

Community Digital Sound Programme (C-DSP) licence

Application form – Part A (public)

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

Wetherby Community Radio Ltd

Proposed service name:

Tempo 107.4 FM

Radio multiplex service(s) on which the proposed C-DSP service is to be provided (note this must be a small-scale multiplex area either previously advertised or currently being advertised by Ofcom as shown in the multiplex licence advertisement)

Wetherby

Public contact details (i.e. Contact name and/or company name, company address, telephone number(s) and email):

Tempo 107.4 FM
1st Floor, 24 Westgate,
Wetherby LS22 6LL

Tel: 0330 043 2946 studio@tempofm.co.uk

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1. Overview

You should complete this form if you are applying for a community digital sound programme licence ("C-DSP"). You can find further information about C-DSP services in the [guidance notes for licensees and applicants](#).

This 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 on our website.

If you encounter any issues using these forms, please contact broadcast.licensing@ofcom.org.uk.

The purpose of this form

You should complete this form if you are applying for a Community Digital Sound Programme (C-DSP) licence.

A digital sound programme service intended for broadcast by means of a local or small-scale radio multiplex service requires either a C-DSP licence or a local DSP licence. Ofcom's published guidance notes set out some of the key issues that potential applicants need to consider in deciding which type of licence is suitable for them. In summary, C-DSP services are not run for financial gain and are required to provide social gain. C-DSP licences therefore include strict conditions to ensure that happens, and provide less flexibility than a local DSP licence. However, they do provide access to capacity that small-scale radio multiplex service providers are required to reserve solely for C-DSP services.

A C-DSP licence will be required even if the same programme service is also provided on any other platforms (e.g. FM, satellite), as separate licences are required for those.

As noted above, small-scale radio multiplex services will have reserved capacity for C-DSP services. Issue of a C-DSP licence does not, however, guarantee carriage on a small-scale (or local) radio multiplex service. That is a matter for agreement between the C-DSP licensee and the multiplex service provider, and there may be more C-DSP licences issued in a locality than there are reserved slots on the small-scale radio multiplex service. Note that a C-DSP service does not necessarily have to broadcast using reserved capacity. It can use unreserved capacity on a small-scale radio multiplex service or capacity on a local radio multiplex service, again subject to agreement with the multiplex service provider.

An application for a C-DSP licence will be accepted only once Ofcom has advertised the licence for the small-scale radio multiplex service upon which the proposed C-DSP service is intended to be provided. There is no closing-date by which an application for a C-DSP licence must be submitted (i.e. it can be submitted at any time after the licence for the relevant small-scale radio multiplex licence has been advertised).

You can find further information about how to determine if a service requires a C-DSP licence in Section 2 of the [guidance notes for applicants and licensees](#).

Provision of information

Ofcom requires complete and accurate information to assess applications. This is so that we can assess your application against statutory criteria, consider whether those involved in the body ap-

plying for a licence are 'fit and proper' to hold a licence, and determine whether their involvement with other organisations disqualifies them from participation in a licence.

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 information about applications and licensed services

Information provided in **Part A** of the application form will typically be published by Ofcom in our Monthly Radio Update publication the month following the submission of your application. This may take longer if the application is received late in the month. Information provided in **Part B** will not be published.

In submitting this application you agree that, should a licence be granted, Ofcom may publish contact details for the licensee (specified in Section 2 of Part B of the application form), which may include personal data, on the Ofcom website and/or in other relevant publications. 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 (broadcast.licensing@ofcom.org.uk).

Ofcom considers issued C-DSP licences to be public documents and copies of licences will be made available to third parties on request albeit, other than the Key Commitments which are tailored to the service, C-DSP licences are standard form documents. A brief description of the licensed service will be published on the Ofcom website, along with the Key Commitments which form part of the licence.

Ofcom publishes a [monthly radio licensing update](#) which lists new services licensed, new applications, licences revoked, licence transfers, and changes to licensed services during the past month.

Data protection

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 further information about how Ofcom handles your personal information and your corresponding rights.

