

Small-scale radio multiplex licence award: Barrow-in-Furness

Background

Ofcom has decided to award a new small-scale radio multiplex licence for Barrow-in-Furness to Furness Broadcast Media CIC.

In considering the applications it receives for small-scale radio multiplex licences, Ofcom is required to have regard to each of the statutory criteria set out in section 51(2) of the Broadcasting Act 1996 as modified by the Small-scale Radio Multiplex and Community Digital Radio Order 2019. These are as follows:

1. the extent of the coverage area (within the area or locality specified in the Ofcom notice inviting applications) proposed to be achieved by the applicant in the technical plan submitted in its application; (section 51(2)(a))
2. the ability of the applicant to establish the proposed service; (section 51(2)(c))
3. the desirability of awarding the licence to an applicant that:
 - a. is a person providing or proposing to provide a community digital sound programme service in that area or locality, or
 - b. has as a participant a person providing or proposing to provide a community digital sound programme service in that area or locality; (section 51(2)(ca))
4. the extent to which there is evidence that, amongst persons providing or proposing to provide community or local digital sound programme services in that area or locality, there is a demand for, or support for, the provision of the proposed service; (section 51(2)(f)) and
5. whether, in contracting or offering to contract with persons providing or proposing to provide community or local digital sound programme services, the applicant has acted in a manner calculated to ensure fair and effective competition in the provision of those services. (section 51(2)(g)).

The legislation does not rate these requirements in order of priority, but it may be that Ofcom will regard one or more of the criteria as being particularly important in view of the characteristics of the licence to be awarded and the applications for it.

Assessment

On 19 April 2024, Ofcom published a notice inviting applications for licences to provide small-scale radio multiplex services in localities including Barrow-in-Furness.

By the closing-date of 18 July 2024, Ofcom had received one application for Barrow-in-Furness. This was from Furness Broadcast Media CIC ("FBM"). Copies of the non-confidential parts of the

application were made available for public scrutiny on the Ofcom website, and public comment was invited as required under section 50(7).

Ofcom colleagues assessed the detail of the application, including carrying out an assessment of the technical plan required to be submitted as part of all applications. The decision in relation to Barrow-in-Furness was made by a panel of Ofcom decision makers which convened on 7 March 2025. They carefully considered the application, public comment received, and professional advice from Ofcom colleagues. They applied the statutory criteria in reaching their decision on whether to award a licence to the sole applicant. Reasons for their decision to award a licence to FBM are summarised below.

In relation to section 51(2)(a), the applicant proposed using one transmitter to provide its service. Ofcom calculations indicate that this would result in just under 65% of the adult population in the advertised licence area being able to receive the service. Ofcom's coverage predictions indicated that the proposed small-scale radio multiplex service would be available to well under 40% of the population in the licensed area of the overlapping Morecambe Bay local radio multiplex, and there was not predicted to be any coverage overspill outside the advertised area. Ofcom therefore considered no mitigations were required to comply with these thresholds. Ofcom considered mitigations were likely to be necessary to address co-channel interference, but these were expected to have only a very minor impact on coverage, reducing it to approximately 64% of the adult population of the advertised area. Decision makers noted that predicted coverage was good in the context of a single transmitter site, with robust coverage in Barrow-in-Furness itself, as well as Dalton-in-Furness and Millom, albeit with limited coverage in the north-east of the advertised area including Ulverston and Grange-over-Sands.

In relation to section 51(2)(c), Ofcom considered the applicant's financial and business plan, technical plan, the timetable for coverage roll-out, and evidence of relevant expertise and experience. Decision makers noted that FBM's use of a single, well-chosen transmitter limited the costs of establishing the service. Whilst there was some uncertainty over grant funding, the applicant is a well-established analogue community radio service licensee in the locality with a clear commitment to broadcasting in the area and ability to raise necessary funding. Overall, decision makers considered there was a good prospect of FBM establishing the service within the 18-month period allowed by legislation.

In relation to section 51(2)(ca), the applicant proposed to provide three C-DSP services on the multiplex, including its existing analogue community service, Cando FM, and two additional services. Decision makers noted there was an excellent prospect of the existing service being available on the multiplex at launch and, whilst there are inevitably challenges in bringing additional new services to air, the intention to do so was welcome.

In relation to section 51(2)(f), Ofcom considered evidence of demand or support from persons providing or proposing to provide community or local digital sound programme services (C-DSP and DSP services) in the advertised area. As well as the three C-DSP services the applicant itself intended to provide, a letter of intent had been provided in relation to a fourth service, Beaumont College Radio. Notwithstanding the challenges of establishing new services, decision makers noted this represented strong support from the community radio sector in the context of an area with a reservation for four such services. Three other DSP services had expressed an interest, and decision makers noted there would be value in further engagement with prospective services between award and launch to support the establishment and ongoing viability of the multiplex service.

In relation to section 51(2)(g) and based on the evidence received, Ofcom was satisfied that the applicant had, in contracting or offering to contract with persons providing or proposing to provide community or local digital sound programme services, acted in a manner calculated to ensure fair and effective competition in the provision of those services.

It is noted that the award of a licence does not confer on the awardee the right to implement all elements of the technical plan submitted to Ofcom as part of the successful application. Ofcom will treat proposals in that plan, on the basis of which the award was made, as things the successful applicant has committed to achieve within the 18-month period allowed between award and launch. However, for spectrum planning reasons, Ofcom may also require amendments to proposals between award and licence grant.

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