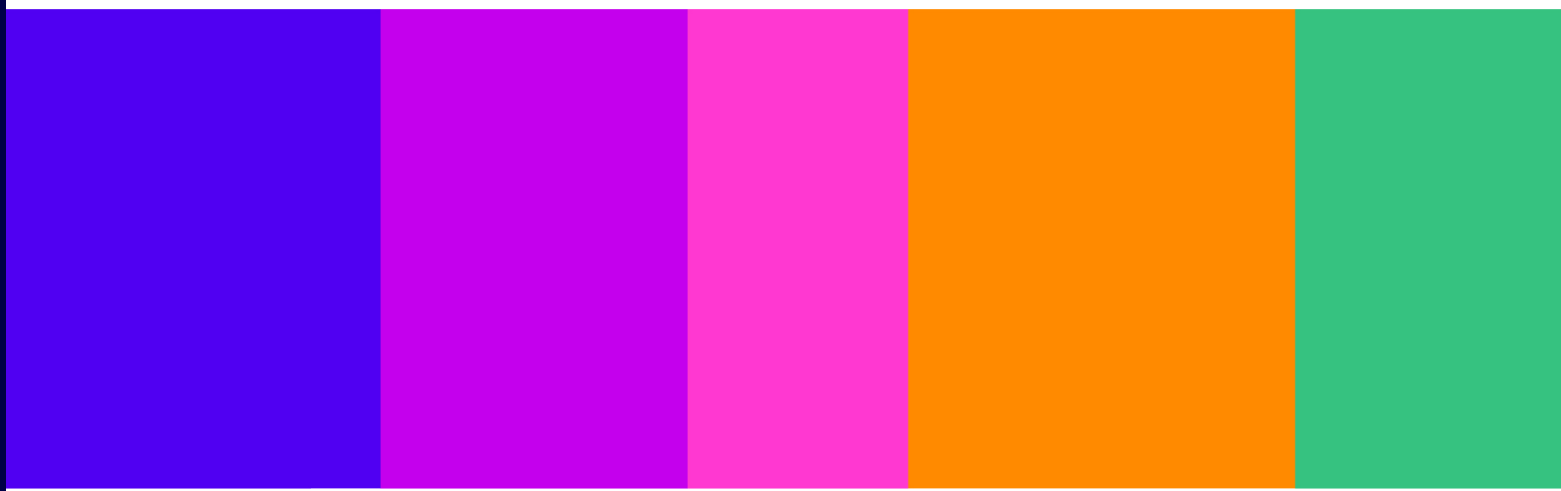


Notes of guidance for community radio applicants and licensees

Guidance

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Contents

Overview	5
Part 1 - Application and award procedure.....	6
Licensing rounds	6
Submission of applications	6
Completing the application form.....	7
Publication of applications	8
Assessment of applications and licence awards.....	8
Duration of licence.....	9
Part 2: Legislative requirements	10
Characteristics of community radio services.....	10
Statutory requirements	10
Ability to maintain the service	12
Catering for the tastes and interests of the community, broadening choice and being distinct from other local radio services	12
Evidence of local demand or support.....	12
Social gain	13
Accountability to the community	13
Provision of access and training	14
Funding rules	14
Ownership.....	15
Other legislative requirements.....	15
Part 3: Provision of the radio service.....	16
Key Commitments	16
Locally-produced and original output	16
Studio location	17
Further guidance.....	17
General statutory requirements in relation to programming	17
Regulation of advertising and sponsorship	18
Complaints	18

Part 4: Ownership and finance issues.....	19
Ownership and control	19
Fit and proper persons.....	20
Changes in composition.....	20
Transfer of a licence.....	20
Financial information required from applicants.....	21
Advertising and sponsorship	21
Donations and philanthropic support.....	21
Service level agreements.....	22
Sources of funding	22
Broadcasting Act licence fees	22
Wireless Telegraphy Act licences and licence fees.....	23
Timing of licence fee payments.....	23
Part 5: Engineering, coverage policy and technical matters	24
Coverage areas and power levels	24
Availability of FM frequencies	24
Information from applicants.....	25
Frequency clearance.....	25
Analogue Radio Technical Code.....	26
Test transmissions and commissioning	26
Radio Data System	26
Radio links.....	26
Part 6: General requirements, licence obligations and background information.....	27
Declaration.....	27
Annual finance report.....	27
‘Key Commitments’ file.....	27
Station identification	28
Arrangements with other broadcasters	28
Supply of information	28
Other licence conditions.....	28
Sanctions.....	28
Illegal broadcasters.....	29
Copyright	29
Sector bodies	29
Annex A	31

COMMUNITY RADIO ORDER 2025	31
Annex B	36
KEY SECTIONS OF THE BROADCASTING ACT 1990.....	36
KEY SECTIONS OF THE COMMUNICATIONS ACT 2003.....	41
Annex C	43
GUIDANCE ON THE INVOLVEMENT OF RELIGIOUS BODIES.....	43
Annex D	46
Frequently asked questions.....	46

Overview

1. The aim of this document is to set out for prospective applicants for community radio licences, and for community radio licensees, the main statutory requirements and licence conditions that need to be met. It includes guidance on submitting an application for a community radio licence. This document was updated in April 2025 to reflect the legislative changes made to the community radio licensing scheme as a result of the Community Radio Order 2025, which came into force on 1 April 2025.
2. In addition, applicants and licensees may find it useful to study the following documents:
 - a) The Compliance checklist for TV and Radio broadcasters:
<https://www.ofcom.org.uk/siteassets/resources/documents/manage-your-licence/tv/guidance/compliance-checklist-for-tv-and-radio-broadcasters.pdf?v=398618>
 - b) The Ofcom Engineering Code (site engineering code for analogue broadcast transmission systems): <https://www.ofcom.org.uk/siteassets/resources/documents/spectrum/tv-transmitter-guidance/code2013.pdf>
 - c) The Ofcom Coverage and planning policy for analogue radio broadcasting services:
<https://www.ofcom.org.uk/siteassets/resources/documents/tv-radio-and-on-demand/radio-ops/coverage/analogue-coverage-policy.pdf>.
3. The statutory framework for awarding community radio licences and the obligations to be met by licensees are set out in the Broadcasting Act 1990 (“the 1990 Act”) and the Communications Act 2003 (“the 2003 Act”), as modified by the Community Radio Order 2025 (“the 2025 Order”). The 2025 Order contains standalone provisions as well as modifications to the primary legislation, so it also forms part of the statutory framework. The 2025 Order brings the regulations applicable to community radio licences into one place¹, and extends the application of the 1990 Act and the 2003 Act to community radio services, with such modifications as are appropriate for those services. References made in this document to a specific piece of legislation - for example, the 2025 Order – should be read to mean that piece of legislation as most recently amended. A copy of the 2025 Order can be found at Annex A of this document. The key sections of the 1990 Act and the 2003 Act, as modified by the 2025 Order, can be found at Annex B. Guidelines on the involvement of religious bodies are at Annex C. Full versions of the relevant legislation are available from www.opsi.gov.uk/ and from TSO (The Stationery Office).
4. This document, and the application form, may be revised from time to time. Applicants are advised to check the Ofcom website prior to submitting their application, to ensure that they are in possession of the current versions of these Notes of Guidance, application form, and other relevant background documents.
5. Some ‘frequently asked questions’ are included at Annex D of this document to assist applicants and existing licensees.

¹ Modifications to the 1990 Act and 2003 Act were previously made by the Community Radio Order 2004, and further modifications made by the Community Radio (Amendment) Order 2010 and the Community Radio (Amendment) Order 2015. These pieces of legislation were revoked and replaced with the 2025 Order.

Part 1 – Application and award procedure

Licensing rounds

- 1.1. Ofcom invites community radio applications during licensing rounds. Ofcom will usually advertise a licensing round and invite applications by posting information on its website (<https://www.ofcom.org.uk/tv-radio-and-on-demand/analogue-radio/apply-for-a-radio-broadcast-licence/>). Potential applicants and anyone else interested in community radio can request our broadcasting email updates so that they are kept informed on community radio, including notification of when we invite applications, and other broadcasting issues (<https://www.ofcom.org.uk/email-updates>).

Submission of applications

- 1.2. An application for an analogue community radio licence can only be submitted to Ofcom during a licensing round, and within the period specified in the published invitation to apply for the region or locality in which the proposed service is located.
- 1.3. Services which are proposing to broadcast on DAB digital radio will require a community digital sound programme service licence and applicants may wish to review the guidance notes for this specific licence type on the Ofcom website (<https://www.ofcom.org.uk/siteassets/resources/documents/manage-your-licence/digital-radio/community-digital-sound-programme-c-dsp-licence-guidance-documents-for-applicants-and-licensees.pdf?v=402886>).
- 1.4. Information about how to apply will be in the invitation document which will be published on the community radio pages of our website. Applications cannot be accepted outside the period specified for each region or locality.
- 1.5. Section 105(2) of the 1990 Act, as modified by the 2025 Order, sets out restrictions on the licensing of community radio services within the service areas of some small commercial radio services. In particular, this provision limits the amount of income some community radio services can receive from advertising and sponsorship.
- 1.6. Ofcom cannot guarantee a suitable frequency will be available for any applicant in any part of any particular region or locality. All applications should be made on this basis.
- 1.7. Applicants must comply with all the requirements set out in this document, the application form, and in the published invitation to apply for a community radio licence. Failure to do so may render the application liable to be disqualified without refund of the application fee.
- 1.8. The application documentation may be obtained from the Ofcom website at <https://www.ofcom.org.uk/tv-radio-and-on-demand/analogue-radio/apply-for-a-radio-broadcast-licence>
- 1.9. Please send any queries to broadcast.licensing@ofcom.org.uk.
- 1.10. Applications should be made in the name of a single legal entity. This must be a non-profit distributing body corporate (only a body corporate can hold a community radio licence). A body corporate is almost always a (registered) company, although it can also include, for

example, somebodies created by statute (an individual or a registered charity on its own is not a body corporate). Where the body is a company, its registration number must be included on the application form. If the application is successful, Ofcom will award the licence to the legal entity named in the application.

- 1.11. One electronic copy of an application must be received by Ofcom no later than the closing date specified in the invitation to apply. The application should be submitted by email to broadcast.licensing@ofcom.org.uk. Applications received after the closing date will not normally be accepted. Applicants should keep in mind that email is not an instant means of communication, especially when there are large attachments. Applicants are therefore strongly advised to submit applications via email at least 48 hours in advance of the deadline, so that urgent steps can be taken by the applicant if they are not received by Ofcom. All applications will be acknowledged by Ofcom (usually by email).
- 1.12. Each application must be accompanied by a non-refundable application fee of £600. Payment of the application fee must also be received (i.e. Ofcom must be holding cleared funds) by the closing date specified in the invitation to apply for a licence. The invitation of applications for each region (or locality(ies)) will provide details of the different payment methods available. Payment by cash or cheque is not accepted.
- 1.13. Submission of an application will be taken as evidence of willingness to accept a licence, if offered, on the terms indicated.
- 1.14. If you are intending to apply for an analogue community radio licence but already hold a C-DSP licence, please ensure that you respond to all questions with sufficient detail about your service. Ofcom is unable to use information provided in other application processes as part of its assessment for an analogue community radio licence.

