
Small-scale radio multiplex licence

Application form – Part A (public)

Name of applicant (i.e. the body corporate that will hold the licence):

Durham Digital Limited

Multiplex licence area being applied for (note this must be a small-scale multiplex area *currently being advertised by Ofcom*):

Darlington & Bishop Auckland

APPLICATION FORM:

Publication date: 28 January 2022

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1. Overview

The purpose of this form

- 1.1 You should complete this form if you are applying for a licence to provide a small-scale radio multiplex service (a 'small-scale radio multiplex licence'). A small-scale radio multiplex service is the means by which DAB digital radio stations ('digital sound programme services') are broadcast, and can transmit around ten stereo digital sound programme services (or a significantly higher number if the DAB+ standard is utilised). The application form is divided into two parts – **Part A** (which we will publish on our website) and **Part B** (which will be kept confidential). This document constitutes Part A; [Part B of the application form](#) is available separately.
- 1.2 Small-scale radio multiplex licences are awarded by Ofcom in a competitive process. Applications are judged against specified criteria, and Ofcom awards the licence to the applicant which it considers best meets the criteria.

How to complete the form

- 1.3 There are detailed instructions on how to complete this form, and information on the next steps in the application process, in our [guidance notes](#) for licence applicants and licensees. Please read this guidance and the frequently asked questions carefully before completing this form.
- 1.4 If you still have a query having read the guidance and FAQ, you can contact Ofcom's Broadcast Licensing team by email (smallscaledab@ofcom.org.uk). The team cannot provide advice or pre-approve applications but can answer general questions.
- 1.5 Please download this form and fill it in on a computer. If completing by hand, please use block capitals and black ink.
- 1.6 Please answer all the questions as fully as possible, use extra sheets if required and provide the supporting documentation listed at Section 7 of Part B of the application form. Sufficient information must be supplied about the applicant and the proposed service to enable Ofcom to consider the application in accordance with the statutory criteria for the granting of small-scale radio multiplex licences. Ofcom may need to request further details from you before a licence can be granted.
- 1.7 Ofcom reserves the right to reject applications made using an old version of the form.
- 1.8 Ofcom will accept handwritten application forms, but they must be filled in using block capitals and black ink.
- 1.9 Ofcom reserves the right to reject application forms that are illegible.
- 1.10 You must answer all questions in the application form and respond "N/A" to any questions that do not apply to the applicant.

- 1.11 Ofcom reserves the right to reject applications which do not meet the following criteria:
- a) The declarations in Section 6 of this form and in Section 8 of Part B of the application form must both be signed and dated.
 - b) The person who signs and makes the declaration on behalf of the applicant must be:
 - i) A director of the company or the company secretary where the applicant is a company.
 - ii) A designated member where the applicant is a Limited Liability Partnership.
 - c) All supporting documents as requested in the checklist at Section 7 of Part B of the application form must be supplied in legible form and translated into English where applicable.
- 1.12 If you are completing the form as an agent, i.e. you are acting on the applicant's behalf, please note that you cannot sign it on your client's behalf, and that the person signing the form needs to have personally checked the truth and completeness of the responses given. If your client wishes you to be Ofcom's main contact in relation to the application, please make this clear in an accompanying letter, and provide evidence of your authority to act on behalf of the applicant. The form should be filled in so as to include information about the applicant, not the agent. If Ofcom has further questions once the application has been submitted, we will direct these to the applicant, not to the agent, but we will accept responses from the agent.

How to submit the form

- 1.13 We prefer application forms and required supporting documents to be submitted by email to smallscaledab@ofcom.org.uk. Handwritten applications and required supporting documents should be scanned and attached to the email.
- 1.14 You should receive a response from smallscaledab@ofcom.org.uk confirming that your application has been received by Ofcom. If you do not receive a response, it is likely your application has not been received and you should contact Ofcom's Contact Centre on 0300 123 3333 and ask for the Broadcast Licensing team who will be able to confirm if your application was received.
- 1.15 If the applicant cannot submit the application form and/or the supporting documentation by email, the applicant may submit the application and/or the supporting documentation by post to:
- Ofcom
Broadcast Licensing
Riverside House
2a Southwark Bridge Road
London
SE1 9HA
- 1.16 Those applicants who submit their application by post will be sent an acknowledgement.

Application fee

- 1.17 A non-refundable application fee of £500 is payable either by cheque made out to 'Ofcom' or by bank transfer.
- 1.18 Applications will not be assessed until the application fee has been received in Ofcom's bank account.
- 1.19 Ofcom requests that applicants pay the application fee by bank transfer and that immediately after the applicant has instructed their bank to make the payment, confirmation of payment is emailed to ofcom.remittances@ofcom.org.uk.
- 1.20 To ensure that Ofcom can identify the payment, it must include a payment reference which is the applicant's postcode followed by the applicant's name (or as much of the name as is possible to provide within the character limit set by the bank) as provided in response to question 3.1 of this application.
- 1.21 The bank details to be used to pay the application fee are:
- Account Name: Office of Communications
- Bank details: Lloyds Bank, 69-73 Borough High Street, London SE1 1NQ
- Account number: 00782415
- Sort code: 30-97-90
- BIC: LOYDGB21351
- IBAN: GB05 LOYD 3097 9000 7824 15
- SWIFT: LOYD GB 2L
- 1.22 If the applicant is unable to make the payment by bank transfer, a cheque should be made out to 'Ofcom' and sent in the post to Ofcom Broadcast Licensing team, Riverside House, 2a Southwark Bridge Road, London SE1 9HA. You must state the name of the applicant as provided in response to question 3.2 and proposed service name on the back of the cheque.
- 1.23 If an applicant is paying the application fee by cheque, the cheque must be received within five days of the application being received by Ofcom or the application may be rejected. If an applicant's cheque bounces, the application may be rejected.

Supporting documentation

- 1.24 You must provide a range of supporting documentation when submitting this application form. Please refer to the checklist at Section 7 of Part B of the application form for full details. Please note that failure to supply the necessary documents will delay your application.
- 1.25 Ofcom reserves the right to reject applications with which the necessary documents are not supplied in legible form.

