
Small-scale radio multiplex licence

Application form – Part A (public)

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

TOWER DAB LTD

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

Berwickshire and North Roxburgh (Scottish Borders - eastern)

APPLICATION FORM:

Publication date: 14 July 2022

Contents

Section

| | |
|---|----|
| 2.Extent of proposed coverage area..... | 3 |
| 3.Ability to establish the proposed service..... | 7 |
| 4.Involvement of C-DSP providers; demand or support from programme providers. | 19 |
| 5.Fair and effective competition..... | 21 |
| 6.Declaration | 22 |

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

- 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):

Our aim is to provide good quality indoor and outdoor coverage across the polygon in a way that maximises coverage yet stays within the parameters laid down by Ofcom in terms of overspill, overlap and the protection of other named polygons. We can achieve this through the use of the following three transmission sites:

1. Eyemouth
2. Selkirk
3. Berwick upon Tweed

This company and its principals were the original notifiers of interest to OFCOM during the SSDAB consultation about proposed SSDAB licence areas, suggesting a Scottish Borders area. Our original intention asked for a licence area from east of the M74 across to the North Sea bounded by the Lammermuir Hills in the north and the Cheviots along the Scottish Border in the south. Under this proposal population coverage would be around 100,000 adults. C.I. Broadcasting Ltd applied for the Round 1 SSDAB licence for Alnwick and Morpeth with a 2 transmitter plan, but however were beaten by a last minute prepared plan for the area by UK DAB Networks who proposed an unrealistic 5 transmitter plan. We note at the time of writing this application that UK DAB Networks have not launched any part of this multiplex, and we believe that they are unlikely to within the statutory period of launch which expires in January 2023.

After the end of the consultation period and the announcement of the SSDAB licencing plan we noted that a 'Scottish Borders' area had been proposed, but were disappointed to note that the 'polygon' suggested for coverage was very much an arbitrarily drawn ellipse which missed out two of the major towns of the Borders area, namely Hawick and Jedburgh. Unless we serve these towns as part of the proposed Berwickshire and North Roxburgh area, they will never be served by DAB, as they are outwith all other proposed licence areas being to the north west of the recently licenced Alnwick and Morpeth area. We were also approached by a long established community radio organisation based in Hawick to include them in our proposal which we were happy to do. We would like to consider a transmitter in the Crumhaugh Hill area to the west of Hawick, but currently this is outwith the licenced 'polygon' so not relevant to this particular application.

Due to this licence area being a DAB 'white area' in that there is no commercial DAB mux, no SDL transmitters, only one national D1 transmitter and only the BBC National DAB mux available in parts of the area, we have decided that this gives us a clean slate in which to propose a fairly 'robust' SFN network. We acknowledge from the licence announcement that we are not restricted to any possible 40% population limit concerning a local DAB multiplex, and also OFCOM feels that it is unlikely there would be any incoming or outgoing interference issues to any other multiplex that will be licenced in the near future, primarily due to the remoteness and geography of the licence area.

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

Because of the topographical nature of this licence area we have decided to use existing Arqiva transmission sites, using the existing BBC National DAB antennas on our proposed three transmitter sites. The area consists primarily of the Tweed and Ettrick river valleys, and we have decided to include the towns of Hawick and Jedburgh, which both lie just (4 miles) outside of the OFCOM delineated 'polygon' licence area. Of importance to our plans is the fact that two main arterial trunk roads the A1 and A7 run throughout the multiplex area and we require robust outdoor coverage across as much of the area as possible. In conjunction with our current Arqiva manager and our Viamux technical manager we have formulated a workable solution.

