

---

# 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):**

Riviera FM Ltd

**Proposed service name:**

Riviera 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)**

Torbay

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

# Contents

---

## Section

1. Overview	3
2. Applicant's details	6
3. The proposed service	16
4. Compliance of the service	28
5. Declaration	33

# 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](mailto:broadcast.licensing@ofcom.org.uk).

## The purpose of this form

- 1.1 You should complete this form if you are applying for a Community Digital Sound Programme (C-DSP) licence.
- 1.2 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.
- 1.3 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.
- 1.4 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.
- 1.5 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).
- 1.6 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

- 1.7 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 applying 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.
- 1.8 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

- 1.9 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.
- 1.10 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](mailto:broadcast.licensing@ofcom.org.uk)).
- 1.11 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.
- 1.12 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

- 1.13 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

- 1.14 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.
- 1.15 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 propriety 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):

Riviera FM Ltd

2.2 Company registration number stated on Companies House:

06875219

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:

Grosvenor House, 1, New Road, Brixham, Devon, TQ5 8LZ.

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

**Yes** (delete as appropriate)

**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	Martin George Foster
Job title	Station Manager/Managing Director (Volunteer)
Address	1, Clavering Court, Lincombe Drive, Wellswood, Torquay, Devon. TQ1 2HH.
Telephone	01803 201120
Mobile phone	07717 661960
Email	martin@riviera.fm

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

[www.riviera.fm](http://www.riviera.fm)

- 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.

Income will be generated from the sale of advertising and sponsorship opportunities. The station is not receiving any form of funding from any political organisation or religious body.

## 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 <sup>1</sup>	Country of residence	Other officerships held (and nature of the business concerned)	Other employment
Martin Foster	Riviera FM Ltd 1, Clavering Court, Lincombe Dr, Torquay, TQ1 2HH.	England	Managing Director  Community Radio Licence - Riviera FM Ltd	None

- 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.

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



Full name of >5% participant (existing and proposed)	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
N/A				
Comments				
Station limited company by guarantee only				

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 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.)

C-DSP licence: Application form (Part A)

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 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	
A body whose objects are wholly or mainly of a political nature, or which is affiliated to such a body	NO	
A body whose objects are wholly or mainly of a religious nature; <sup>2</sup>	NO	
An individual who is an officer of a body falling within (b) or (c);	NO	

<sup>2</sup> 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.

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	
An advertising agency or an associate of an advertising agency	NO	

### 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** (delete as appropriate).

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

Licence number	Name of multiplex
CR102117	Riviera FM
DP104548BA/1	Riviera FM

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

**Yes** (delete as appropriate).

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

Licence number	Name of service or multiplex
CR102117	Riviera FM
DP104548BA/1	Riviera 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** (delete as appropriate).

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
March 2020	CR102117	Riviera FM (Torbay- not yet awarded)
April 2022	DP104548BA/1	Riviera FM (Torbay- not yet awarded)

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

**No** (delete as appropriate).

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

Licence number	Name of service or multiplex
	N/A

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”)?

**No** (delete as appropriate).

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

Licence number	Name of service or multiplex
	N/A

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)?

**No** (delete as appropriate).

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

Licence number	Name of service or multiplex
	N/A

- 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?

**No** (delete as appropriate).

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
	N/A	

- 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?

**No** (delete as appropriate).

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
	N/A			

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

**No** (delete as appropriate).

If yes, please provide the following details:

C-DSP licence: Application form (Part A)

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

- 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 simulcast 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?

Riviera 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.

Torbay (Not yet awarded)

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 5.2 (or the advertised area for a small-scale radio multiplex service that has not yet been awarded).<sup>3</sup>

<sup>3</sup> 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.