Keeping up to date with broadcasting matters

We strongly recommend that the appropriate person at the applicant body signs up to receive Ofcom's regular email updates on broadcasting matters including notification when the Broadcast and On Demand Bulletin is published.

To sign up to receive these communications, you must visit the [email updates](#) area of our website and select 'Broadcasting.'

2. Applicant's details

About this section

In this section we are asking you for details about the applicant company. This must be a body corporate which is not profit distributing.

In the first part of this section, we are asking for basic details about the applicant. These include company registration number and contact information.

In the second 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 C-DSP 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 C-DSP licence.

Before completing this section of the form, you should read [Ofcom's guidance on the definition of 'control' of media companies](#). Throughout this section, "control" has the meaning it is given in Part I of Schedule 2 of the Broadcasting Act 1990.

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).

Applicant information and contact details

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

Wetherby Community Radio Ltd

2.2 Company registration number stated on Companies House:

05798528

2.3 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:

2 Oak Wood Road
Wetherby
West Yorkshire
LS22 7QY

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

☐ Yes ☒ No

If no, please submit the up to date document and indicate you have done so in the checklist in Section 4 of Part B.

- 2.5 Contact details of the individual duly authorised by the applicant for the purposes of making this application. This individual should be the company secretary, a director or (if an LLP) designated member.

(If you are an agent completing the form on behalf of the applicant please do not enter your details here – see paragraph 2.25 of the [guidance notes](#)).

Full name	Alan Everard
Job title	Director & Trustee
Address	2 Oak Wood Road Wetherby
Telephone	01937 583600
Mobile	07831 184928
Email	mail@tempofm.co.uk

- 2.6 If the proposed Licensed Service has/will have a website, please provide the website address below.

www.tempofm.co.uk

- 2.7 How will the service be financed? If the applicant is receiving, or is likely to receive, any form of funding and/or financial assistance to establish and maintain the service, please provide details of who is providing that funding/financial assistance and the extent of it.

If you are receiving funding from, or on behalf of, a source that could be considered a political organisation or a religious body, you must set out the nature of that organisation here.

The proposed service will be a simulcast of the established Tempo 107.4 station which has been on-air on FM since 2006. The existing finances of the station will support this digital service, which is currently raised by means of fundraising, grants, donations and advertising.

Ownership and control of the company which will hold the licence

Details of officers, participants and shareholders of the applicant

2.8 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
Alan John EVERARD	2 Oak Wood Road, Wetherby LS22 7QY	UK	None	Retired
John, Michael DAVISON	29 Glenfield Avenue, Wetherby LS22 6RN	UK	None	Retired
Jon Alan BEESON	43 Beck Lane Collingham LS22 5BW	UK	None	Land & Planning Manager
Stephen Andrew FRANCE	11 Kingswell Avenue, Wakefield WF1 3DY	UK	None	Civil Servant
Eric Timothy OVENDEN	2 Loxley Farm House, Plompton HG5 8NE	UK	None	Retired
Simon Paul SUTER	101 Victoria Court, Wetherby LS22 6JA	UK	None	Banker

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

- 2.9 Complete the following table, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, amounting to more than 5% in the applicant (“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.

Full name of >5% participant (existing and pro-posed)	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
N/A				
Comments				

- 2.10 Complete the following table, expanding if necessary, to identify any entities with which the applicant is affiliated. By affiliated, we mean companies that are related through ownership, either with one company being a minority shareholder in the other, or through multiple companies being owned by a third party.

