

Revocation of the Llandudno & Betws-y-Coed 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 30th September 2022 to Sound Bay Community Digital CIC ("Sound Bay") in relation to the Llandudno & Betws-y-Coed 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 30th March 2024) as Sound Bay has informed Ofcom it no longer intends to launch the service. Sound Bay has explained that it has reached the view in light of significant increases in the costs of transmission site rentals and associated utilities since the licence was awarded.

Next steps

In explaining its reasons for not proceeding, Sound Bay indicated it was unlikely to re-apply for a licence area for which it was the sole applicant last time, were it to be re-advertised. Ofcom will, however, consider whether to re-advertise a small-scale multiplex licence in the area should we receive expressions of interest following today's announcement.

Should we decide in principle to do so, it may be appropriate to adjust the advertised area. Whilst the originally advertised areas took into account expressions of interest received by Ofcom in 2018, we note that Sound Bay had been proposing to cover a relatively low percentage of the population within the advertised area (excluding much of the southern part of the area including Betws-y-Coed). Additionally, no applications were received for the neighbouring area of Rhyl, Ruthin & Mold when it was advertised. It may therefore be that, to the extent there is interest in establishing a small-scale multiplex in the area, views have developed 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 re-advertisement.