

Revocation of the Alnwick and Morpeth 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 19 July 2021 to UK DAB Networks Limited (now known as UK DAB Networks (Operations) Limited) in relation to the Alnwick & Morpeth 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 19th January 2023) as UK DAB Networks had confirmed that it had decided not to go ahead with launch, citing difficulties in securing access to transmitter sites that formed part of its original application and of securing alternatives providing comparable levels of coverage whilst remaining commercially viable. UK DAB Networks therefore confirmed it would not be submitting a final technical plan and Ofcom will consequently not be in a position to grant a licence and the service cannot be provided. On that basis, Ofcom has concluded the service will not be provided within the 18-month period set out in the legislation.

There were two applicants for the Alnwick & Morpeth licence, but we would note that there is not a statutory mechanism for awards to be passed to a “reserve” applicant without a further application process.

Ofcom will consider re-advertising the Alnwick & Morpeth multiplex licence should we receive any expressions of interest following today’s announcement.

Ofcom notes that UK DAB Networks’ application involved a relatively large number of transmitter sites (five) to achieve a relatively modest coverage of 62% of the population of the advertised area. Additionally, since the locality was advertised, small scale multiplexes have launched in two neighbouring and overlapping areas (namely Newcastle & Gateshead, and Tynemouth & South Shields). Therefore, should we decide in principle to readvertise, we would not necessarily do so imminently or with precisely the same advertised area, and any potential applicant expressing an interest may wish to express a view on those issues.

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