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

Full name of the entity	Address
N/A	

- 2.11 Complete the following table, expanding it if necessary, to list any bodies corporate which are controlled by the applicant, and their affiliates:

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

Full name of the entity	Address	Affiliates
N/A		

Details of persons who control the applicant

- 2.12 Complete the following table, expanding it if necessary, to list all persons who control the applicant, together with their affiliates. If any persons or bodies control the applicant jointly because they act together in concert (e.g. because of a shareholder’s agreement), each such person must be identified here:

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

Full name of individual or body	Address	Affiliates
N/A		

- 2.13 Complete the following table, expanding it if necessary, to list all officerships in other bodies that are held by any individual listed in response to question 2.12, and any affiliates of those bodies. An “officership” refers to being a director of a body corporate, designated member

of a limited liability partnership, or member of the governing body of an unincorporated association:

(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 officership held	Affiliates of that body
N/A		

- 2.14 Complete the following table, expanding it if necessary, to list all bodies corporate which are controlled by any body corporate listed in response to question 2.12, and their affiliates:

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

Full name of body corporate listed in 2.11	Body corporate controlled	Affiliates of body corporate controlled
N/A		

- 2.15 In relation to each body corporate identified in response to question 2.12, complete the following table, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, amounting to more than 5% 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 2.12. 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 2.11				
Full name of >5% participant	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
N/A				
Comments				

Involvement of the applicant in specified activities

2.16 Please state below whether the applicant, or any of the directors, shareholders or other individuals named above, including their associates (i.e. directors of their associates and other group companies), is, or is involved in, any of the below, and the extent of that interest.

Activity/involvement	Yes / No	Please state who is involved; the name of the body/individual/agency they are involved with; and the extent of their involvement
a) A local authority	No	
b) A body whose objects are wholly or mainly of a political nature, or which is affiliated to such a body	No	
c) A body whose objects are wholly or mainly of a religious nature; ²	No	
d) An individual who is an officer of a body falling within (b) or (c);	No	
e) 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	
f) An advertising agency or an associate of an advertising agency	No	

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.

Details of applications, licences and sanctions

2.17 Is the applicant (i.e. the body corporate that will hold the licence) a current licensee of Ofcom?

☒ Yes

☐ No

If yes, please provide the licence details expanding the table if necessary:

Licence number	Name of multiplex
CR000064	Community FM Radio Licence

2.18 Has the applicant (i.e. the body corporate that will hold the licence) held an Ofcom broadcasting licence before?

☒ Yes

☐ No

If yes, please provide the details expanding the table if necessary:

Licence number	Name of service or multiplex
CR000064	Tempo 107.4 FM

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

☐ Yes

☒ No

If yes, please provide the details expanding the table if necessary:

Dates licence was held or dates of involvement	Licence number (if known)	Name of service or multiplex

- 2.20 Does the applicant (i.e. the body corporate that will hold the licence) control an existing Ofcom licensee?

☒ Yes ☐ No

If yes, please provide the licence details expanding the table if necessary:

Licence number	Name of service or multiplex
CR000064	Tempo 107.4 FM

- 2.21 Is the applicant (i.e. the body corporate that will hold the licence) 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

If yes, please provide the following information, expanding the table if necessary:

Licence number	Name of service or multiplex

- 2.22 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

If yes, please provide the following information, expanding the table if necessary:

Licence number	Name of service or multiplex

- 2.23 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

If yes, please provide the following details expanding the table if necessary:

Licence number (or equivalent)	Name of service or multiplex	Details of the investigation

- 2.24 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

If yes, please provide the following details relating to each sanction expanding the table if necessary:

Licence number (or equivalent)	Name of service or multiplex	Nature of the breach	Sanction imposed	Date sanction imposed

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

☐ Yes ☒ No

If yes, please provide the following details:

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

- 2.26 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 do 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.The proposed service

About this section

This section asks you to describe your proposed service, including the Key Commitments you propose to include in your licence. This includes your service name, multiplex name and character of service, in addition to standard commitments that all C-DSP licensees need to abide by. Holders of an existing analogue community radio licence to be a simul-cast on the proposed C-DSP service can replicate the existing analogue key commitments as it is our expectation that the key commitments for simulcast services are to be in keeping with one another. If a licence is granted, the information you provide in this section will be used to form the basis of the annex to your licence. You will only be authorised to broadcast what is detailed in the annex of the licence.

