

Small-scale DAB coverage change: Stirling & Falkirk

Consultation on request to vary the licensed area of the Stirling & Falkirk small-scale radio multiplex

Consultation

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1. Overview

- 1.1 This document seeks views on a request to change the area to be served by the Stirling & Falkirk small-scale radio multiplex service. A radio multiplex service is the means by which DAB digital radio stations are broadcast. Ofcom is required to consult before deciding whether to agree to such a request.
- 1.2 This document is the consultation and includes questions to help respondents frame their responses. The closing-date for responses to this consultation is **03 February 2025**.

What we are proposing – in brief

We are minded to approve an application from Central FM Limited to vary the small-scale radio multiplex licence for Stirling & Falkirk so as to change the area within which the service is required to be available.

2. Process for changing a radio multiplex licence area

Licence areas for small-scale radio multiplexes

- 2.1 Small-scale radio multiplex licences are granted by Ofcom principally to enable the provision of community and local digital sound programme services on the DAB (Digital Audio Broadcasting) platform. The statutory basis for licensing small-scale radio multiplexes is the Broadcasting Act 1996, as modified by the Small-scale Radio Multiplex and Community Digital Radio Order 2019 (the “Broadcasting Act”).
- 2.2 The holder of a small-scale radio multiplex licence is responsible for, among other things, delivering its service in accordance with a technical plan agreed by Ofcom prior to grant of the licence. The technical plan contains details of the transmitter site(s) from which the multiplex service is broadcast, and other technical details such as power levels and aerial patterns etc.
- 2.3 For small-scale radio multiplexes, the technical plan effectively defines the licensed area of the service. Ofcom publishes coverage maps showing the coverage and therefore extent of the licensed areas for such services. It should be noted these are indicative only, based on computer models rather than actual measurement, and on a defined predicted signal level deemed sufficient to qualify as “receivable”. They are subject to some variation due to possible interference from other services and seek to estimate in-building coverage only. Nevertheless, such models provide a reasonable estimate of the coverage achieved by the technical plan appended to a licence.

Statutory framework for variations

- 2.4 Under section 54A(2) of the Broadcasting Act, Ofcom is able to vary a small-scale radio multiplex licence by—
 - a) varying the frequency on which the licensed service is required to be provided,
 - b) reducing the area or locality in which the licensed service is required to be available, or
 - c) extending that area or locality to include an adjoining area or locality.
- 2.5 Section 54A(3) and (4) further specify that Ofcom must have received an application for the variation from the licence holder, and that this application must include a technical plan relating to the service proposed to be provided under the licence indicating, in particular—
 - a) the area or locality which would be within the coverage area of the service,
 - b) the timetable in accordance with which that coverage would be achieved, and
 - c) the technical means by which it would be achieved.
- 2.6 Under section 54(5), before deciding whether to grant the application, OFCOM must publish a notice specifying—
 - a) the proposed variation of the licence, and
 - b) a period in which representations may be made to OFCOM about the proposal.
- 2.7 Finally, section 54(7) states that Ofcom may vary a licence in accordance with an application, *“only if they are satisfied that doing so would not unacceptably reduce the number of*

community or local digital sound programme services available to persons living in the area or locality for which, before the proposed variation, the small-scale radio multiplex service is required to be available.”

