



DAB MULTIPLEX CHANGE REQUEST: CARDIFF & NEWPORT

Request to extend coverage area and change
frequency of Cardiff & Newport local radio multiplex

Consultation

Publication date:

21 June 2013

Closing date for responses:

19 July 2013

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Section 1

Executive summary

- 1.1 Now Digital (Southern) Limited ('Now Digital'), which holds the local radio multiplex licence for Cardiff & Newport, has applied to extend the coverage area of the licence so that it also includes the Heads of the South Wales Valleys area. Now Digital has also applied to change the frequency upon which the local radio multiplex service is provided.
- 1.2 Now Digital proposes to provide coverage of the Heads of the South Wales Valleys area using three new transmitters, at each of Aberdare, Abergavenny and Ebbw Vale. In addition, Now Digital proposes to use a further new transmitter at Mendip, and to swap the current transmitter at Wenallt for one at Wenvoe. It says that it will launch all of these transmitters, on the new frequency, on 30 July 2013.
- 1.3 Before deciding whether to agree to Now Digital's request, Ofcom is legally required to seek representations on the request from any interested parties. This consultation represents that opportunity. The closing-date for representations to be made is Friday 19 July 2013; any submissions received after this date may not be considered.
- 1.4 The relevant statute states that Ofcom can agree to the request only if we are satisfied that the changes would not unacceptably narrow the range of DAB programme services available to listeners in the Cardiff and Newport area. Now Digital is proposing to increase the line-up of such services available.
- 1.5 Provided that the request meets the terms of the statute, the decision whether or not to agree to the request is at Ofcom's discretion. Our general policy is to grant requests from local radio multiplex licensees to extend their coverage provided we are satisfied that:
 - doing so would be calculated to maintain or promote the development of digital sound broadcasting in the UK otherwise than by satellite;
 - the licensees' proposed coverage plans are satisfactory;
 - the licensees have the ability to maintain the licensed service; and
 - there are sufficient safeguards in place to protect the rights and interests of stations carried on the multiplexes and the rights and interests of other multiplex operators (and the stations they carry).
- 1.6 We seek views on the extent to which the request from Now Digital satisfies any or all of these policy criteria.

Section 2

Details and background information

- 2.1 Local radio multiplex licences are granted by Ofcom to enable the provision of radio stations and other types of service (e.g. data) on the DAB (Digital Audio Broadcasting) platform. The holder of a local radio multiplex licence is responsible for, among other things, delivering coverage in the local area, and facilitating the provision of a range of radio services to listeners in that area.
- 2.2 The local radio multiplex licence for the Cardiff & Newport area of Wales was awarded in December 1999 to Capital Radio Digital Limited (now called Now Digital (Southern) Limited). The licence commenced when the multiplex service was launched just under a year later in October 2000, and is currently designed to cover an area defined as postcode districts CF1 to CF31, CF35, CF37 to CF39, CF45, CF46, CF61 to CF83, NP1, NP4, NP6, NP9 and NP44, and parts of NP2 and NP5. This area was originally known as the 'Primary Protected Area' (PPA), but is now known as the 'licensed area'. A map showing this area is at Annex 6.
- 2.3 Now Digital currently provides robust indoor coverage¹ to 79% of households in this area, using four transmitters at Wenallt, St Hilary, Christchurch and Cefn Eglwysilian².
- 2.4 Now Digital has submitted an application to extend the 'licensed area' of the Cardiff & Newport local radio multiplex licence so that it also includes the Heads of the South Wales Valleys area, including the towns of Merthyr Tydfil and Abergavenny. It has also requested to change the frequency upon which the Cardiff & Newport local radio multiplex service is provided, from the current Frequency Block 11C to Frequency Block 12C. The application from Now Digital is at Annex 5.
- 2.5 Now Digital proposes to provide coverage of the Heads of the South Wales Valleys area, and improve coverage across the existing licensed area, by changing one existing transmitter site (Wenallt to Wenvoe) and using four new transmitters, at each of Aberdare, Abergavenny, Ebbw Vale and Mendip. It says that it will launch all of these new transmitters on 30 July 2013.
- 2.6 According to Now Digital, the combined effect of the frequency change and proposed new transmitters will be to increase coverage of the Cardiff & Newport local radio multiplex service by more than 100,000 households.
- 2.7 Frequency Block 12C, and the transmitters at each of Aberdare, Abergavenny, Ebbw Vale and Mendip, are currently used to broadcast the South Wales/Severn Estuary local radio multiplex service. This service will cease transmissions on 29 July 2013.
- 2.8 Now Digital is entitled to apply for an extension of its licensed area and a change to its frequency under section 54A of the Broadcasting Act 1996, which was inserted by the Digital Economy Act 2010. These statutory provisions set out the process a local radio multiplex licensee must follow when applying to extend its licensed area and/or change its frequency, and the matters that Ofcom must take into account when deciding whether to agree to a request.

¹ By which we mean that a robust signal can be received by a portable radio receiver inside a house.

² See maps at www.ofcom.org.uk/static/radiolicensing/mcamaps/dl008.pdf

2.9 Section 54A states that before deciding whether to agree to a coverage extension request, Ofcom must seek representations on the request from any interested parties. This consultation represents that opportunity. The closing-date for representations to be made is **Friday 19 July 2013**; any submissions received after this date may not be considered.

2.10 The legislation also stipulates that before deciding whether or not to agree to a request such as the one submitted by Now Digital, Ofcom must be satisfied that the change would not unacceptably narrow the range of digital radio programme services available to listeners in the area served currently by the local radio multiplex service in question. In relation to the request from Now Digital, then, we must be satisfied that extending the coverage of the Cardiff & Newport local radio multiplex service to also include the Heads of the South Wales Valleys area, and changing the frequency on which the multiplex service is provided, would not unacceptably narrow the range of DAB radio stations available to listeners in the Cardiff and Newport area.

2.11 The line-up of digital radio stations currently provided by Now Digital to listeners in the Cardiff and Newport area is as follows:

Format	Station	Provider
Contemporary Hit Radio	Capital FM South Wales	Global Radio
Classic Hits	Gold	Global Radio
Urban	Choice FM	Global Radio
Event Radio	Pop Up Radio	Various
Nations BBC service	BBC Radio Wales	BBC
Nations BBC service	BBC Radio Cymru	BBC

2.12 In its application, Now Digital states that it intends to add each of Real Radio, Heart and Nation Radio to the line-up of local digital sound programme services carried on the multiplex. These three services are currently carried on the South Wales/Severn Estuary local radio multiplex service, which will cease transmissions on 29 July 2013. Given this proposed increase in choice, it would appear that agreeing to Now Digital's request would not unacceptably narrow the range of DAB programme services available in the Cardiff and Newport area, but we nevertheless welcome views on this matter.

2.13 As indicated in paragraph 2.10, Ofcom can still decide not to agree to Now Digital's request even if it is satisfied in relation to the criterion specified in the legislation. In other words, agreeing to the request is at our discretion provided that the request meets the terms of the statute.

2.14 We have previously set out (in our *Statement on commercial radio localness regulation*³) how we will exercise this discretion in relation to requests to extend coverage. Our general policy is to grant requests from local radio multiplex licensees to extend their coverage provided we are satisfied that:

³ http://stakeholders.ofcom.org.uk/binaries/consultations/radio/statement/Localness_statement.pdf

- doing so would be calculated to maintain or promote the development of digital sound broadcasting in the UK otherwise than by satellite;
 - the licensees' proposed coverage plans are satisfactory;
 - the licensees have the ability to maintain the licensed service; and
 - there are sufficient safeguards in place to protect the rights and interests of stations carried on the multiplexes and the rights and interests of other multiplex operators (and the stations they carry).
- 2.15 Where a request for a licence variation requires a change to the existing frequency, our general policy is to approve such requests subject to the availability of a suitable alternative frequency and consideration of the knock-on implications to the frequencies of other multiplexes (and the stations they carry).
- 2.16 The proposed frequency change requested by Now Digital is part of a revised frequency plan which is designed to enhance the coverage of local DAB services across the UK as a whole. Changing from the existing frequency (11C) to the proposed new one (12C) will enable the coverage of the Cardiff & Newport multiplex to be extended into the Heads of the South Wales Valleys area immediately following the cessation of the South Wales/Severn Estuary local radio multiplex service (which is currently using the 12C frequency) on 30 July 2013, thereby ensuring continuity of service in this area.
- 2.17 We seek views on the extent to which the request from Now Digital to extend coverage and change frequency satisfies any or all of these policy criteria (see Annex 4 for a list of specific questions).

Annex 1

Responding to this consultation

How to respond

- A1.1 Ofcom invites written views and comments on the issues raised in this document, to be made **by 5pm on 19 July 2013**.
- A1.2 Ofcom strongly prefers to receive responses using the online web form at <http://stakeholders.ofcom.org.uk/consultations/dab-multiplex-cardiff-newport/howtorespond/>, as this helps us to process the responses quickly and efficiently. We would also be grateful if you could assist us by completing a response cover sheet (see Annex 3), to indicate whether or not there are confidentiality issues. This response coversheet is incorporated into the online web form questionnaire.
- A1.3 For larger consultation responses – particularly those with supporting charts, tables or other data – please email: neil.stock@ofcom.org.uk, attaching your response in Microsoft Word format, together with a consultation response coversheet.
- A1.4 Responses may alternatively be posted or faxed to the address below:
- Cardiff & Newport consultation
F.A.O. Neil Stock
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA
- Fax: 020 7981 3850
- A1.5 Note that we do not need a hard copy in addition to an electronic version. Ofcom will acknowledge receipt of responses if they are submitted using the online web form but not otherwise.
- A1.6 It would be helpful if your response could include direct answers to the questions asked in this document, at Annex 4. It would also help if you can explain why you hold your views and how the proposals would impact on you.

Further information

- A1.7 If you want to discuss the issues and questions raised in this consultation, or need advice on the appropriate form of response, please contact Ofcom's commercial radio licensing team directly on 020 7981 3124.

Confidentiality

- A1.8 We believe it is important for everyone interested in an issue to see the views expressed by consultation respondents. We will therefore usually publish all responses on our website, www.ofcom.org.uk, ideally on receipt. If you think your response should be kept confidential, can you please specify what part or whether all of your response should be kept confidential, and specify why. Please also place such parts in a separate annex.

- A1.9 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and will try to respect this. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A1.10 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's approach on intellectual property rights is explained further on its website at <http://www.ofcom.org.uk/about/accoun/disclaimer/>

Next steps

- A1.11 Following the end of the consultation period, Ofcom intends to publish a statement.
- A1.12 Please note that you can register to receive free mail Updates alerting you to the publications of relevant Ofcom documents. For more details please see: http://www.ofcom.org.uk/static/subscribe/select_list.htm

Ofcom's consultation processes

- A1.13 Ofcom seeks to ensure that responding to a consultation is as easy as possible. For more information please see our consultation principles in Annex 2.
- A1.14 If you have any comments or suggestions on how Ofcom conducts its consultations, please call our consultation helpdesk on 020 7981 3003 or e-mail us at consult@ofcom.org.uk . We would particularly welcome thoughts on how Ofcom could more effectively seek the views of those groups or individuals, such as small businesses or particular types of residential consumers, who are less likely to give their opinions through a formal consultation.
- A1.15 If you would like to discuss these issues or Ofcom's consultation processes more generally you can alternatively contact Graham Howell, Secretary to the Corporation, who is Ofcom's consultation champion:

Graham Howell
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

Tel: 020 7981 3601

Email Graham.Howell@ofcom.org.uk

Annex 2

Ofcom's consultation principles

A2.1 Ofcom has published the following seven principles that it will follow for each public written consultation:

Before the consultation

A2.2 Where possible, we will hold informal talks with people and organisations before announcing a big consultation to find out whether we are thinking in the right direction. 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

A2.3 We will be clear about who we are consulting, why, on what questions and for how long.

