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## **Small-scale radio multiplex licence**

### Application form – Part A (public)

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

**MURFIN MEDIA DIGITAL LIMITED**

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

**LUDLOW**

# 1 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.

- 1.1 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):

We are intending to use our existing FM transmission site at Clee Hill to provide coverage to Ludlow Leominster and Tenbury Wells. The adult population covered is 43,072 (34,985 within the polygon area) which is 72% of the adult population within the advertised area.

- 1.2 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)
Clee Hill	SO59487575	15m	Yagi antenna @ 220°	NEW	150W

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

Provided as an Appendix.

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

Provide the name and version of the prediction tool used.	HTZ Communications v23.5.4 x64
Detail the terrain model used by the software and its resolution.	Ordnance Survey 50m
Detail the ground cover (clutter) data used by the software and its resolution.	Ordnance Survey & DEFRA 50m
What propagation algorithm has been used?	Deygout 94
Where multiple sites are proposed, describe what methodology has been used to assess the network (SFN) gain	N/A
If these predictions have not used Ofcom-provided population data, state what population data has been used and its source.	Ofcom provided population data
Have your predictions been generated by a commercial organisation? If so, by whom?	Muxnet UK Limited

## 2. 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 propriety 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

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

**MURFIN MEDIA DIGITAL Limited**

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

**08423889**

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:

**The Old Smithy, 1 Post Office Lane, Kempsey, Worcester, WR5 3NS**

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 <sup>1</sup>	Country of residence	Other officerships held (and nature of the business concerned)	Other employment
Virginia Murfin	The Old Smithy 1 Post Office Lane Kempsey Worcester WR5 3NS	UK	Sunshine FM Ltd Norgate Ltd The Old Smithy Recording Studios Ltd Murfin Media Ltd South Birmingham Digital Radio Ltd	Station Director @ Sunshine FM Ltd

### Details of participants

2.6 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
Virginia Murfin	1	12,000	100	100
Comments				

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

### 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):

Full name of body corporate	Address	Person/body controlling the entity (i.e. the applicant itself or its associate)
N/A		

### 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:

Full name of person/body corporate	Address	Person/body controlled by the entity (i.e. the applicant itself or its associate)
Virginia Murfin	The Old Smithy 1 Post Office Lane Kempsey Worcester WR5 3NS	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
Virginia Murfin	Sunshine FM Ltd Murfin Media Ltd The Old Smithy Recording Studios Ltd Norgate Ltd South Birmingham Digital Radio Ltd

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

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**

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.

<b>Activity/involvement</b>	<b>Yes or No</b>	<b>Please state who is involved; the name of the body/individual/agency they are involved with; and the extent of their involvement</b>
A local authority	No	
A body whose objects are wholly or mainly of a political nature, or which is affiliated to such a body	No	
A body whose objects are wholly or mainly of a religious nature; <sup>2</sup>	No	
An individual who is an officer of a body falling within (b) or (c);	No	
A body corporate which is an associate (as defined in paragraphs 1(1) and 1(1A) of Part I of Schedule 2 to the Broadcasting Act 1990) of a body falling within (b) or (c);	No	
An advertising agency or an associate of an advertising agency	No	

## **Details of applications, licences and sanctions**

2.13 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?

**Yes**

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

**Yes**

(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?

**Yes**

<sup>2</sup> Please refer to Sections 3 to 5 of Ofcom's religious guidance note at: [https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0028/88219/Guidance-for-religious-bodies.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0028/88219/Guidance-for-religious-bodies.pdf) for details on how we determine the eligibility of religious bodies to hold certain broadcasting licences.



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(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**

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

	<b>Licence number(s)</b>	<b>Details</b>
(a)	AL000326 DP100000 AL102759 DL000054 DL000050 DP1000000	Sunshine Radio Ltd – Virginia Murfin Sunshine Radio Ltd – Virginia Murfin Norgate Limited – Virginia Murfin MuxCo South Midlands Ltd (Gloucestershire) – Virginia Murfin MuxCo South Midlands Ltd (Gloucestershire) – Virginia Murfin Sunshine Radio (Herefordshire and Monmouthshire)
(b)		KIX FM Coventry BUZZ FM Birmingham
(c)		KIX FM Coventry BUZZ FM Birmingham
(d)	AL000326 AL102759	Sunshine Radio Ltd – Virginia Murfin Norgate Limited – Virginia Murfin

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**

## 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.

### **Target Market**

Our target market comprises existing and potential community and commercial broadcasters who wish to broadcast to the area.

### **Promoting the Opportunity**

As well as direct communication, with potential service providers, we have promoted the multiplex opportunity widely through personal contacts and conversation.