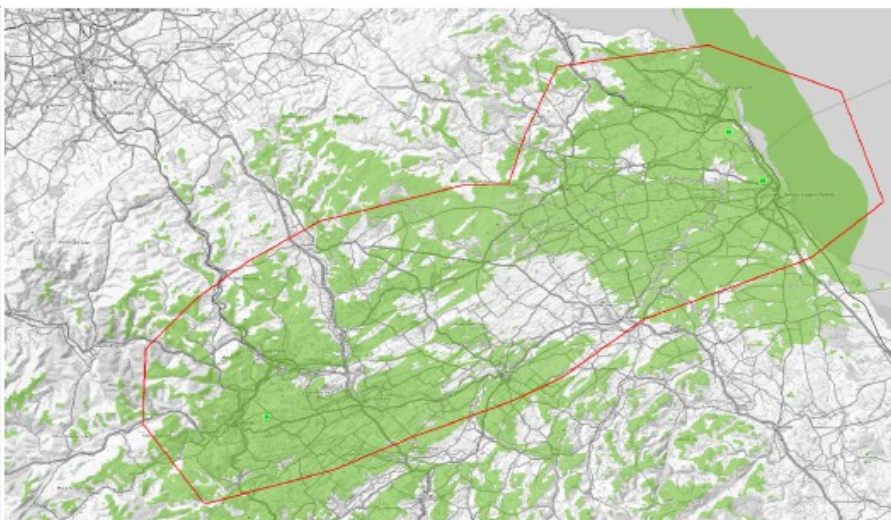
Small-scale radio multiplex licence: Application form (Part A)

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 ht (m agl) | Antenna type & bearing | New/existing antenna | ERP (W) |
|--------------------|----------|--------------------|-----------------------------------|----------------------|---------|
| Eyemouth | NT947599 | 42m | Arqiva BBC DAB antenna system | Existing | 170w |
| Selkirk | NT500294 | 167m | Arqiva BBC DAB antenna system | Existing | 170w |
| Berwick upon Tweed | NT980547 | 20m | Omni-directional colinear antenna | New | 80w |

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](#).

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



A full coverage prediction map for the whole of the transmitter network is included in the Appendix G. It shows the 63 dB μ V/m field strength (as well as the 54 dB μ V/m and 38dB μ V/m contours).

The ward-level population tables (2011 Census) indicate that at 63 dB μ V/m field strength;

- the number of people falling outside the polygon does not exceed 30% of the total population within the advertised licence area.

The transmitter network has been designed to minimise any significant interference above 38 dB μ V/m to other proposed small-scale DAB licence areas.

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 v22 6.9 x64 |
| Detail the terrain model used by the software and its resolution. | DTM: Ordnance Survey terrain data – 50 metre resolution (DSM+DTM) |
| Detail the ground cover (clutter) data used by the software and its resolution. | Infoterra clutter data to 50m resolution |
| What propagation algorithm has been used? | Model pre-set – Fresnel <ul style="list-style-type: none"> • Diffraction geometry – Deygout 94-2 • Subpath attenuation – coarse integration • FZ fraction 0.8 • Earth radius (sea and land) - 8,500km |
| 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-provided population data has been used along with that from the 2011 Census which is included within ATDI's modelling software |
| Have your predictions been generated by a commercial organisation? If so, by whom? | Coverage predictions have been generated by Viamux using HTZ Communications software from ADTI. |

3. Ability to establish the proposed service

Applicant's details

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

TOWER DAB LTD

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

SC707660

- 2.3 For UK registered companies, the address of the applicant's registered office stated on Companies House. For non-UK registered companies, the principal office address:

15 Ardbeg Avenue, Burnside, Rutherglen, G73 5NF

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

Yes.

Ownership and control of company which will hold the licence

Details of officers

- 2.5 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 |
|-------------------------|--|----------------------|---|----------------------------|
| Spencer Pryor | 15 Ardbeg Avenue, Burnside, Rutherglen, G73 5NF | Scotland | Director: C.I. Broadcasting Ltd Dabstream Ltd Coast DAB Ltd Mini Planet Ltd –3D Printers. | NHS Public Health Officer. |

1

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

| | | | | |
|--|--|--|--|--|
| | | | Company Secretary: Timeless Radio Ltd – OFCOM DSP radio station | |
|--|--|--|--|--|

Details of participants

- 2.6 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 |
|--|------------------|-----------------------|----------------------|--------------------|
| C.I. Broadcasting Ltd | 100 | £100.00 | 100.00% | 100.00% |
| | | | | |
| | | | | |
| Comments | | | | |
| | | | | |