- 1.26 Please note that Ofcom cannot receive emails larger than 35MB. If your application email exceeds this limit, please send your supporting documents in a separate email(s), clearly indicating the applicant's name in the subject line of the email.

Provision of information

- 1.27 Ofcom requires complete and accurate information to assess applications. In particular, we must be satisfied that those applying for a licence are 'fit and proper' to hold a licence and are not disqualified from participation in a licence.
- 1.28 It is an offence under the Broadcasting Act 1996 (as amended) to provide false information or withhold relevant information during the application process, and may be grounds for revocation of a licence subsequently granted.

Publication of applications

- 1.29 Part A of the application form (i.e. this document) will be published by Ofcom on our website as soon as practicable following the closing-date for applications. Because this is the 'public' part of the application form, and Ofcom is legally required to publish applications for public comments, *no questions* should be answered by means of the submission of a confidential annex. If, for logistical reasons, an annex is required to answer a question in Part A of the form, this will be published on our website alongside Part A of the application form. Part B of the application form will remain confidential.
- 1.30 Ofcom may take into account any comments received from the public, which can be made to it with respect to Part A of the application submitted.
- 1.31 In submitting Part A of the application, you agree that Ofcom may publish contact details for the licensee, which may include personal data, on the Ofcom website and/or in other relevant publications.
- 1.32 When a licence is granted, the name of the service and public contact details for the licensee will be published on the Ofcom website. These are the details supplied by the applicant in the application form. If you have any questions about the information that we publish, or there are any changes to this information, you should contact the Broadcast Licensing team by email (smallscaledab@ofcom.org.uk).
- 1.33 Ofcom considers issued small-scale radio multiplex licences to be public documents and copies of licences will be made available to third parties on request, noting that personal data apart from the name of the licensee may be redacted.

Data protection

- 1.34 We require the information requested in this form in order to carry out our licensing duties under the Broadcasting Act 1990, Broadcasting Act 1996 and Communications Act 2003. Please see Ofcom's [General Privacy Statement](#) for more information about how we handle your personal information and your corresponding rights.

Keeping up to date with broadcasting matters

- 1.35 We strongly recommend that you subscribe to receive Ofcom's regular email updates on broadcasting matters. These include a [monthly radio licensing update](#) that lists new services licensed, licences revoked, licence transfers, and changes to licensed services during the past month. To subscribe to these updates, please visit www.ofcom.org.uk/about-ofcom/latest/email-updates and select 'Broadcasting'.

2. Extent of proposed coverage area

About this section

Under section 51(2)(a) of the 1996 Act, we are required to consider the extent of the coverage area an applicant proposes to achieve within the area which has been advertised. This section therefore asks you to describe the coverage you are proposing to achieve. Further questions on the detailed technical arrangements for the proposed service, including questions on the transmission site(s) that you intend to use and your plans for how the multiplexing and distribution of your service will be arranged are contained in Part B of the application form.

Before completing this section of the form, you should read carefully the notes on 'Extent of proposed coverage area' in Section 4 of Ofcom's [guidance notes for licence applicants and licensees](#).

Applicants should note there are confidential questions relating to extent of coverage area in Part B of the application form.

- 2.1 Please provide a summary, fully consistent with the more detailed information about transmission sites supplied separately in Part B, of the coverage area proposed to be achieved by your technical plan. This should include a description of the target area you are seeking to serve within the advertised licence area, and also any areas you are aiming to serve outside the advertised licence area for this small-scale radio multiplex service. (You may refer to your coverage prediction in the response you provide):

Our technical plan has been designed to cover the Darlington and Bishop Auckland SSDAB polygon as advertised by Ofcom.

Our proposition is founded on three principles:

1. Working to the original DCMS/Ofcom objective to make DAB available for community radio, small independent commercial stations and start-up services within the Darlington & Bishop Auckland polygon;
2. Achieving the above within a sustainable, long-term business plan.
3. Delivery of a reliable, consistent and high-quality DAB service to as much of the indoor population of this polygon as possible within the financial and technical constraints, including those highlighted by Ofcom within the licence advertisement.

The transmission area is a mixture of small and medium sized towns and villages and some more sparsely populated rural areas. The main centres of population are dispersed across the polygon and many are sited at the polygon boundaries. The topography is also challenging from the perspective of radio transmissions since the polygon includes significant hilly terrain between the main towns and villages. These challenges are exacerbated by the requirement to avoid overspill into adjacent areas and the potential for signal interference highlighted by Ofcom in the application advertisement.

To provide good coverage across the polygon from one, centrally sited transmitter would generate unacceptable overspill and interference. Similarly, to provide good coverage to all corners of the polygon would require 4 low power transmission sites which would be financially unviable.

Our proposal requires the installation of 2 complementary transmitters – one towards the north of the polygon and a second transmitter towards the south of the polygon which will provide a good balance of cost and benefit. In presenting this proposal we have noted the following points:

Our transmitter sites have been chosen to achieve indoor coverage for around 75% of the population, including good coverage in the important population centres of Darlington, Bishop Auckland, Newton Aycliffe and Crook. Furthermore, we expect good coverage to be achieved across much of the major road network within the area.

We note that Spennymoor, sited to the north east of the polygon, will also be covered by the Durham polygon, which will be advertised in Round 4.

In researching our application, we have investigated options for delivering SSDAB coverage to Barnard Castle, in the south west of the polygon, including the identification of potential transmitter sites. We will keep this under review and would consider making an application to install a further transmitter to serve this community in due course should circumstances, including the financial position of the company, allow this.