A2.4 We will make the consultation document as short and simple as possible with a summary of no more than two pages. We will try to make it as easy as possible to give us a written response. If the consultation is complicated, we may provide a shortened Plain English Guide for smaller organisations or individuals who would otherwise not be able to spare the time to share their views.

A2.5 We will consult for up to 10 weeks depending on the potential impact of our proposals.

A2.6 A person within Ofcom will be in charge of making sure we follow our own guidelines and reach out to the largest number of people and organisations interested in the outcome of our decisions. Ofcom's 'Consultation Champion' will also be the main person to contact with views on the way we run our consultations.

A2.7 If we are not able to follow one of these principles, we will explain why.

After the consultation

A2.8 We think it is important for everyone interested in an issue to see the views of others during a consultation. We would usually publish all the responses we have received on our website. In our statement, we will give reasons for our decisions and will give an account of how the views of those concerned helped shape those decisions.

Annex 3

Consultation response cover sheet

- A3.1 In the interests of transparency and good regulatory practice, we will publish all consultation responses in full on our website, www.ofcom.org.uk.
- A3.2 We have produced a coversheet for responses (see below) and would be very grateful if you could send one with your response (this is incorporated into the online web form if you respond in this way). This will speed up our processing of responses, and help to maintain confidentiality where appropriate.
- A3.3 The quality of consultation can be enhanced by publishing responses before the consultation period closes. In particular, this can help those individuals and organisations with limited resources or familiarity with the issues to respond in a more informed way. Therefore Ofcom would encourage respondents to complete their coversheet in a way that allows Ofcom to publish their responses upon receipt, rather than waiting until the consultation period has ended.
- A3.4 We strongly prefer to receive responses via the online web form which incorporates the coversheet. If you are responding via email, post or fax you can download an electronic copy of this coversheet in Word or RTF format from the 'Consultations' section of our website at www.ofcom.org.uk/consult/.
- A3.5 Please put any parts of your response you consider should be kept confidential in a separate annex to your response and include your reasons why this part of your response should not be published. This can include information such as your personal background and experience. If you want your name, address, other contact details, or job title to remain confidential, please provide them in your cover sheet only, so that we don't have to edit your response.

Cover sheet for response to an Ofcom consultation

BASIC DETAILS

Consultation title: Cardiff & Newport consultation

To (Ofcom contact): Neil Stock

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	<input type="checkbox"/>	Name/contact details/job title	<input type="checkbox"/>
Whole response	<input type="checkbox"/>	Organisation	<input type="checkbox"/>
Part of the response	<input type="checkbox"/>	If there is no separate annex, which parts?	<input type="checkbox"/>

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)?

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 seeks to publish responses on receipt. 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)

Annex 4

Consultation questions

Q1. Do you think that allowing Now Digital to extend the coverage area of its Cardiff & Newport local radio multiplex licence to include the Heads of the South Wales Valleys area would unacceptably narrow the range of DAB programme services available in the Cardiff and Newport area? Please explain the reasons for your view.

Q2. Do you think that allowing Now Digital to extend the coverage area of its Cardiff & Newport local radio multiplex licence to include the Heads of the South Wales Valleys area would be calculated to maintain or promote the development of digital sound broadcasting in the UK otherwise than by satellite? Please explain the reasons for your view.

Q3. Do you think that Now Digital's proposals for providing coverage of the Heads of the South Wales Valleys area are satisfactory? Please explain the reasons for your view.

Q4. Do you consider that Now Digital has the ability to maintain its local radio multiplex service if its request is granted? Please explain the reasons for your view.