Details of relationships of control

- 2.7 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) |
|-----------------------------|-------------------------------------|---|
| C.I. Broadcasting Ltd | 15 Ardbeg Avenue, Burnside, G73 5NF | Spencer Pryor – 50% shareholding. |
| Coast DAB Ltd | 15 Ardbeg Avenue, Burnside, G73 5NF | Spencer Pryor – 45% shareholding |
| Dabstream Ltd | 15 Ardbeg Avenue, Burnside, G73 5NF | Spencer Pryor – 45% shareholding |

Details of persons who control the applicant

- 2.8 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) |
|------------------------------------|--|---|
| C.I. Broadcasting Ltd | 15 Ardbeg Avenue, Burnside, G73 5NF | Tower DAB Ltd – Applicant. |
| | | |
| | | |

- 2.9 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:

| Full name of individual | Name of body in which individual is a director or designated member |
|-------------------------|---|
| Spencer Pryor | Dabstream Ltd – Director. Coast DAB Ltd – Director. Timeless Radio Ltd – Company Secretary C.I. Broadcasting Ltd – Director. |
| | |

- 2.10 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:

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

- 2.11 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

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

state whether you have any reason to suspect the existence of any beneficial owners.

| Name of body corporate identified in Q3.8 | | | | |
|---|---------------|-----------------------|----------------------|--------------------|
| Full name of participant | No. of shares | Total investment (£s) | Total investment (%) | % of voting rights |
| N/A | | | | |
| | | | | |
| | | | | |
| Comments | | | | |
| | | | | |

Involvement of the applicant in specified activities

- 2.12 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 | N/A |
| A body whose objects are wholly or mainly of a political nature, or which is affiliated to such a body | No | N/A |
| A body whose objects are wholly or mainly of a religious nature; ² | No | N/A |
| An individual who is an officer of a body falling within (b) or (c); | No | N/A |
| 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 | N/A |
| An advertising agency or an associate of an advertising agency | No | N/A |

Details of applications, licences and sanctions

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

Is the applicant a current licensee of Ofcom?

No .

Has the applicant ever held an Ofcom broadcasting licence before?

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.

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

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

Yes

Does the applicant control an existing Ofcom licensee?

No.

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”)?

Yes – C.I. Broadcasting Ltd holds a DSP licence.

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.

Has the applicant – or any person(s) controlling the applicant - made any other application to Ofcom (or its predecessor broadcast regulators – the Independent Television Commission and the Radio Authority) for any licence which has since been surrendered by the licensee or revoked by Ofcom (or one of its predecessor regulators)?

Yes - DSP licence for YOUR Radio Ltd surrendered in 2019.

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.

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.

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

2.14 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) | SSDAB0008 | Glasgow SSDAB Trial Multiple. |
| (b) | AL102937 | FM Licence –Dumbarton -YOUR Radio |
| (c) | AL100675 | FM Licence –Helensburgh –YOUR Radio |
| (c) | | DSP licence – YOUR Radio |
| (c) | | DSP Licence – Eklipse Sports Radio |
| (c) | DP101892 | DSP licence – Timeless Radio Ltd |
| (c) | DP104679 | DSP licence – C. I. Broadcasting Ltd |
| (c) | | DSP Licence – Go Radio Ltd |
| (d) | | |
| (e) | | |
| (f) | | |
| (g) | | |
| (h) | | |
| (i) | | |

2.15 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.

N/A

2.16 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 | N/A | N/A |

Financial and business plan

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

| | |
|--|--------|
| Pre award costs: | |
| Application preparation | £1,000 |
| Application fee | £500 |
| Total pre award costs: | £1,500 |
| Pre-Operational Costs | |
| Regulatory finalisation costs (including planning permissions if required) | £1,000 |
| 25% deposit on capital equipment lease | £9,000 |
| Installation costs | £8,000 |

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

Share capital £100

Loan stock £20,000

Leasing/HP facilities (capital value) £36,000

Bank overdraft. N/A

Grants and donations N/A

Other (please specify)

- 2.19 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 (£) |
|---------------------------------|---|--------------------------------|
| | | |

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

| | | |
|-----------------------|---------|------------|
| C.I. Broadcasting Ltd | 100.00% | £20,000.00 |
| | | |
| | | |
| | | |
| | | |

- 2.20 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.

