
Small-scale radio multiplex licence

Application form – Part A (public)

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

NOXDAB LIMITED

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

Banbury & Bicester

APPLICATION FORM:

Publication date: 14 July 2022

Contents

Section

1. Overview	1
2. Extent of proposed coverage area	6
3. Ability to establish the proposed service	8
4. Involvement of C-DSP providers; demand or support from programme providers	18
5. Fair and effective competition	20
6. Declaration	21

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). 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. 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 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 to leave a message for the Broadcast Licensing team, who will respond to your message as soon as possible.
- 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.
- 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).
- 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 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):

As a group founded by people who live and work in this area we are acutely aware of the difficulties of providing a robust signal into the main three towns within this polygon, and in the case of SSDAB, doing so whilst protecting other operators.

We are proposing a three site single frequency network to provide coverage to the three main urban centres in the polygon – Banbury, Brackley and Bicester. We have selected three transmission sites that will provide good coverage for these areas along with the villages that make up their rural surrounds. In addition, we have designed our technical plan to provide good contiguous outdoor coverage between the three main towns.

We are not seeking to cover any localities outside the advertised licence area.

Our technical plan has been deliberately designed to keep co-channel interference to a minimum and we have selected ERPs that reduce the potential for ACI.

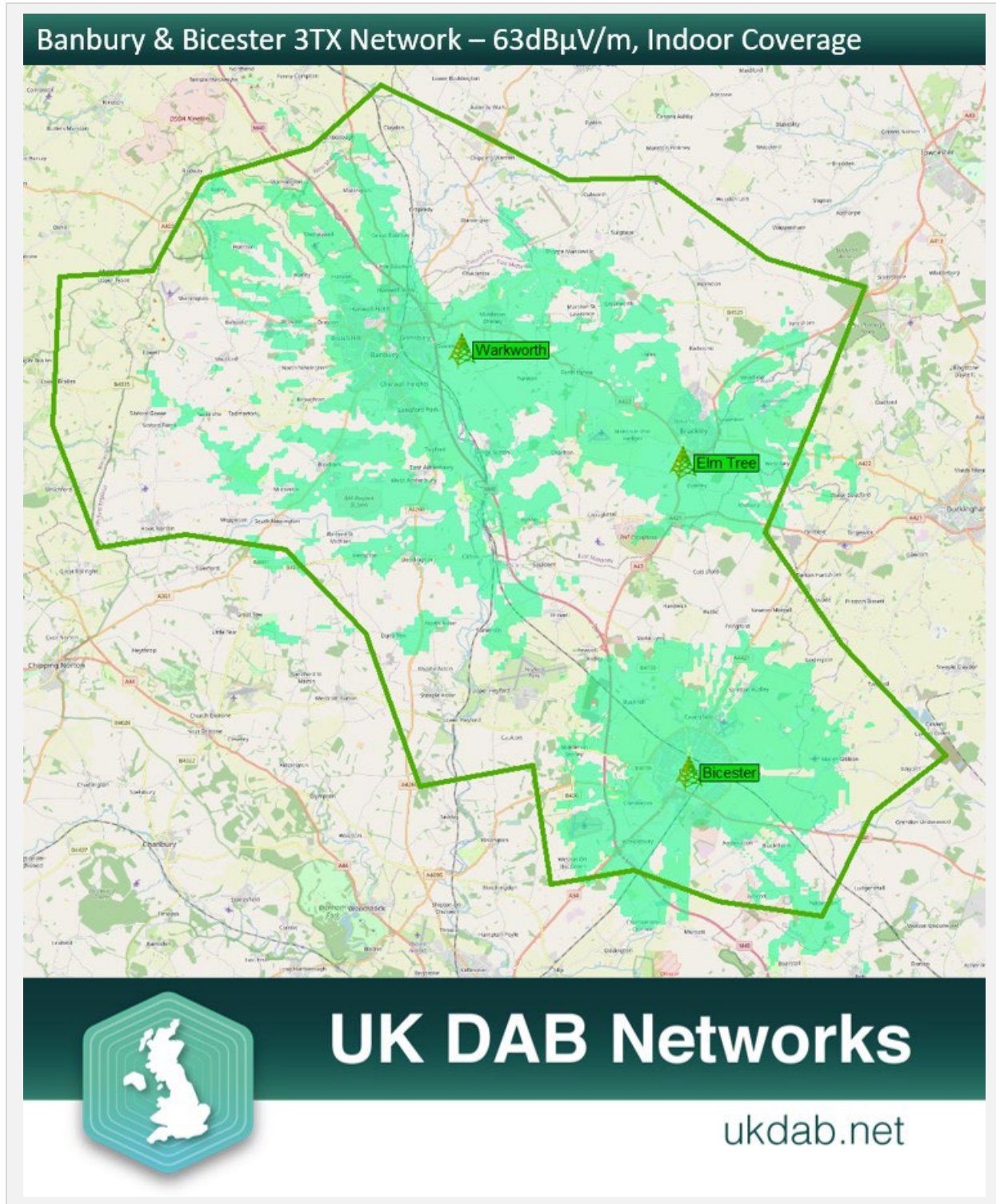
- 2.2 Please provide summary details of the sites required to achieve this coverage by completing the table below (add additional rows as required):

