

Revocation of the Banbury & Bicester 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 15 May 2023 to NOxDAB Limited (“NOxDAB”) in relation to the Banbury & Bicester 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will not be provided within 18 months of award (i.e. by 15 November 2024), as NOxDAB has asked that the award be withdrawn on the basis that it no longer intends to launch the multiplex.

Next steps

In explaining its reasons for not proceeding, NOxDAB indicated it would be unlikely to re-apply for the licence should one be re-advertised for the same area. We note that we received more than one application for the Banbury & Bicester licence area following its advertisement in July 2022, and we will consider whether to re-advertise a small-scale multiplex licence in the area should we receive any expressions of interest following today’s announcement.

Should we decide in principle to do so, it may be appropriate to adjust the advertised area if, to the extent there is interest in establishing a small-scale multiplex in the area, views have developed on the most appropriate area to be covered. Any potential applicant expressing an interest may also wish to express a view on that issue, and on the timing of any potential re-advertisement.