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## Small-scale radio multiplex licence

### Application form – Part A (public)

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

YORK DAB LIMITED

**Multiplex licence area being applied for (note this must be a small-scale multiplex area currently being advertised by Ofcom):**

YORK

**APPLICATION FORM:**

Publication date: 28 January 2022

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# 1. Overview

## The purpose of this form

- 1.1 You should complete this form if you are applying for a licence to provide a small-scale radio multiplex service (a 'small-scale radio multiplex licence'). A small-scale radio multiplex service is the means by which DAB digital radio stations ('digital sound programme services') are broadcast, and can transmit around ten stereo digital sound programme services (or a significantly higher number if the DAB+ standard is utilised). The 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 separately.
- 1.2 Small-scale radio multiplex licences are awarded by Ofcom in a competitive process. Applications are judged against specified criteria, and Ofcom awards the licence to the applicant which it considers best meets the criteria.

## How to complete the form

- 1.3 There are detailed instructions on how to complete this form, and information on the next steps in the application process, in our [guidance notes](#) for licence applicants and licensees. Please read this guidance and the frequently asked questions carefully before completing this form.
- 1.4 If you still have a query having read the guidance and FAQ, you can contact Ofcom's Broadcast Licensing team by email ([smallscaledab@ofcom.org.uk](mailto:smallscaledab@ofcom.org.uk)). The team cannot provide advice or pre-approve applications but can answer general questions.
- 1.5 Please download this form and fill it in on a computer. If completing by hand, please use block capitals and black ink.
- 1.6 Please answer all the questions as fully as possible, use extra sheets if required and provide the supporting documentation listed at Section 7 of Part B of the application form. Sufficient information must be supplied about the applicant and the proposed service to enable Ofcom to consider the application in accordance with the statutory criteria for the granting of small-scale radio multiplex licences. Ofcom may need to request further details from you before a licence can be granted.
- 1.7 Ofcom reserves the right to reject applications made using an old version of the form.
- 1.8 Ofcom will accept handwritten application forms, but they must be filled in using block capitals and black ink.
- 1.9 Ofcom reserves the right to reject application forms that are illegible.
- 1.10 You must answer all questions in the application form and respond "N/A" to any questions that do not apply to the applicant.
- 1.11 Ofcom reserves the right to reject applications which do not meet the following criteria:

- a) The declarations in Section 6 of this form and in Section 8 of Part B of the application form must both be signed and dated.
  - b) The person who signs and makes the declaration on behalf of the applicant must be:
    - i) A director of the company or the company secretary where the applicant is a company.
    - ii) A designated member where the applicant is a Limited Liability Partnership.
  - c) All supporting documents as requested in the checklist at Section 7 of Part B of the application form must be supplied in legible form and translated into English where applicable.
- 1.12 If you are completing the form as an agent, i.e. you are acting on the applicant's behalf, please note that you cannot sign it on your client's behalf, and that the person signing the form needs to have personally checked the truth and completeness of the responses given. If your client wishes you to be Ofcom's main contact in relation to the application, please make this clear in an accompanying letter, and provide evidence of your authority to act on behalf of the applicant. The form should be filled in so as to include information about the applicant, not the agent. If Ofcom has further questions once the application has been submitted, we will direct these to the applicant, not to the agent, but we will accept responses from the agent.

## How to submit the form

- 1.13 We prefer application forms and required supporting documents to be submitted by email to [smallscaledab@ofcom.org.uk](mailto:smallscaledab@ofcom.org.uk). Handwritten applications and required supporting documents should be scanned and attached to the email.
- 1.14 You should receive a response from [smallscaledab@ofcom.org.uk](mailto:smallscaledab@ofcom.org.uk) confirming that your application has been received by Ofcom. If you do not receive a response, it is likely your application has not been received and you should contact Ofcom's Contact Centre on 0300 123 3333 and ask for the Broadcast Licensing team who will be able to confirm if your application was received.
- 1.15 If the applicant cannot submit the application form and/or the supporting documentation by email, the applicant may submit the application and/or the supporting documentation by post to:
- Ofcom  
Broadcast Licensing  
Riverside House  
2a Southwark Bridge Road  
London  
SE1 9HA
- 1.16 Those applicants who submit their application by post will be sent an acknowledgement.