Site name	NGR	Antenna height (m agl)	Antenna type proposed with bearing	New or existing antenna	ERP (W)

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

St Mary's Warkworth	SP 4864 4071	15	Omnidirectional	New	140
Elm Tree Farm Evenley	SP 5809 3589	8	Omnidirectional	New	100
Franklin's House Bicester	SP 5833 2267	21	Omnidirectional	New	100

- 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 μ 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.



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 x64
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Small-scale radio multiplex licence: Application form (Part A)

Detail the terrain model used by the software and its resolution.	DTM: DEFRA 1m and 2m resolution (DSM+DTM)
Detail the ground cover (clutter) data used by the software and its resolution.	Buildings: DEFRA (automatic extraction – slope algorithm - performed at 2 m resolution then resampled) Vegetation (park, wood, forest) and Hydro from Corine Land Cover 2018 and Urban Atlas 2018 (European Environment Agency) Roads and railways from Open Street Map (2019)
What propagation algorithm has been used?	Model pre-set: Fresnel Diffraction geometry: Deygout 94 Subpath attenuation: Coarse Integration FZ fraction: 0.8 Earth radius (sea and land): 28,500km
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 data used
Have your predictions been generated by a commercial organisation? If so, by whom?	UK DAB Networks Ltd

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):

NOXDAB LIMITED

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

14108429

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:

28 Walton Avenue, Twyford, Banbury, England, OX17 3LB

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

Yes (Model articles accepted – copy also submitted)

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 ¹	Country of residence	Other officerships held (and nature of the business concerned)	Other employment
Matthew Cadman	28 Walton Avenue, Twyford, Banbury, England, OX17 3LB	England	SS-DAB applicant: MK Digital Radio Limited (14056672) Radio station: On Air Radio Limited (11820520)	Lite Radio and the BBC
Peter David Gardner	Spratt Endicott Solicitors, 52-54 South Bar Street, Banbury, Oxon, England, OX16 9AB	England	Radio station: Banbury FM Limited (11789333) Radio station: Banbury FM Broadcasting CIC (13236782)	Spratt Endicott Solicitors
Andrew John Green	28 Walton Avenue, Twyford, Banbury, England, OX17 3LB	England	SS-DAB applicant: Bucks DAB LTD (14108051) Radio station: Banbury FM Limited (11789333) Radio station: Banbury FM	Banbury FM

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

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

			Broadcasting CIC (13236782) Radio station: Bicester Sound Limited (14405559)	
Dean Philip John Kavanagh	Lower Ground Floor, Topcliffe House, Hawkinge Drive, Castle Vale, Birmingham, B35 6BT	England	Radio Station and Multiplex operator: Switch Radio (08438993) Membership organisation: UK Community Radio Network CIC (13700623) Information technology: Optimux Digital Ltd (12407416) Information technology: Radiofinity Ltd (12313898) SS-DAB applicant: Coventry Digital Broadcasting Ltd (14057874) SS-DAB applicant: OxDAB Ltd (14045930) SS-DAB applicant: Wulfrun DAB Ltd (14398117)	University of Birmingham
3BS Radio	The Barn 11a, Queen Catherine Road, Steeple Claydon, Buckingham, England, MK18 2PZ	England	None	n/a
Banbury FM Ltd	28 Walton Avenue, Twyford, Banbury, England, OX17 3LB	England	None	n/a

