digital Radio Technical Code?	Yes & No We think it should allow DAB as well as DAB+ at least for a suitable period until DAB sets are redundant and 95% are on DAB+ otherwise SSDAB will start life disadvantaged and the por relation to the large multiplexes. SSDAB should suffer no greater regulatory obligations for SSDAB as compared with the larger DAB operators. Given that it is small scale, the regulatory obligations should be the same or less, not more. Apart from these reservations, we would agree with proposals.
Question 3: Do you agree with Ofcom's proposed approach to setting the level of reserved capacity for C-DSP services on small-scale radio multiplex services?	No While the minimum referred to is 3, it needs to be guaranteed that the number of C-DSP reservations is at least equal to the number of FM Community Radio Stations in the area plus extra to allow for expansion of the sector. We feel that a more suitable approach would be to set the minimum number as equivalent to the number of Community Radio Stations licensed in an area plus 3. In Belfast where there are 6 Community Radio Licensees so the figure would be 9 reserved (being the 6 existing Community Radio licensees and allowing an additional 3 community services by way of expansion of the sector).
Question 4: Do you agree with the factors we are proposing to take into account of in deciding the order and timescale in which Ofcom will advertise small-scale radio multiplex licences?	Yes & No. Generally speaking we are in agreement, however we do think that areas that were excluded entirely from the trials (and subsequent extensions) such as Northern Ireland (and Belfast in particular which applied for a trial but was not selected) should be a priority.

	We also have reservations about not prioritising areas where there is capacity on the existing large DAB multiplex. It is often the case that this excess capacity exists because the exorbitant costs of carriage and wild profiteering by Mux Operators have actively excluded potential participation by Community Radio stations and small commercial operators.
Question 5: Do you agree with our proposed approach for assessing the technical plans submitted in small-scale radio multiplex licence applications?	Yes, we agree with Ofcom's proposed approach.
Question 6: Do you agree with our proposed approach for assessing the ability of applicants to establish their proposed small-scale radio multiplex service?	Yes, we agree in general - however, a particular extra emphasis should be given to applicants whose participants include persons or organisations who already have demonstrable experience of delivering a community radio service in the locality proposed. This indicates real-world experience of implementing or commissioning transmission services and of negotiating site access arrangements with relevant local site owners. This criterion should also take into additional account the opportunities for co-locating with existing FM services. In making an award decision Ofcom must also balance responses on this criterion and the technical plan (Criterion 1) with responses to the 3 other criteria listed. In particular, the third criterion (ownership or participation in the applicant by a potential or actual C-DSP licensee) should carry equal weighting in an award decision alongside each of the other criteria. We believe that Ofcom should establish a minimum threshold at which Criterion 1 and 2 are deemed met. Once met, the emphasis should be on the others with a specific emphasis on cooperative applications by the majority of community radio stations in an area. We feel that Ofcom must place emphasis and preference upon applications which adopt a not-for-profit model and where possible that applications involving multiple existing FM Community Radio stations should be favoured or Community/Commercial FM partnerships

	also on a not-for-profit model. To do otherwise will result in Muxes to Print Money. We also believe that there absolutely needs to be price controls when it comes to Community Radio Stations accessing a Mux. Simply requiring operators to publish prices will have zero impact given that the Mux operator will likely have a monopoly in that area. Also, applicants should be bound by any price indications given in their application for the whole term of their Mux licence so that they cannot suggest one thing in an application but once a licence is awarded then hike the prices up. In terms of price controls, a Community Radio Station currently pays £600 per annum for a Broadcasting Act licence, we believe that access to the Mux for licenced community radio stations should be capped at that level as a maximum.
Question 7: Should Ofcom require that the studio of a C-DSP licensee be located within the coverage area of the small-scale radio multiplex service it plans to broadcast on? Please explain the reasons for your view.	No. The holder of a C-DSP licence may wish to broadcast on more than 1 multiplex, especially those like Blast which serve the Student & Youth population who (given student finance) may now live outside the designated Belfast Mux and travel to college each day. Equally, a community-of-interest community radio station (linguistic, religious etc) may wish to be carried on multiple multiplexes as their target community is spread across a wider area and they are better able to serve their community (or an expansion thereof) by being on multiple multiplexes.
Question 8: We propose that holders of corresponding analogue community radio and DSP licences apportion their income equally across their licences, unless there are compelling reasons why a different apportionment is reasonable. Do you agree with our suggested approach?	No. It should be a matter for licence holders to determine as is currently the case in apportioning the value of income to be applied to analogue output, webstream output and production fees. A 50:50 division of income would result in a one-size fits all which is clearly never the case when it comes to the sales process and discounts. For example, many stations can discount the advertising rate but will not discount the production fee rate as there are fixed costs (voiceover fees) associated with this.

	Equally, many community radio stations do not have independently produced listening figures but do have their webstream figures and therefore there is often an emphasis on these in the sales process. To apply a straight division would be to interpret the motivation of the advertiser or grant maker rather than the station. Furthermore, there are income restrictions on analogue community radio licences which do not apply to current DSP licences and to introduce such a restriction on C-DSP licences would be to compound the current discrimination that applies to Community Radio Stations as compared to those in the Commercial Sector. These provisions were introduced to protect the commercial sector which feared that the creation of community radio stations would lead to their closure but yet more than a decade after the first community stations went on air there is no statistical data to support the continuation of these restrictions, never mind extending them to the SSDAB sphere. If Ofcom does proceed with applying the 50:50 apportionment then the £15,000 current exemption which applies to analogue Community Radio Licences should be replicated so that if a station is on both FM and SSDAB then the combined exemption would rise to £30,000.
Question 9: Do you agree with our proposal that a prospective C-DSP service provider will be able to apply for a C-DSP licence once we have invited applications for the small-scale radio multiplex licence upon which their proposed C-DSP service is intended to be provided?	Yes & No While we appreciate the logic in this from Ofcom's perspective it would appear that there would be little to prevent potentially hundreds of applications for C-DSP licences based on the first advertised area and claiming that they "intend" to be on that multiplex. It is also unclear as to what protections there are that commercial operators would not apply for and be granted C-DSP licences (disguised as other corporate entities) which they could then use to fill the reserved C-DSP channels as a blocking mechanism to prevent valid existing community radio stations who obtain a C-DSP licence from accessing the multiplex. We believe that Ofcom need to give further consideration to this whole area to ensure that existing analogue community radio stations are not priced out of SSDAB or blocked by channels

	being filled to prevent community radio stations participating. We believe that Ofcom needs to discuss this extensively with the Community Media Association and other representative organisations such as Media Ireland in Northern Ireland to ensure safeguards are put in place to prevent such an occurrence and we further believe that Ofcom needs to have some method of appeal or arbitration process to address this and guarantee access for existing FM Community Radio operators.