## Application fee

- 1.17 A non-refundable application fee of £500 is payable either by cheque made out to 'Ofcom' or by bank transfer.
- 1.18 Applications will not be assessed until the application fee has been received in Ofcom's bank account.
- 1.19 Ofcom requests that applicants pay the application fee by bank transfer and that immediately after the applicant has instructed their bank to make the payment, confirmation of payment is emailed to [ofcom.remittances@ofcom.org.uk](mailto:ofcom.remittances@ofcom.org.uk).
- 1.20 To ensure that Ofcom can identify the payment, it must include a payment reference which is the applicant's postcode followed by the applicant's name (or as much of the name as is possible to provide within the character limit set by the bank) as provided in response to question 3.1 of this application.
- 1.21 The bank details to be used to pay the application fee are:
- Account Name: Office of Communications
- Bank details: Lloyds Bank, 69-73 Borough High Street, London SE1 1NQ
- Account number: 00782415
- Sort code: 30-97-90
- BIC: LOYDGB21351
- IBAN: GB05 LOYD 3097 9000 7824 15
- SWIFT: LOYD GB 2L
- 1.22 If the applicant is unable to make the payment by bank transfer, a cheque should be made out to 'Ofcom' and sent in the post to Ofcom Broadcast Licensing team, Riverside House, 2a Southwark Bridge Road, London SE1 9HA. You must state the name of the applicant as provided in response to question 3.2 and proposed service name on the back of the cheque.
- 1.23 If an applicant is paying the application fee by cheque, the cheque must be received within five days of the application being received by Ofcom or the application may be rejected. If an applicant's cheque bounces, the application may be rejected.

## Supporting documentation

- 1.24 You must provide a range of supporting documentation when submitting this application form. Please refer to the checklist at Section 7 of Part B of the application form for full details. Please note that failure to supply the necessary documents will delay your application.
- 1.25 Ofcom reserves the right to reject applications with which the necessary documents are not supplied in legible form.

- 1.26 Please note that Ofcom cannot receive emails larger than 35MB. If your application email exceeds this limit, please send your supporting documents in a separate email(s), clearly indicating the applicant's name in the subject line of the email.

## Provision of information

- 1.27 Ofcom requires complete and accurate information to assess applications. In particular, we must be satisfied that those applying for a licence are 'fit and proper' to hold a licence and are not disqualified from participation in a licence.
- 1.28 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 applications

- 1.29 Part A of the application form (i.e. this document) will be published by Ofcom on our website as soon as practicable following the closing-date for applications. Because this is the 'public' part of the application form, and Ofcom is legally required to publish applications for public comments, *no questions* should be answered by means of the submission of a confidential annex. If, for logistical reasons, an annex is required to answer a question in Part A of the form, this will be published on our website alongside Part A of the application form. Part B of the application form will remain confidential.
- 1.30 Ofcom may take into account any comments received from the public, which can be made to it with respect to Part A of the application submitted.
- 1.31 In submitting Part A of the application, you agree that Ofcom may publish contact details for the licensee, which may include personal data, on the Ofcom website and/or in other relevant publications.
- 1.32 When a licence is granted, the name of the service and public contact details for the licensee will be published on the Ofcom website. These are the details supplied by the applicant in the application form. 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 ([smallscaledab@ofcom.org.uk](mailto:smallscaledab@ofcom.org.uk)).
- 1.33 Ofcom considers issued small-scale radio multiplex licences to be public documents and copies of licences will be made available to third parties on request, noting that personal data apart from the name of the licensee may be redacted.

## Data protection

- 1.34 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 more information about how we handle your personal information and your corresponding rights.

## Keeping up to date with broadcasting matters

- 1.35 We strongly recommend that you subscribe to receive Ofcom's regular email updates on broadcasting matters. These include a [monthly radio licensing update](#) that lists new services licensed, licences revoked, licence transfers, and changes to licensed services during the past month. To subscribe to these updates, please visit [www.ofcom.org.uk/about-ofcom/latest/email-updates](http://www.ofcom.org.uk/about-ofcom/latest/email-updates) and select 'Broadcasting'.

## 2. Extent of proposed coverage area

### About this section

Under section 51(2)(a) of the 1996 Act, we are required to consider the extent of the coverage area an applicant proposes to achieve within the area which has been advertised. This section therefore asks you to describe the coverage you are proposing to achieve. Further questions on the detailed technical arrangements for the proposed service, including questions on the transmission site(s) that you intend to use and your plans for how the multiplexing and distribution of your service will be arranged are contained in Part B of the application form.

Before completing this section of the form, you should read carefully the notes on 'Extent of proposed coverage area' in Section 4 of Ofcom's [guidance notes for licence applicants and licensees](#).

Applicants should note there are confidential questions relating to extent of coverage area in Part B of the application form.