Policy framework for variations

- 2.8 Whilst the above sets out the statutory framework for variations, section 54A(2) provides Ofcom with a discretionary power. That is, we can give approval if the statutory conditions are met but we are not required to do so.
- 2.9 We first assess whether a requested change in transmission arrangements constitutes a frequency change, a reduction in the licensed area, or an extension of the licensed area to an adjoining area.
- 2.10 Where a request, if approved, would result in a change of frequency or a decrease in overall coverage of the multiplex service (as measured by adult population coverage), Ofcom will generally consider these to fall within the scope of section 54A and thus will need to be consulted upon before Ofcom can reach a decision.
- 2.11 Where a request, if approved, would result in an overall increase in coverage for the multiplex service (as measured by adult population coverage), Ofcom will determine whether it constitutes an extension of the area in which the licensed service is required to be available to include an adjoining area. We interpret ‘adjoining area’ in this context to mean an area of new coverage outside the existing licensed area which, whether measured in terms of the specific location(s), geographical size(s) or population coverage(s), could reasonably be considered to be material – we recognise there is a difference between overspill coverage that is unavoidable and intentional extra coverage. We will also take account of whether that adjoining area is, or will potentially be, served by another small-scale radio multiplex service, and whether it was or wasn’t part of the original area advertised by Ofcom.
- 2.12 If we determine that the proposed change in transmission arrangements would result in an extension of the licensed area to an adjoining area, the request will need to be consulted upon before Ofcom can reach a decision.
- 2.13 In circumstances where a change would result in an overall increase in coverage for the multiplex service but not constitute an extension of the licensed area to an adjoining area, we will nevertheless also consider whether any coverage which is lost as a result of the changes is of sufficient magnitude and/or significance such that a consultation would still be appropriate. In reaching this view, we will have regard to the extent of any coverage losses both in terms of the absolute numbers of people who are predicted to lose coverage of the multiplex service, but also in terms of the geographical location(s) where coverage is predicted to be lost. We are likely to attach greater weight to coverage losses in the core population centre(s) of the licensed area than to losses at the periphery of the licensed area, or where losses are dispersed across sparsely-populated areas.
- 2.14 For all requests to change transmission arrangements, Ofcom will not give its approval unless it is satisfied in relation to all the following technical requirements:
- a) Overlap with any relevant local multiplex(es) remains not greater than 40% (in line with the policy intention of section 50(2A)(c) of the BA1996 to limit such overlaps).
 - b) Any international constraints are adhered to.

c) There is no significant increase in the level of interference to multiplexes elsewhere.¹

2.15 Ofcom will also consider:

- a) Whether the reason(s) for making the change is adequately supported by evidence. In particular, we would not normally approve a reduction in coverage unless continuing with the current technical plan is demonstrably not feasible, and feasibility cannot reasonably be achieved through less impactful means.
- b) Whether there is evidence the licensee has taken reasonable steps to minimise any adverse impacts from changes to its coverage, and that any changes in coverage involving coverage reduction or extension into the coverage area of neighbouring small-scale multiplexes are unavoidable. This should include an indication of all other sites that were investigated and any reasons for selecting a preferred site.
- c) Whether any increase of overlap (or new overlaps) with the coverage of other small-scale radio multiplex services is excessive. Whilst some overlap between small-scale multiplexes is inevitable, and changes to transmission arrangements may alter this overlap, in general we would consider this should represent no more than a small proportion of the other multiplex's coverage (if on-air) or polygon (if not yet launched, or yet to be advertised), and extending coverage to a material extent into a key population centre served by a launched or planned small scale multiplex service should be avoided.

2.16 In addition, for any variation requests which are subject to consultation, if we are satisfied in relation to the statutory criterion specified in paragraph 2.7 we will also have regard to the following additional criteria when determining whether to vary the licence:

- a) whether the change in transmission arrangements would be calculated to maintain or promote the development of digital sound broadcasting otherwise than by satellite;
- b) whether the licensee's proposed coverage plan is satisfactory;
- c) whether the licensee has the ability to maintain the licensed service;
- d) whether there are sufficient safeguards in place to protect the rights and interests of stations carried on the multiplex and the rights and interests of other multiplex operators (and the stations they carry); and
- e) Any other factors that appear relevant to the particular case.

¹ For on-air multiplexes elsewhere, this means no significant impact to their actual coverage. For polygon areas that have not yet been advertised, or small-scale multiplexes where a licence has been awarded but not yet granted, this means protecting the entire population in the polygon area as at initial assessment.

3. The variation request

Proposed new technical plan

- 3.1 The licence to provide the Stirling & Falkirk small-scale multiplex was awarded to Central FM Limited in March 2023. The multiplex launched in November 2023.
- 3.2 Central FM Limited has applied to vary its licence on the basis that it would like to improve coverage within the originally advertised area to improve the commercial viability of the multiplex. Central FM Ltd has supplied Ofcom with details of various locations across the city of Stirling and the surrounding suburban area where it would like to improve coverage of the multiplex.
- 3.3 Annex 1 sets out a comparison between the current coverage and that which Ofcom assesses would be achieved by the revised technical plan proposed by the applicant. In brief, the revised technical plan proposes an increase in transmitter power which is predicted to provide a net increase in coverage of around 51,249 adults (aged 15+) compared to the currently licensed coverage area. None of the listeners who are currently served by the multiplex would lose coverage under the revised plan.
- 3.4 The revised technical plan would also result in an area of new coverage outside the existing licensed area, primarily in Dunfermline. Dunfermline is planned to be served by another small-scale radio multiplex service (Dunfermline & Kinross), and was not part of the original Stirling & Falkirk area advertised. The percentage of the population residing in the 'polygon' area we plan to advertise in relation to a future Dunfermline & Kinross multiplex that would also be served by the Stirling & Falkirk multiplex would increase from 11.6% to 27.7% - an increase of 16.1 percentage points². We consider this to be material and therefore to constitute an extension to include an adjoining area.