In this section, you will also need to set out how your service will provide social gain, community participation and how you will be accountable to the target community. This is in line with statutory requirements for the granting of C-DSP licences. **The information provided in this section is also the basis on which decisions are made.**

If you hold, or intend to hold, multiple C-DSP licences, the answers given in this section and the intended delivery of your Key Commitments must apply to the locality in which your proposed service will broadcast (as set out in the Draft Key Commitments in this application form).

Your proposed service and target community

3.1 What is the proposed service name?

Tempo 107.4 FM

3.2 On which radio multiplex service do you intend to broadcast? If the relevant radio multiplex licence has not yet been awarded, please state the name of the area that the multiplex service is intended to cover, as defined in the multiplex licence advertisement.

Wetherby

3.3 Where is your proposed studio located? Please note that this must be located within the coverage area of the small-scale radio multiplex service identified in answer to 3.2 (or the advertised area for a small-scale radio multiplex service that has not yet been awarded).³

³ If you propose to provide your service on a local, rather than a small-scale, radio multiplex service, there is no requirement for your studio to be located within the licensed area of that local radio multiplex service.

1st Floor, 24 Westgate, Wetherby, West Yorkshire LS22 6LL

- 3.4 If the proposed service is a simulcast or corresponding service of an existing licensed radio service, please list that below and provide the licence number.

Tempo 107.4 FM CR000064

- 3.5 What is the target community of the service? Please include the geographical area that you wish to serve in addition to the interests or characteristics that define your target community. The area you wish to serve must be geographically located within the cover-age area of the radio multiplex service on which you intend to broadcast. **Answer in fewer than 400 words.**

The populations of Wetherby, Collingham, Linton, Boston Spa and the surrounding villages. Our target community are mainly adults ages 40+ but the town has some large new housing developments bringing more families into the area allowing to expand to the younger audience. We provide a platform for local community projects and charity fundraising organisations to promote their events. We support local events through live and recorded interviews, and through outside broadcasts. We underpin all kinds of community activity and act as a source of local information and news to local people. We work closely with Wetherby High School, where in 2015 we built a small radio recording studio to enable students to produce their own radio shows for broadcast.

- 3.6 How will you ensure that your proposed C-DSP service is run on a not-for-profit basis? Please give details of specific measures or arrangements in place to ensure this, and how any profit will be wholly and exclusively used for securing or improving the future provision of the service, or for the delivery of social gain. **Answer in fewer than 400 words.**

Wetherby Community Radio Ltd is a company 'Limited by Guarantee' with no shares. Our constitution confirms that the company will continue to be run as a 'Not for Profit' organisation, with no wages or expenses paid to any of its members or officials. Any surplus generated after expenditure is reinvested back into the organisation. We have 19 years of accounts to evidence the above.

Social gain

- 3.7 What community benefits will your service bring to your target community(ies) and, if applicable, the general public. Please include summaries of evidence to support your answer, including details about other organisations you intend to work with. **Answer in fewer than 500 words.** Please do not provide names of individuals in your answer.

As an established community radio station, our objective and priority is to provide a voice for our community. Our aims are to help Local Organisations, Charities and groups, by providing publicity for their events and to assist local businesses with very reasonably priced, but effective, advertising. Training in the skills of Radio Presentation and Production, for all local people, forms a large section of our work and special arrangements are made for training young persons. We actively promote local art, heritage and culture enabling established and emerging talent to reach a wider audience.

- 3.8 Please summarise how your service will facilitate discussion and the expression of opinion. **Answer in fewer than 200 words.**

We actively promote discussion and expression of opinion through a variety of speech based programmes. A dedicated 2 hour weekly show includes guests from many of the local charities and organisations in the area. Other specialist shows include sections where local Clergy provide a weekly 'thought' and we hope to re-establish our weekly Police Roundup that stopped during covid. A separate weekly recorded programme showcases areas of the local voluntary community. We are proud of the involvement that the students of Wetherby High School provide the station.

