

Your response

Question	Your response
<p>Question 1: Do you agree with the planning principles and methodologies that we will use in our work to refine the coverage area plan for small-scale DAB?</p>	<p>Yes.</p>
<p>Question 2: Do you agree with our proposed approach to the required technical licence conditions for small-scale radio multiplex services, and the proposed amendments to the Digital Radio Technical Code?</p>	<p>No We think it should allow DAB as well as DAB+ at least DAB sets are redundant and 95% are on DAB+.</p> <p>SSDAB should be subject to no greater regulatory obligations as compared with the larger DAB operators. Given that it is small scale, the regulatory obligations should be the same or less, not more.</p>
<p>Question 3: Do you agree with Ofcom's proposed approach to setting the level of reserved capacity for C-DSP services on small-scale radio multiplex services?</p>	<p>No It needs to be guaranteed that the number of C-DSP reservations is at least equal to the number of FM Community Radio Stations in the area plus an extra 3 to allow for expansion of the sector. In Belfast there are 6 Community Radio Licensees so the figure 3 would exclude 3 stations and not allow for expansion.</p>
<p>Question 4: Do you agree with the factors we are proposing to take into account of in deciding the order and timescale in which Ofcom will advertise small-scale radio multiplex licences?</p>	<p>Yes & No. Generally speaking we are in agreement, however we think that regions that were excluded entirely from the trials (and subsequent extensions) such as Northern Ireland (and Belfast in particular) should be an absolute priority. We disagree about not prioritising areas where there is capacity on the existing large DAB multiplex. It is generally the case that this excess capacity exists because of silly ransom-like costs of carriage and wild profiteering by Mux Operators. Their charges for carriage bear no relation to their costs of operation, this is a thundering disgrace permitted under that licensing process and should be actively addressed when it comes to relicensing. The spectrum is being used to fund S-Class Mercedes & Bentleys!</p>

<p>Question 5: Do you agree with our proposed approach for assessing the technical plans submitted in small-scale radio multiplex licence applications?</p>	<p>Yes, we agree with Ofcom's proposed approach.</p>
<p>Question 6: Do you agree with our proposed approach for assessing the ability of applicants to establish their proposed small-scale radio multiplex service?</p>	<p>Yes, we agree in general - however, a particular extra emphasis should be given to applicants whose participants include all or the majority of community radio licensees in an area covered by a Mux.</p> <p>These organisations already have demonstrable experience of delivering a community radio service in the locality proposed. This indicates real-world experience of implementing or commissioning transmission services and of negotiating site access arrangements with relevant local site owners. This criterion should also take into additional account the opportunities for co-locating with existing FM services.</p> <p>In making an award decision Ofcom must also balance responses on this criterion and the technical plan (Criterion 1) with responses to the 3 other criteria listed. In particular, the third criterion (ownership or participation in the applicant by a potential or actual C-DSP licensee) should carry equal weighting in an award decision alongside each of the other criteria.</p> <p>We believe that Ofcom should establish a minimum threshold at which Criterion 1 and 2 are deemed met.</p> <p>Once met, the emphasis should be on the others with a specific emphasis on cooperative applications by the majority of community radio stations in an area.</p> <p>We feel that Ofcom must place emphasis and preference upon applications which adopt a not-for-profit model and where possible that applications involving multiple existing FM Community Radio stations should be favoured or Community/Commercial FM partnerships also on a not-for-profit model. To do otherwise will result in Muxes to Print Money (as is the case with the existing Muxes).</p>

	<p>We also believe that there absolutely needs to be price controls when it comes to Community Radio Stations accessing a Mux. Simply requiring operators to publish prices will have zero impact given that the Mux operator will likely have a monopoly in that area. Also, applicants should be bound by any price indications given in their application for the whole term of their Mux licence so that they cannot suggest one thing in an application but once a licence is awarded then hike the prices up.</p> <p>In terms of price controls, a maximum of £50 per month should apply for Community Radio Stations and other not for profit stations. Such a level will more than cover the cost of operation.</p>
<p>Question 7: Should Ofcom require that the studio of a C-DSP licensee be located within the coverage area of the small-scale radio multiplex service it plans to broadcast on? Please explain the reasons for your view.</p>	<p>No.</p> <p>The holder of a C-DSP licence may wish to broadcast on more than 1 multiplex. A community-of-interest community radio station (linguistic, religious etc) may wish to be carried on multiple multiplexes as their target community is spread across a wider area and they are better able to serve their community (or an expansion thereof) by being on multiple multiplexes.</p> <p>Also, the nature of technology means that broadcasting can be done from people's homes where that its most appropriate. By way of example, a Disability Charity could establish a radio service to be hosted on a Mux under a C-DSP licence. The broadcasters could all live without the Mux area and wish to, or be required to as a result of their individual disability, broadcast from home. So such a restriction by Ofcom would clearly fall foul of the DDO in NI (and probably the DDA in GB) and be subject to Judicial Review, costs and compensation on the basis of active & deliberate discrimination against persons on the basis of their disabilities. We see no need for this restriction, and we see problems with it in the context of the aforementioned example.</p>
<p>Question 8: We propose that holders of corresponding analogue community radio and DSP licences apportion their income equally across their licences, unless there are</p>	<p>No.</p> <p>It should be a matter for licence holders to determine, apportioning the value of income to</p>

compelling reasons why a different apportionment is reasonable. Do you agree with our suggested approach?

be applied to analogue output, SSDAB, webstream and production fees.

If Ofcom does proceed with applying the 50:50 apportionment then the £15,000 current exemption which applies to analogue Community Radio Licences should be replicated so that if a station is on both FM and SSDAB then the combined exemption would rise to £30,000.

Question 9: Do you agree with our proposal that a prospective C-DSP service provider will be able to apply for a C-DSP licence once we have invited applications for the small-scale radio multiplex licence upon which their proposed C-DSP service is intended to be provided?

Yes, although we can envisage problems with applications for C-DSP licences based on the first advertised area and claiming that they “intend” to be on that multiplex. We believe that Ofcom need to give further consideration to this whole area to ensure that existing analogue community radio stations are not priced out of SSDAB or blocked by C-DSP channels being filled to prevent community radio stations participating. We believe that Ofcom needs to discuss this extensively with representative organisations to ensure safeguards are put in place to prevent such an occurrence and we further believe that Ofcom needs to have some method of appeal or arbitration process to address this and guarantee access for existing FM Community Radio operators.