Completing the application form

- 1.15. The community radio licence application form can be found on our website (see the link in paragraph 1.8). Applicants should download a copy, complete it and submit it by email to broadcast.licensing@ofcom.org.uk, and by the deadline given in the 'invitation to apply'. The questions asked, and the information requested, are designed to enable Ofcom to consider an applicant's proposals against the various legislative requirements.
- 1.16. Applicants should be aware that if they hold a C-DSP licence, the application process and form for an analogue licence should be completed in full. C-DSP and analogue community radio licences are authorised under separate legislative frameworks, which requires Ofcom to design bespoke processes to consider applications for each licensed product – we cannot use any information provided in other application processes in the consideration of an application for an analogue community radio licence.
- 1.17. As part of the application form applicants are asked to draft their own Key Commitments. Should a licence be awarded, this will, subject to Ofcom's agreement, form the basis of the Key Commitments section of the station's licence. We reserve the right to modify those draft commitments in order, for example, to ensure that they are fit for purpose and comply with legislative requirements. Where appropriate, this will be done in collaboration with the licensee (though Ofcom's decision is final).
- 1.18. Applicants should aim to keep information concise and to the point. Some sections contain word limits and any information beyond the word limit will not usually be considered. For

example, if a section requires that the information be presented in no more than 100 words any information beyond the 100-word limit is unlikely to be taken into account. However, applicants should ensure that they provide sufficient detail in their answer to provide Ofcom with the requisite information about the proposed service to enable them to take an informed decision.

- 1.19. Applicants may request that some parts of an application be submitted in confidence. The relevant sections are marked on the application form. Applicants are asked to tick the relevant box on the application form if they wish to request that the section be removed from the published copy of the application (see below). Where an applicant asks us to keep information confidential, we will treat this request seriously and will try to respect it. However, sometimes we will need to publish the full application, including parts that are marked as confidential, in order to meet legal obligations. If an applicant wishes to submit information in confidence for part(s) of the application which do not specifically indicate this as permissible, confirmation that this is acceptable must be sought beforehand, by email, from Ofcom's Broadcast Licensing team (see contact details in paragraph 1.16).
- 1.20. All information provided in the application must be true and correct. If any amendments need to be made to the application after it is submitted, because of circumstances outside the applicant's control, Ofcom should be informed immediately. No material amendments to the proposals provided in the application may be made by the applicant without the agreement of Ofcom. Ofcom will not agree to any such amendment which it considers would be unfair to any other applicant applying for a community radio licence in that round.

Publication of applications

- 1.21. Applications will be made available for public inspection on the Ofcom website. Shortly after the closing date for applications, we will announce the number of applications received, and subsequently we will publish on the Ofcom website all parts of the applications received other than those parts we agree to keep confidential. The published parts will include the name(s), address(es) and daytime telephone number(s) of individuals nominated to handle any press or public enquires on behalf of the applicant.

Assessment of applications and licence awards

- 1.22. The assessment of applications for a licence will be based primarily on the proposals presented in the completed application. In the course of assessing applications, Ofcom may seek clarification and/or amplification of proposals from an applicant.
- 1.23. Consideration of all applications is likely to take a number of months. Successful groups will be required to start broadcasting within two years of the licence award.
- 1.24. If there are any delays to prospective launch dates, successful applicants should write to Ofcom seeking an extension to their launch date providing a detailed explanation of why such an extension is required while also providing a revised proposed launch date.
- 1.25. If a successful applicant is unable to start broadcasting within the two-year period, the offer of a licence may be withdrawn and the frequency considered for use in the same area or elsewhere in the next round of licence awards (should there be one) or for coverage extensions.

Duration of licence

- 1.26. Section 86(3) of the 1990 Act, as modified by the 2025 Order, provides that community radio licences may be granted for an initial period of up to ten years. Community radio licensees may then apply for four extensions of their licences. On the first three occasions, the licence may be extended for a period up to five years, and on the fourth occasion, it may be extended for a period of up to ten years. More information on this process can be found on our website: <https://www.ofcom.org.uk/tv-radio-and-on-demand/analogue-radio/amend>.

Part 2: Legislative requirements

- 2.1. The 1990 Act and the 2003 Act (as modified by the 2025 Order), and the standalone provisions of the 2025 Order, set out the characteristics, selection criteria and other legislative requirements for community radio licensing. The 2025 Order is reproduced in full at Annex A, and the key sections of the 1990 Act and 2003 Act, as modified by the 2025 Order, are set out at Annex B.

Characteristics of community radio services

- 2.2. The 2025 Order defines ‘community radio service’ as a local service which has the characteristics set out in article 3 of the 2025 Order. Those characteristics, which a service must possess in order to fall in scope of regulation by Ofcom as a community radio service, are that the service must:
- d) be provided primarily for the good of members of the public or of particular communities and in order to deliver social gain, rather than primarily for commercial reasons or for the financial or other material gain of the individuals involved in providing the service;
 - e) be intended primarily to serve one or more communities² (whether or not it also serves other members of the public);
 - f) not be provided in order to make a financial profit, and use any profit produced in the provision of the service wholly and exclusively to secure or improve the future provision of the service, or for the delivery of social gain to members of the public or the target community;
 - g) offer members of the target community opportunities to participate in the operation and management of the service; and
 - h) be accountable to the target community.

Statutory requirements

- 2.3. A local service that possesses the characteristics outlined above is a community radio service for the purposes of the 2025 Order and is therefore eligible for an application for a community radio licence to be made on its behalf.
- 2.4. Where Ofcom proposes to grant a licence to provide a community radio service, section 104 of the 1990 Act, as modified by the 2025 Order, requires Ofcom to publish a notice outlining this intention and, amongst other things, inviting applications for the licence to be made. This provision requires that any applications made in pursuance of the published notice must be in writing and accompanied by:
- a) the fee stipulated in the notice;

² Article 2 of the 2025 Order defines ‘community’ as people who either live, work or undergo education or training in a particular area or locality, or who have one or more interests or characteristics in common (whether or not they fall within the former category as well).

- b) the applicant's proposals for providing a service which satisfies the statutory criteria³;
- c) evidence that the provision of the service that the provision of the service will result in the delivery of significant social gain to the public or the relevant community;
- d) such information as Ofcom may reasonably require as to the applicant's present financial position and projected financial position during the period for which the licence would be in force, and as to the arrangements which the applicant proposes to make for, and in connection with, the transmission of the proposed service; and
- e) such other information as Ofcom may reasonably require for the purpose of considering the application.

2.5. Once an application is received, Ofcom has the power to request additional information from an applicant in respect of the matters outlined at paragraph 2.4 b) to e) above.

2.6. In determining the most suitable applicant for the award of a community radio licence, Ofcom must have regard to the special requirements set out in section 105 of the 1990 Act, as modified by the 2025 Order. These 'selection criteria', which are explained in more detail throughout the remainder of this Part, are as follows:

- a) the ability of each of the applicants for the licence to maintain, throughout the period for which the licence would be in force, the service which the applicant proposes to provide;
- b) the extent to which any proposed service would cater for the tastes and interests of persons comprising the relevant community, and, where it is proposed to cater for any particular tastes and interests of such persons, the extent to which the service would cater for those tastes and interests;
- c) the extent to which any proposed service would broaden the range of programmes available by way local services to persons living in the area or locality in which it would be provided, and, in particular, the extent to which the service would be of a nature or have a content distinct from that of any other community radio service the licence for which would overlap the licence for the proposed service;
- d) the extent to which there is evidence that amongst persons living in that area or locality, there is a demand for, or support for, the provision of the proposed service;
- e) the extent to which the provision of any such proposed service would result in the delivery of social gain to the public or relevant community;
- f) the provision that each of the applicants proposes to make in order to render themselves accountable to the relevant community in respect of the provision of the proposed service; and
- g) the provision that each of the applicants proposes to make to allow for access by members of the relevant community to the facilities to be used for the provision of the service and for their training in the use of those facilities.

³ See section 104(2)(b) of 1990 Act, which is set out within Annex B of this document. These criteria largely mirror the substance of the 'selection criteria' outlined at paragraph 2.6, hence why they have not been reproduced within the main body of this document.

Ability to maintain the service

- 2.7. In fulfilling its statutory obligation under section 105(1)(a) of the 1990 Act, as modified by the 2025 Order, Ofcom needs to consider whether an applicant either has, or is likely to have, access to sufficient financial and other resources to establish and maintain the proposed service.
- 2.8. For this reason, the application form includes questions on what broadcasting and off-air activities are planned, the cost and resources required, how the applicant intends to fund these, and what human resources are involved, as well as the groups and individual members' relevant experience and what appropriate linkages the applicant has already established. Applicants need a clear business plan to show how they propose to set up their service and maintain it once on air. We require detailed financial information – budgets and funding – for set-up and the first year of operation only. Without a well thought-through business plan it is unlikely that an applicant will be able to demonstrate its ability to maintain the proposed service.

Catering for the tastes and interests of the community, broadening choice and being distinct from other local radio services

- 2.9. To aid our consideration of the requirements of sections 105(1)(b) and (c) of the 1990 Act, as modified by the 2025 Order, we need applicants to set out their broad aims for the proposed programme service, and some detail of the planned output. We need to understand how you have determined that your programme plans are appropriate for your target community.
- 2.10. When looking at whether an applicant's proposed service would broaden the range of programmes in the area, and have content distinct from other services, we will be looking at local commercial radio services and any other community radio broadcasters already licensed with which the proposed community radio service would overlap. This includes analogue (FM & medium wave) but not digital services.
- 2.11. The programming plans submitted in the application should form the basis of the successful applicant's 'Key Commitments', which, subject to Ofcom's agreement, will form part of the licence, so you must be sure that you can deliver what you propose in your application. As outlined at paragraph 1.17 above, the application form requires each applicant to draft their own 'Key Commitments'.

Evidence of local demand or support

- 2.12. Section 105(1)(d) of the 1990 Act, as modified by the 2025 Order, requires Ofcom to take account of the extent to which there is evidence of local demand or support for the provision of a proposed service.
- 2.13. Subject to the word limit specified in the application form, it is for applicants to decide how they wish to demonstrate demand or support, and what evidence of support they wish to submit. Where evidence like letters or research reports are relied upon, applications may include brief relevant extracts which represent an accurate and comprehensive summary, but original or complete copy documents should not be submitted. If we wish to see the source material during the assessment process, we will specifically request it from you.

- 2.14. Applicants should note that Ofcom does not believe that generic support for the establishment of a new community radio station is generally as meaningful as evidence of considered support for an applicant's specific proposals. In addition, template-based letters or petitions will not generally be considered as significant evidence of support. Applicants may, nonetheless, wish to summarise evidence of such generic demand or support in their application form.

Social gain

- 2.15. As outlined at paragraph 2.2 above, one of the characteristics of community radio services set out in the 2025 Order is that services are provided primarily for the good of members of the public, or of particular communities, and in order to deliver social gain. Section 105(1)(e) of the 1990 Act, as modified by the 2025 Order, requires Ofcom to take into account the extent to which the service would result in the delivery of social gain to the public or the relevant community. 'Social gain' may be thought of as 'community benefit'.
- 2.16. Article 2(2) of the 2025 Order defines 'social gain' in the context of a community radio service as the achievement, in respect of the community that the service is intended to serve, or in respect of other members of the public, of the following objectives:
- a) the provision of sound broadcasting services to individuals who are otherwise under served by such services;
 - b) the facilitation of discussion and the expression of opinion;
 - c) the provision (whether by means of programmes included in the service or otherwise) of education or training to individuals not employed by the person providing the service; and
 - d) the better understanding of the particular community and the strengthening of links within it.
- 2.17. The 2025 Order provides that 'social gain' may also include the achievement of other objectives of a social nature and, in particular, the seven further objectives mentioned in article 2(2) of the 2025 Order (see Annex A of this document). An applicant may have other objectives of a social nature (or 'social gain' aims) that fall outside either of the lists contained within the 2025 Order.
- 2.18. All social gain objectives will be taken into account when assessing applications, as well as an applicant's ability and resources to deliver them. For social gain objectives put forward by applicants but not specifically listed in articles 2(2) or (3) of the 2025 Order, Ofcom will need to judge the degree to which they may deliver social gain.

