

Revocation of the Warminster, Devizes & Trowbridge 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 9th September 2022 to West Wiltshire Digital Radio CIC ("WWDR") in relation to the Warminster, Devizes & Trowbridge 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the service will not be provided within 18 months of award (i.e. by 9th March 2024) as WWDR has asked that the award be withdrawn. WWDR has explained this primarily relates to one proposed site, where further civil engineering work and planning consent are required. With regret, WWDR concluded it would not be prudent to commit to incurring these costs, given a material risk that completion of the necessary work would not be achieved within the 18 month statutory window.

Plans for re-advertisement

WWDR has expressed its wish that a licence be re-advertised in the Warminster, Devizes & Trowbridge area, stating that its decision related solely to the proximity to the closure of the statutory window. It emphasised that participants, service providers and those involved in its transmission plans remained fully committed to the project and keen that the licence be re-advertised promptly.

Ofcom appreciates the circumstances leading WWDR to request withdrawal of the award, and its candour in explaining the position. We consider this to be an area with evidence of strong demand and support from the community and local radio sectors for provision of a small-scale multiplex service. This was reflected by expressions of interest in carriage at the time of the original application, and by participation in WWDR by three existing analogue community services in the locality. Whilst it is unfortunate launch could not be achieved within the 18 month statutory window, we welcome the continued interest in establishing a service.

We therefore intend to re-advertise Warminster, Devizes & Trowbridge in Round Six of the small-scale radio multiplex licensing programme.