Preliminary view

- 3.5 As set out in paragraph 2.7, we cannot approve Central FM Limited's request unless we are satisfied that doing so would not unacceptably reduce the number of community or local digital sound programme services available in the area the Stirling & Falkirk small-scale multiplex currently serves.
- 3.6 We are, on a preliminary basis, so satisfied. This is primarily because we do not anticipate the change will result in households which currently have coverage losing it (there is not only a net coverage increase but no countervailing loss). However, we recognise that the increase in coverage could result in increased costs for the multiplex, and that any such increase in costs could result in higher costs for service providers, and therefore in particular welcome responses to this consultation from current or prospective service providers.
- 3.7 As well as considering the request in relation to the above statutory criterion, we also have a number of policy criteria to take into account as set out in paragraphs 2.14 – 2.16 in deciding

² Note that the actual population overlap will depend on the final technical plan of any future Dunfermline & Kinross licensee. However, given the locality has yet to be advertised, we have instead considered the overlap with the 'polygon' area we plan to advertise in due course.

whether to exercise our discretion to allow the variation. Of particular relevance to this request is whether any increase of overlap (or new overlap) with the coverage of other small-scale radio multiplex services is excessive.

- 3.8 We have already determined that the extent of the new coverage in Dunfermline is sufficient in scale to constitute an extension to an adjoining area for the Stirling & Falkirk multiplex, hence this consultation. However, in deciding whether to approve Central FM Limited's request, we must determine whether the impact of the extended coverage is acceptable.
- 3.9 As noted above, Ofcom has announced plans to advertise a small-scale multiplex licence covering Dunfermline & Kinross later this year. Overlap into this planned small-scale multiplex may therefore be seen as impacting on the viability of such a service to the extent it means carriage on the Stirling & Falkirk multiplex represents an alternative to the proposed Dunfermline & Kinross multiplex.
- 3.10 Ofcom's preliminary view is the overlapping coverage requested by the Stirling & Falkirk multiplex is not excessive. This is because the extended licence area would only provide partial coverage of the city of Dunfermline, and would provide no coverage at all in the other significant population centres in the Dunfermline & Kinross area we plan to advertise, notably Kinross and Cowdenbeath. As such, whilst the extent of coverage of Dunfermline is non-negligible, our provisional view is that it is not sufficiently substantial to make carriage on the Stirling & Falkirk multiplex a genuine alternative for services wishing to broadcast to population centres in the Dunfermline & Kinross area, or to materially impact on the viability of a service when a licence for the Dunfermline & Kinross area is advertised.
- 3.11 Ofcom provisionally considers all the other technical requirements referred to in paragraphs 2.14 – 2.15 are met. For variation requests which are subject to consultation, we have further criteria to consider. These are listed in paragraph 2.16. We are provisionally satisfied in relation to these too. The overall increase in coverage which would result from the proposed change will bring the benefits of DAB to over 51,000 adults in this part of Scotland, and as the established operator of the local FM service for Stirling & Falkirk (Central FM), the licensee should be in a position to maintain the licensed service. We have no evidence that the rights and interests of stations carried on the multiplex will not be protected in the event this change is approved, but as set out in paragraph 3.6 we welcome responses on this point.
- 3.12 On balance, having considered the matters in paragraphs 2.7 and 2.14 to 2.16, our preliminary view is that it would be appropriate to exercise our discretion to vary the Stirling & Falkirk licence in accordance with the application.

Next steps

- 3.13 Ofcom is seeking views on whether the request from Central FM Limited satisfies the requirements of section 54A of the Broadcasting Act and, if it does, whether it is appropriate for Ofcom to approve the application in light of the policy considerations set out above.

A1. Proposed change

A1.1 The licensee is proposing a power increase from 260W to 490W for the existing transmitter at Earl’s Hill and from 50W to 140W for the existing transmitter located at Central FM’s studio.

A1.2 A summary of the currently licensed and proposed coverages is given below, together with a comparison of the coverage provided by each plan, and population counts of the adults (aged 15+) within the areas.