Puritans Radio Limited	5 Thatchers Close, Epwell, Banbury, England, OX15 6LJ	England	None	n/a
Radio Horton	Horton General Hospital, Oxford Road, Banbury, England, OX16 9AL	England	None	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
Matthew Cadman	n/a – member	n/a	n/a	12.5%
Peter David Gardner	n/a – member	n/a	n/a	12.5%
Andrew John Green	n/a – member	n/a	n/a	12.5%
Dean Philip John Kavanagh	n/a – member	n/a	n/a	12.5%
3BS Radio	n/a – member	n/a	n/a	12.5%
Banbury FM Ltd	n/a – member	n/a	n/a	12.5%
Puritans Radio Limited	n/a – member	n/a	n/a	12.5%

Radio Horton	n/a – member	n/a	n/a	12.5%
Comments: NOxDAB Limited is a company limited by guarantee, without share capital. Each member has one vote. Banbury FM Ltd is a corporate director and will be represented by NoxDAB Limited member / director Andrew John Green.				

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)
Banbury FM Ltd Bicester Sound	28 Walton Avenue, Twyford, Banbury, England, OX17 3LB	Andrew John Green
Banbury FM Broadcasting CIC	28 Walton Avenue, Twyford, Banbury, England, OX17 3LB	Andrew John Green Peter David Gardner
On Air Radio Limited	5 Brayford Square, London, England, E1 0SG	Matthew Cadman
Optimum Digital Ltd	20 Crewe Road, Sandbach, England, CW11 4NE	Dean Philip John Kavanagh
Radiofinity Ltd	Lower Ground Floor, Topcliffe House, Hawkinge Drive, Castle Vale, Birmingham, B35 6BT	Dean Philip John Kavanagh

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)
N/A		

- 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				
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; ²	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	

² Please refer to sections 3 to 5 of Ofcom's [religious guidance note](#) for details on how we determine the eligibility of religious bodies to hold certain broadcasting licences.

An advertising agency or an associate of an advertising agency	No	
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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

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) 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

h) 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

- i) 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
(a)		
(b)		
(c)	AL103696BA/1 AL102516BA/4 AL000193BA/5 AL100745BA/4 AL102516BA/4 AL100745BA/4 AL102412BA/6 CR100797BA/1 DP000163 DP104294 CR000216BA/3 CR0000174BA/4 CDP104270BA/1 DP101073BA/1 DS103936 SSDABWT007	Andrew John Green – former Group Programme Controller Andrew John Green – former Regional Station Manager Matthew Cadman – was a director of MKFM Matthew Cadman – current director of On Air Radio Ltd (Lite Radio) Matthew Cadman – was a director of The Vibe Watford Ltd Dean Kavanagh – director of Switch Radio Dean Kavanagh – director of North Birmingham MUX Dean Kavanagh - director of Trial Birmingham SSDAB trial
(d)		
(e)		
(f)		
(g)		
(h)		
(i)		

- 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".

Andy Green has held senior positions in the radio industry, including being the Group Programme Controller for the Milestone Group and a Regional Station Manager with Tindle Radio. He's a freelance broadcaster and consultant who also runs Banbury FM. Andy's work includes ensuring compliance with broadcast law and rules, licence applications and major projects, including station launches and relocations. Aside from radio, Andy is a former local government Systems and Projects Manager, overseeing major project design and implementation. He has experience in linux, system builds and development, several programming languages and hosts a number of websites for clients.

Dean Kavanagh has been a director at Switch Radio since 2013. Switch Radio has held multiple broadcast licences (DSP, CDSP) and transmission licences (SSDAB Trial and SSDAB 'proper'). During that time, Switch Radio has an exemplary track record in compliance and operation of the licences it holds. Dean has also been an advisor to a number of SSDAB applicants and is involved in a range of applications across the country. From a technical perspective, Dean has been responsible for the day to day management of the North Birmingham Small Scale DAB multiplex, and is the lead developer for Optimux Digital Ltd – a DAB software and development company which provides multiplexing solutions for a number of SSDAB multiplexes in operation up and down the country. In addition, Dean Kavanagh is a director of the UK Community Radio Network CIC, and thus holds a position of responsibility in a sector organisation.