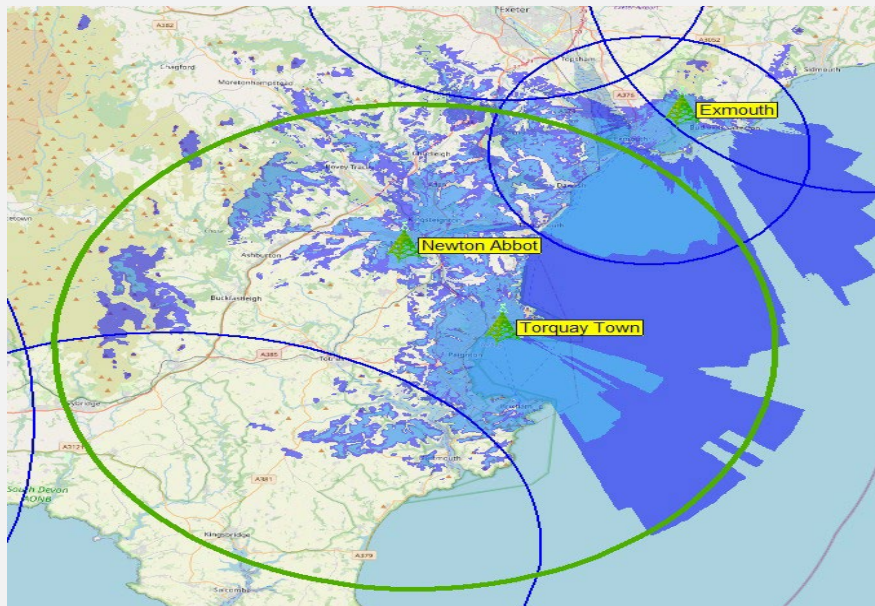


The studio is located in Torquay town centre within the coverage of the Torbay Polygon.

- 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.

Simulcast of Riviera FM CR102117

- 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 coverage area of the radio multiplex service on which you intend to broadcast. **Answer in fewer than 400 words.**



The target community of the service will cover the Torbay polygon (as above)

Riviera FM will operate a diverse radio schedule that focuses upon all the local communities within Torbay and the surrounding districts. Our programming policy is mostly based on our broadcasting experience running a community FM broadcast station for over 2 years (and on the internet since 2008) plus the feedback from volunteers' experience and of course our listeners. On FM we already cater for the areas within the Torbay Polygon.

- The target audience are the people that who live, work or are being educated within the polygon.
- Local information will be given out raising awareness of local issues
- There will be a "What's On" programme covering a comprehensive guide to events within the Ofcom denoted area.
- Local news is very important to the area. The local regional news supplied by ITV Westcountry is originating from Bristol (100 miles away). News items cover a large area of the South West. Many people in the local region only wish to be informed about news in their community. Riviera FM will bridge this large gap.
- Traffic and weather information will be covered. Riviera FM has made arrangements with the council's CCTV department to access regular traffic information. This will also be of interest to around well over a million visitors in the summer months.
- There will be many lifestyle programmes from a local perspective reflecting the unique position of local life.
- To celebrate and publicise local achievements
- Riviera FM will promote local arts and events i.e. showcase local artists and heritage centres.
- Specialised sports coverage of local teams and events. Riviera FM broadcasts local sport. It broadcasts pre-match information from Torquay United plus the half-time and full-time scores and summaries. The station reports on many other local sports events from powerboat racing to local bowls and cricket clubs. The station gets involved promoting local junior sports teams in the area. There are no other local sports coverage programmes broadcast locally.
- Older listeners would listen during the day either at home, at work or whilst driving. Many of the elderly listeners are interested in programmes about local events and history. Both these groups are interested in receiving up-to-date information about local opportunities and events and this is a priority.
- Most of the above and more currently apply to Riviera FM through the stations broadcasts.

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.**

Riviera FM is a company limited by guarantee, a not for profit organisation.

When any extra revenue is made this will be distributed back into Riviera FM to improve the service providing new equipment, training and social gain to the community, and generally securing the future provision of the service.

## 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.**

Riviera FM will broadcast material of local interest to Torbay and the surrounding districts of South Devon. Making full use of radio, performance and other forms of communications to provide news, information, education, training and entertainment opportunities.

Riviera FM will engage and promote interaction between people of all ages, races and backgrounds. It will endeavor to facilitate personal and social development opportunities of various kinds, and so build social capital in the communities, by ensuring the inclusion of a wide range of groups within the wider population e.g. home workers, young parents, workers in isolated rural locations, employees, and owners of local businesses.

Riviera FM is a broadcast station with a commitment to supporting people in recovery. This is in conjunction with The NHS. The station currently broadcasts to residents of Torbay, and the surrounding districts of South Devon. Riviera FM delivers music content and promotes community events, activities, and information.

For example Riviera FM supports "Volunteers Week", each year and promotes funding opportunities for small community groups for the "Torbay Community Development Trust", a Riviera FM partner. The station also promotes by way of interviews "16 days of Action," for the "Torbay Council" against "Domestic Abuse", and "Sexual Violence", also this is in association with the Devon and Cornwall Police.