Funding available on 30 days notice after licence award.

Relevant expertise and experience

- 2.21 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.)

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

Spencer Pryor will run the multiplex on a day to day basis and will also be responsible for Service Provider liaison and ensuring Service Provider regulatory compliance, as well as ensuring correct ingest feeds to the multiplexer are provided by the Service Providers.


Mr Pryor has over 30 years experience in operating radio and television transmitters and networks, from being the very first Radio Authority licensee in the Channel Islands in 1991 through to being the operator of the Glasgow SSDAB trial multiplex from 2015 to 2019 when he sold his interests to Nation Broadcasting. During his time as the Trial Operator he gained a wealth of experience in operating the SSDAB transmitters and multiplexers, including the specific problems raised by trying to operate a Single Frequency Network. The experience gained was a valuable learning curve and mistakes made in the early days of the trial will not be made in the successful transition to a full time production multiplex.

95% of the operation of the multiplex will be run remotely through the use of cloud computing for the multiplexing and transmitter operation.

Existing standard Carriage Contracts and arrangements will be used and billing and accounting services will be provided by C.I. Broadcasting Ltd. Licence compliance and any data protection requirements will be allocated to Spencer Pryor, who has a long history of acting as a corporate and data compliance officer.

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

2.22 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 | Viamux Ltd |  <p>Viamux is a leading supplier of small-scale DAB solutions in the UK & Republic of Ireland. Established in 2017, Viamux specialises in Ofcom licence applications and coverage predictions as well as designing, building, installing, operating and maintaining small-scale radio multiplexes with clients in:</p> <ul style="list-style-type: none"> • Manchester, • Edinburgh, • Liverpool, • Blackpool, • Cardiff, • Newcastle & Gateshead, • Derry/Londonderry, • Exeter, • Preston, • Warrington, Widnes & Runcorn, • Cheshire East • Cheshire Mid • Nottingham. <p>More info: www.viamux.com</p> |
| Ongoing maintenance of the transmission equipment | Viamux Ltd | |
| Installation of the Multiplexing equipment | Viamux Ltd | |
| Day-to-day technical management and maintenance of the multiplexing equipment (if different from response to question 3.28 above) | Viamux Ltd | |

Timetable for coverage roll-out

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

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

Our aim is to launch the multiplex within 6 months of the licence award subject to Ofcom approval of our final technical plan.

Funding is already in place and Expressions of Interest are sufficient to exceed the operating costs of the multiplex, subject to the conclusion of ongoing discussions with a number of national broadcasters. We are continuing to actively pursue all expressions of interest and are confident to launch with a strong line-up of services.

Following the 'Guide to Launching' flowchart and the procedures set out in Ofcom's Technical Policy Guidance we aim to accelerate the implementation timetable by focusing on stages A to E.



Stages:

- A. In response to any technical mitigations in the award letter, we aim to finalise our site agreements and technical plan and submit to Ofcom within 4 weeks.
- B. On receipt of the hole punching document we will liaise with the national & local multiplex operators immediately. Responses received will be sent to Ofcom.
- X. Once the technical plan is signed off by Ofcom the equipment will be ordered and specifications shared with Ofcom. Installation date is scheduled and Ofcom is notified with twenty days' notice.
- Δ. Equipment is installed and commissioned.

As a leading small-scale DAB provider, Viamux will manage the implementation of the project. Availability of all equipment, software and professional services to meet our timescales are already confirmed.

We will be responsible for finalising site agreements and arranging broadband connectivity. A project GANTT chart (Appendix E) details the tasks, activities and timescales under which the implementation will be governed to achieve our target launch date.

- 2.24 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.

The project GANTT chart (Appendix E) sets out the precise, key stages in the implementation of the multiplex together with the timeline.

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

Involvement of C-DSP providers

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

No.

- 2.26 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:

- 2.27 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):

None.