Q5. (For relevant programme service providers and local radio multiplex operators only) Do you consider that there are sufficient safeguards in place to protect your rights and interests in the event that Now Digital is permitted to extend coverage to include the Heads of the South Wales Valleys area, and change the frequency of its multiplex service?

Q6. Do you consider that there any other grounds on which Ofcom should approve, or not approve, the request from Now Digital? Please explain the reasons for your view.

Annex 5

**Application from Now Digital (Southern)
Ltd**

Neil Stock
Ofcom
Riverside House
2A Southwark Bridge Road
London
SE1 9HA

6th June 2013

Request to extend DLA of the Now Digital (Southern) Limited Cardiff & Newport multiplex and to change frequency from block 11C to 12C

Dear Neil,

Now Digital (Southern) Limited is making a request to Ofcom to extend the DLA of the Cardiff & Newport local DAB multiplex (DL008) to match the area proposed in Ofcom's review of local coverage under the Radio Industry DAB Memorandum of Understanding (MoU) and to change frequency from block 11C to block 12C in accordance with Ofcom's revised DAB frequency plan for the UK.

In accordance with Section 54A of the Broadcasting Act 1996 (as amended by the Digital Economy Act 2010), Now Digital (Southern) Limited asks that Ofcom consider this request against the following statutory criterion:

The application must include a technical plan detailing the proposed coverage area, estimated timetable and the technical means by which it would be achieved;

Now Digital (Southern) Limited submits a full technical plan to Ofcom with this request detailing the proposed coverage area and the technical means by which it would be achieved. In summary, Now Digital (Southern) Limited proposes one replacement transmitter plus four new transmitters which would be brought into operation on 30th July 2013 if Ofcom grants consent to this request. These transmitters are all currently in operation on block 12C providing the MXR service.

The extension would be calculated to maintain or promote the development of digital sound broadcasting otherwise than by satellite;

By granting Now Digital (Southern) Limited an extension to the current Cardiff & Newport DLA, we will be able to increase coverage of the local multiplex by more than 100,000 households and minimise the impact on listeners in the area due to the closure of MXR's service. Changing the frequency will also reduce interference into the existing South Devon and Swindon areas which share block 11C and help pave the way for future planned coverage improvements.

The current line-up of services on the Cardiff & Newport multiplex will be largely maintained with the addition of Real Radio, Heart and Nation Radio all of which are currently carried on the MXR service.

the licensees have the ability to maintain the licensed service;

Now Digital (Southern) Limited is an established multiplex operator that has successfully operated four local commercial DAB multiplexes since October 2000. Now Digital (Southern) Limited is owned by Arqiva who also operate 21 other local DAB licences as well as the only national DAB licence, Digital One.

there are sufficient safeguards in place to protect the rights and interests of stations carried on the multiplexes and the rights and interests of other multiplex operators (and the stations they carry).

We have made capacity available to the stations currently carried on the MXR Severn Estuary service as well as extending the coverage area for existing local DAB stations including BBC Wales and BBC Cymru. The changes are all in line with future plans to extend coverage in accordance with the MoU and we have timed this proposed change so as to minimise the impact on listeners and radio stations of the closure of the MXR Severn Estuary licence on 29th July 2013.

Coverage maps, transmission characteristics and predicted coverage figures are shown at the end of this letter.

If there is any further information we can provide, please do not hesitate to contact me.

Regards,

A handwritten signature in black ink that reads "Paul Eaton". The signature is written in a cursive style and is underlined with a single horizontal line.