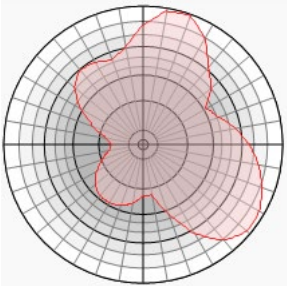
A1.3 The coverage maps indicate where the small-scale radio multiplex service should be receivable on a DAB digital radio within a typical domestic building³.

A1.4 However, please note the following caveats:

- a) The maps are based on computer predictions rather than actual measurements, so is indicative only.
- b) ‘Receivable’ is based on the defined signal level required by a receiver that meets the minimum receiver specification (available here: [Minimum specifications for DAB and DAB+ personal and domestic digital radio receivers: Digital radio action plan report - GOV.UK \(www.gov.uk\)](http://www.gov.uk), although that level may not be adequate for receivers built to a poorer sensitivity, or be sufficient in every location.
- c) The maps do not take account of any interference from other DAB digital radio services. The likelihood of any such interference will increase as more DAB services are launched, but Ofcom will seek to reduce the impact as far as is reasonably practicable.
- d) The maps do not show where reception outside homes (e.g. along roads) may be possible.

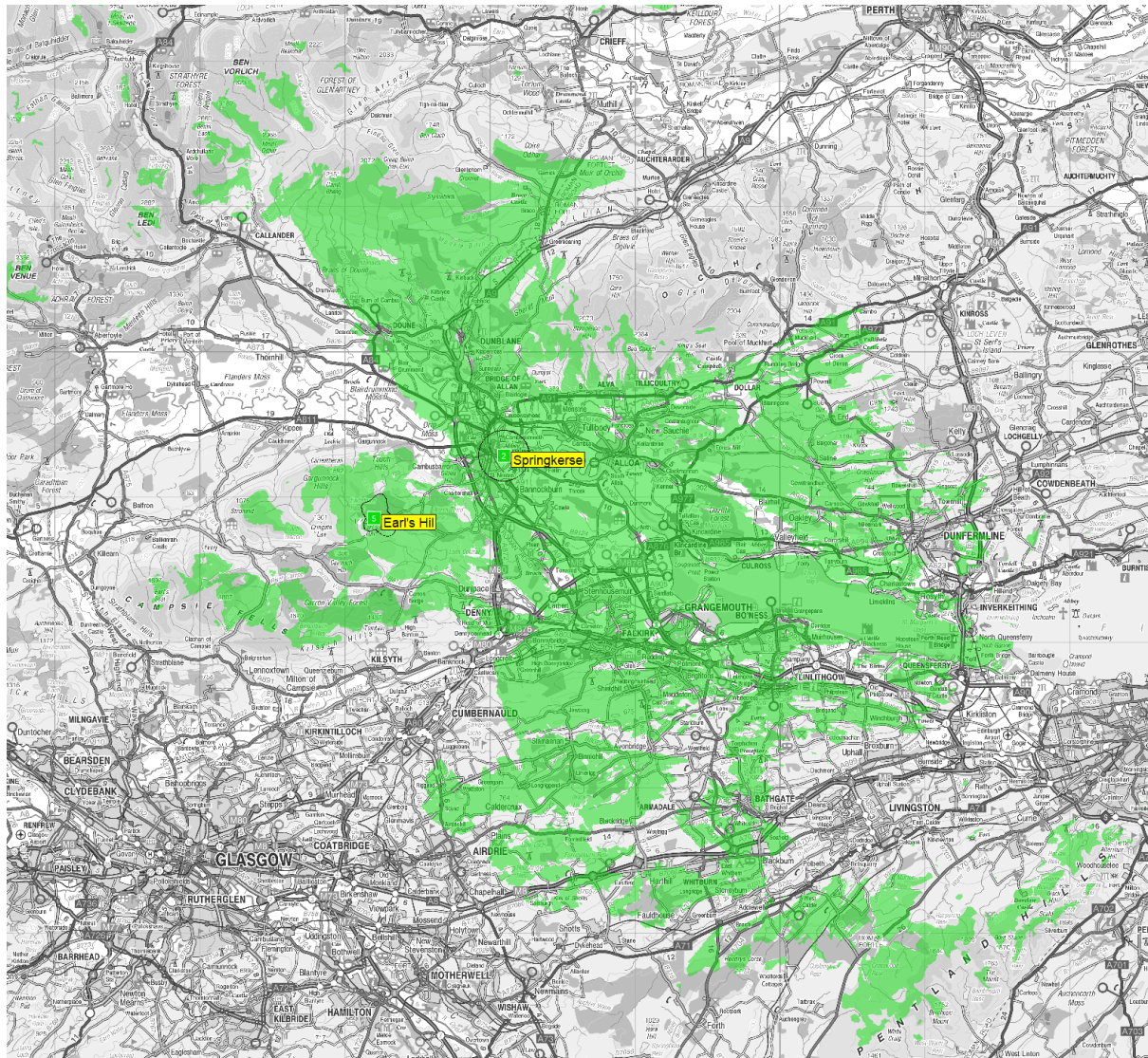
Coverage required by current licence

Currently licensed transmitter details

Site name	NGR	Site height	Power (W)	Aerial height	Aerial Pattern
Earl’s Hill – North Tower	NS 72015 88542	422	260	24	
Central FM Studio	NS 80972 92861	11	50	12	Omnidirectional

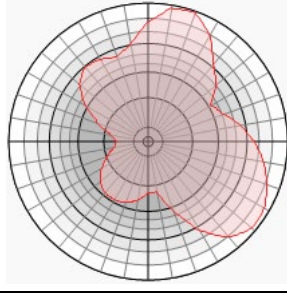
³ The areas classed as served are where we predict a field strength of at least 63dBµV/m at 10m above ground level, which corresponds to providing a service at 80% location probability and 50% time availability, as set out in our [Technical policy guidance for DAB multiplex licensees \(ofcom.org.uk\)](http://www.ofcom.gov.uk)