- 2.1 Please provide a summary, fully consistent with the more detailed information about transmission sites supplied separately in Part B, of the coverage area proposed to be achieved by your technical plan. This should include a description of the target area you are seeking to serve within the advertised licence area, and also any areas you are aiming to serve outside the advertised licence area for this small-scale radio multiplex service. (You may refer to your coverage prediction in the response you provide):

This application is to supply a coverage area compliant with the advertised York polygon, transmitting to York city as well as outlying suburbs of Haxby, Dunnington, Naburn, Copmanthorpe, Beningborough and Shipton.

We do not plan to serve any area outside of the advertised licensed area.

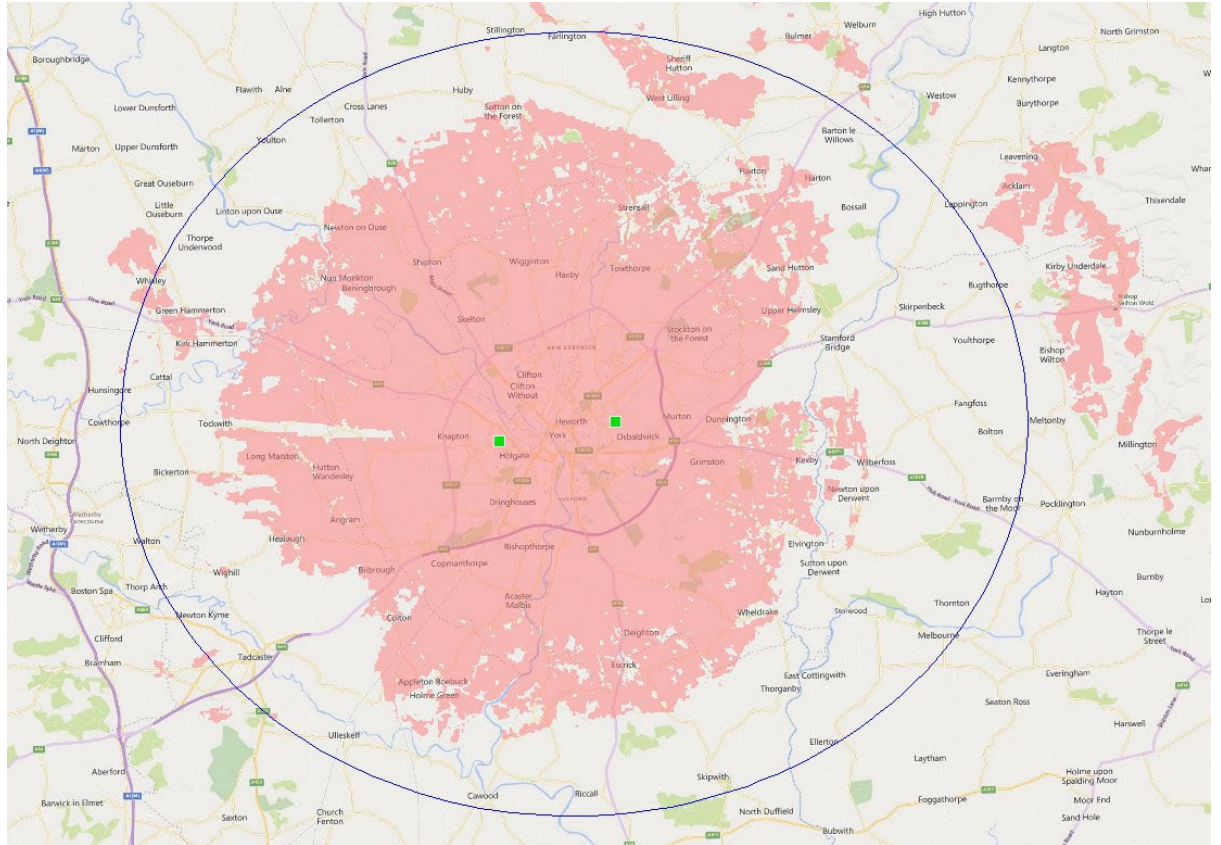
- 2.2 Please provide summary details of the sites required to achieve this coverage by completing the table below (add additional rows as required):

Site name	NGR	Antenna height (m agl)	Antenna type proposed with bearing	New or existing antenna	ERP (W)
Askrigg House	SE5802451697	21	Collinear Omnidirectional	New	200W
Burnhome Centre	SE 6255452450	18	Collinear Omnidirectional	New	100W

- 2.3 Please provide a coverage prediction map for the whole transmitter network you are proposing to build within 18 months if you are awarded a licence. The map should show the 63 dB $\mu$ V/m field strength and the advertised small-scale DAB licence area contour. [Small-scale DAB licence areas in GIS format](#) are available on the Ofcom website.