- 3.9 How will you ensure that members of your target community(ies) can gain access to the facilities used to provide your service, and receive training in using these? In particular, please set out how this will be done practically, formally and/or informally. **Answer in fewer than 400 words.**

The target community can gain access to the studio facilities through our 'open door' policy. We have an established training programmes for those interested in learning Radio Presentation skills, with a route to getting their own live show on local radio. This includes special arrangements for young people. We have 2 dedicated training studios for our training. One located in our main studio complex and another constructed at our local High School for the younger students.

We receive regular requests for training from local residents, often retired, and also from University Graduates who are keen to receive work experience by presenting their own shows to high standards.

Throughout the year we broadcast live from various local events, providing opportunities for new presenters to develop their interviewing skills.

- 3.10 How will your service provide better understanding of your target community and the strengthening of links within it? **Answer in fewer than 200 words.**

Over the 19 years that the station has been on-air, we have established strong links and involvement with established community organisations across the target community. This is generally achieved by being 'visible' at most community events, either with a presence of our Tempo FM shelter for live broadcasting or using 'Roving Reporters' at the smaller events.

Contact at these events promotes discussion about the local organisations and promotes better understandings.

- 3.11 Please summarise the relevant experience of the group or its members in activities related to the provision of social gain or other relevant non-broadcast areas (such as third sector, training or education). **Answer in fewer than 200 words.**

Our volunteer presenters come from all walks of life: Accountants, builders, shop workers and professional people. Most have no formal broadcasting experience and yet bring a passion to the station, and this is reflected in their shows. Members of the management team provide valuable knowledge of the broadcasting industry, together with associated technical skills and in financial areas.

Participation

- 3.12 How do you propose to ensure that members of your target community(ies) are given opportunities to participate in the operation and management of the service? **Answer in fewer than 400 words.**

Our 'Open Door' policy allows our target community opportunities of volunteering as presenters or other roles within our organisation. We provide full training and support for any such roles. We fully comply with all equal opportunities legislation to ensure opportunity for all to be included in our radio station.

Accountability

- 3.13 How will members of your target community contact your service and influence its operation? **Answer in fewer than 300 words.**

Members of our target community can contact the station, through our website, email links and across all social media. We actively encourage those persons to participate in programmes with their views, though attendance either in person or live links by telephone.

- 3.14 How will suggestions and/or criticisms from members of your target community(ies) be considered and acted upon? **Answer in fewer than 300 words.**

A published complaints procedure exists, through our website, to ensure the station accurately reflects the criticisms of the target audience. At all attended events, survey forms are collected to both assist us with listeners feedback and to mould our broadcasting output accordingly.

Draft Key Commitments

Below is an example of the licence annex where the Key Commitments appear. Should a licence be awarded, the entries you provide below will form the Key Commitments section of your licence. Holders of a community radio analogue licence that is to be simulcast, or a corresponding service, are expected to provide key commitments that are in line with their existing service(s). As such, applicants may refer to the existing key commitments of the relevant simulcast or corresponding service(s) to ensure that the draft below is in line with those of the existing service(s).

Please provide entries where specified in **BOLD** below. The information you enter here should reflect your answers to Sections 3 and 4 of the Part A of your completed Application Form. This will form the basis of your Key Commitments alongside the mandatory text in italics. Do not amend the text in italics as every service is required to comply with these requirements, but the details of how each service does so do not need to be included in the Key Commitments.

ANNEX TO LICENCE

LICENSED SERVICE NO tbc

Licensed Service	Tempo 107.4 FM
Service Description	Tempo 107.4 FM is a radio service intended to serve Wetherby (West Yorkshire) and surrounding villages. Tempo 107.4 FM is for the people of Wetherby and the surrounding villages. Local people are encouraged to contribute to the station's output; to participate in its organisation; and to help develop the station's policies. The programme service concentrates on the local area and programming reflects the community's needs, tastes and aspirations. The studio of the Licensed Service is located within the coverage area of the Small-Scale Radio Multiplex Service identified above (n.b. the Licensee will not be in breach of this requirement if an existing studio ceases to fall within the coverage area merely as a result of technical changes to the Small-Scale Radio Multiplex Service outside the control of the Licensee). The Licensed Service shall have the characteristics of a Community Digital Sound Programme Service as set out in the 2019 Order and, in so doing, shall achieve the following objectives: • the facilitation of discussion and the expression of opinion, • the provision (whether by means of programmes included in the service or otherwise) of education or training to individuals not employed by the person providing the service, and • the better understanding of the particular community and the strengthening of links within it. Members of the target community shall contribute to the operation and management of the service. The service shall have mechanisms in place to ensure it is accountable to its target community in the specific area or locality.