Riviera FM offer the elderly a chance to develop skills in all aspects of running a community radio station including presenting programmes aimed at bringing the whole community together, although it is not just about recruitment and training: it is about using that process to really get to know and understand the community and issues that people face. We will broadcast a wide range of content, produced by the elderly reflecting experiences, interests and opportunities for older people within the Torbay Polygon. Riviera FM will also (and does) work with local schools and takes local university students on work experience. It will also provide training for the community members to enable them to make broadcast programmes of local interest around the Torbay Polygon

*Dear Ofcom,*

*I would like to take this opportunity to acknowledge the great work Riviera FM do for the community of Torbay. I work for Shekinah as activities Volunteer Co-ordinator at the Leonard Stocks Centre for the homeless. Some of the members have been developing a radio show on Riviera FM. Our clients need this kind of support with their mental health, and addiction problems. The Riviera FM trainer has shown an inclusive, positive, and an empowering style of teaching. Our clients become more confident, learning new communications skills so they can express themselves more clearly.*

*The Leonard Stocks Centre would wholeheartedly support Riviera FM in this application.*

***Shekinah, Leonard Stocks Centre, Torquay, Devon***

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

**Riviera FM shall promote:**

- And encourage expression of opinion, it also encourages debate to the stations programmes.
- Listeners getting in touch with the station by way of phone-ins to allow community expression of opinion.
- Talking points where presenters give their considered opinions on particular issues.
- Live and recorded public debates
- Studio discussion on issues involving people with expertise, experience and knowledgeable opinions to express themselves.
- 'VOX' pops for members of the community.
- Reports on local issues, news and events.
- Councillors Surgeries "on-air".

- 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.**

Riviera FM will offer access and membership to the entire community of the Torbay and the surrounding districts of South Devon, providing an open approach service.

The station will regularly broadcast opportunities for new members to join the service during its transmissions. Flyers are handed out at outside events for new members. There is also an invitation to join Riviera FM on the station's website. Riviera FM accepts members with a genuine interest to join the station in all capacities. Volunteers range from cleaners, office staff, producers, editors, engineers (including IT), trainers, advisors, presenters, managers, sales, fundraisers, steering committee members and board members.

Riviera FM currently has thirty seven volunteers who currently run the station's community radio service. The entire community have access to the station - community participation in the operation of Riviera FM is a key characteristic of the station. Ages currently range up to 80+ years of age. Riviera FM is also equal opportunities, and a station with an open door policy.

This is a station truly for the people of the Torbay Polygon/South Devon run by the people of Torbay/South Devon. All the volunteers working presently at Riviera FM have their own individual influence on the running of the station in operations and management. Riviera FM will do its best to help its members develop their volunteering role.

- 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**

Riviera FM has carried out qualitative descriptive data research between a cross section of the Torbay community. Views varied on a few programmes, but seemed to be fairly consistent with others. Views expressed have been acted on.

Riviera FM encourages debate relating to the station's programmes (and more). To this end it has a forum on its website ([www.riviera.fm](http://www.riviera.fm)), where listeners can log in and make their views known. There is a Riviera FM Facebook page that is frequently used by listeners either to contact the studio directly or leave a message. Listeners can also write an e-mail or text directly to the studio. Besides this there are two telephone lines where the listeners can phone into the studio or office, or leave a message. With its open door policy, the station also has many visitors from the general public. The station is frequently giving out contact information to its public "on air".

The station is now out and about in the community (since the Covid-19 lockdowns) again with roadshows helping community groups. The stations staff come into direct contact with the community see picture below).



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.**

- In 2008 the group met to put ideas forward how to run a Community Radio station in Torbay, and how to train its volunteers as a non-profit organization such as Riviera FM. Volunteer training was made one of the most highest priorities.
- Riviera FM provides training to enable volunteers to make and broadcast programmes of local interest. Riviera FM also commenced training courses for people in recovery. Training is promoted at user groups, NHS clinics and via local support groups.
- Riviera FM is in partnership with The Torbay Community Development Trust who is the umbrella organisation for most voluntary organisations in the local area. Riviera FM provides training for their "Ageing Well" voluntary scheme.
- Martin Foster **BSc (Hons) a Fellow, Institution of Engineering, and Technology F.I.E.T. (former Institute of Electrical. Engineers) and registered Incorporated Engineer with**

**the Engineering Council (I.Eng).** Martin has had over forty years' experience in broadcasting, he has worked for London Weekend Television, ITN, and the BBC. Martin is on the Board of the Radio Academy South West bringing training opportunities.