**Small-scale radio multiplex licence: Application form (Part A)**



2.4 Please provide the following details of the prediction software used for your coverage assessments:

Provide the name and version of the prediction tool used.	ATDI HTZ Communications V23.5.8 V1477
Detail the terrain model used by the software and its resolution.	UK Ordnance Survey 50m DTM
Detail the ground cover (clutter) data used by the software and its resolution.	UK Ordnance Survey 50m .SOL
What propagation algorithm has been used?	Deygout 94 Coarse Integration Fresnel Zone 0.8
Where multiple sites are proposed, describe what methodology has been used to assess the network (SFN) gain	Power Sum
If these predictions have not used Ofcom-provided population data, state what population data has been used and its source.	OFCOM provided data used and checked with 2011 ATDI provided census data
Have your predictions been generated by a commercial organisation? If so, by whom?	Bitstream Broadcast Limited

## 3. Ability to establish the proposed service

### About this section

In Section 3, we are asking questions about the applicant company, its financial and business plan, the relevant expertise and experience of those who will be involved in providing the small-scale radio multiplex service, and the timetable for coverage roll-out. The answers to these questions will enable Ofcom to assess the application under section 51(2)(c) of the 1996 Act. Additional information is requested in Part B of the application form.

In the first 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 small-scale radio multiplex 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 small-scale radio multiplex licence.

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).

The remaining questions in Section 3 relate to the applicant's financial and business plan, the expertise and experience of those involved, and the planned timetable for launching the proposed multiplex service.

Applicants should note there are confidential questions relating to extent of coverage area in Part B of the application form.

### Applicant's details

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

YORK DAB LIMITED

3.2 Company registration number stated on Companies House (if applicable):

14006985

3.3 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:

5 Rye Walk  
York  
YO30 6QJ

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

**Yes.**

If no, please submit the up-to-date document and indicate you have done so in the checklist in Section 7 of Part B of the application form.

## Ownership and control of company which will hold the licence

### Details of officers

- 3.5 Please 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
David Robert Roberts	XCel Broadcast, 1 Hutton Close, Bishop Auckland, DL14 6XC.	England, United Kingdom	<p>Managing Director, XCel Broadcast Limited (04597656) - broadcast media production company.</p> <p>Director, Mux One Limited (13016031) - small scale DAB licence holder.</p> <p>Managing Director RedArmy Group Limited (09595585) - radio and television broadcasting company.</p> <p>Director - RDBM Developments Limited (11224092) - property development company.</p>	N/A
Neil Luckham	Lucoro Limited, Clay Pit Lane,	United Kingdom	Director, Lucoro Limited (08349017) -	N/A

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

	Bar lane Industrial estate, Roecliffe, York, YO51 9FS		Broadcast electronics manufacturer.	
John Philip Bibby	19 Richmond Crescent, Mossley, OL5 9LQ	United Kingdom	Director, Bitstream Broadcast Limited (06738227), Transmission & Telecommunications.  Director, Mux One Limited (13016031) - small scale DAB licence holder.	
Paul Christopher Donald Parkin	The Smithy Farm, Hopperton, Knaresborough, HG5 8NX	United Kingdom	Chairman & Director, Datatrans Communications Limited (03585682) - Transmission Engineering. Chair & Director, Dales Radio Limited (08358911) - Community Radio service. Director, Jorvik Radio Limited (10876201) - Community Radio service. Director, East Cleveland Community Radio Limited (08362780) - Community Radio service.	
Jorvik Radio	The Centre Mossdale Avenue York YO31 0HA	United Kingdom	Jorvik Radio Limited (10876201) Community Radio Broadcast Company.	N/A

### Details of participants

3.6 Please complete the table overleaf, expanding it if necessary, to list all bodies or individuals which hold or are beneficially entitled to shares, or who possess voting powers, in the applicant (i.e. the “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.

(If parts of this question are not applicable to the applicant – for example, because the applicant does not have shareholders – please respond “N/A” in the relevant parts of the table.)

