

# Small-scale radio multiplex licence award: Leamington Spa & Stratford-upon-Avon

## Background

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Ofcom has decided to award a new small-scale radio multiplex licence for Leamington Spa & Stratford-upon-Avon to Maxxwave 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

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On 10 September 2025, Ofcom published a notice inviting applications for licences to provide small-scale radio multiplex services in localities including Leamington Spa & Stratford-upon-Avon.

By the closing-date of 10 December 2025, Ofcom had received one application for Leamington Spa & Stratford-upon-Avon. This was from Maxxwave Limited (“Maxxwave”). 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).

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 Leamington Spa & Stratford-upon-Avon was made at an Ofcom decision meeting on 28 May 2026. The meeting carefully considered the application, public comment received, and professional advice from Ofcom colleagues involved in assessing the application. The statutory criteria were applied to reach a decision on whether to award a licence to the sole applicant. Reasons for the decision to award a licence to Maxxwave 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 approximately 31% 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 area of the overlapping Coventry local radio multiplexes (with negligible overlaps with the Coventry, Leicestershire and Stoke-on-Trent multiplexes), and that overspill outside the advertised area would be negligible and well under 30% of the population of the advertised area. Mitigations were also unlikely to be required to address any hole-punching or interference issues. Ofcom noted that this represented a modest level of coverage and, additionally, that the pattern of coverage was likely to be somewhat patchy in each of the largest towns of Stratford-upon-Avon, Leamington Spa, and Warwick thus limiting the attractiveness of the multiplex for some services. However, total adult population covered would be nearly 52,000 and Ofcom considered, on balance, that this was sufficient to justify award to the sole applicant.

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. Ofcom noted that the applicant itself had expressed some reservations as to the viability of the advertised area, and a single transmitter plan resulted in coverage limitations as noted above. However, this relative simplicity and the transmission site already being leased by the applicant means the costs and complexity of establishing the service is likely to be considerably less than would have otherwise been the case. The applicant and its sole owner also have experience in establishing a number of small-scale multiplexes. Ofcom therefore concluded there was an adequate prospect of the service being established within the 18-month period allowed by legislation to justify award to the sole applicant.

In relation to section 51(2)(ca), Ofcom noted that the applicant does not have as a participant a person proposing to provide a community digital sound programme service in the advertised area. We noted that involvement of such a person is a desirable feature but not a necessity for applicants.

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. The application stated that two prospective C-DSP services and five other prospective DSP services had expressed an interest, although supporting evidence was limited in relation to several of these services. A further DSP service not included in the original application also submitted a public comment indicating support for the proposed multiplex service. Ofcom noted that this represents a modest level of demand and support, and the evidence provided indicated that discussions were not well advanced. However, Ofcom considered there was sufficient

interest, on balance, to justify award to the sole applicant and there was some prospect to develop the level of interest between award and launch.

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. However, as noted above the relatively low level of demand and support indicated outreach had been limited and it would be important to develop that to ensure the long term viability of the multiplex.

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.

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