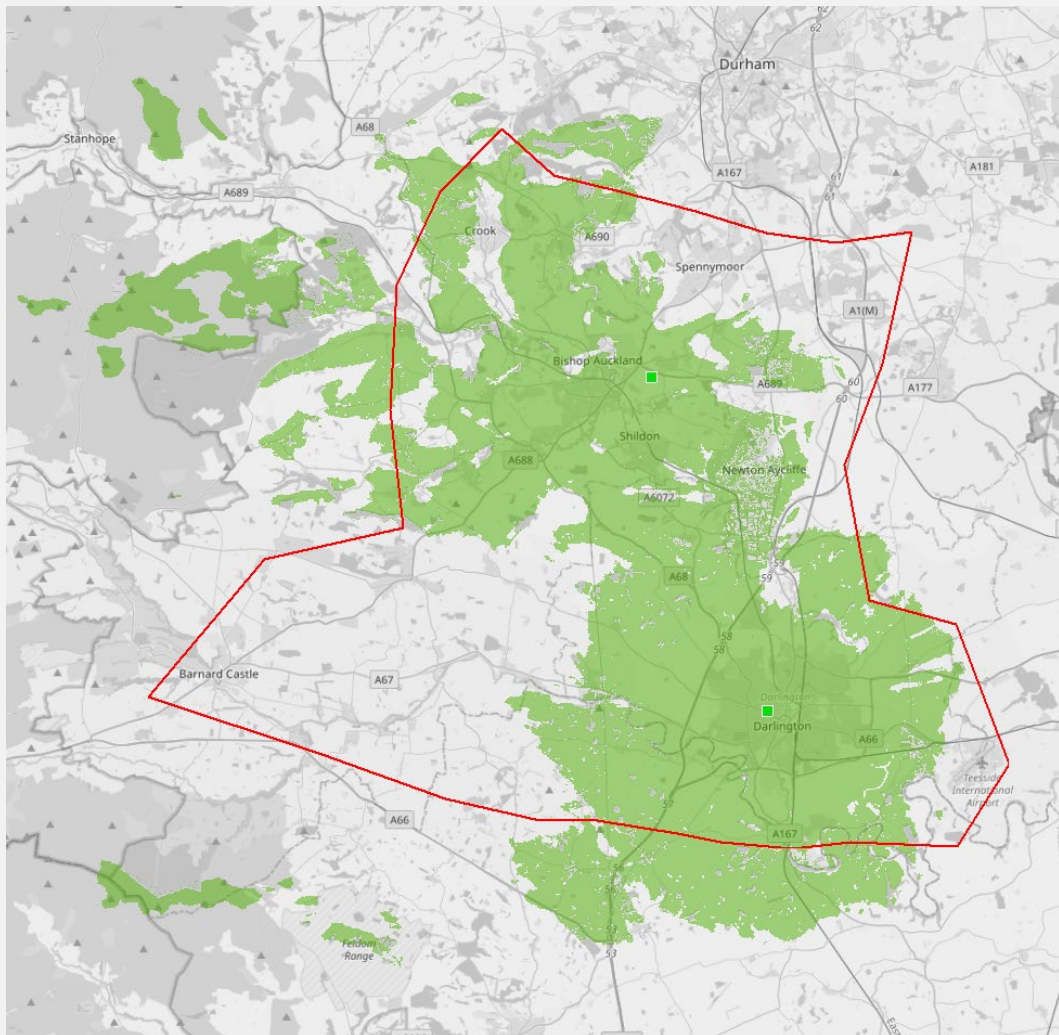
- 2.2 Please provide summary details of the sites required to achieve this coverage by completing the table below (add additional rows as required):

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Site name	NGR	Antenna height (m agl)	Antenna type proposed with bearing	New or existing antenna	ERP (W)
Darlington Memorial Hospital	NZ 283 150	40m	Omni	New	50W
Grange Hill Farm	NZ 234 290	20m	Folded Dipole bearing 200deg	New	50W

- 2.3 Please provide a coverage prediction map for the whole transmitter network you are proposing to build within 18 months if you are awarded a licence. The map should show the 63 dB μ V/m field strength and the advertised small-scale DAB licence area contour. [Small-scale DAB licence areas in GIS format](#) are available on the Ofcom website.

The following diagram shows predicted coverage at 63 dB μ V/m for the for the proposed Durham Digital transmitter network:



A full coverage prediction map is also included as Attachment D, showing the 63 dB μ V/m field strength (as well as the 54 dB μ V/m and 38dB μ V/m contours).

The ward-level population tables (2011 Census) indicate that at 63 dB μ V/m field strength;

- the number of people falling outside the Darlington & Bishop Auckland polygon does not exceed 30% of the total population within the advertised licence area; and
- the proposed coverage does not overlap more than 40% of the population within the relevant local radio multiplex service's licensed area.

The transmitter network has been designed to minimise any significant interference above 38 dB μ V/m to other proposed small-scale DAB licence areas.

2.4 Please provide the following details of the prediction software used for your coverage assessments:

Provide the name and version of the prediction tool used.	ATDI HTZ Communications v22 6.9 x64
Detail the terrain model used by the software and its resolution.	DTM: Ordnance Survey terrain data – 50 metre resolution (DSM+DTM)
Detail the ground cover (clutter) data used by the software and its resolution.	Infoterra clutter data to 50m resolution
What propagation algorithm has been used?	Model pre-set – Fresnel • Diffraction geometry – Deygout 94-2 • Subpath attenuation – coarse integration • FZ fraction 0.8 • Earth radius (sea and land) – 8,500km
Where multiple sites are proposed, describe what methodology has been used to assess the network (SFN) gain	Power sum
If these predictions have not used Ofcom-provided population data, state what population data has been used and its source.	Ofcom-provided population data has been used along with that from the 2011 census which is included within ATDI's modelling software
Have your predictions been generated by a commercial organisation? If so, by whom?	Coverage predictions have been generated by Viamux using HTZ Communications software from ATDI

3. Ability to establish the proposed service

About this section

In Section 3, we are asking questions about the applicant company, its financial and business plan, the relevant expertise and experience of those who will be involved in providing the small-scale radio multiplex service, and the timetable for coverage roll-out. The answers to these questions will enable Ofcom to assess the application under section 51(2)(c) of the 1996 Act. Additional information is requested in Part B of the application form.

In the first part of this section we are asking for details of the applicant's officers (directors or, in the case of LLPs, designated members), its shareholders and participants. Where applicable, we are also asking for details of the officers of the applicant's parent and associated companies or LLPs etc.

