

# Small-scale radio multiplex licence award: Portadown & Craigavon

## Background

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Ofcom has decided to award a new small-scale radio multiplex licence for Portadown & Craigavon to ABC Community SSDAB Limited.

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

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

By the closing-date of 18 July 2024, Ofcom had received two applications for Portadown & Craigavon. These were from Broadband NI Limited and ABC Community SSDAB Limited (“ABC”).

Copies of the non-confidential parts of the applications were made available for public scrutiny on the Ofcom website, and public comment was invited as required under section 50(7) although none was received.

Ofcom colleagues assessed the detail of the applications, including carrying out an assessment of the technical plans required to be submitted as part of all applications. The decision in relation to Portadown & Craigavon was made by a panel of Ofcom decision makers which convened on 7 March 2025. They carefully considered the applications and professional advice from Ofcom colleagues. They applied the statutory criteria in reaching their decision on whether and to whom to award a licence. Reasons for their decision to award a licence to ABC 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 49% 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 Northern Ireland local radio multiplex, and overspill outside the advertised area was predicted to be well under 30% of the population of the advertised area. Ofcom therefore considered no mitigations were required to comply with these thresholds. Ofcom considered it was possible mitigation would be required to address potential hole punching. This would be likely to reduce coverage but, on balance and subject to drive testing, decision makers considered such mitigation was unlikely to be necessary. Decision makers recognised that predicted coverage was relatively modest, with the single transmitter not expected to provide coverage in Lurgan and elsewhere towards the periphery of the advertised area. Coverage was, however, expected to be robust within Portadown and Craigavon.

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, whilst the single transmitter site proposed somewhat limited coverage, the use of an existing community radio site for that transmitter considerably limited the cost and complexity of establishing the service. The applicant included participants with strong experience in community radio in Northern Ireland, and individuals involved in establishing the Belfast & Lisburn small-scale radio multiplex. These factors in particular provided decision makers with a good level of confidence in the applicant's ability to establish the service within the 18-month period allowed by legislation.

In relation to section 51(2)(ca), the applicant itself proposed to provide a C-DSP service on the multiplex, as did both participants in the applicant (IUR-FM Limited and Portadown Community Radio Limited, each of which have a substantial 50% of voting rights in ABC). Decision makers noted that the proposed services varied in their likelihood of being carried on the multiplex from launch (one being an existing analogue community service in the locality, one in an adjacent locality which would need to establish a studio in the area, and one at this stage a proposed service). Overall, however, decision makers considered this represented a strong level of participation by those proposing to provide a C-DSP service.

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. In addition to the participants and the applicant itself, the applicant had provided heads of terms from one further prospective C-DSP (Juice 1038, which is an existing analogue community service albeit not in the advertised area). The applicant had also provided evidence of support from 17 other DSP service providers. Decision makers noted this

represented a strong level of demand particularly in the context of an advertised area with a relatively low population and reserved capacity for four C-DSP services, and this support from prospective services further supported the prospects of the multiplex being established within the period allowed and being viable in the longer term.

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. Decision makers noted that the strong level of evidenced demand and support was indicative of a proactive approach by ABC in contacting prospective service providers.

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.

It should be noted that, future developments within the Republic of Ireland may result in their need to use VHF Band III spectrum, and Ireland has the rights to implement networks in line with existing international agreements. In the event this happens, Ofcom will work to resolve any potential interference issues to the Portadown & Craigavon small-scale radio multiplex service, although this could potentially require a change of transmission frequency or other measures.

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