

Revocation of the Derby small-scale radio multiplex licence award

Background

Under section 51(6) of the Broadcasting Act 1996 (as modified by the Small-scale Radio Multiplex and Community Digital Radio Order 2019), Ofcom may revoke the award of a small-scale radio multiplex licence where the licence itself has not yet been granted and Ofcom has reasonable grounds for believing that the person to whom the licence was awarded will not provide the service within 18 months of the date of the award.

Decision

Ofcom has taken the decision to revoke the licence award we made on 08 June 2023 to Derby DAB Limited ('Derby DAB') in relation to the Derby small-scale radio multiplex service.

This is on the basis that the statutory conditions for revocation as set out above have been met. Firstly, the awarded licence has not yet been granted. Secondly, we have reasonable grounds to believe the service will not be provided within 18 months of award (i.e. by 08 December 2024), as Derby DAB has asked that the award to be withdrawn.

Next steps

Derby DAB has said it would welcome the opportunity to re-apply for this licence should Ofcom decide to re-advertise it. Ofcom will therefore consider re-advertising the Derby small-scale multiplex licence at a later date.

Should we decide in principle to do so, it may be appropriate to adjust the advertised area if, to the extent there is interest in establishing a small-scale multiplex in the area, views have changed on the most appropriate area to be covered. Any potential applicant expressing an interest may also wish to express a view on that issue, and on the timing of any potential re-advertisement.