If any of the individuals named in your responses are known by more than one name/version of their name, all names must be provided.

Certain persons are disqualified from holding a small-scale radio multiplex licence. This section asks the questions which enable us to consider this for those types of disqualification which apply specifically to bodies corporate. It also asks questions which are relevant to our assessment of the applicant's fitness and properness to hold a small-scale radio multiplex licence.

The response boxes and tables should be expanded or repeated where necessary, or provided in a separate annex.

'Officerships' in this section refers to: directorships of bodies corporate, designated memberships of LLPs, or membership of a governing body of an unincorporated association (including partnerships).

The remaining questions in Section 3 relate to the applicant's financial and business plan, the expertise and experience of those involved, and the planned timetable for launching the proposed multiplex service.

Applicants should note there are confidential questions relating to extent of coverage area in Part B of the application form.

Applicant's details

3.1 Name of applicant (i.e. the body corporate that will hold the licence):

Durham Digital Limited

3.2 Company registration number stated on Companies House (if applicable):

12900773

3.3 For UK registered companies, the address of the applicant's registered office stated on Companies House. For non-UK registered companies, the principal office address:

37 West End, Sedgfield, Stockton-on-Tees, England, TS21 2BW

- 3.4 If a UK registered company, is the **current** Memorandum and Articles of Association document available on the Companies House website?

Yes / ~~No~~ (delete as appropriate)

If no, please submit the up-to-date document and indicate you have done so in the checklist in Section 7 of Part B of the application form.

Ownership and control of company which will hold the licence

Details of officers

- 3.5 Please complete the following table, expanding it if necessary, to provide the following details for each director or designated member of the applicant (i.e. the body corporate that will hold the licence):

Full name of individual	Correspondence address ¹	Country of residence	Other officerships held (and nature of the business concerned)	Other employment
Richard Connor Finch	7 Warbeck Close, Newcastle upon Tyne NE3 2FF	UK	Director: Tyneside Community Digital Ltd (broadcast service provider Newcastle and Gateshead SSDAB) Trustee: Radio Tyneside, Charitable Incorporated Organisation (Reg. No. 1174808)	Self-employed business consultant
Jonathan Christopher Morrell	7 Warbeck Close, Newcastle upon Tyne NE3 2FF	UK	Director: Tyneside Community Digital Ltd (broadcast service provider Newcastle and Gateshead SSDAB)	Senior Radio Producer
Brian Stuart Lister	37 West End Sedgfield TS21 2BW	UK	Director, Sound Concepts Limited (dormant)	Self-employed radio consultant
Gary Douglas Burgham	Prince Bishop Community Broadcasting Limited, Unit 28	UK	Director: Prince Bishop Community Broadcasting Ltd	Retired former school-teacher

¹ This should be the same address as is held and published by Companies House.

	- Innovation House, Long-field Road, South Church Enterprise Park,, Bishop Auckland, County Durham, England, DL14 6XB			
Craig Robinson	Prince Bishops Hospital Radio, Darlington Memorial Hospital, Hollyhurst Road, Darlington, England, DL3 6HX	UK	Chair/Trustee: Prince Bishop Hospital Radio (registered charity). Director of King James Academy, company number 07638979 (School Governor).	Head of IT, CDDFT NHS Trust
Paul Howarth	Newton Press, Blue Bridge Centre, Horndale Avenue, Aycliffe Business Park, Newton Aycliffe, County Durham, England, DL5 6DS	UK	Director: Aycliffe Radio CIC (Operator: Aycliffe Radio – online community radio service) Director: Newton Broadcasting Limited (Events Management) Director: Howarth Limited, T/A Newton Press (media and print) Director: Howarth Assets Limited (property portfolio) Director: South Durham Radio Limited (dormant) Director: Labels and Print Limited (specialist labels printing)	Company director

Details of participants

- 3.6 Please complete the table overleaf, expanding it if necessary, to list all bodies or individuals which hold or are beneficially entitled to shares, or who possess voting powers, in the applicant (i.e. the “participants”). If you are unable to provide a complete answer to this

question in relation to beneficial owners, please state whether you have any reason to suspect the existence of any beneficial owners.

(If parts of this question are not applicable to the applicant – for example, because the applicant does not have shareholders – please respond “N/A” in the relevant parts of the table.)

Full name of participant (existing and proposed)	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
Brian Stuart Lister	10	£10	3.3%	16.7%
Richard Connor Finch	10	£10	3.3%	16.7%
Jonathan Christopher Morrell	10	£10	3.3%	16.7%
Prince Bishop Community Broadcasting Ltd ¹	10	£10	3.3%	16.7%
Prince Bishop Hospital Radio ¹	10	£10	3.3%	16.7%
Aycliffe Radio CIC ¹	10	£10	3.3%	16.7%
Comments				
¹ Shareholders that are organisations are each able to nominate one director, as listed in section 3.5.				

Details of relationships of control

- 3.7 Complete the following table, expanding it if necessary, to list any bodies corporate which are controlled *by* the applicant, any director of the applicant, any person/body corporate with control over the applicant, or any body corporate controlled by a person/body corporate controlling the applicant. Please include bodies corporate under joint control – i.e. which are controlled acting together in concert with third parties (e.g. because of a shareholder’s agreement):

(If this question is not applicable to the applicant please respond “N/A” in the table.)

Full name of body corporate	Address	Person/body controlling the entity (i.e. the applicant itself or its associate)
N/A	N/A	

Details of persons who control the applicant

- 3.8 Complete the table overleaf, expanding it if necessary, to list all persons/bodies corporate who control the applicant, or control any person/body corporate with control over the applicant. Please include persons or bodies that control the applicant (or body corporate with control over the applicant) jointly i.e. acting together in concert with third parties (e.g. because of a shareholder's agreement). Please note that some of this information may repeat information provided above on shareholders and other participants in the applicant:

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Full name of person/body corporate	Address	Person/body controlled by the entity (i.e. the applicant itself or its associate)
N/A		

- 3.9 Complete the following table, expanding it if necessary, to list other bodies in which any individual listed in response to question 3.8 is a director or designated member:

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Full name of individual	Name of body in which individual is a director or designated member
N/A	

- 3.10 Complete the following table, expanding it if necessary, to list all bodies corporate which are controlled (including jointly controlled) by any body corporate listed in response to question 3.8:

(If this question is not applicable to the applicant please respond "N/A" in the table.)