- **Gareth Wynn, BSc (Hons) ICT, Chief Engineer/Operational Training** has 14 years' experience of studio installation, and maintenance. Carries out training for new volunteers, and re-training in new techniques.

## 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.

Members are given the opportunity to take on extra responsibilities, such as a management position with the company. Training is given to members who take on new positions. Riviera FM encourages members to take on extra roles, or to interchange roles on the station. In some cases the volunteers perform more than one duty, such as scheduling music, updating the web pages, and presenting. A section of the volunteers who have the time find participating in multi-skilling rewarding and appealing. This adds to the quality of their life. Riviera FM encourages volunteers and the community to participate in the making and broadcasting of programmes to the benefit of the community, and to bring about positive change.

## Accountability

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

Riviera FM station staff is in direct contact with the public. They have an opportunity to engage in meaningful conversations with the local community. It is found that many voluntary organisations contact the station via this method. It is also found this is a very good method of obtaining general feedback that can be acted upon. Riviera FM takes its listeners feedback very seriously. There are many other ways of contacting Riviera FM, such as the telephone, e-mail, social media (Facebook, Twitter) and via its website.

The Riviera FM Committee members are elected from the members who will enable the target community to directly influence the development of the Community Radio service. Meetings are publicly advertised, online and on air, and are held at different locations in the local area at various times.

- 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 criticism/complaints system is established so that members of the local community wishing to lodge a criticism or complaint can via a forum on the Riviera FM website. In the first place complaints go to the Station Manager. If the complaint is not resolved at this level it will then be passed on to the Board.

Any criticisms expressed by the members of the target audience has always been acted upon.

Riviera FM does operate an open door policy where members of the target audience can always express their views.



## 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	Service Description	Transmission Schedule	Multiplex
<b>Riviera FM</b> (the on-air name of the programme service as in question 3.1 of this application)>	<p><b>Riviera FM</b> <i>is a radio service intended to serve the Torbay and the surrounding districts.</i></p> <p>NOTE: The next 3 headings below are the components of the 'character of service'.</p> <p><b>&lt;ENTER DESCRIPTION OF TARGET AUDIENCE&gt;</b> <i>in</i></p> <p>The target audience that Riviera FM will serve are the people of all ages living, working, on holiday, training, and being educated in within Torbay and the surrounding districts.</p>		<p><b>Torbay ssDAB (as per the licence advert):</b> as in question 3.2 of this application, specify if small-scale or local multiplex the radio station plans to broadcast on&gt;</p>

	<p><b>Torbay ssDAB</b> NOTE: this can be all, or a subset of, the area covered by the radio multiples service described in the next column&gt; (<i>“the target community”</i>) by Riviera FM will operate a diverse radio schedule that focuses upon all the local communities within the Torbay and the surrounding districts.</p> <p><b>&lt;ENTER A BRIEF STATEMENT OF MAIN PURPOSE OF THE RADIO SERVICE, ITS FUNCTIONS/ACTIVITIES describe in no more than 50 words&gt;</b></p> <p>Riviera FM will reflect by its broadcasts the unique position of Torbay (and surrounding districts) life, building local pride, personal, and social development, fostering more cohesion to the general community regardless of race, religion or gender.</p> <p><i>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).</i></p> <p><i>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:</i></p> <ul style="list-style-type: none"> <li><i>– the facilitation of discussion and the expression of opinion,</i></li> <li>• <i>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</i></li> <li>• <i>the better understanding of the particular community and the strengthening of links within it.</i></li> <li>•</li> </ul>		
--	--	--	--

**C-DSP licence: Application form (Part A)**

	<p><i>Members of the target community shall contribute to the operation and management of the service.</i></p> <p><i>The service shall have mechanisms in place to ensure it is accountable to its target community in the specific area or locality.</i></p>		
--	---	--	--

## 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 Phone-paid Services Authority Code of Practice

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).

Riviera FM is currently an FM Community Radio station that complies with Ofcom obligations and broadcasting rules.

Before Riviera FM held a broadcasting licence it was an internet station formed in 2009.