Accountability to the community

- 2.19. Section 105(1)(f) of the 1990 Act, as modified by the 2025 Order, requires Ofcom to consider the provision that an applicant proposes to make in order to make the station accountable to the relevant community. Accountability to the target community is one of the 'characteristics of community radio services' listed in article 3 of the 2025 Order (see paragraph 2.2 above) and therefore, it is an essential part of the proposed service. Applicants need to set out clearly how they intend to address this requirement, including reference to both formal and informal

mechanisms for accountability to the community, and for gathering feedback from the target audience.

Provision of access and training

- 2.20. Section 105(1)(g) of the 1990 Act, as modified by the 2025 Order, requires Ofcom to take account of the provision that an applicant proposes to make to allow for access by members of the target community to the facilities to be used for the provision of the service and for their training in the use of those facilities. As per article 3 of the 2025 Order, it is one of the ‘characteristics of community radio services’ that members of the target community are given opportunities to participate in the operation and management of the service, and therefore, this is another essential aspect of the proposed service. For example, we need information on how groups or individuals from the target community could get involved in different station activities. There is a separate and slightly different training requirement set out as part of the social gain objectives (see paragraph 2.16 c) above).

Funding rules

- 2.21. Section 105(2) of the 1990 Act, as modified by the 2025 Order, requires Ofcom to include conditions in each licence to provide a community radio service that overlaps with a relevant local licence. In these circumstances, Ofcom will include any conditions it considers appropriate for ensuring that the relevant income for that community radio licence as is attributable to any arrangement for –
- a) the inclusion of that service of any remunerated advertisement, and
 - b) the sponsorship of any programmes included in that service, does not, in any financial year of the holder of the licence, exceed £30,000.
- 2.22. For the avoidance of doubt, programme sponsorship includes station or channel sponsorship, and commercial communications.
- 2.23. Section 105(3) of the 1990 Act, as modified by the 2025 Order, defines a ‘relevant’ local licence as one where:
- a) the service provided by the licence is not a community radio service;
 - b) the potential audience of that service includes no more than 150,000 persons who have attained the age of 15 years;
 - c) the licence was granted before 1 April 2025; and
 - d) the licence has not been varied pursuant to section 106(1A)(e) of the 1990 Act before 17 October 2024.
- 2.24. For the purposes of the section 105(2) of the 1990 Act, as modified by the 2025 Order, two licences will “overlap” if the potential audience of one of the licensed services includes 50% or more of the potential adult audience of the other licensed service. The definition refers to an overlap in population, rather than in area. Overlaps apply both ways; that is, a community service overlapping with a commercial service and vice versa.
- 2.25. The application form includes questions on whether a group plans to seek revenue from the sale of advertising or sponsorship on the station. An assessment will be conducted by Ofcom if the proposed service intends to overlap with a relevant local licence. Any decisions to (for

example) vary the limit on advertising and sponsorship income to a level lower than that specified in the legislation will be made by Ofcom at the time of licence award. Ofcom is not able to increase the limit (i.e. to permit more advertising and sponsorship to be carried) to a level above that set by the legislation.

- 2.26. The 2025 Order removed the funding restrictions for licences to provide community radio services which do not overlap with a relevant local licence. This means that such community services are no longer restricted on the commercial revenue they are allowed to generate and will not have a condition to this effect included in their licence.

Ownership

- 2.27. Ofcom will need to be satisfied that applicants fully comply with statutory provisions regarding ownership and effective control; see paragraphs 4.1 to 4.6 below for further details. In addition, Ofcom is required to satisfy itself that applicants are 'fit and proper' persons before it may grant a licence. The application form includes questions designed to enable Ofcom to achieve this objective. Ofcom will seek confirmation of these matters prior to the issue of a licence through the submission of a formal Declaration signed by the applicant (see also paragraph 6.1).

Other legislative requirements

- 2.28. There are further legislative requirements regarding programming, financial and ownership matters set out elsewhere in this document. The requirements for obtaining separate licences under the Wireless Telegraphy Act 2006 are covered in section 4.20 below.

Part 3: Provision of the radio service

Key Commitments

- 3.1. The ‘characteristics of community radio services’ are outlined in the previous section of this document. Because of the overlap between these characteristics and the ‘selection criteria’ for the award of a community radio licence, the community radio licence application form asks for information which is not directly related to on-air broadcasting activities.
- 3.2. Under section 106(1) of the 1990 Act, as modified by the 2025 Order, Ofcom is required to include such conditions in each community radio licence as are appropriate for securing that the character of the service, as proposed in the application, is maintained for the duration of the licence. As a result, as part of the application for a licence, applicants are asked to draft their own ‘Key Commitments’, and these are included in the licence if the application is successful. Ofcom may require amendments to the ‘Key Commitments’ as drafted by the applicant if, for example, we feel changes are required to better reflect the application proposals. Any subsequent changes to the ‘Key Commitments’ of an individual station may only be permitted by Ofcom on the grounds specified in section 106 (1A) of the 1990 Act, as modified by the 2025 Order. See the ‘Key Commitments’ change request form and associated guidance on our website at <https://www.ofcom.org.uk/tv-radio-and-on-demand/analogue-radio/amend>.
- 3.3. In November 2024, Ofcom published its statement on proposals to amend the structure of ‘Key Commitments’ for analogue community radio services (<https://www.ofcom.org.uk/tv-radio-and-on-demand/community-radio/community-radio-future-approach-to-key-commitments>). Applicants are encouraged to read this statement to understand how ‘Key Commitments’ are reflected in licences.
- 3.4. Through this process, Ofcom also developed a set of compliance principles for Key Commitments (<https://www.ofcom.org.uk/siteassets/resources/documents/manage-your-licence/digital-radio/compliance-principles-for-key-commitments.pdf?v=398299>). We would recommend that both existing licensees and prospective applicants familiarise themselves with these principles.
- 3.5. The ‘Key Commitments’ include:
 - a) a ‘description of character of service’ which describes the target community (or communities), the main purpose and the primary functions or activities of the service, and where relevant, specific language requirements;
 - b) objectives regarding the provision of social gain, opportunities to participate in the operation and management of the service, and accountability to the relevant community.

Locally-produced and original output

- 3.6. Although there are no longer specific quotas relating to original and locally produced output from Key Commitments, we expect that most stations will continue to broadcast

some original and locally produced output each day.⁴ We would generally consider that a station broadcasting no content of this type would struggle to meet its character of service and deliver social gain for its target community. In the event of Ofcom assessing a licensee's compliance with its Key Commitments (as a result of a complaint or monitoring), a licensee must be able to demonstrate to Ofcom how the amount of original and locally-produced content it broadcasts enables it to meet its character of service and social gain commitments.

- 3.7. In their application, applicants are asked to commit to broadcasting specific amounts of locally-produced and original output per day. We define 'original output' as output that is first produced for and transmitted by the service, and excludes output that was previously transmitted elsewhere. Original output can be live or pre-recorded.

Studio location

- 3.8. We ask applicants to tell us where their studio will be located (although we recognise that some applicants will not have an agreed studio location at the time of application). To ensure that a service fulfils the statutory criteria of making provision to allow for access by members of relevant community, we require the studio to be based in the licensed coverage area. The 'Key Commitments' will state that the studio is located within the coverage area, but not include the specific address. This allows for changes to the studio location but maintains the requirement for it to be within the coverage area.

Further guidance

- 3.9. While Ofcom's Key Commitment Simplification (see <https://www.ofcom.org.uk/tv-radio-and-on-demand/community-radio/key-commitments>) made clear that Key Commitments will no longer include the amount of programming which will be locally-made will be included in the Key Commitments and thus will no longer form part of the licence, applicants are recommended to confirm how much locally-produced output their service would carry for illustrative purposes.
- 3.10. Applicants for a community radio licence are free to decide the extent, if at all, they propose to make use of voice-tracking, automated play-out systems or sustaining services, provided that the use of such systems or services does not prevent the proposed service from meeting the statutory requirements, or inhibit the delivery of their 'Key Commitments' through the demonstration of the 'character of service'.
- 3.11. Prospective licensees should also review Ofcom's [Compliance Principles for Key Commitments](#) and [Compliance Checklist](#) for all TV and Radio broadcasters.

General statutory requirements in relation to programming

- 3.12. The Ofcom Broadcasting Code can be found at: <https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-standards/broadcast-code/>

Ofcom produces, and regularly reviews and updates, guidance on the different sections of the Broadcasting Code. This guidance can be found on Ofcom's website here:

⁴ For this purpose, we define original output as content created by the station broadcast for the first time, and locally-produced output as content created and broadcast from within the station's coverage area

<https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-standards/programme-guidance/>

Regulation of advertising and sponsorship

- 3.13. Broadcast advertising is co-regulated by the Advertising Standards Authority (ASA). The ASA's advertising codes can be found at: <https://www.asa.org.uk/codes-and-rulings/advertising-codes/broadcast-code.html>. The regulation of broadcast sponsorship is the responsibility of Ofcom and the rules are contained within the Broadcasting Code (linked in paragraph 3.12 above).
- 3.14. Commercial communications in radio programming are regulated by Ofcom and the rules for such output are in Section Ten of the Ofcom Broadcasting Code (linked in paragraph 3.12 above).

Complaints

- 3.15. Complaints regarding community radio services will be dealt with in the same way as for other licensed radio services. Ofcom's complaints procedures for non-BBC licences can be found at <https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-standards/how-ofcom-deals-with-complaints/>
- 3.16. Licensees are required to make a recording of all output transmitted, and to retain recordings for a period of 42 days from the date of broadcast. Licensees must, at their own expense, make these recordings available to Ofcom for monitoring purposes and the investigation of complaints. Licensees should make appropriate provision for spare recording capability to enable continuity of recording in the event of a breakdown or routine maintenance. Failure to provide a recording of output when requested by Ofcom (in the course of the investigation of a listener's complaint, or for any other reason) will be considered a serious breach of licence conditions.
- 3.17. Licences also include a condition which requires the licensee to provide information to Ofcom when required. Copies of the sample community radio licences are available at <https://www.ofcom.org.uk/tv-radio-and-on-demand/community-radio/community-radio>
- 3.18. Any costs incurred by Ofcom in investigating a complaint, including the translation of material broadcast in languages other than English, may, in the event of a complaint being upheld by Ofcom, be passed on to the licensee.

