

# Small-scale radio multiplex licence award: Huddersfield

## Background

---

Ofcom has decided to award a new small-scale radio multiplex licence for Huddersfield to the sole applicant, Huddersfield DAB Limited.

In considering the applications it receives for small-scale radio multiplex licences, Ofcom is required to have regard to each of the statutory criteria set out in section 51(2) of the Broadcasting Act 1996 as modified by the Small-scale Radio Multiplex and Community Digital Radio Order 2019. These are as follows:

1. the extent of the coverage area (within the area or locality specified in the Ofcom notice inviting applications) proposed to be achieved by the applicant in the technical plan submitted in its application; (section 51(2)(a))
2. the ability of the applicant to establish the proposed service; (section 51(2)(c))
3. the desirability of awarding the licence to an applicant that:
  - a. is a person providing or proposing to provide a community digital sound programme service in that area or locality, or
  - b. has as a participant a person providing or proposing to provide a community digital sound programme service in that area or locality; (section 51(2)(ca))
4. the extent to which there is evidence that, amongst persons providing or proposing to provide community or local digital sound programme services in that area or locality, there is a demand for, or support for, the provision of the proposed service; (section 51(2)(f)) and
5. whether, in contracting or offering to contract with persons providing or proposing to provide community or local digital sound programme services, the applicant has acted in a manner calculated to ensure fair and effective competition in the provision of those services. (section 51(2)(g)).

The legislation does not rate these requirements in order of priority, but it may be that Ofcom will regard one or more of the criteria as being particularly important in view of the characteristics of the licence to be awarded and the applications for it.

## Assessment

---

On 19 April 2024, Ofcom published a notice inviting applications for licences to provide small-scale radio multiplex services in localities including Huddersfield.

By the closing-date of 18 July 2024, Ofcom had received one application for Huddersfield. This was from Huddersfield DAB Limited ("Huddersfield DAB"). Copies of the non-confidential parts of the

application were made available for public scrutiny on the Ofcom website, and public comment was invited as required under section 50(7), although none was received.

Ofcom colleagues assessed the detail of the application, including carrying out an assessment of the technical plan required to be submitted as part of all applications. The decision in relation to Huddersfield was made by a panel of Ofcom decision makers which convened on 15 November 2024. They carefully considered the application and professional advice from Ofcom colleagues. They applied the statutory criteria in reaching their decision on whether to award a licence to the sole applicant. Reasons for their decision to award a licence to Huddersfield DAB are summarised below.

In relation to section 51(2)(a), the applicant proposed using one transmitter to provide its service. Ofcom calculations indicate that this would result in just over 63% of the adult population in the advertised licence area being able to receive the service. Ofcom's coverage predictions indicated that the proposed small-scale radio multiplex service would be available to well under 40% of the population in the licensed areas of each of the overlapping Bradford & Huddersfield and Leeds local radio multiplexes, with no mitigation required to comply with this threshold. Overspill outside the advertised area was predicted to be slightly over 30% of the population of the advertised area, but this could be addressed with a minor power reduction. Ofcom did not consider that mitigations were likely to be necessary to address hole punching or co-channel interference. The mitigation for overspill reduced predicted coverage slightly, but it remained at approximately 63%. Decision makers noted that the coverage was reasonably good overall, with robust coverage in Huddersfield, albeit with limited coverage in the northern part of the advertised area around Elland.

In relation to section 51(2)(c), Ofcom considered the applicant's financial and business plan, technical plan, the timetable for coverage roll-out, and evidence of relevant expertise and experience. Decision makers noted that the applicant had provided limited evidence in relation to availability of funding, and it was heavily reliant on a single source of funds, meaning there were some risks around ability to establish the service. However, they also noted that Huddersfield DAB's use of a single transmitter site, whilst limiting predicted coverage in the north of the advertised area as noted above, had advantages in terms of reducing complexity and cost. The majority shareholder in the applicant had a good level of experience in community radio in the local area, and clearly had a level of commitment to establishing the service in Huddersfield. Overall, decision makers had a sufficient level of confidence in the applicant's ability to establish the service within the 18-month period allowed by legislation to justify the making of an award to the sole applicant.

In relation to section 51(2)(ca), one participant in the applicant, Communities Together, proposed to provide C-DSP services on the multiplex. Decision makers noted that one of the services, Radio Sangam, is an existing analogue community radio service in Huddersfield, therefore having a good prospect of being available on the multiplex from launch (the other being a proposed new service from the same provider). Its level of participation (a 10% shareholding) was relatively modest, but its involvement was nonetheless viewed as a positive aspect of the application.

In relation to section 51(2)(f), Ofcom considered evidence of demand or support from persons providing or proposing to provide community or local digital sound programme services (C-DSP and DSP services) in the advertised area. As well as the two C-DSP services proposed by a participant as noted above, eight expressions of interest had been received from DSPs. Decision makers noted this was a reasonably good level of demand and support in the context of the area, albeit four of the services were proposed by participants in the application and there may be more scope to extend interest in the period between award and launch, supporting the long-term viability of the multiplex.

In relation to section 51(2)(g) and based on the evidence received, Ofcom was satisfied that the applicant had, in contracting or offering to contract with persons providing or proposing to provide community or local digital sound programme services, acted in a manner calculated to ensure fair and effective competition in the provision of those services.

It is noted that the award of a licence does not confer on the awardee the right to implement all elements of the technical plan submitted to Ofcom as part of the successful application. Ofcom will treat proposals in that plan, on the basis of which the award was made, as things the successful applicant has committed to achieve within the 18-month period allowed between award and launch. However, for spectrum planning reasons, Ofcom may also require amendments to proposals between award and licence grant.

*November 2024]*