Full name of body corporate listed in 3.8	Body corporate controlled
N/A	

- 3.11 In relation to each body corporate identified in response to question 3.8, complete the table overleaf, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, in the body corporate concerned (i.e. “participants”). You may, but are not required to, exclude from this table any bodies listed in response to question 3.8. If you are unable to provide a complete answer to this question in relation to beneficial owners, please state whether you have any reason to suspect the existence of any beneficial owners.

(If this question is not applicable to the applicant please respond “N/A” in the table.)

Name of body corporate identified in response to question 3.8				
Full name of participant	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
N/A				
Comments				

Involvement of the applicant in specified activities

- 3.12 Please state below whether the applicant, or any individual or body corporate identified in questions 3.5 to 3.11 is, or is involved in, any of the below, and the extent of that interest.

Activity/involvement	Yes or No	Please state who is involved; the name of the body/individual/agency they are involved with; and the extent of their involvement
A local authority	No	N/A
A body whose objects are wholly or mainly of a political nature, or which is affiliated to such a body	No	N/A
A body whose objects are wholly or mainly of a religious nature; ²	No	N/A

² Please refer to sections 3 to 5 of Ofcom’s [religious guidance note](#) for details on how we determine the eligibility of religious bodies to hold certain broadcasting licences.

An individual who is an officer of a body falling within (b) or (c);	No	N/A
A body corporate which is an associate (as defined in paragraphs 1(1) and 1(1A) of Part I of Schedule 2 to the Broadcasting Act 1990) of a body falling within (b) or (c);	No	N/A
An advertising agency or an associate of an advertising agency	No	N/A

Details of applications, licences and sanctions

3.13 Please answer 'yes' or 'no' to the following questions about the applicant (i.e. the body corporate that will hold the licence):

a) Is the applicant a current licensee of Ofcom?

~~Yes~~ / No (delete as appropriate).

b) Has the applicant ever held an Ofcom broadcasting licence before?

~~Yes~~/ No (delete as appropriate).

c) Has anyone involved in the proposed service held an Ofcom broadcasting licence or been involved in an Ofcom-licensed broadcast service before?

Yes / ~~No~~ (delete as appropriate).

d) Does the applicant control an existing Ofcom licensee?

~~Yes~~/ No (delete as appropriate).

e) Is the applicant controlled by an existing licensee or by any person who is connected (within the meaning of Schedule 2 to the Broadcasting Act 1990) with an existing licensee (i.e. as a "participant")?

~~Yes~~/ No (delete as appropriate).

f) Has the applicant – or any person(s) controlling the applicant - made any other application to Ofcom (or its predecessor broadcast regulators – the Independent Television Commission and the Radio Authority) for any licence which has since been surrendered by the licensee or revoked by Ofcom (or one of its predecessor regulators)?

~~Yes~~/ No (delete as appropriate).

- g) Is the applicant – or any person(s) controlling the applicant – subject to any current or pending investigation by any statutory regulatory or government body in the United Kingdom or abroad in respect of any broadcast-related matter?

~~Yes~~/ No (delete as appropriate).

- h) Has the applicant – or any person(s) controlling the applicant – ever been subject to a statutory sanction for contravening a condition of a broadcasting licence in the UK or any other jurisdiction?

~~Yes~~/ No (delete as appropriate).

- 3.14 If the response to any of the questions (a) to (i) in 3.13 above is 'yes', please provide the details, expanding the table where necessary:

	Licence number(s) (if known)	Details
(c)	CR102238BA	Radio Tyneside (Richard Finch)
(c)	CDP104288BA	Together Radio (Richard Finch, Jonathan Morrell)
(c)	Not yet issued	Tyneside Community Digital (Richard Finch, Jonathan Morrell)
(c)	CR102268BA	Pride Radio (Jonathan Morrell)
(c)	CR000146BA	Bishop FM (Gary Burgham)
(c)		TFM Radio Ltd (Teesside) (Brian Lister, former director)
(c)		Stray FM (Harrogate) (Brian Lister, former director,)
(c)		A1FM Ltd (Darlington and Newton Aycliffe) (Brian Lister, former director, Gary Burgham, former director)
(c)		SUN FM (Sunderland) (Brian Lister, former director)
(c)		Durham FM (Brian Lister, former director)
(c)		Radio Teesdale (Barnard Castle) (Brian Lister, former director)

- 3.15 Please provide any further information you hold, relating to the past conduct of the applicant or those individuals listed, in regulatory matters or in matters going to honesty and/or compliance, which may be relevant to Ofcom's consideration of whether or not the applicant is fit and proper to hold a broadcast licence. If the applicant or the form signatory fails without reasonable excuse at this point to declare any matter of which Ofcom subsequently becomes aware, and which we consider to be relevant to the applicant's eligibility to hold a licence, we will take it into account in determining the question of whether the applicant/licensee remains fit and proper to hold a licence.

If you have no information to provide, please respond "N/A".

N/A

- 3.16 Has the applicant – or any person(s) controlling the applicant – ever been convicted of an unlicensed broadcasting offence?

~~Yes~~ / No (delete as appropriate).

If yes, please provide the following details:

Full name	Date of conviction/action (dd/mm/yy)	Penalty

Financial and business plan

- 3.17 Please provide a high-level estimate of the costs you believe will be required to establish the multiplex service.

Establishing the Multiplex

We estimate start-up costs in the order of £44k, of which £34k relates to the cost of the transmission equipment that will be required for the two proposed transmitter sites.

The additional £10k relates to through costs expected to be incurred before income can be generated, including site surveys, electrical or building work or other modifications, rent and electricity paid in advance, Ofcom fees and insurance.