Pete Gardner is a Senior Associate and Defended Commercial Recoveries Manager at Spratt Endicott Solicitors in Banbury. He has a Next Generation Partner and Recommended Lawyer listing in the Legal 500. Having studied Media at the University of Bedfordshire, where he ran the student radio station, Pete managed trial FM broadcasts in towns around England for the Milestone Group and produced a nationally syndicated chart programme. A strong eye for due diligence and compliance, Pete moved into debt recovery and qualified as a Chartered Legal Executive in 2010. He is a board member of Banbury's Chamber of Commerce.

Matt Cadman is a highly motivated broadcast professional who successfully campaigned and applied for and launched community station Vibe 107.6 FM in Watford, which started the careers of a number of presenters who went on to work at national networks. He has worked for a number of commercial stations and currently is a producer for Radio 4, working on the Today programme. In the last year he has launched Lite RADIO, which broadcasts on the local Surrey DAB multiplex providing a tightly focused, quality service for the area. Matt has a strong understanding of the community radio sector, is a former director of MKFM in Milton Keynes and is part of the consortium for one of the Milton Keynes SSDAB applications. Matt also Freelances for BFBS, who themselves have experience in the SSDAB and community licence area.

Keith Lewis from 3Bs Radio will support the implementation as Project Manager. Keith is Prince 2 qualified in Project Management, as well as having qualifications in Procurement (CIPS) and Logistics (CILT). He has managed a large and varied number of projects for blue chip companies, in major supply chain restructuring, as well as project managing changes for Customs in 2020 as part of Brexit a FTSE 100 company. For the past 6 months Keith has worked with the management team in implementing the new online Community Radio Station, 3Bs Radio.

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
N/A		

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.

We have budgeted equipment and installation costs of around £13,000 per transmission site.

Allowance has also been made for planning and legal fees.

Marketing will be undertaken by our partner stations without charge utilising their own networks and through other local news outlets and the business community.

We have budgeted just under £40,000 in Capital Expenditure costs to establish the multiplex.

We will be utilising the Optimux product for multiplexing, which was written by one of our directors. Costs for this and other day to day operating costs will be met through renting capacity on the multiplex. Any shortfall/losses will be borne by loans from our members/directors.

A detailed business plan is submitted as a confidential appendix showing the first five years of operation.

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

a) Share capital

As a limited by guarantee company we do not have share capital.

b) Loan stock

Director loans will be provided as indicated in 3.19.

c) Leasing/HP facilities (capital value)

None.

d) Bank overdraft

None.

e) Grants and donations

We have received confirmation of one grant, subject to licence award, as indicated below. Further grants may be available to us should our application be successful, however this doesn't affect our capital financial position, but would simply reduce the amount of director loans we take up.

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 (£)
Banbury Charities (Grant)	None	6000
Banbury FM Ltd (Director Loan)	Member	8000
Andrew John Green (Director Loan)	Member	27000

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.

All of the funding is confirmed.

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.)

Dean Kavanagh and Andy Green will manage the multiplex on a day-to-day basis.

Dean has significant experience in the management of small-scale multiplexes. As the Station Manager at Switch Radio he successfully operated the Trial Birmingham SSDAB multiplex between 2015 and 2022, and has recently launched the third full-time SSDAB multiplex in North Birmingham. Dean is also a director of Digimux Ltd, the successful SSDAB applicant for Dudley and Stourbridge. Over seven years he has built up significant experience in both the technical and administrative management of SSDAB multiplexes, authoring the Optimux software which we will use for a number of functions including invoicing, service onboarding and management, monitoring, contractual agreements, and reporting. In addition Dean has experience in the installation of transmission hardware in conjunction with Viamux Ltd in North Birmingham, and is completing the hardware installation in Dudley and Stourbridge.

Andy Green, as a locally based director, will work closely with Dean to support him technically and provide backup as needed, giving the company extra resilience. Andy will also provide first line support for dealing with programme service providers and contractors. He has a wide experience of managing people and overseeing large projects, both within and outside the radio industry.