Part 4: Ownership and finance issues

Ownership and control

- 4.1. Part II of Schedule 2 to the 1990 Act, as modified by the 2025 Order, sets out the categories of people or organisations that may not hold a Broadcasting Act licence. In addition, articles 5 and 6 of the 2025 Order places other restrictions on the holding of community radio licences. These disqualified persons are summarised below but the relevant legislation is set out in full at Annex A. Applicants should ensure that proposed ownership, and other aspects of the control of the station, complies fully with these requirements. Ofcom will also consider the constitutional structure and proposed governing membership of the applicant group, especially in so far as this may determine the effective control of the licence.
- 4.2. In brief, the 1990 Act specifies disqualifications which prevent individuals or bodies from becoming, or continuing as, the holder of a broadcasting licence, including a community radio licence. Disqualified persons include:
- a) **local authorities** – a limited exception is where the radio service is exclusively for the purposes of carrying out the functions of a local authority and providing information relating to their activities (see also section 349 of the 2003 Act). In all other cases they are limited to a 5% interest in any company which holds a radio licence (this refers to holding shares and would not apply to grants from a local authority to a community radio licensee). An officer of a local authority is not restricted from involvement in a radio licence;
 - b) **political bodies** - they are limited to a 5% interest in any company that holds a radio licence. However, an officer of a political body may participate in a community radio licence;
 - c) **the BBC and S4C**;
 - d) **advertising agencies** – this includes any associates of the agency (including directors). They are limited to a 5% interest in any company that does hold a radio licence.
 - e) anyone who has been convicted of any offence for unauthorised broadcasting (**‘pirate’ broadcasting**) under the Wireless Telegraphy Act 2006 or Marine & Broadcasting (Offences) Act 1967 or of an offence under section 97 of the 1990 Act. These persons cannot be involved (in any capacity at all) in the operation of the radio licence or the making of programmes included in the licensed service for five years after the date of conviction; and
 - f) **religious bodies** – this includes any associates, and prior approval from Ofcom is required for these persons to hold a radio licence. Please refer to Annex C for guidance.
- 4.3. The 2025 Order specifies that a licence holder must be a body corporate. It also states that a licence cannot be held by a BBC, Channel 4 or S4C company, nor a company which currently holds a Broadcasting Act licence, other than a licence to provide a:
- a) community radio service;

- b) digital sound programme service;
- c) restricted service (radio or television);
- d) radio licensable content service (i.e. a satellite or cable service);,
- e) television licensable content service;, or
- f) local digital television programme service,

or a company that is connected with a person who holds one or more such licences.

- 4.4. In other words, holders of local or national commercial radio licences, multiplex licences, digital additional service licences, additional service licences, Channel 3, 4, and 5 and S4C television licences, television commercial additional service licences, teletext licences and television digital programme service licences are all disqualified from controlling a community radio licence. The restrictions also apply to persons connected with the holders of such licences.
- 4.5. No company or organisation can hold more than one community radio licence at any one time. For the purposes of this restriction, a body corporate which is connected with another body corporate that holds a community radio licence will be treated as if it were also a holder of that licence. For example, the connection can be via overlapping directorships and/or ownership of companies.

Fit and proper persons

- 4.6. Under the 1990 Act, Ofcom cannot issue a licence to someone who is considered not to be a 'fit and proper' person. As the term 'fit and proper' is not defined in the 1990 Act (or any other primary legislation), it is at Ofcom's discretion as to whether it regards a person as not fit and proper to hold a licence. Should Ofcom be made aware of any evidence which suggests that an applicant may not be a 'fit and proper' person to hold a community radio licence, the applicant will be given an opportunity to make representations before Ofcom reaches a decision.

Changes in composition

- 4.7. Ofcom reserves the right to revoke a licence after it has been awarded or granted if changes take place which affect the nature or characteristics of the licensee, or there are changes in the persons having control over or interest in the licence, such that they would have affected Ofcom's decision to award the licence had the changes occurred before the award. This does not mean that all changes in the ownership of a licensee are necessarily problematic. If there are changes to your licensee, you are advised to seek advice from Ofcom as soon as possible (see paragraph 1.10 for contact details). Ofcom should be notified of any change in control promptly.

Transfer of a licence

- 4.8. A licence can only be transferred from one body to another with the written consent of Ofcom. Consent shall not be given unless Ofcom is satisfied that the person (body or company) to whom it is proposed to transfer the licence would be in a position to comply with all of the licence conditions throughout the remainder of the licence period. A licence transfer request can only be considered from the current holder of the licence. The person

to whom it is proposed to transfer the licence will be asked to provide information about the company or body that will hold the licence, evidence of funds available to the new licence-holder to sustain the service going forward, and other information as deemed appropriate at the time of the request.

Financial information required from applicants

- 4.9. As referred to in paragraph 2.8, Ofcom requires applicants to supply information about their financial (and other) resources in order to assess their ability to maintain the proposed service (as required by section 105(1)(a) of the 1990 Act, as modified by the 2025 Order). Ofcom will need to be assured that an applicant has access to adequate initial funding to establish the proposed service and has made a realistic calculation of the expected levels of costs and revenue, so that the service is capable of delivering its 'Key Commitments'.
- 4.10. Ofcom [published a statement](#) in January 2026 confirming that it would no longer require the majority of analogue community radio services to submit annual finance returns to Ofcom, unless their service overlaps with a relevant local licence (see paragraph 2.23 above for the definition of this term). Services which do not overlap with a relevant local licence are required to provide Ofcom with information in relation to how much 'Relevant Turnover' they generate through on-air commercial advertisement and sponsorship so that Ofcom can determine the correct BA fee to charge. For more information regarding what qualifies as relevant turnover, please see paragraph 4.12.

Advertising and sponsorship

- 4.11. In April 2025, the 2025 Order changed the funding rules for community radio services. These are set out in detail in paragraphs 2.21 to 2.26. In summary:
- a) The majority of community radio licences are no longer restricted from generating on-air advertising and sponsorship revenue and will no longer have a licence condition setting out the limits on such revenue.
 - b) For those community radio licences which continue to overlap with a relevant local licence (see paragraph 2.23 above for the definition of this term), conditions will be included in the licence to ensure that income from paid for on-air advertising and sponsorship does not exceed £30,000 per financial year.
- 4.12. Advertising may be broadcast in return for payment or other valuable consideration; both will count towards the limit set out above (if applicable). The restrictions on income from advertising and sponsorship refer to the sponsorship of programmes included in the service, sponsorship of the station and to income from commercial communications in programming. Income from the sponsorship of anything that is not broadcast is excluded from these limits (for example, sponsorship of a station event, website or training scheme). Income from advertising that is not broadcast (such as on a station website) is also excluded from the legislative restrictions.

Donations and philanthropic support

- 4.12. Section 105(6) of the 1990 Act, as modified by the 2025 Order, states that sponsorship "for purposes that are wholly or mainly philanthropic in nature" is also excluded from the restriction outlined at paragraph 4.10b) above. Such 'sponsorship' is

classified as a donation, and as such it may be briefly credited on-air but must be easily distinguishable from commercial sponsorship (it may not contain a sales message, for example, or be included as part of any commercial break carrying paid for spot-advertising). Such announcements are subject to Broadcasting Code rules. Ofcom would not consider funding/assistance to be philanthropic if it was dependent on the broadcaster acknowledging it on air (for example, under contractual funding arrangements).

Service level agreements

- 4.13. Service level agreements, or service contracts, under which, for example, a training scheme is paid for by the local council, are one way for community radio operators to engage with relevant statutory or voluntary sector organisations for the delivery of output of social benefit, in return for funding. These can help stations to deliver on their social gain objectives and attract income from non-commercial organisations. Income from such service level agreements does not count as advertising or sponsorship income and so is not subject to the limit referred to in paragraph 4.10b) above.

Sources of funding

- 4.14. There must be no influence on the output of a service that is contrary to the public interest, including for political ends. If, in Ofcom's opinion a person ("person 1"), by giving financial assistance or otherwise, is influencing another's (e.g. an applicant's) ("person 2") activities in a way that has led, is leading or is likely to lead, to results adverse to the public interest, then person 2 (whether a body or company) is not permitted to hold a licence.
- 4.15. Funding includes all annual income, as well as capital grants, loans and other forms of financial support, including service level agreements. It also includes the value of volunteer input (see Ofcom guidance on volunteer input <https://www.ofcom.org.uk/siteassets/resources/documents/manage-your-licence/community-radio/forms-and-guidance/volunteerinput.pdf>) and other forms of 'in-kind' support.

Broadcasting Act licence fees

- 4.18. Each licensee is required to pay an annual Broadcasting Act licence fee to Ofcom, according to a published tariff of fees, fixed and amended from time to time by Ofcom. Ofcom's Tariff Tables are available at: <https://www.ofcom.org.uk/about-ofcom/annual-reports-and-plans/tariff-tables/>. The tariff of annual Ofcom Broadcasting Act licence fees for community radio stations is as follows:
- a) A flat annual fee of £600; and
 - b) A percentage of a station's relevant turnover up to £1m. This is the same tariff as that applied to commercial radio licences. Any amount due will be offset against the £600 already paid. Relevant turnover primarily includes income from the sale of on-air advertising and sponsorship (see paragraphs 4.11 to 4.12) (less advertising agent's commission, if applicable). The percentage of relevant turnover is published in the Tariff Table each year.

Further information, including information about what qualifies as ‘Relevant Turnover’ can be found in Ofcom’s ‘Statement of Charging Principles’: <https://www.ofcom.org.uk/about-ofcom/what-we-do/statement-charging-principles/> and the Tariff Tables.

- 4.19. It should be noted that Broadcasting Act licence fees for all radio broadcasters (analogue and digital, commercial, community and restricted service) are subject to review from time to time, and these fees may be subject to change.

Wireless Telegraphy Act licences and licence fees

- 4.20. Each licensee (or its transmission provider, on its behalf) must hold a Wireless Telegraphy Act 2006 (“WTA”) licence. It is a statutory requirement of the WTA that stations or apparatus that transmit radio frequencies may only be established, installed or used under the authority of a WTA licence granted by Ofcom. The annual amount of the WTA licence fee (which is separate from, and additional to, the Broadcasting Act licence fee) is also payable to Ofcom. The WTA licence fee is £250 per annum. WTA licence fees for community radio are currently set by the Wireless Telegraphy Act (Licences Charges) Regulations 2005 (as amended by the Wireless Telegraphy Act (Licences Charges) (Amendment) Regulations 2007).
- 4.21. Separate WTA licences may also be needed for ancillary services equipment, microwave or outside broadcast links which make use of the radio spectrum. It is the responsibility of licensees to ensure that all appropriate licences are obtained (either by them or by their transmission provider) and that all relevant licence fees are paid.

Timing of licence fee payments

- 4.22. Both the Ofcom Broadcasting Act licence fee and the WTA licence fee for the first year for each community radio service are payable prior to the beginning of the licence period, i.e. the date of the commencement of broadcasting. In subsequent years, fees must be paid annually in advance on the anniversary of the licence being granted.
- 4.23. All fees are subject to alteration from time to time, and applicants are advised to check the level of fees in force at the time of applying for a licence.

Part 5: Engineering, coverage policy and technical matters

Coverage areas and power levels

- 5.1. For each station, in considering the appropriate transmission power level we take into account the station's target community, and where that community is situated, as well as the potential to cause interference to other services.
- 5.2. For services broadcasting on FM, terrain, site choice and other local factors may result in low signal levels in some locations within the licensed coverage area. Levels of incoming interference may often exceed those considered acceptable for commercial radio. Both of these constraints may mean there are locations within the licensed area where it will not be possible to receive the service satisfactorily.
- 5.3. Limits on powers and frequencies are also a statutory condition of the WTA licence for each transmitter. On FM, typically an effective radiated power (e.r.p.) of 25 watts will be used in the vertical plane. This may typically be supplemented by an additional 25 watts in the horizontal plane, if required by the applicant and local circumstances permitting. The actual power level required to reach the target community will depend primarily on aerial height and the distance to the target community. Because greater aerial height is generally the most effective approach to securing better coverage, a higher site may result in a lower e.r.p.
- 5.4. Applicants are advised to secure professional advice on the coverage which their proposals are likely to achieve. Applicants may of course make comments on issues which arise from coverage predictions, in relation to their particular objectives. Applicants should note that a large majority of community radio services will, to a lesser or greater extent, be interference limited. This means that interference from other radio services on the same, or nearby, frequencies will limit the coverage that a community radio service achieves, instead of a weak signal.

