

Small-scale radio multiplex licence award: Exmouth & Dawlish

Background

Ofcom has decided to award a new small-scale radio multiplex licence for Exmouth & Dawlish to Exmouth DAB 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 Exmouth & Dawlish.

By the closing-date of 29 April 2025, Ofcom had received one application for Exmouth & Dawlish. This was from Exmouth DAB Limited ("Exmouth DAB"). 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 Exmouth & Dawlish was made by a panel of Ofcom decision makers which convened on 11 July 2025. They carefully considered the application, professional advice from Ofcom colleagues, and public comments received. 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 Exmouth DAB 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 approximately 59% 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 Exeter, Torbay & North Devon 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 the overlap and overspill thresholds. Ofcom also considered that mitigations were unlikely to be necessary to address hole punching or interference. Decision makers noted that predicted coverage was reasonably good in the context of a single transmitter plan and an advertised area with several towns. The multiplex was predicted to achieve good coverage in the named population centres of Exmouth and Dawlish, as well as much of Budleigh Salterton.

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 using a single transmitter site which is currently used by DevonAir Limited (an analogue community radio service licensee controlled by Exmouth DAB's sole member and director) limited the likely cost and complexity of establishing the service. The applicant had engaged an experienced contractor for installation. Decision makers therefore considered there was a good prospect the service being established within the 18-month period allowed by legislation.

In relation to section 51(2)(ca), the applicant itself has stated that it intends to provide a C-DSP service, which would be a version of the analogue community radio service currently provided by DevonAir Limited (which, as noted above, is a sister company of Exmouth DAB). As an existing analogue community radio service, decision makers noted there was a good prospect of this service being available on the multiplex at launch albeit further clarity would be needed regarding which entity would be the appropriate licensee for digital and analogue versions of the 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. As well as the applicant's prospective C-DSP services as mentioned above, three other prospective C-DSP services and two other DSP services had expressed an interest in carriage. Decision makers considered this represented an adequate level of demand, with good support from the community sector but modest interest from other services, and there would be merit in Exmouth DAB undertaking further work to establish more support between award and launch to secure the longer-term viability of the 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. However, decision makers noted that outreach appeared to have been quite limited, and third parties had expressed some concerns in this area, so it would be important for the applicant to consider its approach further prior to launch noting the licence obligations regarding maintenance of fair and effective competition that apply to all small-scale multiplex licensees.

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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