### **Service Providers**

We have very few service providers although we are expecting more when the license is granted. The service will be maintained by Murfin Media Digital LTD and running costs will be minimal. A service will be provided for those groups wishing to join the multiplex but the cost will be kept similar to other local applications.

### **Objectives**

We have signed Heads of Terms with 2 services, which will cover our running costs. However, our financial planning ensures that if we don't reach this level, or services fall away over time and we experience a delay in replacing services from our waiting list, there is sufficient head room to ensure our finances remain robust.

### **Costs**

We anticipate the majority of costs to be related to the use of our existing transmission site, and have provided a budget of £10,000.

Legal and other administrative costs in pre-launch period - £2,000

### **Funding**

The company will be funded by the shareholder who will also cover the running costs. The shareholder has confirmed their ability to cover this funding.

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

a) Share capital	£1
b) Loan stock	£12,000
c) Leasing/HP facilities (capital value)	£0
d) Bank overdraft	£0
e) Grants and donations	£0
f) Other (please specify)	£0
<b>TOTAL</b>	<b>£12,001</b>

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 (£)
Virginia Murfin	100%	£12,000
	<b>100%</b>	<b>£12,000</b>

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 has been confirmed by the shareholder. Letters are provided in an Appendix.

## 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.)

Virginia Murfin will take care of the day to day general management. She has worked in this field and similar roles for over 40 years.

- 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	MuxNet UK Ltd / David Porter	David installed and setup the FM transmitter for Sunshine Radio (and others). He has also maintained the equipment.
Ongoing maintenance of the transmission equipment	MuxNet UK Ltd / David Porter	
Installation of the Multiplexing equipment	MuxNet UK Ltd / David Porter	
Day-to-day technical management and maintenance of the multiplexing equipment (if different from response to question 3.28 above)	MuxNet UK Ltd / David Porter	

## 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:

We intend to launch within 12 months of approval of our technical plan.

Upon award, we will liaise with other radio multiplex licensees on any impact our proposed transmitters might have. Once completed, we will seek agreement from Ofcom for the proposed technical plan – mindful that the coverage proposed in our application is an award criterion and that any change will need to deliver broadly equivalent coverage.

We will send final site details to Ofcom for clearance and provide evidence of liaison and agreement with other radio multiplex licensees. Given the time taken to

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co-ordinate services we recognise the importance getting the final transmitter plans to Ofcom as quickly as possible.

Our timeline then focuses on the following key stages:

- Building and installing the DAB multiplex and transmission chain
- Finalising carriage agreements with the service providers
- Commissioning and testing the transmitter equipment for compliance with Ofcom's Digital Radio Technical Code
- Providing Ofcom with evidence of compliance with the licence and the Digital Radio Technical Code

We have confirmed the availability of all equipment and professional services to meet our timescales.

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.

A GANTT chart is included in Appendix E.

## 3. 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

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

NO

3.2 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

3.3 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):

N/A

## Demand or support from programme providers

- 3.4 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
Sunshine 855	DSP	Signed heads of terms
Ludlow Amateur Dramatics Society	DSP	Meeting Discussion
Earl Mortimer College	DSP	Meeting Discussion
Radio Wyvern	DSP	Signed heads of terms



## 4. 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.

- 4.1 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:

Our application is led by Ginny Murfin who is committed to providing affordable and efficient digital radio services to Ludlow.

There are no community radio services that broadcast within or are audible within the license area, however we have discussed the opportunity with community services that currently do not serve the area, as well as commercial services who are looking for carriage on multiple multiplexes, and have received equally strong support.

We are therefore confident that we will provide a strong line up of local, community and commercial services on the multiplex from launch, covering a wide range of tastes and interests; local, regional, and national.

We will continue to promote opportunities on the multiplex.

- In approaching prospective programme service providers, we have acted in a manner to ensure fair and effective competition in the provision of community and local digital sound programme services. We contacted the known potential service providers; both local and national
- We created and maintain a register of requests for capacity for services. We don't anticipate having to turn anybody down who wishes to use our multiplex.
- We have published and provided each prospective service providers a ratecard which identifies tiering for Reserved and Un-reserved capacity

## 5. 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 of the person authorised to make the application on behalf of the applicant:

**VIRGINIA MURFIN**

Date of application: **14 OCTOBER 2022**

I am authorised to make this application on behalf of the applicant in my capacity as **COMPANY DIRECTOR**

**FILE COPY**



**CERTIFICATE OF INCORPORATION  
OF A  
PRIVATE LIMITED COMPANY**

Company Number **13412584**

The Registrar of Companies for England and Wales, hereby certifies that

**NORGATE LIMITED**

is this day incorporated under the Companies Act 2006 as a private company, that the company is limited by shares, and the situation of its registered office is in England and Wales

Given at Companies House, Cardiff, on **21st May 2021**



\*N13412584F\*



Companies House



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES