

Revocation of the Swansea small-scale radio multiplex licence award

Background

Under section 51(6) of the Broadcasting Act 1996 (as modified by the Small-scale Radio Multiplex and Community Digital Radio Order 2019), Ofcom may revoke the award of a small-scale radio multiplex licence where the licence itself has not yet been granted and Ofcom has reasonable grounds for believing that the person to whom the licence was awarded will not provide the service within 18 months of the date of the award.

Decision

Ofcom has taken the decision to revoke the licence award we made on 19th August 2022 to Swansea DAB Limited (“Swansea DAB”) in relation to the Swansea small-scale radio multiplex service.

This is on the basis that the statutory conditions for revocation as set out above have been met. Firstly, the awarded licence has not yet been granted. Secondly, we have reasonable grounds to believe the service will not be provided within 18 months of award (i.e. by 19th February 2024) as Swansea DAB has asked that the award be withdrawn. Swansea DAB has explained this relates to it concluding that the technical plan based on which it had originally applied was no longer viable. Swansea DAB said that, whilst it had provisionally identified alternative sites, it would not be in a position to propose a revised technical plan at this stage, and therefore launching within the 18 month statutory window would not be feasible.

Plans for re-advertisement

Swansea DAB has expressed an interest in re-applying for a small-scale radio multiplex licence in Swansea should it be re-advertised.

Ofcom notes that Swansea had originally been advertised as part of Ofcom’s third round of small-scale radio licence awards, which was indicative of it being a high priority area for provision of such a service. It had attracted two applications at that time, and these applications had between them demonstrated a good level of support from community and commercial radio services for establishment of a small-scale multiplex. For these reasons, it appears the level of interest in establishing a service justifies prompt re-advertisement.

We therefore intend to include Swansea in Round Six of the small-scale radio multiplex licensing programme.