Transmission Schedule	24 hours each day and 7 days each week.
Multiplex	WETHERBY

4. Compliance of the service

About this section

This section asks you to describe the compliance arrangements for the proposed licensed service, i.e. the arrangements which the applicant will put in place to ensure that the content it proposes to broadcast will comply with the relevant regulatory codes and rules for programming and advertising. These include:

- The Ofcom Broadcasting Code
- The BCAP Code: the UK Code of Broadcast Advertising
- The Regulation of Premium Rate Services Order

Condition 17 of a C-DSP licence requires that you have compliance procedures in place, and this section asks that you demonstrate your ability to meet this licence condition.

Before completing this section of the form you should read Section 4 of the [C-DSP guidance notes](#), where you will also find links to the codes and rules listed above.

- 4.1 Please give details of all compliance training (including dates) the person named in response to either question 2.3 or 2.5 in Part B (i.e. the individual who holds overall responsibility for compliance of the service) has received in the relevant codes and rules (for example, those referred to in the box at the start of this section).

In-House compliance training is undertaken at regular intervals in person and helped using a powerpoint presentation. Members of the management team attended Sunderland University, who assisted our staff prepare the training programme. Formal training and refresher sessions were undertaken on the following dates: 16-05-2014, 23-07-2014, 04-04-2015, 17-01-2017, 06-09-2018, 11-02-2019, 09-09-2019, 29-09-2021, 25-10-2023, 29-04-2025. Smaller one to one training is undertaken for new presenters as required.

- 4.2 Please give details of any practical compliance experience (including dates) the person named in response to either question 2.3 or 2.5 in Part B (i.e the individual who holds overall responsibility for compliance of the service) has with respect to the relevant codes and rules.

All the Trustees of the station were invited to visit Sunderland University in 2014, where they received both compliance training and were assisted in putting together their own appropriate compliance training programme and monitoring procedures. This training and monitoring programme has subsequently proved most effective for the station.

- 4.3 For each role within your compliance team please provide job title and a brief description of the functions of the role specific to ensuring compliance of the proposed service. Please do

not give names of individual members of staff – this question relates to job roles rather than currently employed individuals.

Broadcast Compliance - Trustee Monitor the compliance status for each volunteer, provide training or refresher training as required and maintain records. Run training courses as necessary

Financial Compliance – Treasurer Assesses the risks associated with Financial Compliance, book keeping duties, preparation and filing of accounts. Assesses insurance requirements

Health & Safety – All Trustees, Ensures compliance with Health and Safety within the workplace including necessary risk assessment and risk management.

Child Protection – Secretary Gives priority to keeping all children and young people safe regardless of their age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation in accordance with our Child Protection & Safeguarding Policy.

- 4.4 How does the applicant intend to formally train staff in compliance procedures? Please include details of the compliance training that will be given to those responsible for live programming, including compliance staff, presenters and producers.

All volunteers are provided with induction training when joining the station, including basic training in health & safety, fire safety procedures, expected behaviour and studio etiquette. This includes broadcast code compliance in separate formal training sessions.

- 4.5 Will the training described in response to question 4.5 be mandatory for all staff and volunteers? If not, outline who will receive it.

Compliance Training is mandatory for all on-air presenters

- 4.6 It is a licence requirement that a licensee must ensure that all programming on its service (broadcast at any time of the day or night) complies with Ofcom's codes and rules (e.g. Ofcom's Broadcasting Code, which sets requirements on standards to be observed in programme content for the protection of the public).