Map of currently licensed coverage

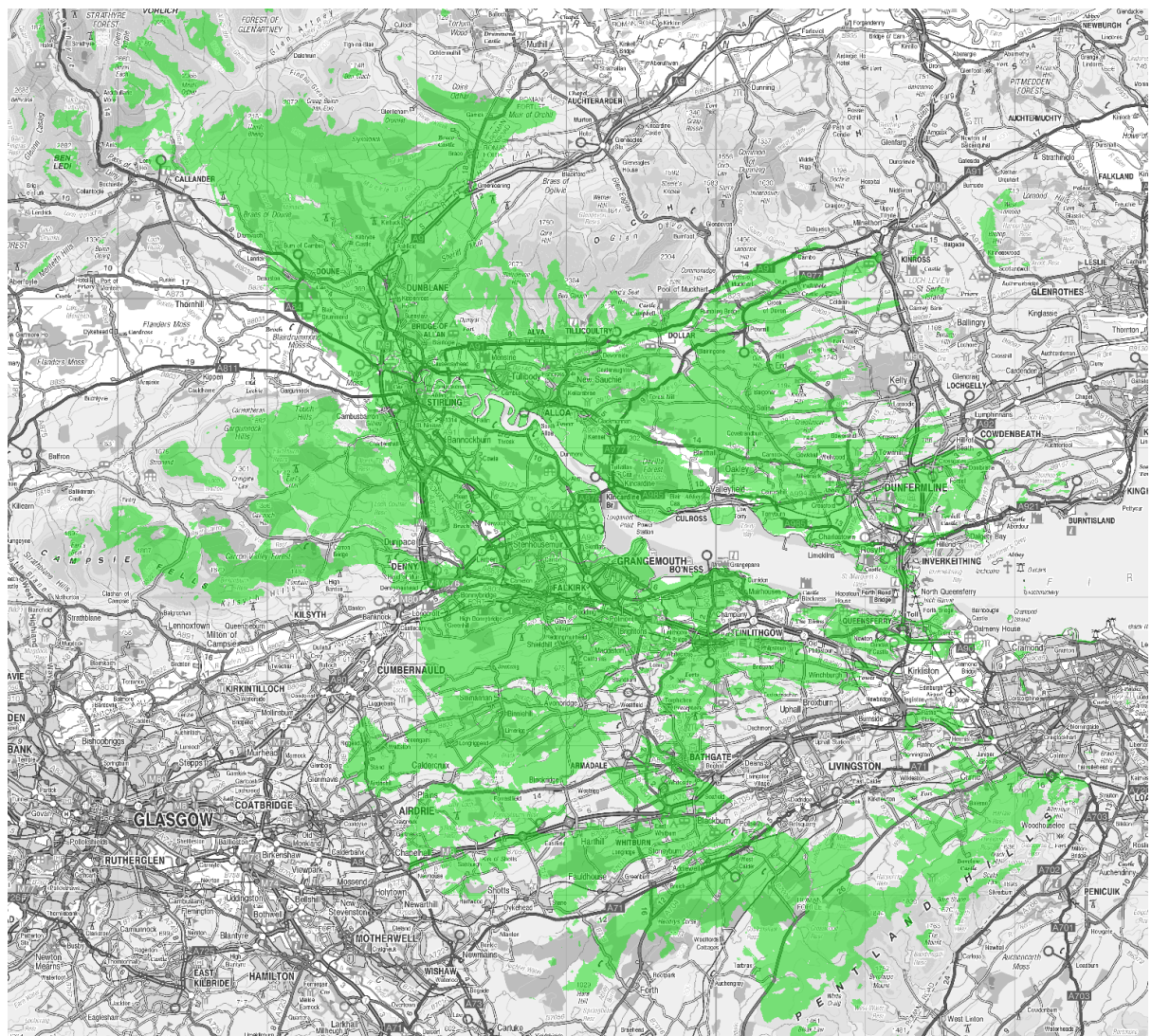


Coverage proposed by the licensee

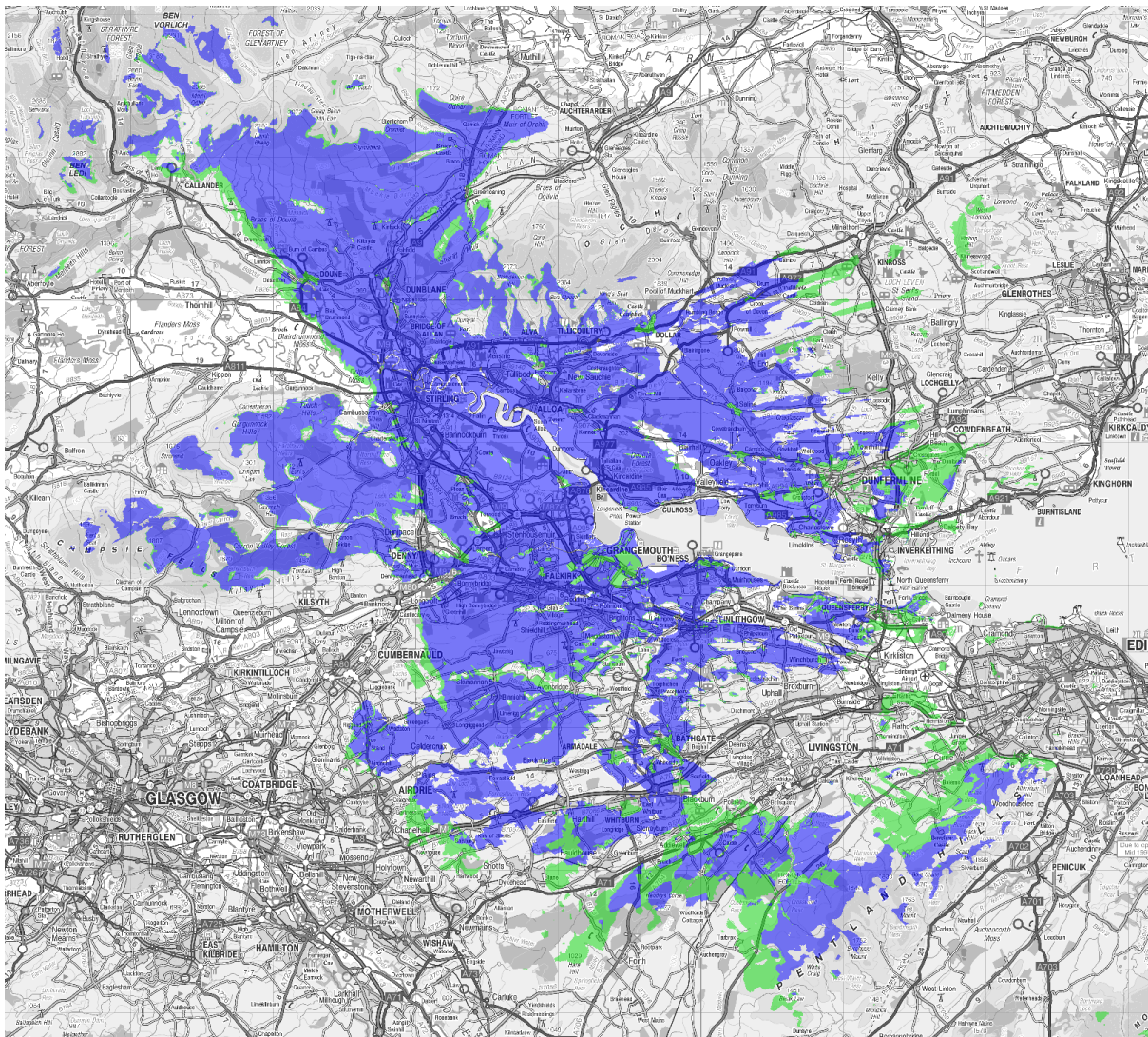
Proposed transmitter details

Site name	NGR	Site height	Power (W)	Aerial height	Aerial Pattern
Earl's Hill – North Tower	NS 72015 88542	422	490	24	
Central FM Studio	NS 80972 92861	11	140	12	Omnidirectional

Map of proposed coverage



Comparison of coverage



Map key:

Blue = retained coverage

Red = areas served only by currently licensed coverage

Green = areas served only by the proposed coverage plan

Coverage shown is for predicted indoor coverage (63dBµV/m at 10m above ground level)

Coverage summary table (adults 15+)

Population served by currently licensed coverage	229,123
Population served by proposed coverage	280,372
Net population change	51,249
Population retained (blue areas)	229,123
Population gained (green areas)	51,249
Population lost (red areas)	0

A2. Impact assessments

Impact assessment

- A2.1 Section 7 of the Communications Act 2003 requires that, where we are proposing to do anything for the purposes of, or in connection with, the carrying out of our functions, and it appears to us that the proposal is important, we are required to carry out and publish an assessment of the likely impact of implementing the proposal, or a statement setting out our reasons for thinking that it is unnecessary to carry out such an assessment.
