

Small-scale radio multiplex licence award: Enniskillen

Background

Ofcom has decided to award a new small-scale radio multiplex licence for Enniskillen to UlsterMUX 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

On 28 January 2025, Ofcom published a notice inviting applications for licences to provide small-scale radio multiplex services in localities including Enniskillen.

By the closing-date of 29 April 2025, Ofcom had received one application for Enniskillen. This was from UlsterMUX Limited ("UlsterMUX"). 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) although no comments were received.

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 Enniskillen was made at an Ofcom decision meeting on 12 September 2025. The meeting carefully considered the application and professional advice from Ofcom colleagues involved in assessing the application. The statutory criteria were applied to reach a decision on whether to award a licence to the sole applicant. Reasons for the decision to award a licence to UlsterMUX are summarised below.

In relation to section 51(2)(a), the applicant proposed using two transmitters to provide its service. Ofcom calculations indicate that this would result in just over 85% 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 under 30% of the population of the advertised area. Ofcom therefore considered no mitigations were required to comply with the overlap and overspill thresholds. However, the applicant's technical plan entailed unacceptably high field strength levels into the Republic of Ireland. These international constraints were referred to in the notice inviting applications, and would require mitigations in the form of directional antennas, materially reducing coverage achieved to just over 50% of the advertised area. Ofcom noted that, unless additional or alternative antennas were included in the final technical plan, this would unfortunately restrict coverage to the south of the proposed transmitter sites. However, the predicted coverage remained adequate and included robust coverage of several population centres including Enniskillen itself.

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. Ofcom noted that the significant mitigation needed in relation to international constraints may cause the applicant to consider replanning aspects of its proposals with an impact on timely establishment of the service. However, the applicant has experience of establishing the existing small-scale multiplex in Newry, and provided evidence of having the technical and financial resources necessary to launch the service. Ofcom therefore concluded there was a reasonable prospect of the service being established within the 18-month period allowed by legislation.

In relation to section 51(2)(ca), the applicant does not itself propose to provide a C-DSP service in the advertised area, nor does it have as a participant a person proposing to do so. Ofcom noted that involvement of such a person is a desirable feature but not a necessity for applicants.

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. The applicant provided evidence of demand and support from one prospective C-DSP service and 14 prospective DSP services. Ofcom noted this represented a good level of expressed demand in the context of an advertised area with relatively low population and no existing analogue community radio service. Whilst services varied in likelihood of being available on the multiplex at launch, and the mitigation required in relation to international constraints may have some impact on demand, Ofcom noted that the level of demand was positive in terms of the longer term viability of the multiplex.

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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