Demand or support from programme providers

- 2.28 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 |
|--|-----------------------|--|
| TD1 Radio | C-DSP | Email - Confirmed Expression of Interest in taking |

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

| | | |
|---------------------------------------|-------|--|
| | | carriage. |
| TD9 Radio | C-DSP | Email - Confirmed Expression of Interest in taking carriage. |
| Lionheart Radio | C-DSP | Email - Confirmed Expression of Interest in taking carriage. |
| Radio Northumberland | C-DSP | Email - Confirmed Expression of Interest in taking carriage. |
| Celtic Music Radio. | C-DSP | Email - Confirmed Expression of Interest in taking carriage. |
| Quality Radio | C-DSP | Email – Confirmed Expression of Interest. |
| C.I. Broadcasting Ltd –Timeless Radio | DSP | Shareholder in applicant. |
| C.I. Broadcasting Ltd –Timeless 60s | DSP | Shareholder in applicant. |
| Radio Borders – Bauer | DSP | Email - Confirmed Expression of Interest in taking carriage. |
| Edge Radio | DSP | Email - Confirmed Expression of Interest in taking carriage. |
| Radio Telstar | DSP | Email - Confirmed Expression of Interest in taking carriage. |
| Nation Radio Scotland | DSP | Email. Existing client |
| Nation 80s | DSP | Email. Existing client. |
| Gaydio | DSP | Email - Confirmed Expression of Interest in taking carriage. |

5. Fair and effective competition

- 2.29 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.

C.I. Broadcasting Ltd were the original company that expressed an interest to OFCOM in running a SSDAB multiplex in the Scottish Borders area. At that time we already had a close working relationship with Radio Telstar, based in Galashiels, and had communicated with the other known community stations in the area to gauge interest in a proposed multiplex, which was positive. At this time the principal of the company was running the Glasgow trial SSDAB multiplex and had numerous contacts with service providers and access to their plans for further expansion into other future licenced areas.

When this licence area was advertised in August 2022, contacts were re-established and 4 further possible locally based community stations (C-DSP) were identified, contacted and agreement reached. Other potential service providers known to the applicant were also approached in the pre-public stage and agreement reached in respect of carriage. As this licence area is primarily a 'white area' concerning DAB coverage contact has also been made with a number of national broadcasters, both public service and commercial, in respect of taking space on this multiplex. Discussions, which in the main are positive, are on-going at the time of this application.

The Tower DAB website (towerdab.co.uk) was relaunched in mid September 22 (it had previously been used for the Blackpool SSDAB application in 2020) listing the proposed multiplex criteria and inviting any prospective service providers that we had not already had contact with to place enquiries. We have also undertaken publicity in both industry media and local Scottish Borders media, which has generated interest by several parties in becoming Service Providers.

As far as we are aware we are the only prospective applicant for this multiplex licence area, however if another application is submitted, we would not look unfavourably on any service provider that was part of that application, and would allow them to join the Tower DAB multiplex on our published rate card terms provided space was available.

The policy of the company is to allow any licenced service provider easy and fair access to the multiplex on a first come first served basis, without any undue bias in regard to service operators. If the multiplex became full, a waiting list for new service providers would be introduced with priority going to locally based services, followed by services that increased the choice of types of service upon the multiplex.

Our main conduit for communication with the general public will be our website at towerdab.co.uk and listeners to the multiplex will be able to contact us via a webform or email.

In the interests of transparency we have already published a provisional ratecard:

AREA - BERWICKSHIRE & ROXBURGH (SCOTTISH BORDERS)

| Capacity | C-DSP (Bid Partner) | C-DSP | DSP (Bid Partner) | DSP |
|-----------|---------------------|-------|-------------------|------|
| 32kb DAB+ | N/A | N/A | £300 | £400 |
| 48kb DAB+ | £30 | £60 | £450 | £600 |
| 64kb DAB+ | N/A | N/A | £600 | £800 |

6. Declaration

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.

I further declare and warrant:

- 29.α.1) 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;
- 29.α.11) 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;
- 29.α.111) 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
- 29.α.112) 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.

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:

SPENCER PRYOR

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. - TOWER DAB LTD.

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