Full name of participant (existing and proposed)	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
David Robert Roberts	20	20	19.6	19.6
XCel Broadcast Limited	5	5	4.9	4.9
Neil Luckman	20	20	19.6	19.6
Lucoro Limited	5	5	4.9	4.9
John Philip Bibby	20	20	19.6	19.6
Bitstream Broadcast Limited	5	5	4.9	4.9
Paul Christopher Donald Parkin	20	20	19.6	19.6
Datatrans Communications Limited	5	5	4.9	4.9
Jorvik Radio	2	2	2	2
<u>Comments:</u>				

### Details of relationships of control

- 3.7 Complete the following table, expanding it if necessary, to list any bodies corporate which are controlled *by* the applicant, any director of the applicant, any person/body corporate with control over the applicant, or any body corporate controlled by a person/body corporate controlling the applicant. Please include bodies corporate under joint control – i.e. which are controlled acting together in concert with third parties (e.g. because of a shareholder’s agreement):

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

Full name of body corporate	Address	Person/body controlling the entity (i.e. the applicant itself or its associate)
NA - The applicant does not control any bodies corporate, nor does any body corporate or individual have control of the applicant ( <i>as per Schedule 2 to the Broadcasting Act 1990</i> ).		

### Details of persons who control the applicant

- 3.8 Complete the table overleaf, expanding it if necessary, *to list all persons/bodies corporate who control the applicant*, or control any person/body corporate with control over the applicant. Please include persons or bodies that control the applicant (or body corporate with control over the applicant) jointly i.e. acting together in concert with third parties (e.g. because of a shareholder’s agreement). Please note that some of this information may repeat information provided above on shareholders and other participants in the applicant:

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

Full name of person/body corporate	Address	Person/body controlled by the entity (i.e. the applicant itself or its associate)

NA - The applicant does not control any bodies corporate, nor does any body corporate or individual have control of the applicant (as per Schedule 2 to the Broadcasting Act 1990).

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3.9 Complete the following table, expanding it if necessary, to list other bodies in which any individual listed in response to question 3.8 is a director or designated member:

(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 individual is a director or designated member
N/A	

3.10 Complete the following table, expanding it if necessary, to list all bodies corporate which are controlled (including jointly controlled) by any body corporate listed in response to question 3.8:

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

Full name of body corporate listed in 3.8	Body corporate controlled
N/A	

3.11 In relation to each body corporate identified in response to question 3.8, complete the table overleaf, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, 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 3.8. 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 3.8	N/A			
Full name of participant	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
N/A				
Comments				

### Involvement of the applicant in specified activities

3.12 Please state below whether the applicant, or any individual or body corporate identified in questions 3.5 to 3.11 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	
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

3.13 Please answer 'yes' or 'no' to the following questions about the applicant (i.e. the body corporate that will hold the licence):

a) Is the applicant a current licensee of Ofcom?

**No.**

b) Has the applicant ever held an Ofcom broadcasting licence before?

**No.**

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

**Yes.**

d) Does the applicant control an existing Ofcom licensee?

**No.**

e) Is the applicant 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.**

<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.

- f) 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.**

- g) 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.**

- h) 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.**



3.14 If the response to any of the questions (a) to (i) in 3.13 above is 'yes', please provide the details, expanding the table where necessary:

	Licence number(s) (if known)	Details
(c)	DS103942	Tynemouth & South Shields smale-scale DAB multiplex (David R Roberts & John P Bibby).
(c)	DP104227BA/1	The Toon and The Cat DSP services via RedArmy Group Limited (David R Roberts)
(c)	CR102149	Jorvik Radio (Paul C D Parkin)
(c)	CR100180	Dales Radio (Paul C D Parkin)
(c)	CR100123	East Cleveland Community Radio (Paul C D Parkin)
(c)		Stray FM (Paul C D Parkin at formation)
(c)		Yorkshire Dales Radio (Paul C D Parkin at formation)

3.15 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 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**

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

**No.**

If yes, please provide the following details:

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

## Financial and business plan

3.17 Please provide a high-level estimate of the costs you believe will be required to establish the multiplex service.

Including contingency and a budget for technical spares, the projected cost to establish the Youk DAB Limited small-scale DAB mux for York is £25,850. This is broken down as,

**PRE-LAUNCH CAPEX**

- Equipment Cost - £16,400
- Technical Spares - £1,000
- Installation Cost - £1,500
- Planning/Design/Licence Fees - £1,500
- Services/Connectivity - £2,100
- Marketing Budget - £1,000
- Contingency (10%) - £2,350

3.18 Please indicate how the costs outlined in 3.17 (above) will be met, under the following headings:

- a) Share capital - £10,000
- b) Loan stock - £16,000
- c) Leasing/HP facilities (capital value) - NONE
- d) Bank overdraft - NONE
- e) Grants and donations - NONE
- f) Other (please specify) - NONE

3.19 Expanding the table if necessary, please list the providers of the funding which will be used to establish the service, and the amount of funding that each will provide. For incorporated investing shareholders, please provide a copy of the most recent statutory accounts if they are not currently available on Companies House.