Paul Eaton
On behalf of Now Digital (Southern) Limited

The current transmission characteristics are:-

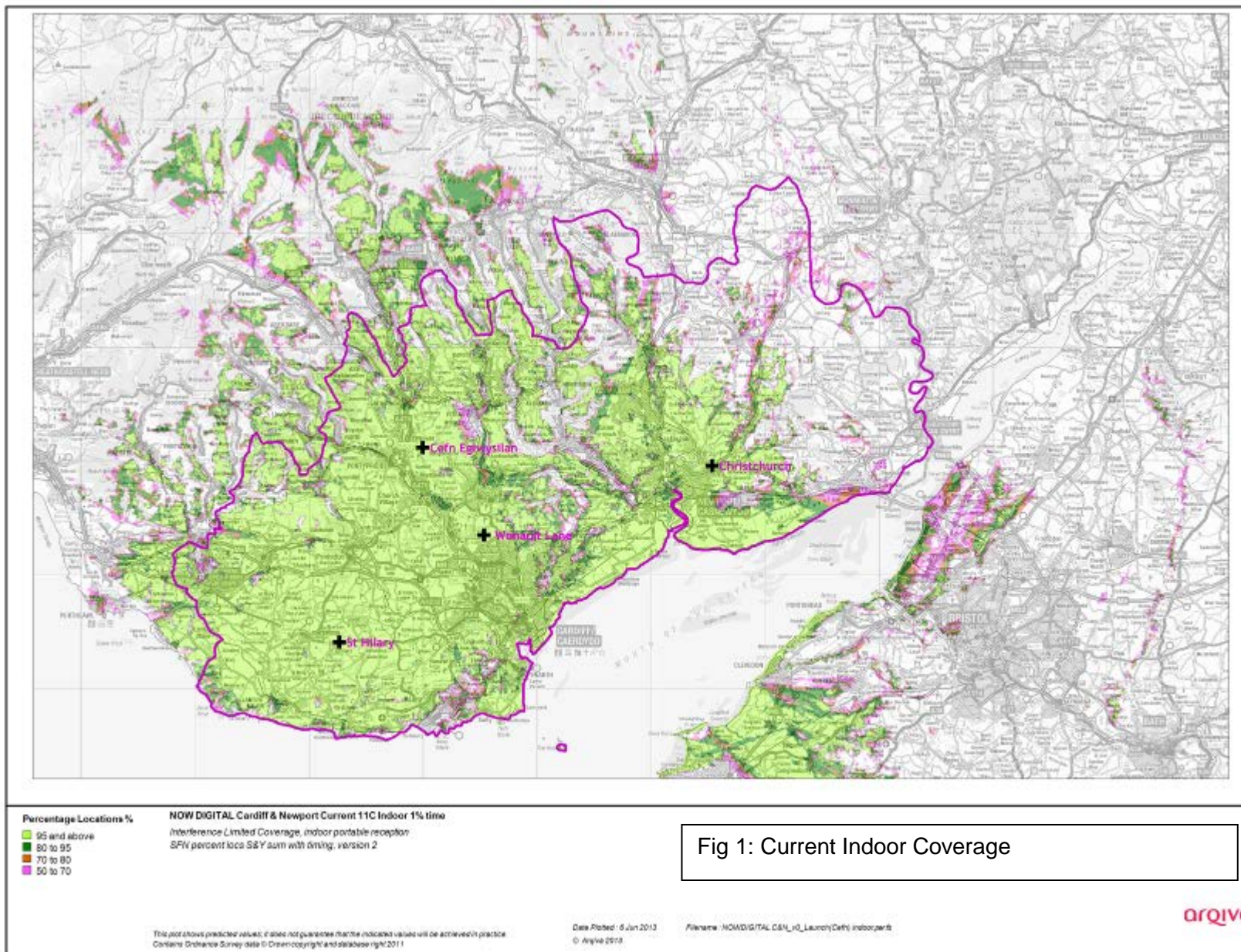
Transmitter	NGR	Site Ht m AOD	Antenna Ht m AGL	ERP kW	Antenna & Bearing
Wenallt Lane	ST153835	226	52	0.5	Cardioid on 270° ETN
St Hilary	ST250293	126	207	2.0	Yagis on 030° ETN
Christchurch	ST353896	94	50	2.0	Yagis on 290° ETN
Cefn Eglwysilan	ST099912	379	30	1.2	Dipoles on 340° ETN