These costs are based on quotes received from our technology suppliers, Viamux, and the experience of two directors of the costs incurred in setting up a similar SSDAB service in Newcastle upon Tyne and Gateshead.

We have also included an element of contingency in our forecasts and therefore aim to raise £50k to fund start-up expenditure.

Financial Forecast

We have attached a confidential spreadsheet as Attachment E that sets out the income and outgoings with a 60-month cashflow forecast.

- 3.18 Please indicate how the costs outlined in 3.17 (above) will be met, under the following headings:

a) Share capital

Durham Digital plans to issue 300 nominal £1 shares in total. 60 shares have been issued to the 6 existing shareholders. Following award of the licence the remaining 240 shares (representing 80% of the company) will be made available for sale as non-voting preference shares at £100 each, potentially raising £24,000 in share capital.

It is intended that the Preference Shares will be non-voting and Preference Shareholders will also be entitled to receive dividends should certain conditions be met.

The holders of Preference Shares cannot be confirmed at this time, however, strong interest has been expressed, and two of our directors would be prepared to underwrite the issue. Confirmation of the availability of funds to cover this and the directors' loans is included as an Attachment K.

b) Loan stock

Initial Directors Loans of £10k will be provided to fund pre- and post- application costs. Should the application be successful, it is expected that further directors' loans of £16k will be provided, total £26k. Confirmation of the availability of funds to cover this and the Preference Share issue is included as Attachment K.

- c) Leasing/HP facilities (capital value)

There is no requirement for Leasing/HP facilities.

- d) Bank overdraft

There is no requirement for a Bank overdraft.

- e) Grants and donations

Grant income has been offered to one of the shareholders as a source of funding for the purchase of equipment. See Attachment K.

- f) Other (please specify)

None

- 3.19 Expanding the table if necessary, please list the providers of the funding which will be used to establish the service, and the amount of funding that each will provide. For incorporated investing shareholders, please provide a copy of the most recent statutory accounts if they are not currently available on Companies House.

Name of shareholder or investor	Percentage of shares held (if applicable)	Amount of funding provided (£)
Various (see also 3.20)	80% (non-voting preference shares)	£24k
Richard Finch	3.3% Directors Loans	£16k
Jonathan Morrell	3.3% Directors Loans	£10k

- 3.20 All of the funding identified above should be confirmed. If any funding has not been confirmed, or if there are any pre-conditions before the funding is released which have not yet been met, provide an explanation of what needs to be done, the dates by which it needs to be carried out, and any steps the applicant needs to take to ensure the funding is confirmed and/or released.

Confirmation of funding of directors' loans is provided in confidential Attachments K1-3.

Preference Shares will be offered subject to award of licence. Issue will require development of prospectus, including more detailed business plan and contractual agreements with subscribers. The two directors named above have offered to underwrite this issue – evidence of funds is also available as Attachment K1-3.

CDDFT (Durham Hospitals) Charity has agreed to award a grant of up to £28k to Prince Bishops Hospital Radio as a supported charity, for the specific purpose of launching the SSDAB service, subject to award of the licence. See Attachment K4. It is expected that the resulting contribution to Durham Digital from Prince Bishops Hospital Radio will be recognised with the allocation to the organisation of the equivalent value in non-voting Preference Shares.

Relevant expertise and experience

- 3.21 Please provide details of who will be responsible for the day-to-day general management of the multiplex service (for example, dealing with programme service providers and contractual matters). Please also briefly state their previous relevant experience. (Note that any individuals or contractors who cannot be identified at this stage can instead be included in the confidential section (Part B) of the application form.)

Members of the Durham Digital team share a track record of successfully establishing and operating radio stations and similar services. The combined experience demonstrates these capabilities and gives us an excellent understanding of what is required: Good coverage, service reliability and easy access for programme providers at an affordable and realistic price.

General Management

Two of Durham Digital's directors will control the routine day-to-day management of the multiplex - managing commercial, financial and operational matters.

Launching, establishing and maintaining a DAB multiplex requires technical competence, operational expertise, financial stability, and an aptitude to manage third party relationships successfully. The directors are recognised as experienced radio managers with a broad range of relevant skills in all the vital functions required to operate a successful multiplex.

The day-to-day tasks will include;

- supporting, maintaining and upgrading the multiplex hardware and software;
- recruiting new services to ensure that the multiplex is always running at – or near – full capacity;
- negotiating carriage agreements;
- invoice management and payment collection; and
- working with programme services to ensure DSPS and regulatory licence compliance.

Durham Digital will benefit from Optimux – a software platform specifically developed for the day-to-day management of small-scale DAB multiplexes. Optimux equips small-scale DAB licensees with an easy to use dashboard for managing, monitoring and reporting on all aspects of their multiplex as well as providing invoicing and direct debit collection to simplify the payment of carriage fees. Optimux will play an essential role in streamlining the management of our multiplex.

Viamux will be responsible for the setup and launch of the multiplex. Specifically:

1. Overseeing bit rate variations, enhancements or projects required by service providers, such as EPG provision, temporary services and data developments.
2. Working with service providers and the transmission subcontractor to maximise multiplex functionality and efficiency.
3. Monitoring and fault reporting protocols, ensuring that the output of all service providers is correctly logged and compliant with legislation and codes.
4. Advising on the development of new revenue streams.

Viamux will also be responsible for ongoing maintenance of the transmission equipment and day-to-day technical management and maintenance of the multiplexing equipment.

Durham Digital will internally oversee any multiplex re-configurations, and these will be undertaken in line with our policies and contractual agreements with service providers. Financial management of the multiplex will also be handled in-house:

- Accounts;
- IT;
- Admin;
- Legal;
- Customer Service;
- Technical Support.

Key Personnel

Richard Finch

Richard graduated from Nottingham University in 1979 with a BSc in Physics.