Name of shareholder or investor	Percentage of shares held (if applicable)	Amount of funding provided (£)
John Philip Bibby	19.6%	5,096
Bitstream Broadcast	4.9%	1,274
Neil Luckman	19.6%	5,096
Lucoro Limited	4.9%	1,274
Paul Christopher Donald Parkin	19.6%	5,096
Datatrans Communications Limited	4.9%	1,274
David Robert Roberts	19.6%	5,096
XCel Broadcast Limited	4.9%	1,274

Jorvik Radio	2%	520
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- 3.20 All of the funding identified above should be confirmed. If any funding has not been confirmed, or if there are any pre-conditions before the funding is released which have not yet been met, provide an explanation of what needs to be done, the dates by which it needs to be carried out, and any steps the applicant needs to take to ensure the funding is confirmed and/or released.

York DAB Limited shareholders will provide all funding (in advance) for the pre-launch phase of the project, as well as operational funding until the multiplex becomes self-sustaining. The funding is to be a mixture of share capital and loan stock, and confidential attachments to this application provide evidence of guaranteed funds.

Due to the experience gained from launching Tynemouth & South Shields small-scale DAB multiplex, directors John Bibby and Dave Roberts are confident the costs and business model detailed will prove to be accurate.

## Relevant expertise and experience

- 3.21 Please provide details of who will be responsible for the day-to-day general management of the multiplex service (for example, dealing with programme service providers and contractual matters). Please also briefly state their previous relevant experience. (Note that any individuals or contractors who cannot be identified at this stage can instead be included in the confidential section (Part B) of the application form.)

Mux One Limited director Dave Roberts will be responsible for the day-to-day general management of the multiplex service. Dave currently manages Mux One's Tynemouth and South Shields small-scale DAB multiplex, the first permanent small-scale DAB multiplex to launch in the UK.

Dave is also Managing Director of XCel Broadcast Limited, a broadcast facility provider that supplies production, technical and transmission services to global media networks such as ESPN, Discovery and Fox. Dave brings to Mux One significant first-hand experience at facility provision and management. Middlesbrough born and currently located, Dave knows the Teesside area natively - he is also a former Vice President of Business Development for Fox Networks Group and is a qualified engineer so also bring deep experience of operating within corporate and broadcast environments.

Mux One director John Bibby will be responsible for day-to-day engineering and technical aspects of the multiplex. John currently manages all technical and engineering aspects of Mux One's Tynemouth & South Shields small-scale DAB multiplex. He is also Managing Director of Bitstream Broadcast Limited, an engineering company that specialises in digital radio broadcasting, John is a well-respected expert in the field of DAB transmission solutions and infrastructure provision. A former BBC and NTL transmission engineer, John is responsible for installation and maintenance of many current UK DAB installations.

Neil Luckham will also provide engineering support. He is a director at a UK based broadcast transmission electronics company and has been involved in various broadcast roles spanning 30 years. Aside from transmission engineering, Neil has also performed Broadcast Assistant, Journalist, News Reading and Presenting roles for BBC Local Radio and ILR in Devon and North Yorkshire.

Chris Parkin had been involved in broadcast radio and engineering for over 40 years. Initial involvement was with the successful application and installation and operation of Special Event then Restricted Service licences in North Yorkshire. These developed into successful awards for ILR services Stray FM and Yorkshire Dales Radio. Chris on the boards of three Community Radio Stations in North Yorkshire Zetland FM, Dales Radio and Jorvik Radio. MD of Datatrans communication Limited that provides, installs and maintains transmission equipment for several FM and AM Radio stations across Yorkshire and beyond. His local business contacts and broadcast knowledge will assist multiplex users on an on-going basis, plus nurture new applicants, ensuring strong maintenance and continual growth of the MUX into the future.

3.22 Please provide details of who will be carrying out the installation and on-going maintenance of your multiplexing / transmitter equipment (or the name of your proposed transmission and multiplex provider if you intend to use a third-party organisation for these services). Please also briefly state their previous relevant experience. (Note that any individuals or contractors who cannot be identified at this stage can instead be included in the confidential section [Part B] of the application form.)