- 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	Overall project management: Keith Lewis (3Bs Radio)	Highly experienced and qualified project manager

	Transmission equipment installation: NOxDAB Limited will instal the transmission equipment with support for the antenna installation from Viamux.	Dean Kavanagh has significant experience of the installation of DAB transmission systems and works closely with Viamux.
Ongoing maintenance of the transmission equipment	NOxDAB Limited	Dean Kavanagh has over seven years' experience including recent transmission system installations.
Installation of the Multiplexing equipment	Optimux Digital Ltd	Optimux Digital Ltd provide cloud multiplexing solutions to a number of small-scale DAB multiplexes, including in large cities such as Birmingham, Manchester, and Edinburgh.
Day-to-day technical management and maintenance of the multiplexing equipment (if different from response to question 3.28 above)	As above.	As above.

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:

Our rollout schedule is somewhat dependant on planning consents from both Cherwell District and West Northamptonshire Councils, both of whom are suffering delays due to staff shortages. These delays are greater within West Northamptonshire where two of our transmission sites are located. Having assessed the current lead times, we have been pragmatic in our allowance of how long this process will take, noting it is better to be ahead of schedule than behind. A number of other activities can be undertaken whilst planning consents are obtained and this is detailed in our full confidential project plan.

We currently estimate launching 12 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

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):

Three of our members will be providing a C-DSP service:

3Bs Radio CIC – 3Bs Radio

Radio Horton – Radio Horton

Puritans Radio Ltd – Puritans Radio

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, 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
Puritans Radio Ltd Puritans Radio	C-DSP	Expression of Interest completed
Radio Horton Radio Horton	C-DSP	Expression of Interest completed
3Bs Radio CIC 3Bs Radio	C-DSP	Expression of Interest completed
Banbury FM Ltd Banbury FM	DSP	Expression of Interest completed
Bicester Sound Limited Bicester Sound	DSP	Expression of Interest completed
Banbury FM Broadcasting CIC Banbury FM Oldies	C-DSP	Expression of Interest completed
Wittas Wireless Witney Radio	DSP	Expression of Interest completed
First Ox Digital Ltd Fox Digital	DSP	Expression of Interest completed
On Air Radio Limited Lite Radio	DSP	Expression of Interest completed
Windrush Radio Limited Windrush Radio	C-DSP	Expression of Interest completed

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

Radio Silverstone Radio Silverstone	DSP	Expression of Interest completed
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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.

For example, how have you sought to engage a broad range of prospective service providers including those not directly involved as participants in the application and those who have decided not to proceed to express an interest or agree heads of terms at this stage, and how have you sought to make prospective service providers aware of your proposals and potential terms for carriage?

The initial three online stations in our group came together late in 2019 with the aim of working towards an application for the small-scale digital radio multiplex licence for our area. There is no licenced community FM station within our polygon area. We approached other online stations we became aware of within our area and our fourth station partner joined ahead of their launch in 2022.

Before Ofcom advertised the licence for our polygon we emailed a number of other services with local links who we felt might be interested in broadcasting to our area. This continued after advertisement.

The trade website Radio Today featured an article on our plans in August 2022, shortly after Ofcom advertised the licence. This invited any programme makers across the country interested in providing a service to our area to get in contact.

Our website noxdab.com was launched in 2021 detailing our plans and offering prospective services the chance to contact us to find out more about carriage. SEO keeps the NOxDAB website high up on all searches for "Digital Radio [one of our town names]".

We have responded to all prospective programme makers who contacted us directly prior to application. Details have been retained for those who didn't wish to take up carriage initially but may wish to do so in the future.

Post licence award we plan to maintain our website presence and run further campaigns inviting other services to come onboard. We will also re-contact those with whom discussions have already taken place, but with no agreement to date.

In the unlikely event all space on our multiplex is taken we will offer carriage as it becomes available on a first come first served basis, cognisant of the need to ensure we always retain space for three C-DSP services, if we ever fall below that number of C-DSP services on-air.

We will treat all service providers fairly and equally.

We believe that there is another applicant for the Banbury and Bicester multiplex licence. In the event that we are successful with our application we will contact any services which expressed an interest in broadcasting to our area with the other applicant, and offer a service with us, subject to contract and available capacity.

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:

ANDREW JOHN GREEN

Date of application:

14th October 2022

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

Company director.

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