Availability of FM frequencies

- 5.5. We will accept applications for services proposing to operate on FM throughout the areas and localities identified in each round of licensing. We are not excluding any areas from the applications process on frequency availability grounds as we have done in the past. However, applicants should note that there is a shortage of suitable FM frequencies in many parts of the UK, in particular Greater London and other major conurbations i.e. Manchester, Birmingham. Because of this, all applications will first be assessed for frequency availability before any further analysis is undertaken, to ensure that only those applications for which there is an available frequency will be considered for the award of a community radio licence. This is likely to result in some applications being rejected before a full assessment against the statutory criteria has been carried out, but will ensure that only those applications for which a suitable frequency has been identified are further considered against the statutory criteria. For further details see the 'invitation of applications' document for each round, on our website at: <https://www.ofcom.org.uk/tv-radio-and-on-demand/analogue-radio/apply-for-a-radio-broadcast-licence/>.

- 5.6. Applicants should also note that Ofcom does not guarantee the availability of an FM frequency for any applicant, in any part of any area even if the area is one in which some FM frequencies may be available. Amongst others, one thing this may depend on is the applicant's chosen transmitter site and the likelihood of causing interference to other FM radio services (see below).

Information from applicants

- 5.7. Applicants should detail in their application the exact location of the transmitter (as a national grid reference of two letters and six figures, backed up by a photograph or photographs). They should indicate on the photograph where the transmitting aerial(s) is to be mounted, the height above ground this represents, and also the status of any negotiations with the site/mast owners about the agreements for site access and relevant facilities. Again, we re-iterate that Ofcom does not guarantee the availability of a suitable frequency for any applicant and/or our ability to allocate it for broadcasting from the chosen transmission site.
- 5.8. On receipt of an application we will use the proposed transmission site to check the availability of frequencies in that area to determine whether the proposed service area can be adequately served from this site. As a result, applicants should note the importance of identifying a transmission site that is suitable for the area they wish to serve. Furthermore, a licence award will be made on the basis of the transmission site included in the application (and on which the assessment of coverage suitability and frequency availability will have been based). Therefore, Ofcom is highly unlikely to agree to any request to change a transmission site once a licence has been awarded, unless the change is as a result of circumstances beyond the prospective licensee's control.

Frequency clearance

- 5.9. If awarded a licence, successful applicants must forward details of the type (and specification) of antenna to be used, and if other than a free standing omni-directional element, its dimensions and those of any significant associated metalwork, including mast or any supporting pole(s) or railings. Ofcom requires licensees to produce antenna patterns in advance of this, as these factors will have a bearing on coverage and the size of transmitter required. We expect that, other than for the simplest of designs, successful applicants will need to provide NEC (Numerical Electromagnetics Code) computer modelling of the proposed antenna and its supporting structure and immediately surrounding metalwork to confirm the pattern expected to be achieved when installed.
- 5.10. By this stage, all issues of site access and facilities, as well as planning permission, should have been settled. Any subsequent changes may need the clearance process (and timescales) to be re-initiated (and it may not be possible to achieve them). As a general guide, national and international clearance procedures, that is, obtaining agreement from other users of the spectrum to the use of a frequency, take, generally, up to six months from the date that all the required information is submitted by the operator to Ofcom.
- 5.11. We will also use the data provided to generate a WTA licence. The relevant WTA licence will not be granted until all the relevant details are settled. It is an offence under the WTA to establish, install or use stations or apparatus except under the authority of a WTA licence.

Analogue Radio Technical Code

- 5.12. Transmissions will be required to conform to Ofcom's, which is available on the Ofcom website: [Analogue Radio Technical Code](#)

For more information about coverage, applicants may also find it useful to read the Ofcom engineering document entitled 'Coverage and planning policy for analogue radio broadcasting'. This can be found on the Ofcom website at: [Coverage and planning policy for analogue radio broadcasting services](#)

Test transmissions and commissioning

- 5.13. All transmission systems need to be tested for compliance with Ofcom's Analogue Radio Technical Code and associated Wireless Telegraphy and Broadcasting Act licence conditions prior to coming into service. This is referred to as 'commissioning'. Licensees are responsible for ensuring that commissioning by a suitably competent person takes place, and that results of the commissioning tests are sent to Ofcom via email to broadcastradiocompliance@ofcom.org.uk within 10 working days of completion.

Radio Data System

- 5.14. If you intend to transmit a Radio Data System (RDS) signal, you should ask Ofcom to allocate a Programme Identification code. All RDS data must be accurate, and in accordance with the specification (IEC 62106). (Applicants should note that in the rare circumstances where Ofcom licenses a station to operate in mono only, rather than stereo, it will not be possible for the service to transmit RDS. However, for those services licensed for stereo broadcasting but which choose to broadcast in mono RDS should still be available.)

Radio links

- 5.15. If your studio and transmitter(s) are going to be at different locations, you will need some method of sending programme audio between the various points involved. This can be via one of a variety of methods, such as a leased landline, Internet Protocol (IP) connection or radio link. If you decide to use a radio link, this will normally require a WTA licence. Applications for radio link licences should be made to Ofcom. Enquiries should be sent to pmse@ofcom.org.uk.

Part 6: General requirements, licence obligations and background information

Declaration

- 6.1. Applicants are required to make a declaration to Ofcom. The declaration covers various legal matters which Ofcom needs to know about in order to ensure that we have the statutory power to grant you a broadcasting licence, should you be successful in your application. This document is published on the Ofcom website alongside the application form.
- 6.2. Successful applicants will be required to sign and return a copy of the formal 'Licensee Declaration' form before the scheduled start of broadcasting, and in any event before the grant of a licence, to the effect that the licensee complies with the relevant provisions of the 1990 Act, 2003 Act and 2025 Order.

Annual finance report

- 6.3. An annual finance report is required from each licensee which overlaps with a relevant local licence once they have been broadcasting for more than one year, to check whether relevant stations are operating within the income limit set by the legislation and in their licence conditions (see paragraphs 2.21 to 2.26 and paragraphs 4.11 to 4.12). Services which do not overlap with a relevant local licence and do not need to submit an annual finance report are required to provide Ofcom with information in relation to how much 'Relevant Turnover' they generate through on-air commercial advertisement and sponsorship so that Ofcom can determine the correct BA fee to charge.

'Key Commitments' file

- 6.4. Licensees should keep up-to-date information on their delivery of their 'Key Commitments' and financial records on file for examination, should Ofcom need to see this information. In the event of Ofcom receiving a complaint that we need to assess⁵ or if we wish to understand how a particular station is delivering its 'Key Commitments', we would ask for an explanation and evidence of what the station is doing, when and how. In addition to the specific 'Key Commitments' listed in their licence, community radio licensees are also expected to keep on file a record of their activities in relation to the provision of social gain, opportunities for participation in the service and accountability to the local community, given these requirements also form part of the 'Key Commitments'. This file will help

⁵ Complaints about a licensee's compliance with its Key Commitment or other licence conditions are assessed under Ofcom's 'General procedures for investigating breaches of broadcast licences', available at: <https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/guidance/procedures>

ensure that the station holds a complete record at all times of the work it has undertaken towards achievement of its licence obligations.

Station identification

- 6.5. We ask for the station's on-air name upon application and, once licensed, for prior notification if it is to change. Ofcom has no jurisdiction over trademarks or intellectual property, therefore notifying Ofcom of a station name does not confirm the right to use it. It is the responsibility of the licensee to check the legal implications of using a particular station name or identification. Names that may cause confusion or offence should be avoided. Applicants may find it useful to access the UK Patent Office's website, to check whether their proposed name has already been trademarked (www.ipo.gov.uk/).

Arrangements with other broadcasters

- 6.6. Ofcom is required to include conditions in a community radio licence that ensure that the licence holder does not enter into, or remain subject to, any arrangement which allows another holder of a Broadcasting Act licence or the BBC or S4C to exercise an undue influence over the nature and content of the programmes included in the community radio service.

Supply of information

- 6.7. The licence will contain provisions requiring the licensee to furnish Ofcom with such information as it may require for the purpose of exercising the functions assigned to it under the 1990 Act, the 2003 Act and the 2025 Order. This includes but is not limited to providing documents such as accounts estimates and returns, advance notice of change of control, and annual reports as requested.

Other licence conditions

- 6.8. Ofcom may include in community radio licences any other conditions that appear to us to be appropriate to:
- a) meet our duties under the 1990 Act and the 2003 Act; and
 - b) deal with incidental and supplemental matters.
- 6.9. An example of a sample community radio licence can be seen on Ofcom's website at <https://www.ofcom.org.uk/siteassets/resources/documents/manage-your-licence/community-radio/forms-and-guidance/community-radio-sample-licence.pdf> (though this is illustrative only, not a guarantee of the terms of the licence any applicant will be granted).

Sanctions

- 6.10. Ofcom is empowered to apply specific penalties in respect of breaches of licence conditions. This includes breaches of a licensee's 'Key Commitments' and the requirements of Ofcom's Broadcasting and Engineering Codes, which the licensee is required by the licence to comply with. These sanctions include the power to direct a licensee to broadcast

a statement of findings, to impose financial penalties, to shorten the licence period, suspend the licence, or to revoke the licence.

- 6.11. The imposition of a statutory sanction against a broadcaster is a serious matter. Ofcom may, following due process, impose a statutory sanction if, for example, it believes that a licensee has repeatedly, recklessly, deliberately or seriously breached the terms of its licence conditions, or Ofcom's Codes (though our powers are not limited to those cases and we may exercise them in others). Where a station is found to be in breach, the degree to which any penalty is applied must be appropriate and proportionate to the contravention in respect of which it is imposed. In addition, Ofcom must have regard to any representations made to them by or on behalf of the regulated station concerned.

Illegal broadcasters

- 6.12. As set out in paragraph 4.2e) above, anyone convicted in the past five years of an unlicensed broadcasting offence is disqualified from holding a broadcasting licence. Furthermore, every licensee must, according to the conditions of their licence, do all it reasonably can to ensure that no-one so disqualified is concerned in the operation of the station or the making of programmes included in the licensed service.

Copyright

- 6.13. Each licensee will need to enter into agreements with the copyright licensing bodies before commencing broadcasting. Copyright legislation gives to the owner of the copyright in a musical work the right to authorise a number of specific acts in relation to that work, among them the rights to broadcast the work (whether directly from a live performance or from a recording) and to make a recording of the work. The broadcasting right in virtually all copyright music (whatever its national origin or means of performance) is licensed in the United Kingdom by the Performing Right Society (PRS), whose members are the composers, lyricists, arrangers and publishers of music. The address of MCPS-PRS Alliance is PRS for Music, 1st Floor, Goldings House, 2 Hay's Lane, London, SE1 2HB. (www.prsformusic.com).
- 6.14. In addition, a separate right is granted to the makers of sound recordings. The right to broadcast copyright records is licensed on behalf of most record manufacturers by Phonographic Performance Ltd (PPL), whose address is 1 Upper James Street, London W1F 9DE (www.ppluk.com).