Following a short period working in the textiles industry, he spent over 35 years working in the retail financial services industry at Northern Rock in a number of roles including computer audit, business analysis, IT Management, Project Management and Change Management, culminating in the senior role of Assistant Director. Richard left Northern Rock through redundancy in 2011, to set up his own Management Consultancy, focusing on retail payments and has provided consultancy as a Senior Business Analyst to important clients such as Bacs and Link (the ATM Scheme Management company).

Richard has also volunteered at Radio Tyneside for nearly 40 years, initially as a technical operator and has subsequently undertaken many roles on the station and been heavily involved in many aspects of station management, including as Treasurer. For the last 10 years he has held the role of Station Director, responsible for the day to day operation of the station which has held an Ofcom community radio licence since July 2018. Richard was a key member of the team that developed and submitted the licence application and is currently the main contact for finance and administration matters. Prior to 2018, Radio Tyneside held an Ofcom LPAM licence for 20 years, reflecting its status as a hospital radio service provider. Radio Tyneside is a Charitable Incorporated Organisation (CIO) and Richard has been a trustee and treasurer for the last 15 years. Together with Jonathan Morrell, Richard set up Tyneside Community Digital CIC which successfully applied for the licence to operate the SSDAB multiplex in Newcastle and Gateshead.

Jonathan Morrell

Jonathan Morrell is a broadcaster and journalist of 35 years' experience. He currently works for the BBC in Cumbria as a Senior Broadcast Journalist. With the exception of a few years in London and Australia, Jonathan has worked in the north east on radio and TV for the entirety of his career. He has extensive contacts within the media and the north east broadcasting community.

Jonathan established Pride Radio 10 years ago following a 4-week RSL experiment and 2 years ago he wrote the application, got the finance in place and set up the station as an FM community broadcaster. This work has given him an insight into the operation of community stations and their needs going forward.

Together with Richard Finch, Jonathan set up Tyneside Community Digital CIC which successfully applied for the licence to operate the SSDAB multiplex in Newcastle and Gateshead.

His strong connection with the area is reflected in the multiplexes proposed channel line-up – a number of brand-new services to the area, many which are locally based and inspired, as well as existing services from around the country.

- 3.22 Please provide details of who will be carrying out the installation and on-going maintenance of your multiplexing / transmitter equipment (or the name of your proposed transmission and multiplex provider if you intend to use a third-party organisation for these services). Please also briefly state their previous relevant experience. (Note that any individuals or contractors who cannot be identified at this stage can instead be included in the confidential section [Part B] of the application form.)

Function	Responsible party	Previous experience
Installation of transmission equipment	Viamux	Viamux is a leading supplier of small-scale DAB solutions. It was established in 2017 by the Niocast Digital team - who have been operating the successful Trial Manchester small-scale multiplex for the past six years. Viamux have installed systems in the UK & Republic of Ireland. More info: www.viamux.com  the small-scale DAB solution specialists
Ongoing maintenance of the transmission equipment	Viamux	
Installation of the Multiplexing equipment	Viamux	
Day-to-day technical management and maintenance of the multiplexing equipment (if different from response to question 3.28 above)	Viamux	

Timetable for coverage roll-out

- 3.23 Please tell us how soon after licence award you expect your multiplex service to become operational and achieve the coverage you are proposing:

Durham Digital intends to launch the multiplex around 6 months from award of licence.

Upon award Durham Digital will immediately advance negotiations regarding the proposed transmission sites. Following the procedure set out in Ofcom's Technical Policy Guidance, we will also liaise with other radio multiplex licensees on any impact our proposed transmitters might have. Once completed, we will seek agreement from Ofcom for the proposed technical plan – mindful that the coverage proposed in our application is an award criterion and that any change will need to deliver broadly equivalent coverage.

Durham Digital will send final site details to Ofcom for clearance and evidence of liaison and agreement with those other radio multiplex licensees. Given the time taken to co-ordinate services we recognise the importance getting the final transmitter plans to Ofcom as quickly as possible.

Our timeline then focuses on the following key stages:

- Building and installing the DAB multiplex and transmission chain;
- Finalising carriage agreements with the service providers;
- Commissioning and testing the transmitter equipment for compliance with Ofcom's Digital Radio Technical Code; and
- Providing Ofcom with evidence of compliance with the licence and the Digital Radio Technical Code

Our supplier, Viamux has confirmed the availability of all equipment and services to meet our timescales.

- 3.24 In addition, please provide, as an annex to be submitted with this application, an outline project plan with timeline (e.g. a Gantt chart or similar) showing the high level activities and tasks leading up to the launch of your multiplex service.

The project GANTT chart (Attachment I) sets out the precise, key stages in the implementation of the multiplex together with the timeline.

4. Involvement of C-DSP providers; demand or support from programme providers

About this section

Section 51(2)(ca) of the 1996 Act requires Ofcom to take into account the desirability of awarding a small-scale radio multiplex licence to a body corporate that is providing – or proposing to provide – a C-DSP service in the locality being advertised (or involving such a person as a participant in the licence-holding company).

Section 51(2)(f) of the 1996 Act requires Ofcom to take into account evidence that the applicant has support from providers interested in having their existing or planned programme services carried on the proposed multiplex.

Note that we do not require applicants to provide us with a full-line up of services they intend to provide, or details about the content of those services.

Involvement of C-DSP providers

4.1 Is the applicant body proposing to provide its own C-DSP service on the multiplex?

~~Yes~~ / No (please delete accordingly)

4.2 If the answer to the above question is 'yes', please provide a name and brief details of this proposed service. If the service is already licensed by Ofcom, the licence number should be provided:

N/A

4.3 If the answer to the above question is 'no', please provide details of any participant in the applicant body that is proposing to provide a C-DSP service on the multiplex. In this context, a "participant" refers to a person who holds or is beneficially entitled to shares in the applicant or possesses voting power in the applicant. If the service is already licensed by Ofcom, the licence number should be provided. Please refer to the nature of the participation (e.g. shareholding or agreement in relation to voting power):

Three Durham Digital shareholders intend to operate as C-DSP licence holders:

Prince Bishops Hospital Radio – Prince Bishops Hospital Radio (PBHR)

Prince Bishop Community Broadcasting Limited – Bishop FM (Ofcom licence CR000146BA)

Aycliffe Radio CIC – Aycliffe Radio

Demand or support from programme providers

- 4.4 Please provide in the table below (expanding the table if necessary) the names of providers (or prospective providers) of community or local digital sound programme services who have expressed their demand or support for the provision of the proposed multiplex service in the area to be served by the multiplex service. For reasons of transparency, the response to this question *must be answered below and should not be provided as a separate annex*. The evidence of the demand or support, such as signed heads of terms or emails, should be provided as a confidential annex, and relate only to the specific multiplex being applied for.