Function	Responsible party	Previous experience
Installation of transmission equipment	John Bibby - Bitstream Broadcast Limited.	DAB transmission expert/engineer and Managing Director of DAB transmission specialist company Bitstream Broadcast Limited.
Ongoing maintenance of the transmission equipment	John Bibby - Bitstream Broadcast Limited.	DAB transmission expert/engineer and Managing Director of DAB transmission specialist company Bitstream Broadcast Limited.
Installation of the Multiplexing equipment	Factum Radioscape	Longstanding existing DAB multiplexing operator.
Day-to-day technical management and maintenance of the multiplexing equipment (if different from response to question 3.28 above)	Factum Radioscape	Longstanding existing DAB multiplexing operator.

## Timetable for coverage roll-out

3.23 Please tell us how soon after licence award you expect your multiplex service to become operational and achieve the coverage you are proposing:

York DAB Limited is in the fortunate position that all required funding is already in place, commercial agreement has already been agreed with the proposed transmission site owners (subject to award) and as two directors are transmission equipment solution suppliers/installers, and also have direct experience of successfully launching the Tynemouth & South Shields DAB multiplex, we are in the fortunate position to move very quickly after award. Two of the York DAB Limited directors also have deep experience of working within the city, this further reduces complexity of roll-out.

Therefore, upon licence award, York DAB Limited will immediately start all pre-commission process, including detailed antenna design/clearance, any local authority Prior Approval agreements, ordering/configuration of technical equipment and associated services (connectivity, power, etc.), contracting programme service providers.

During the success of their Tynemouth & South Shields SS-DAB mux, two of the York DAB Limited directors learned valuable lessons on timescales and how they can be longer than expected due to unforeseen complexities. As such, we propose to apply for any local authority agreements three weeks after award then order all equipment to ensure no delays due to current lead-times. Local authority agreements are expected to take a further 14 weeks to secure. After successful grant, York DAB will agree transmission plans with Ofcom and neighbouring muxcos and install process will start.

York DAB Limited therefore, proposes to 'lite-up' the York multiplex approximately seven months after award.

- 3.24 In addition, please provide, as an annex to be submitted with this application, an outline project plan with timeline (e.g. a Gantt chart or similar) showing the high level activities and tasks leading up to the launch of your multiplex service.

## 4. Involvement of C-DSP providers; demand or support from programme providers

### About this section

Section 51(2)(ca) of the 1996 Act requires Ofcom to take into account the desirability of awarding a small-scale radio multiplex licence to a body corporate that is providing – or proposing to provide – a C-DSP service in the locality being advertised (or involving such a person as a participant in the licence-holding company).

Section 51(2)(f) of the 1996 Act requires Ofcom to take into account evidence that the applicant has support from providers interested in having their existing or planned programme services carried on the proposed multiplex.

Note that we do not require applicants to provide us with a full-line up of services they intend to provide, or details about the content of those services.

### Involvement of C-DSP providers

4.1 Is the applicant body proposing to provide its own C-DSP service on the multiplex?

**No.**

4.2 If the answer to the above question is ‘yes’, please provide a name and brief details of this proposed service. If the service is already licensed by Ofcom, the licence number should be provided:

N/A but see 4.3 below.

4.3 If the answer to the above question is ‘no’, please provide details of any participant in the applicant body that is proposing to provide a C-DSP service on the multiplex. In this context, a “participant” refers to a person who holds or is beneficially entitled to shares in the applicant or possesses voting power in the applicant. If the service is already licensed by Ofcom, the licence number should be provided. Please refer to the nature of the participation (e.g. shareholding or agreement in relation to voting power):

Jorvik Radio is an established FM Community radio service for York, operating under licence No: CR102149 is a shareholder in the York DAB Limited. Upon successful award, Jorvik Radio will broadcast on York DAB small-scale DAB multiplex. As well as this, Jorvik Radio will also launch an additional community based service Jorvik Radio Extra. The station also provided a written letter of support.

Outside of participants - York DAB Limited has also engaged with several other potential C-DSP providers, receiving Expressions of Interest from Pride Radio (LGBTQ community service), York Hospital Radio (health and wellbeing), Two Rivers Radio (general community), University Radio York (education),

York DAB Radio also reached out to existing FM Community radio service YO1. Though YO1 did not want to offer support for this application due to it reserving its support exclusively for its own bid, we made it clear to YO1 senior management, capacity would be allocated for its use should York DAB Limited be successful with the award.

York DAB Limited is pleased to report it has received written Expressions of Interest for the launch of several new community services for the York area.

Pride Radio - York's first LGBTQ radio station (UK's Community station of the year)

Memory Lane Radio - elderly & care community

York Hospital Radio - Health & Wellbeing for York & York Hospital's community

Two Rivers Radio - Local music, supporting local bands, live local gigs

Jorvik Radio – Music, news and information for York

Jorvik Radio 2 – Exclusive DAB service, supporting the local music and arts scene

Tempo FM – Community News, information and music

Glitterbeam Radio – Music with sparkle, global LGBT station.