Sector bodies

- 6.15. The Community Media Association provides advice, information, training and consultancy for non-profit-maximising community-based radio projects; its address is 311 Wimbledon Park Road, London, SW19 6NP (www.communitymedia.uk).
- 6.16. The UK Community Radio Network was initiated shortly after the Coronavirus pandemic to further support Ofcom-licensed community radio stations; its address is 20 St, Mary's Street, Bedford, England, MK42 0AS (<https://ukcommunity.radio/>).
- 6.17. The Welsh Community Radio network supports community radio stations located in Wales (<https://wcrncymru.org/>).
- 6.18. The Cornwall Community Media Network is a collaboration of Cornish based community radio services (no webpage currently available).

Annex A

COMMUNITY RADIO ORDER 2025

This is a reproduction of the 2025 Order without the accompanying schedule which modifies certain provisions of the 1990 Act and the 2003 Act, so far as they relate to community radio. The footnotes to the 2025 Order have not been reproduced either. Please see Annex B for the relevant provisions of the 1990 Act and the 2003 Act, as modified by the Schedule to the 2025 Order.

Citation, commencement and extent

1. (1) This Order may be cited as the Community Radio Order 2025.
(2) This Order comes into force on 1st April 2025.
(3) This Order extends to England and Wales, Scotland and Northern Ireland.

Interpretation

2. (1) In this Order—
“the 1990 Act” means the Broadcasting Act 1990
“the 2003 Act” means the Communications Act 2003;
“the 2004 Order” means the Community Radio Order 2004;
“the 2019 Order” means the Small-scale Radio Multiplex and Community Digital Radio Order 2019;
“community” means—
 - (a) the persons who live or work or undergo education or training in a particular area or locality, or
 - (b) persons who (whether or not they fall within paragraph (a)) have one or more interests or characteristics in common;
“community radio licence” means a licence under Part 3 of the 1990 Act (as it has effect by virtue of this Order) to provide a community radio service;
“community radio service” means a local service having the characteristics set out in article 3;
“coverage area” means, in relation to a service provided under a local sound broadcasting licence, the area in the United Kingdom within which that service is capable of being received at a level satisfying such technical standards as have been laid down by OFCOM for the purposes of this Order;
“local authority” has the meaning given in paragraph 1(1) of Part 1 of Schedule 2 to the 1990 Act (restrictions on the holding of licences);
“potential audience” means, in relation to any local service, the persons who reside within the coverage area for that service;
“social enterprise” means a business which has as its primary objective the support of one or more projects of a social nature (rather than the production of a financial profit);

“social gain” has the meaning given by paragraph (2).

(2) In relation to a community radio service, “social gain” means the achievement, in respect of the community that the service is intended to serve, or in respect of other members of the public, of the following objectives—

- (a) the provision of sound broadcasting services to individuals who are otherwise under served by such services,
- (b) the facilitation of discussion and the expression of opinion,
- (c) the provision (whether by means of programmes included in the service or otherwise) of education or training to individuals not employed by the person providing the service, and
- (d) the better understanding of the particular community and the strengthening of links within it,

and may also include the achievement of other objectives of a social nature and, in particular, those mentioned in paragraph (3).

(3) Those objectives are—

- (a) the delivery of services provided by local authorities and other services of a social nature and the increasing, and wider dissemination, of knowledge about those services and about local amenities;
- (b) the promotion of economic development and of social enterprises;
- (c) the promotion of employment;
- (d) the provision of opportunities for the gaining of work experience;
- (e) the promotion of social inclusion;
- (f) the promotion of cultural and linguistic diversity;
- (g) the promotion of civic participation and volunteering.

(4) For the purposes of this Order, two local sound broadcasting licences overlap if (but only if) the potential audience of the service provided under either of those licences includes 50% or more of the potential audience of the service provided under the other licence.

(5) In this Order, in relation to any service which is intended to serve more than one community, any reference to the community which that service is intended to serve is to be taken to include a reference to every such community.

(6) In this Order, one person is to be treated as being connected with another person if the person would be so treated for the purposes of Schedule 2 to the 1990 Act.

Characteristics of community radio services

3. (1) It is a characteristic of community radio services that they are local services provided primarily—

- (a) for the good of members of the public, or of particular communities, and
- (b) in order to deliver social gain,

rather than primarily for commercial reasons or for the financial or other material gain of the individuals involved in providing the service.

(2) It is a characteristic of every community radio service that it is intended primarily to serve one or more communities (whether or not it also serves other members of the public).

(3) It is a characteristic of every community radio service that the person providing the service—

(a) does not do so in order to make a financial profit, and

(b) uses any profit that is produced in the provision of the service wholly and exclusively for securing or improving the future provision of the service, or for the delivery of social gain to members of the public or the community that the service is intended to serve.

(4) It is a characteristic of every community radio service that members of the community it is intended to serve are given opportunities to participate in the operation and management of the service.

(5) It is a characteristic of every community radio service that, in respect of the provision of that service, the person providing the service makes themselves accountable to the community that the service is intended to serve.

Application of broadcasting legislation

4. Part 3 of the 1990 Act (independent radio services) and Part 3 of the 2003 Act (television and radio services etc.) have effect in relation to a community radio service with the modifications set out in the Schedule.

Disqualified persons

5. (1) In addition to the modifications made by article 4 of, and the Schedule to, this Order, Part 2 of Schedule 2 to the 1990 Act (disqualifications for holding licences)(9) has effect in relation to community radio licences as if the persons who are disqualified persons by virtue of that Part of that Schedule included, in relation to such licences, any person falling within paragraph (2).

(2) Those persons are—

(a) any person who is not a body corporate,

(b) any body corporate falling within paragraph (3), and

(c) any C4 company or S4C company that would not otherwise be a disqualified person by virtue of paragraph (3).

(3) A body corporate falls within this paragraph if—

(a) that body holds at least one relevant Broadcasting Act licence, or

(b) that body is connected with a person who holds one or more such licences.

(4) In this article, a relevant Broadcasting Act licence is a Broadcasting Act licence which is not a licence to provide one of the following services—

(a) a community radio service;

(b) a digital sound programme service;

(c) a restricted service;

(d) a radio licensable content service;

- (e) a restricted television service;
- (f) a television licensable content service;
- (g) a local digital television programme service.

Restrictions on holding of community radio licences

6. (1) No body corporate may hold more than one community radio licence at any one time.
- (2) For the purposes of this article, any body corporate which is connected with another such body which holds such a licence is to be treated as if it also were a holder of that licence.

Revocation

7. The following enactments are revoked—
- (a) the 2004 Order;
 - (b) the Community Radio (Amendment) Order 2010;
 - (c) the Community Radio (Amendment) Order 2015.

Transitional provision for community radio

8. (1) Anything done, or being done, under Part 3 of the 1990 Act, as that Part had effect by virtue of the 2004 Order, is to be treated as having been done, or being done, under Part 3 of the 1990 Act, as that Part has effect by virtue of this Order, including but not limited to—
- (a) the award or grant of a community radio licence under Part 3 of the 1990 Act;
 - (b) the variation of a community radio licence under section 86(5) of the 1990 Act;
 - (c) the enforcement of a community radio licence under sections 109 to 111 and 111B of the 1990 Act.
- (2) A community radio licence extended, on one or more occasions, under section 253A of the 2003 Act (extension of community radio licences), as that section had effect by virtue of the 2004 Order, is to be treated as having been extended, for the same number of occasions, under section 253A of the 2003 Act, as that section has effect by virtue of this Order.
- (3) A condition included in a community radio licence pursuant to section 105(4) to (6) of the 1990 Act, as it had effect by virtue of the 2004 Order (income restrictions relating to advertisements and sponsorship), is treated as not being so included in the licence on or after 1st April 2025.
- (4) Paragraph (b) of section 86(5) of the 1990 Act (licence holder representations about a variation of a licence), as it has effect by virtue of this Order, does not apply in relation to the variation by OFCOM of a community radio licence under that section for the purposes of including a condition in the licence pursuant to section 105(2) of the 1990 Act, as it has effect by virtue of this Order.

Amendment of the Small-scale Radio Multiplex and Community Digital Radio Order 2019

9. (1) The 2019 Order is amended as follows.
- (2) In article 2(1) (interpretation), in the definition of “community radio service”, for “Community Radio Order 2004” substitute “Community Radio Order 2025”.

(3) Omit article 7.

(4) In Part 1 of the Schedule (modifications of Part 2 of the 1996 Act in relation to small-scale radio multiplex services)—

(a) in paragraph 6(f), omit paragraph (i);

(b) in paragraph 6, omit sub-paragraph (g);

(c) in paragraph 7(c), in paragraph (i), for “, (d) and (e) were” substitute “was”;

(d) in paragraph 7(c), omit paragraph (iv);

(e) in paragraph 10(b), in paragraph (iii), omit the words from “and at the end” to the end;

(f) in paragraph 10(b), omit paragraph (iv);

(g) in paragraph 12(e), omit paragraph (ii).

(5) In Part 2 of the Schedule (modifications of Part 2 of the 1996 Act in relation to community digital sound programme services), in paragraph 18, in the modifications to the 1996 Act, omit section 61A.

(6) In Part 3 of the Schedule (modifications of Part 2 of the 1996 Act in relation to small-scale radio multiplex and community digital sound programme services), in paragraph 21, in the modifications to the 1996 Act, omit the definition of the “2004 Order”.

Transitional provision for community digital radio

10. A condition included in a community digital sound programme licence pursuant to section 61A of the 1996 Act, as it had effect by virtue of the 2019 Order (advertising restrictions for community digital sound programme services), is treated as not being so included in the licence on or after 1st April 2025.

Parliamentary Under Secretary of State

Department for Culture, Media and Sport

Annex B

KEY SECTIONS OF THE BROADCASTING ACT 1990

This annex sets out the sections of the 1990 Act (as amended by the 2003 Act) that have been modified by the 2025 Order.

Licences

Section 86 – Licence under Part III

(1) [Unchanged by the 2025 Order]

(2) [Unchanged by the 2025 Order]

(3) A licence to provide a community radio service must specify a period of no more than ten years as the period for which it is to be in force.

(4) – (9) [Unchanged by the 2025 Order]

Applications for licences

Section 104

(1) Where OFCOM propose to grant a licence to provide a community radio service, they shall publish, in such a manner as they consider appropriate, a notice-

- (a) stating that they propose to grant such a licence;
- (b) specifying any areas or localities in the United Kingdom in relation to which no applications may be made;
- (c) inviting applications for the licence and specifying the closing date for applications; and
- (d) stating the fee payable on any application made in pursuance of the notice.

(2) Any application made in pursuance of a notice under subsection (1) must be in writing and accompanied by –

- (a) the fee specified in the notice under paragraph (d) of that subsection;
- (b) the applicant's proposals for providing a service that would –
 - (i) cater for the tastes and interests of persons comprising the relevant community or for any particular tastes and interests of such persons,
 - (ii) broaden the range of programmes available by way of local services to persons comprising of that community;
 - (iii) broaden the range of local services provided in the area or locality in which the proposed service would be provided, and
 - (iv) be of a nature or have a content distinct from that of any community radio service the licence for which would overlap with that for the proposed service;

(c) evidence that the provision of the service will result in the delivery of significant social gain to the public or the relevant community;

(d) such information as OFCOM may reasonably require-

(i) as to the applicant's present financial position and ~~his~~ projected financial position (with regard, in particular, to the number and nature of any persons from whom the applicant proposes to receive the income required to provide the proposed service and the proportion of that income that the applicant proposes to receive from each of those persons) during the period for which the licence would be in force, and

(ii) as to the arrangements which the applicant proposes to make for, and in connection with, the transmission of the proposed service, and

(e) such other information as OFCOM may reasonably require for the purpose of considering the application.