All Riviera FM presenters have been trained in compliance since the station was formed in 2009 in readiness for broadcasting on FM radio. Making all Riviera FM presenters au fait with the compliance rules when the station started broadcasting on FM in 2020. Besides local training most of the presenters have also been trained as a refresher in compliance under the Memorandum Of Understanding (between The Community Media Association and The BBC) by BBC Radio Devon just over 2 years ago (2020).

Riviera FM presenters attended courses at BBC Broadcasting House situated in Plymouth. Compliance is a continuing obligatory part of being a presenter at Riviera FM. All Riviera FM presenters have also individually been sent Ofcom compliance rules. Frequently senior presenters pass on compliance information to less experienced presenters. Senior presenters report any of their compliance training activities to The Managing Director/Station Manager.

- 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.

The Managing Director/Station Manager (as the named person in section 2.5) is very experienced with over 40 years in professional broadcasting in a supervisory capacity working with top broadcasters in the UK. Also please see section 4.1

The person above responsible for compliance training has also been trained in in this area via The BBC (by way of The Memorandum Of Understanding) and continues to keep well informed of the latest rules, and codes.

- 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.

**The Managing Director/Station Manager (as the named person in section 1.1) is very experienced with over 40 years in professional broadcasting in a supervisory capacity working with top broadcasters in the UK.**

**The Technical Director also teaches and explains compliance to new volunteers during their induction to the station.**

- 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.

As above, Riviera FM takes broadcasting/compliance very seriously and refresher training also takes place (as seen above). New staff are also trained in compliance before they are allowed to operate the station alone. We have not taken on any new staff since the last training session took place in 2020. This is carried out in our training room. This can be individually or in small groups. New/current refresher training has been planned.

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.

Yes, this applies to all Riviera FM staff.

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).

- a) 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.
- Live programming, by definition, cannot be fully complied in advance. As such, Riviera FM take care to minimise the possible risks.
  - Such risk includes causing harm and offence; giving undue prominence to products, organisations or services; or creating legal problems.
  - This applies to anyone appearing live on-air or online from contributors and presenters to any live audience.
  - Special guidance is in place for when we invite our audiences to interact with our live output.
  - Hard and fast rules to deal with individual incidents are not practical. There is, however, general guidance given to Riviera FM presenters to deal with problems such as strong language, national & international emergencies, impartiality and product placement.

- b) 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.

All programme material on Riviera FM is locally produced by its own presenters who are aware of compliance rules and support compliance behaviours and values, as it's an inclusive and innovative culture at Riviera FM.

- 4.7 Please set out how you will ensure ongoing compliance with your Key Commitments that relate to what you will broadcast on the station, including how you will monitor that these are being delivered e.g. who will be responsible for monitoring this, how often will they monitor it, how you ensure this information is published.

The Station Manager is constantly scrutinising the stations programme output to ensure compliance along with key commitments is being met. All Riviera FM presenters are constantly being reminded the importance of these codes and rules.

- 4.8 Please set out how you will ensure ongoing compliance with your Key Commitments that relate to the station's off-air social gain activities, including how you will monitor that these are being delivered e.g. who will be responsible for monitoring this, how often will they monitor it, how you ensure this information is published.

As stated in section 4.7, all current volunteers/presenters are constantly being reminded about Ofcom's compliance rules.

This is by way of e-mail and duplicated on the Riviera FM staff Facebook page. All staff members are advised to check these means of communications on a day-today -basis.

In addition, all of Riviera FMs volunteers/presenters are sent a volunteers agreement outlining rules, and codes in addition to a link signposting members to the Ofcom website regarding radio compliance.

Riviera FM train all new presenters in operations, and compliance. The full importance of the compliance conformity is pointed out. This is of prime importance to the directors/management of the station, and in turn becomes significant to all presenters.

Classes are also held to refresh members of their obligations as a broadcaster.

The subject of compliance is also reminded to all Riviera FM staff at meetings.

The output, and key commitments is constantly monitored by the Station Manager for radio compliance as laid down by Ofcom.

4.9 What language(s) does the applicant intend to broadcast 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.**

English - 2



## 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:
- a) 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;
  - b) 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
  - c) 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
  - d) 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:**

Martin George Foster

**Date of application:**

20<sup>th</sup> October 2022

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

Company Director

**You also need to complete the confidential section (Part B) of the application form**