Name of service provider and station name (if known)	Proposed C-DSP or DSP	Nature of evidence of support provided
Bishop FM	C-DSP	Signed Heads of Terms
Aycliffe Radio	C-DSP	Signed Heads of Terms
PBHR	C-DSP	Signed Heads of Terms
Further station TBC	C-DSP	
Durham On-Air	DSP	Signed Heads of Terms
County Durham Community Radio	DSP	Signed Heads of Terms
Ambron Radio	DSP	Signed Heads of Terms
Auckland Gold	DSP	Signed Heads of Terms
Alpha Radio	DSP	Signed Heads of Terms
First Choice Radio	DSP	Signed Heads of Terms
Frisk Radio	DSP	Signed Heads of Terms
Glitterbeam Radio	DSP	Signed Heads of Terms
Memory Lane Radio	DSP	Signed Heads of Terms
Pride Radio	DSP	Signed Heads of Terms
Spice FM	DSP	Signed Heads of Terms
Together Radio	DSP	Signed Heads of Terms
Vita Radio	DSP	Signed Heads of Terms

5. Fair and effective competition

About this section

Section 51(2)(g) of the 1996 Act requires Ofcom to assess whether, in contracting or offering to contract with programme service providers, the applicant has acted in a manner calculated to ensure fair and effective competition in the provision of community and local digital sound programme services.

In assessing applications, we need to have confidence that the prospective small-scale radio multiplex licensee has approached a wide range of potential service providers. Negotiations that have taken place between the applicant and potential service providers need to have been demonstrably fair, and the terms of any contract for service provision must be fair and non-discriminatory.

Applicants should note there is one further question relating to fair and effective competition in Part B of the application form.

- 5.1 Please detail the measures that have already been taken, and will be taken before and during the licence period, to demonstrate that, in contracting or offering to contract with programme services providers, the applicant has acted in a manner calculated to ensure fair and effective competition in the provision of such services:

Ethos

Durham Digital is conscious of its responsibility to ensure fair and effective competition, at all times. We believe that when competition works well, service providers are motivated to maximise audience share and are better able to secure funding on the basis of their service offering- its uniqueness, its audience and the value it delivers. Alongside established brands, competition delivers greater choice for listeners and a better outcome for the public. It also ensures the long-term sustainability of service providers. Constrained only by capacity, our small-scale DAB platform will remain accessible to new entrants – a place where innovative formats will be encouraged and nurtured.

Leadership

An award of this licence to Durham Digital ensures that the multiplex is operated by locally led community radio companies supported by experienced individuals who have successfully implemented and operated DAB multiplexes. All stakeholders are committed to small-scale DAB and have the financial stability to support that ambition. Our team is hugely experienced and well resourced, with significant practical digital radio expertise.

Delivery

Launching a small-scale DAB platform is a significant undertaking and we have been encouraged by the number of positive responses to our plans. We have openly discussed our transmission plans, carriage terms and indicative fees. Durham Digital has engaged with potential service providers in an open, non-exclusive manner and will continue to do so throughout the duration of this licence. Each service provider will enter into a Carriage Agreement - the key terms of which are identical for all service providers. All fees charged will be pro-rata to capacity contracted by each service provider.

6. Declaration

About this section

This form must be submitted by the body corporate which will hold the licence. The declaration must be certified by a company director or the company secretary, and covers all information provided by in the applicant in both Part A and Part B of the application form. The declaration must also be dated.

- a) I hereby apply to Ofcom for the grant of a licence for the small-scale radio multiplex licence described above and declare that the information given in this application form is, to the best of my knowledge and belief, correct.
- b) I further declare and warrant:
 - i) that the applicant is not a disqualified person within the meaning of that expression as defined in Part 2 of Schedule 2 to the Broadcasting Act 1990, as amended, or as a result of a disqualification order under section 145 of the Broadcasting Act 1996;
 - ii) that having made all reasonable enquiries neither the applicant nor any person controlling the applicant, as result of the grant to me of the licence, breach any requirement of Schedule 14 to the Communications Act 2003 with regard to the accumulation of interests in broadcasting services or to the restrictions on cross-media interests;
 - iii) that the applicant is not disqualified by virtue of the provisions of section 143 (5) of the Broadcasting Act 1996 in relation to political objects and the provisions of section 144 (3) of the Broadcasting Act 1996 in relation to the provision of false information or through the withholding of information with the intention of misleading Ofcom; and
 - iv) that no director or person concerned directly or indirectly in the management of the Licensee is the subject to a disqualification order as defined by section 145 (1) of the Broadcasting Act 1996.
- c) I understand that Ofcom reserves the right to revoke the licence (if granted) if at any time any material statement made to Ofcom is found to be false and to have been by the applicant or any member or officer thereof knowing it to be false. I also understand that under sections 144 and 145 of the Broadcasting Act 1996, the provision of false information could incur a criminal conviction and a disqualification from the holding of a Broadcasting Act licence. I further certify that, to the best of my knowledge, any matters which might influence Ofcom's judgement as to whether the directors and substantial shareholders involved in this application are fit and proper persons to participate in a radio licence, have been made known to Ofcom.

Full name (BLOCK CAPITALS) of the person authorised to make the application of behalf of the applicant:

RICHARD CONNOR FINCH

Date of application:

23rd April 2022

I am authorised to make this application on behalf of the applicant in my capacity as (delete as appropriate):

~~Company secretary~~ / Company director.

You now need to complete the confidential section (Part B) of the application form.