(3) At any time after receiving such an application and before determining it OFCOM may require the applicant to furnish additional information under subsection (2)(b), (c) or (d) or (e).

(4) OFCOM shall, at the request of any person and on the payment by that person of such sum (if any) as OFCOM may reasonably require, make available for inspection by that person any information furnished under subsection (2) (b) or (c) by the applicants for a community radio licence.

(5) In this section and sections 105 and 106 "programme" does not include an advertisement.

Sections 104A (renewal of local licences), section 104AA (further renewal of local licences), section 104AB (renewal under section 104AA: nomination of national services) and section 104AC (variation of conditions relating to digital services) do not have effect.

Grant of licences

Section 105

(1) Where OFCOM have published a notice under section 104 (1), they must, in determining whether, or to whom, to grant the community radio licence in question, have regard to the following matters –

(a) the ability of each of the applicants for the licence to maintain, throughout the period for which the licence would be in force, the service which the applicant proposes to provide;

(b) the extent to which any such proposed service would cater for the tastes and interests of persons comprising the relevant community, and, where it is proposed to cater for any particular tastes and interests of such persons, the extent to which the service would cater for those tastes and interests;

(c) the extent to which any proposed service would broaden the range of programmes available by way of local services to persons living in the area or locality in which it would be provided, and, in particular, the extent to which the service would be of a nature or have a content distinct from that of any other community radio service the licence for which would overlap with the licence for the proposed service;

(d) the extent to which there is evidence, that, amongst persons living in that area or locality, there is a demand for, or support for, the provision of the proposed service;

- (e) the extent to which the provision of any such proposed service would result in the delivery of social gain to the public or relevant community;
 - (f) the provision that each of the applicants proposes to make in order to render themselves accountable to the relevant community in respect of the provision of the proposed service;
 - (g) the provision that each of the applicants proposes to make to allow for access by members of the relevant community to the facilities to be used for the provision of the service and for their training in the use of those facilities.
- (2) Every licence to provide a community radio service that overlaps with a relevant local licence must include such conditions as appear to OFCOM to be appropriate for ensuring that the relevant income for that community radio licence as is attributable to any arrangement for –
- (a) the inclusion in that service of any remunerated advertisement, and
 - (b) the sponsorship of any programmes included in that service,
- does not, in any financial year of the holder of the licence, exceed £30,000.
- (3) For the purposes of subsection (2), a local licence is a relevant local licence where –
- (a) the service provided by the licence is not a community radio service,
 - (b) the potential audience of that service includes no more than 150,000 persons who have attained the age of 15 years,
 - (c) the licence was granted before 1st April 2025, and
 - (d) the licence has not been varied pursuant to section 106(1A)(e) before 17th October 2024.
- (4) The Secretary of State may request OFCOM to review whether the £30,000 figure in subsection (2) remains appropriate.
- (5) In this section –
- “relevant income”, in relation to any community radio licence, means any payment or other financial benefit (whether direct or indirect) attributable to the provision of the service under that licence which any relevant person has received, will receive or is or will be entitled to receive in the financial year in question;
 - “relevant person”, in relation to a community radio licence, means the holder of that licence and every person who is connected with that person; and
 - “remunerated advertisement”, in relation to a service provided under a community radio licence, means any advertisement included in that service for which any relevant person has received, will receive or is or will be entitled to receive, any payment or other financial benefit (whether direct or indirect) in consideration for so including it.
- (6) Any reference in this section to sponsorship does not include a reference to any payment made, or other financial benefit (whether direct or indirect) conferred, by a person for purposes that are wholly or mainly philanthropic in nature.

Requirements as to character and coverage of services

Section 106

(1) A community radio shall include such conditions as appear to OFCOM to be appropriate for securing that the character of the licensed service, as proposed by the licence holder when making his application, is maintained during the period for which the licence is in force.

(1A) Conditions included in a licence for the purposes of subsection (1) may provide that OFCOM may consent to a departure from the character of the licensed service if, and only if, they are satisfied –

- (a) that the departure would not substantially alter the character of the service;
- (b) that the departure would not narrow the range of programmes available by way of community radio services to persons comprising the relevant community;
- (c) that, there is evidence that, amongst persons comprising that community, there is a significant demand for, or significant support for, the change that would result from the departure;
- (d) that the departure would not be prejudicial to the access by members of that community to the facilities used for the provision of the service and for training in the use of those facilities; or
- (e) that the departure would not be prejudicial to the delivery of social gain resulting from the provision of the service provided under that licence.

(1B) The matters to which OFCOM must have regard in determining for the purposes of this section, the character of a service provided under a community radio licence include, in particular, the selection of spoken material and music in programmes included in the service.

(1C) Without limiting subsection (1), a community radio licence must include such conditions as appear to OFCOM to be appropriate for securing that the holder of the licence does not enter into, or remain subject to, any arrangement if an effect of that arrangement is to allow another holder of a Broadcasting Act licence or the BBC or S4C to exercise an undue influence over the nature and content of the programmes included in the service provided under that licence.

(1D) In subsection (1C), “arrangement” includes any agreement or arrangement with one or more other persons, whether or not it is, or is intended to be, legally enforceable.

(2) Without limiting subsections (1) to (1D), a community radio licence must include such conditions as OFCOM consider are appropriate to ensure that the licence holder provides the service described in the application for that licence.

(3) [Unchanged by the 2025 Order]

(4) Subject to subsection (5), OFCOM may, if they think fit, authorise the holder of a community radio licence, by means of a variation of his licence to that effect, to provide the licensed service for any additional area or locality adjoining the area or locality in which that service has previously been licensed to be provided.

(5) OFCOM shall only exercise the power conferred on them by subsection (4) if it appears to them –

- (a) that to do so would not result in a significant increase of the area or locality in which the service in question is licensed to be provided; or
- (b) that the increase that would result is justifiable in the exceptional circumstances of the case.

(6) As soon as practicable after OFCOM have exercised that power in relation to any service, they shall publish, in such manner as they consider appropriate, a notice –

- (a) stating that they have exercised that power in relation to that service; and
- (b) giving details of the additional area or locality in which that service is licensed to be provided.

(7) In this section “relevant independent radio services” means the following services so far as they are services falling to be regulated under section 245 of the Communications Act 2003 –

- (a) sound broadcasting services;
- (b) radio licensable content services;
- (c) additional services;

but, in relation to a departure from the character of a service provided under a community radio licence, does not include a service that is provided otherwise than wholly or mainly for reception by persons comprising the relevant community in question.

Section 106ZA

(1) Before deciding for the purposes of a condition imposed under subsection (1A) of section 106 whether to consent to a departure from the character of a service provided under a community radio licence on any of the grounds mentioned in paragraphs (b) to (e) of that subsection, OFCOM must publish a notice specifying—

- (a) the proposed departure; and
- (b) the period in which representations may be made to OFCOM about the proposal.

(2) That period must end not less than 28 days after the date of publication of the notice.

(3) The notice must be published in such manner as appears to OFCOM to be appropriate for bringing it to the attention of the persons who, in OFCOM’s opinion, are likely to be affected by the departure.

(4) OFCOM –

- (a) are not required to publish a notice under this section, and
- (b) may specify a period of less than 28 days in such a notice as the period for representations,

if they consider that the publication of the notice, or allowing a longer period for representations, would result in a delay that would be likely prejudicially to affect the interests of the licence holder.

(5) OFCOM are not required under this section –

- (a) to publish any matter that is confidential in accordance with subsection (6) or (7), or
- (b) to publish anything that it would not be reasonably practicable to publish without disclosing such a matter.

(6) A matter is confidential under this subsection if –

- (a) it relates specifically to the affairs of a particular body, and

(b) its publication would or might, in OFCOM's opinion, seriously and prejudicially affect the interests of that body.

(7) A matter is confidential under this subsection if –

(a) it relates specifically to the private affairs of an individual, and

(b) its publication would or might, in OFCOM's opinion, seriously and prejudicially affect the interests of that individual.

Definitions of certain terms have been inserted into section 126 of the 1990 Act and some modifications have been made to Schedule 2 to the 1990 Act, for the purposes of community radio, by the 2025 Order. Applicants should consult the Schedule to the 2025 Order⁶ for details.

KEY SECTIONS OF THE COMMUNICATIONS ACT 2003

Section 245

(1) [Unchanged by the 2025 Order]

(2) [Unchanged by the 2025 Order]

(3) [Unchanged by the 2025 Order]

(4) For the purposes of this section—

(a) [Unchanged by the 2025 Order]

(b) [Unchanged by the 2025 Order]

(ba) a service is a community radio service if it is a local service having the characteristics set out in article 3 of the Community Radio Order 2025.

[Section 253 no longer applies to community radio]

Section 253A

(1) A person who holds a community radio licence may apply to OFCOM for four extensions of the licence.

(2) The period for which a licence may be extended, for each of the first three extensions, is a period ending not more than five years after the date the licence would otherwise expire.

(3) The period for which a licence may be extended, for the fourth extension, is a period ending not more than ten years after the date the licence would otherwise expire.

(4) An application under subsection (1) may only be made in the period which—

⁶ <https://www.legislation.gov.uk/ukdsi/2025/9780348266900>

(a) begins eighteen months before the date on which the licence would otherwise expire;
and

(b) ends –

(i) where the application is for a fourth extension and the licence would otherwise expire before 1st November 2025, eight weeks before the date on which the licence would otherwise expire, or

(ii) in other cases, six months before the date on which the licence would otherwise expire.

(5) An application under subsection (1)—

(a) must be made in such manner,

(b) must contain such information about the applicant, the applicant's business and the service the applicant proposes to provide, and

(c) must be accompanied by such fee (if any), as OFCOM may determine.

(6) If, on an application for an extension under subsection (1), OFCOM are satisfied as to the matters mentioned in subsection (7), they must modify the licence by extending the period for which the licence is to be in force by such period authorised by subsection (2) or (3) as they think fit.

(7) Those matters are—

(a) the ability of the licence holder to maintain the service for the period of the extension;
and

(b) the licence holder would, if the licence were extended, be in a position to comply with the conditions included in the licence in pursuance of section 106 of the 1990 Act.

Sections 314 (local news and information in local sound broadcasting services) does not have effect.

Annex C

GUIDANCE ON THE INVOLVEMENT OF RELIGIOUS BODIES

1. This guidance is relevant to the applications of the provisions set out at Part 2 of Schedule 2 to the 1990 Act and Part 4 of Schedule 14 to the 2003 Act.
2. This guidance applies to any applicant for a broadcasting licence:
 - a. whose objects are wholly or mainly of a religious nature;
 - b. that is controlled by a body or bodies whose objects are wholly or mainly of a religious nature;
 - c. that controls a body whose objects are wholly or mainly of a religious nature;
 - d. that is an associate of a body corporate whose objects are wholly or mainly of a religious nature;
 - e. that is a body corporate in which a body falling within paragraphs 2(a) to (d) holds more than a 5 percent interest;
 - f. who is an officer of a body falling with paragraph 2(a); or
 - g. that is a body which is controlled by one or more individuals falling within paragraph 2(f).
3. Ofcom will consider applications from applicants described in paragraph 2 for the following broadcasting licences in accordance with the guidance set out in this note:
 - a. a restricted (television) service licence within the meaning of Part 1 of the 1990 Act;
 - b. a digital (television) programme service licence within the meaning of section 18 of the Broadcasting Act 1996 for the purposes of Part 1 of that Act;
 - c. a digital (television) additional service licence within the meaning of section 25 of the Broadcasting Act 1996 for the purposes of Part 1 of that Act;
 - d. a television licensable content service licence within the meaning of Part 3 of the 2003 Act;
 - e. a local analogue sound programme service licence within the meaning of section 245 of the 2003 Act;
 - f. a restricted (radio) service licence within the meaning of section 245 of the 2003 Act;
 - g. a radio licensable content service licence within the meaning of section 247 of the 2003 Act;
 - h. a local or national digital sound programme service licence within the meaning of section 60 of the Broadcasting Act 1996 for the purposes of Part 2 of that Act; and
 - i. a digital additional sound service licence within the meaning of section 64 of the Broadcasting Act 1996 for the purposes of Part 2 of that Act.