-) Set out in detail below the systems the applicant intends to have in place to ensure it will be able to comply with the codes and rules when the service is broadcasting live content. Your response should include details of what you will do to prepare presenters and guests pre-broadcast and the process for ensuring that any non-complaint content is dealt with swiftly during the broadcast.

All our presenters are required to abide by our Presenter Manual which includes a process for handling non-compliant content. This involves an immediate on-air apology if appropriate and reporting to a Trustee. In addition, we operate a prevention regime with regular compliance training with refresher sessions.

-) Set out in detail below how the applicant intends to ensure that pre-recorded material will comply with Ofcom's codes and rules. Pre-recorded content could include, for example, material obtained from, or streamed from, third party sources as well as content produced by the licensee.

Tempo FM does not broadcast syndicated recorded shows. All recorded material is produced by members of the Tempo FM team who undergo the same training requirements as live presenters.

- 4.7 Please set out how you will ensure the ongoing delivery/compliance of the **on-air** character of service as set out in the Key Commitments. This should be focused on the content you will broadcast on the station.

In your answer, please ensure you include details on each of the following points:

- a) How you will monitor that the character of service is being delivered;
- b) who will be responsible for monitoring this;
- c) how often will they monitor it;
- d) how you ensure this information is published; and
- e) where the information will be published/made publicly available.

Tempo FM maintains high standards of broadcasting and has aligned itself with the broadcasting code since its inception. The Trustees and other presenters are encouraged to listen to each other's shows and flag possible issues and areas where guidance is needed. The nature of the station is such that it does not cover controversial subjects and because of this in 19 years of broadcasting we have not received any complaint or comment. Should an issue be logged by the station or the general public, then a full investigation would take place in accordance with our complaints procedure.

- 4.8 Please set out how you will ensure the ongoing delivery/compliance of the **off-air** social gain activities as set out in the Key Commitments.

In your answer, please ensure you include details on each of the following points:

- a) How you will monitor that off-air social gain activities are being delivered;
- b) who will be responsible for monitoring this;
- c) how often will they monitor it;
- d) how you ensure this information is published; and
- e) where the information will be published/made publicly available.

- a) Live programming is regularly monitored by Trustees, Programme Controller and programming team.
- b) The station manager and Trustees
- c) An agenda item for our regular management meetings, promotes discussion, particularly for new presenters and highlights areas required for additional coaching.
- d) All social gain will be published on our website and social media pages
- e) Any relevant information will be made available via our website.

4.9 What language(s) does the applicant intend to broadcast in?

All broadcast output will be in English

4.10 For each language listed in response to question 4.9 please provide details of how many compliance team member(s) are fluent in each language and will be responsible for ensuring that content broadcast in that language complies with the Ofcom's code and rules. **Please do not give names of individual members of staff.**

All

5. Declaration

About this section

This form must be submitted by the applicant named in response to question 2.2. An agent may not sign the form.

The person authorised to make the declaration on behalf of the applicant must print their name and must be one of the following :

- A director of the company or the company secretary where the applicant is a company.
- A designated member where the applicant is a Limited Liability Partnership.

The declaration must also be dated.

- 5.1 I hereby apply to Ofcom for the grant of a licence for the community digital sound programme service described above and declare that the information given in this application form is, to the best of my knowledge and belief, correct.
- 5.2 I further declare and warrant:
-) that I am not a disqualified person within the meaning of that expression as defined in Part II 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;
 -) that having made all reasonable enquiries neither the applicant nor any person controlling the applicant, as a 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; and
 -) 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
 -) that no director or person concerned directly or indirectly in the management of the applicant is subject to a disqualification order as defined by section 145 (1) of the Broadcasting Act 1996.
- 5.3 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 any other individuals and/or bodies corporate with substantial involvement 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 applicant or person authorised to make the application of behalf of the applicant:

ALAN JOHN EVERARD

Date of application:

13th October 2025

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

Company secretary / company director / designated member (in the case of a Limited Liability Partnership)

You also need to complete the [confidential section \(Part B\) of the application form](#).