Dales Radio – A radio service for those living in and around the Yorkshire Dales

Angel Radio – Company for the older generation, with information and melodic music

## Demand or support from programme providers

- 4.4 Please provide in the table below (expanding the table if necessary) the names of providers (or prospective providers) of community or local digital sound programme services who have expressed their demand or support for the provision of the proposed multiplex service in the area to be served by the multiplex service. For reasons of transparency, the response to this question *must be answered below and should not be provided as a separate annex*. The evidence of the demand or support, such as signed heads of terms or emails,



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should be provided as a confidential annex, and relate only to the specific multiplex being applied for.

Name of service provider and station name (if known)	Proposed C-DSP or DSP	Nature of evidence of support provided
Jorvik Radio	C-DSP	Written Expression of Interest.
Jorvik SP	C-DSP	Written Expression of Interest.
York Hospital Radio	C-DSP	Written Expression of Interest.
Two Rivers Radio	C-DSP	Written Expression of Interest.
Pride Radio	C-DSP	Written Expression of Interest.
Memory Lane Radio	C-DSP	Written Expression of Interest.
Tempo FM	C-DSP	Written Expression of Interest.
Frisk Radio	DSP	Written Expression of Interest.
GlitterBeam Radio	DSP	Written Expression of Interest.
Angel Radio	DSP	Written Expression of Interest.
Dales Radio	DSP	Written Expression of Interest.
Rhubarb Radio		Interested. Chasing EoI
Vibe Yorkshire		Interested. Chasing EoI

## 5. Fair and effective competition

### About this section

Section 51(2)(g) of the 1996 Act requires Ofcom to assess whether, in contracting or offering to contract with programme service providers, the applicant has acted in a manner calculated to ensure fair and effective competition in the provision of community and local digital sound programme services.

In assessing applications, we need to have confidence that the prospective small-scale radio multiplex licensee has approached a wide range of potential service providers. Negotiations that have taken place between the applicant and potential service providers need to have been demonstrably fair, and the terms of any contract for service provision must be fair and non-discriminatory.

Applicants should note there is one further question relating to fair and effective competition in Part B of the application form.

- 5.1 Please detail the measures that have already been taken, and will be taken before and during the licence period, to demonstrate that, in contracting or offering to contract with programme services providers, the applicant has acted in a manner calculated to ensure fair and effective competition in the provision of such services: York DAB Limited has been careful to demonstrate fairness in all aspects of this application process and will continue to do so when contracting programme service providers.

Examples of our approach to maintain fair and effective competition include,

- 1) Advertising publicly on local radio social media platforms of our intention to make this application so to encourage engagement with as many local programme providers as possible.
- 2) Created a simple website to publicise our intentions to apply for this licence, providing convenient contact details for prospective sound service providers to communicate directly with us as well as publicly listing York DAB rate card.
- 3) Proactive engagement directly with all available communities in the local area, LGBT, BAME, Education, Asian, Care, Hospital & Community Radio broadcasters, etc, in order to engage openly without favour.
- 4) Operating just one fixed rate card that has been provided to all prospective service providers.
- 5) Making five reserved C-DSP allocations available at a peppercorn rate, so removing financial carriage barriers to potential community broadcasters.
- 6) York DAB Limited approached rival applicant YO1 to offer capacity on the multiplex should we be successful, however YO1 declined the offer of carriage in order to exclusively support its own application.

## 6. Declaration

### About this section

This form must be submitted by the body corporate which will hold the licence. The declaration must be certified by a company director or the company secretary, and covers all information provided by in the applicant in both Part A and Part B of the application form. The declaration must also be dated.

- a) I hereby apply to Ofcom for the grant of a licence for the small-scale radio multiplex licence described above and declare that the information given in this application form is, to the best of my knowledge and belief, correct.
- b) I further declare and warrant:
  - i) that the applicant is not a disqualified person within the meaning of that expression as defined in Part 2 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;
  - ii) that having made all reasonable enquiries neither the applicant nor any person controlling the applicant, as 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;
  - iii) 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
  - iv) that no director or person concerned directly or indirectly in the management of the Licensee is the subject to a disqualification order as defined by section 145 (1) of the Broadcasting Act 1996.
- c) 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 substantial shareholders involved 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 person authorised to make the application of behalf of the applicant:**

NEIL LUCKHAM

**Date of application:**

25 April 2022

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

Company secretary / Company director.

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