4. In accordance with paragraph 2(1A) of Part 2 of Schedule 2 to the 1990 Act (as amended by the Communications Act 2003), religious bodies are not eligible to hold the following licences:
 - a. a Channel 3 licence;
 - b. a Channel 5 licence;
 - c. a national sound broadcasting licence;
 - d. an additional television service licence;
 - e. a television multiplex licence; or
 - f. a radio multiplex licence.
5. Pursuant to paragraph 2(1) of Part 2 of Schedule 2 to the 1990 Act, paragraphs 9 and 10 [Articles 9 and 10] of Schedule 1 to the Human Rights Act 1998, and paragraph 15 of Schedule 14 to the 2003 Act, Ofcom will consider the appropriateness of religious bodies to hold Broadcasting Act licences provided they do not:
 - a. practise or advocate illegal behaviour;
 - b. practise or advocate behaviour which is injurious to the health or morals of participants or others;
 - c. practise or advocate behaviour which infringes the rights and freedoms of participants or others;
 - d. pose a threat to public safety;
 - e. pose a threat to national security or territorial integrity; or
 - f. threaten the authority and impartiality of the judiciary.
6. Ofcom will also need to be satisfied that the applicant meets the requirements placed upon all prospective licensees, including the requirements:
 - a. to be a fit and proper person (section 3(3) *[and 86(4) for radio]* of the 1990 Act). This requirement will also apply to the directors and chief officers of any corporate body intended to hold the licence, and of any person or associated corporate body of the applicant deemed to have control of the applicant for the purposes of section 357 of the 2003 Act *[and Schedule 2 of the 1990 Act]*;
 - b. in accordance with section 3(7) of the 1990 Act, to be in a position to comply with other licence conditions placed upon broadcasters, including compliance with:
 - i. Ofcom's fairness and privacy requirements (section 107 of the Broadcasting Act 1996);
 - ii. complaints handling procedures (section 328 of the 2003 Act);
 - iii. obligations to retain and produce recordings (section 334 of the 2003 Act);
 - iv. relevant international obligations (section 335 of the 2003 Act);
 - v. equal opportunities and training requirements (section 337 of the 2003 Act); and
 - c. to comply with the media ownership rules applying from time to time in accordance with Schedule 14 of the 2003 Act.

7. Ofcom may seek evidence from the applicant and advice from other parties on the matters referred to in paragraphs 1, 4 and 5 above before making a determination. In the event that the applicant makes false or incomplete representations, Ofcom may revoke the licence in accordance with relevant provisions of the 1990 Act if it has been issued, or if a licence has not been issued, may determine that it is not appropriate for the applicant to hold one.
8. If, having made a determination under paragraph 15 of Schedule 14 to the 2003 Act that a body outlined in paragraph 2 may hold one or more of the licences described in paragraph 3 above, Ofcom is satisfied that a licensee:
 - a. is in breach of the restrictions set out in paragraph 5 above;
 - b. is no longer a fit and proper person;
 - c. is in breach of the media ownership rules referred to in paragraph 6(c) above; or
 - d. has committed a breach of its licence conditions that is serious enough to warrant licence revocation,

it may revoke that determination. In that event, the licensee shall cease to be eligible to hold the licence and its licence will be revoked.

Annex D

Frequently asked questions

Q. What is community radio?

Community radio stations are radio services which provide community benefits and run on a not-for-profit basis. Generally, stations are focused on broadcasting to and involving their own particular target community - either everyone in the broadcast area or a community of interest (such as a particular ethnic group, age group or interest group). They involve local volunteers in providing the service and bring community benefits such as training and community news and discussion. They generally have a small coverage area.

Community radio is a separate tier of radio, different from both commercial radio and BBC radio, and each station is separately owned. Stations can carry advertising and sponsorship, but there is a limit on how much income some stations can take from this source. Licences can be applied for only when applications are invited. A licence runs for five years, can be extended three times each for five year periods then for ten years for a fourth period, and is licensed to broadcast on FM or AM.

Q. What does not-for-profit mean?

The not-for-profit (or non-profit distributing) requirement means that you cannot give any profits generated by the community radio station to shareholders for example, or to benefit the people running the service. This requirement does not prevent stations from paying staff. Any profit or surplus must be used for securing or improving the future provision of the radio service or for delivering social gain/community benefits to the station's target community.

Q. Can I broadcast adverts and what are the funding rules?

Any community radio station can broadcast advertisements and sponsorship, but there are limits on income from these sources for a small number of analogue community radio services. Community radio licences which overlap with a relevant local licence (i.e., a licence providing a non-community (commercial) radio service) will have their income from paid for on-air advertising and sponsorship limited to £30,000 per financial year.

All other community radio stations no longer have any limits on the income they can generate from on-air advertising and sponsorship revenue, as a result of changes made to the relevant legislation by the Community Radio Order 2025.

Q. How do I apply for a community radio licence?

We can only accept applications for community radio licences as part of a licensing round, and not at any other time. We will publish an 'invitation of applications for community radio licences' when we are accepting application. This document specifies the closing date for applications and gives other relevant information for the localities in question. The application form available on our website sets out the information we will need to judge your proposals against the requirements in the legislation. In addition, these 'notes of guidance for community radio applicants and licensees' set out the various legislative requirements for community radio licence holders.

Q. How do I choose a good site for my transmitter?

We would advise applicants to seek professional technical advice on transmission issues, including where to site the transmitter. Here are some points you will need to consider for FM:

- “Height is might”; as a general rule of thumb, the higher the transmitter is in relation to the desired coverage area, the better in terms of likely coverage (if your antenna is surrounded by taller buildings, coverage will be affected)
- In simple terms FM coverage is usually by ‘line of sight’ (as well as being dependent on incoming interference and other factors). What can you see from where the antenna is planned?
- Is the site secure and would access be problematic?
- Will it be cost effective and affordable over the duration of the licence? Is planning permission required? Listed buildings can be particularly problematic.
- What would be required for the transmitter to be linked to the studio site?
- Are there health and safety implications?
- Is there an available electricity supply?
- How easy would it be to install the antenna and equipment or would there be cost implications?
- Are there other users or local residents to be borne in mind?

Q. I’ve been awarded a community radio licence. What happens now?

Successful applicants are given a period of two years from the date of award to launch their service. Ofcom will send a letter confirming the licence award and setting out the next steps.

Confirmation of transmitter site details will be required before we start the formal frequency allocation and clearance process (please don’t assume your site can be changed from that proposed in the application – this may not be possible). The frequency clearance process can take up to six months.

Your station’s ‘Key Commitments’ will have been drafted by you as part of the application process. As you near the station launch date, these will be discussed with you and formally agreed by Ofcom (we aim to work with you, but Ofcom has the final say). You will be required to complete and return a legal declaration (a ‘Licensee Declaration’ form) regarding the licensee (listing the directors of the company, for example). Once you are nearing your launch date you will need to arrange for your transmitter to be commissioned (which can be done by Ofcom, see paragraph 5.16). You can then broadcast test transmissions (for up to four weeks), before your launch. The community radio licence is issued at the commencement of full broadcasting (after test transmissions), and the ten-year licence period starts at this point.

It is vital during this pre-launch period that you keep Ofcom informed of any changes to station contact details, and it is helpful for us to be kept informed on progress.

Q. What other radio options are there for me?

Internet radio: A station which only broadcasts over the internet does not need a licence from Ofcom. However, as with any licensed service, you would still need the appropriate licences in place from the music royalty collection agencies, PPL (www.ppluk.com) and PRS for Music (www.prsformusic.com) to play any copyright music.

Temporary FM or AM licence: Restricted service licences (short-term) are available from Ofcom. Information relating to these licences can be found at <https://www.ofcom.org.uk/tv-radio-and-on-demand/analogue-radio/apply-for-a-radio-broadcast-licence/>. An RSL-Event is for broadcasting on FM (or AM) for up to a usual maximum of 28 days. Coverage areas are typically a 3km radius in an

urban area, or a 5+km radius in a rural area. Groups outside London can broadcast twice a year (with a four-month separation gap between each broadcast); groups in Greater London can operate one S-RSL a year. The application fee is £400 and details of the daily charges can be found in annex 2 of the notes of guidance. The RSL team can be contacted with any further queries:

rsl.enquiries@ofcom.org.uk.

Broadcasting on DAB digital radio: Community Digital Sound Programme (C-DSP) licences are for community radio stations wishing to broadcast on DAB digital radio. They were introduced in 2020 primarily with broadcast via small-scale radio multiplex services in mind, although they also allow for broadcast on local radio multiplex services. These could be existing analogue community radio services wishing to make themselves available to local people on DAB digital radio as well as analogue, or brand-new services wanting to broadcast on DAB only. The application form and guidance notes can be found on the Ofcom website (<https://www.ofcom.org.uk/tv-radio-and-on-demand/digital-radio/advertisements/>).

Alternatively, a Digital Sound Programme Service (DSPS) licence can be applied for if you want to provide a service on a digital multiplex for a digital (DAB) radio service. The licence runs indefinitely unless Ofcom has reason to revoke it or the holder wishes to surrender it. The application fee is £250 (non-refundable) and there is an annual licence fee of £100 (<https://www.ofcom.org.uk/tv-radio-and-on-demand/analogue-radio/apply-for-a-radio-broadcast-licence/>). You would need to contact the relevant local multiplex owner, before applying, to discuss a place on their platform to broadcast the service and the associated fees. A directory of DAB multiplex operators can be found at: <https://static.ofcom.org.uk/static/radiolicensing/html/radio-stations/digital/digital-multiplexes-main.htm>

If you already broadcast a radio service via the provision of a C-DSP or DSP licence and are applying to simulcast that content via an analogue community radio licence, please note that it must be the same legal entity who owns and controls both radio licences.

Broadcasting on cable or satellite (e.g. Sky): A Radio Licensable Content Service (RLCS) licence is required if you wish to provide a service on cable or satellite. It runs indefinitely unless Ofcom has reason to revoke or the holder wishes to surrender the licence. The application fee is £250 (non-refundable) and the annual licence fee is £575. You would have to contact BSkyB or the local operator to discuss access to their services and the fees involved.

If you have any further queries about DSPS or RLCS licences please contact the Broadcast Licensing team broadcast.licensing@ofcom.org.uk.

Analogue (FM or AM) commercial radio licence: Ofcom currently has no plans to invite applications for new FM or AM commercial radio licences. However, for information regarding the planned timetable for the re-advertisement of existing local analogue commercial radio licences, and how to apply, please see the information on our website. <https://www.ofcom.org.uk/tv-radio-and-on-demand/analogue-radio/apply-for-a-radio-broadcast-licence/>