- A2.2 If we decide to approve the request, we do not consider it will have any adverse impact on citizens and consumers. Rather, the increased transmitter power and extended coverage area should improve the reception and availability of digital sound programme services in the Stirling and Falkirk area. Importantly, we noted that no existing listeners to services broadcasting on the multiplex will be disenfranchised, since there will be no losses of coverage.
- A2.3 There is some potential for the extension to impact on the business case for establishing a neighbouring multiplex at a later date as some households will gain coverage in that planned area. However, our provisional view is that the extended coverage area will not have a significant negative impacts upon the establishment, or viability, of a small-scale radio multiplex in the neighbouring Dunfermline and Kinross area when the area comes to be advertised later this year.

Equality impact assessment

- A2.4 Section 149 of the Equality Act 2010 (the 2010 Act) imposes a duty on Ofcom, when carrying out its functions, to have due regard to the need to eliminate discrimination, harassment, victimisation and other prohibited conduct related to protected characteristics under the 2010 Act.¹² The 2010 Act also requires Ofcom to have due regard to the need to advance equality of opportunity and foster good relations between persons who share specified protected characteristics and persons who do not.
- A2.5 As noted above, if we approve the request, we do not consider that the planned changes will have an adverse impact on any of the citizens and consumers in the area. This is because no coverage will be lost as a result of the changes, and therefore the issue of whether there will be a different impact for different groups does not arise. We have considered whether the change may impede the establishment of a neighbouring multiplex in future, with an impact on ability to establish radio services advancing equality of opportunity and fostering good relations. However, we are provisionally satisfied that the extended coverage area will not have a material impact upon the establishment, or viability, of a small-scale radio multiplex in the neighbouring Dunfermline and Kinross area when that area comes to be advertised later this year.

A3. Consultation questions

Question 1: Should Ofcom exercise its discretion to consent to the application to vary the Stirling & Falkirk small-scale multiplex licensed area, with regard to the statutory and policy considerations set out in this document?

Question 2: With reference to our impact assessment, do you agree with our assessment of the potential impacts of approving this application?

A4. Responding to this consultation

How to respond

- A3.1 Ofcom would like to receive views and comments on the issues raised in this document, by 5pm on Monday 03 February 2025.
- A3.2 You can download a response form from <https://www.ofcom.org.uk/tv-radio-and-on-demand/digital-radio/consultation-small-scale-dab-coverage-change-stirling-and-falkirk/>. You can return this by email or post to the address provided in the response form.
- A3.3 If your response is a large file, or has supporting charts, tables or other data, please email it to smallscaleDAB@ofcom.org.uk, as an attachment in Microsoft Word format, together with the cover sheet.
- Responses may alternatively be posted to the address below:
- Stirling & Falkirk SSDAB consultation
Broadcast Licensing team
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA
- A3.4 We welcome responses in formats other than print, for example an audio recording or a British Sign Language video. To respond in BSL:
- send us a recording of you signing your response. This should be no longer than 5 minutes. Suitable file formats are DVDs, wmv or QuickTime files; or
 - upload a video of you signing your response directly to YouTube (or another hosting site) and send us the link.
- A3.5 We will publish a transcript of any audio or video responses we receive (unless your response is confidential)
- A3.6 We do not need a paper copy of your response as well as an electronic version. We will acknowledge receipt of a response submitted to us by email.
- A3.7 You do not have to answer all the questions in the consultation if you do not have a view; a short response on just one point is fine. We also welcome joint responses.
- A3.8 It would be helpful if your response could include direct answers to the questions asked in the consultation document. The questions are listed at Annex A3. It would also help if you could explain why you hold your views, and what you think the effect of Ofcom's proposals would be.
- A3.9 If you want to discuss the issues and questions raised in this consultation, please contact Jon Heasman by email to jon.heasman@ofcom.org.uk.

Confidentiality

- A3.10 Consultations are more effective if we publish the responses before the consultation period closes. This can help people and organisations with limited resources or familiarity with the issues to respond in a more informed way. So, in the interests of transparency and good regulatory practice, and because we believe it is important that everyone who is interested in an issue can see other respondents' views, we usually publish responses on the Ofcom website at regular intervals during and after the consultation period.
- A3.11 If you think your response should be kept confidential, please specify which part(s) this applies to and explain why. Please send any confidential sections as a separate annex. If you want your name, address, other contact details or job title to remain confidential, please provide them only in the cover sheet, so that we don't have to edit your response.
- A3.12 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and try to respect it. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A3.13 To fulfil our pre-disclosure duty, we may share a copy of your response with the relevant government department before we publish it on our website.
- A3.14 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's intellectual property rights are explained further in our Terms of Use.

Next steps

- A3.15 Following this consultation period, Ofcom plans to publish a statement in February or March 2025.
- A3.16 If you wish, you can register to receive mail updates alerting you to new Ofcom publications.

Ofcom's consultation processes

- A3.17 Ofcom aims to make responding to a consultation as easy as possible. For more information, please see our consultation principles in Annex A5.
- A3.18 If you have any comments or suggestions on how we manage our consultations, please email us at consult@ofcom.org.uk. We particularly welcome ideas on how Ofcom could more effectively seek the views of groups or individuals, such as small businesses and residential consumers, who are less likely to give their opinions through a formal consultation.
- A3.19 If you would like to discuss these issues, or Ofcom's consultation processes more generally, please contact the corporation secretary:
- A3.20 Corporation Secretary
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA
Email: corporationsecretary@ofcom.org.uk

A4. Ofcom's consultation principles

Ofcom has seven principles that it follows for every public written consultation:

Before the consultation

A4.1 Wherever possible, we will hold informal talks with people and organisations before announcing a big consultation, to find out whether we are thinking along the right lines. If we do not have enough time to do this, we will hold an open meeting to explain our proposals, shortly after announcing the consultation.

During the consultation

A4.2 We will be clear about whom we are consulting, why, on what questions and for how long.

A4.3 We will make the consultation document as short and simple as possible, with an overview of no more than two pages. We will try to make it as easy as possible for people to give us a written response.

A4.4 We will consult for up to ten weeks, depending on the potential impact of our proposals.

A4.5 A person within Ofcom will be in charge of making sure we follow our own guidelines and aim to reach the largest possible number of people and organisations who may be interested in the outcome of our decisions. Ofcom's Consultation Champion is the main person to contact if you have views on the way we run our consultations.

A4.6 If we are not able to follow any of these seven principles, we will explain why.

After the consultation

A4.7 We think it is important that everyone who is interested in an issue can see other people's views, so we usually publish the responses on our website at regular intervals during and after the consultation period. After the consultation we will make our decisions and publish a statement explaining what we are going to do, and why, showing how respondents' views helped to shape these decisions.

A5. Consultation coversheet

Basic details

Consultation title: Small-scale DAB coverage variation request – Stirling & Falkirk

To (Ofcom contact): Broadcast Licensing team

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

Confidentiality

Please tick below what part of your response you consider is confidential, giving your reasons why

- Nothing
- Name/contact details/job title
- Whole response
- Organisation
- Part of the response

If you selected 'Part of the response', please specify which parts:

If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

Yes No

Declaration

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom aims to publish responses at regular intervals during and after the consultation period. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)