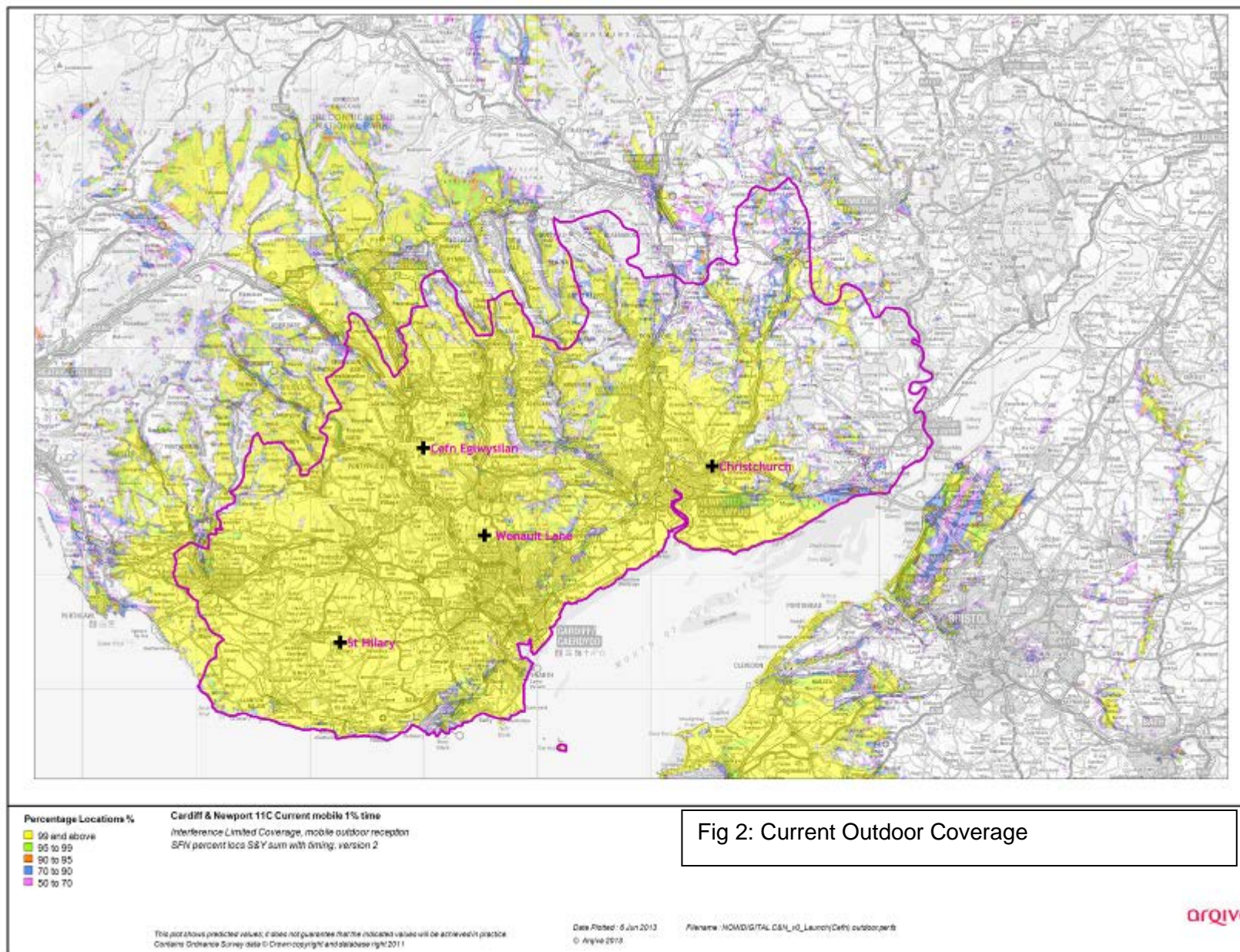
The proposed transmission characteristics are:-

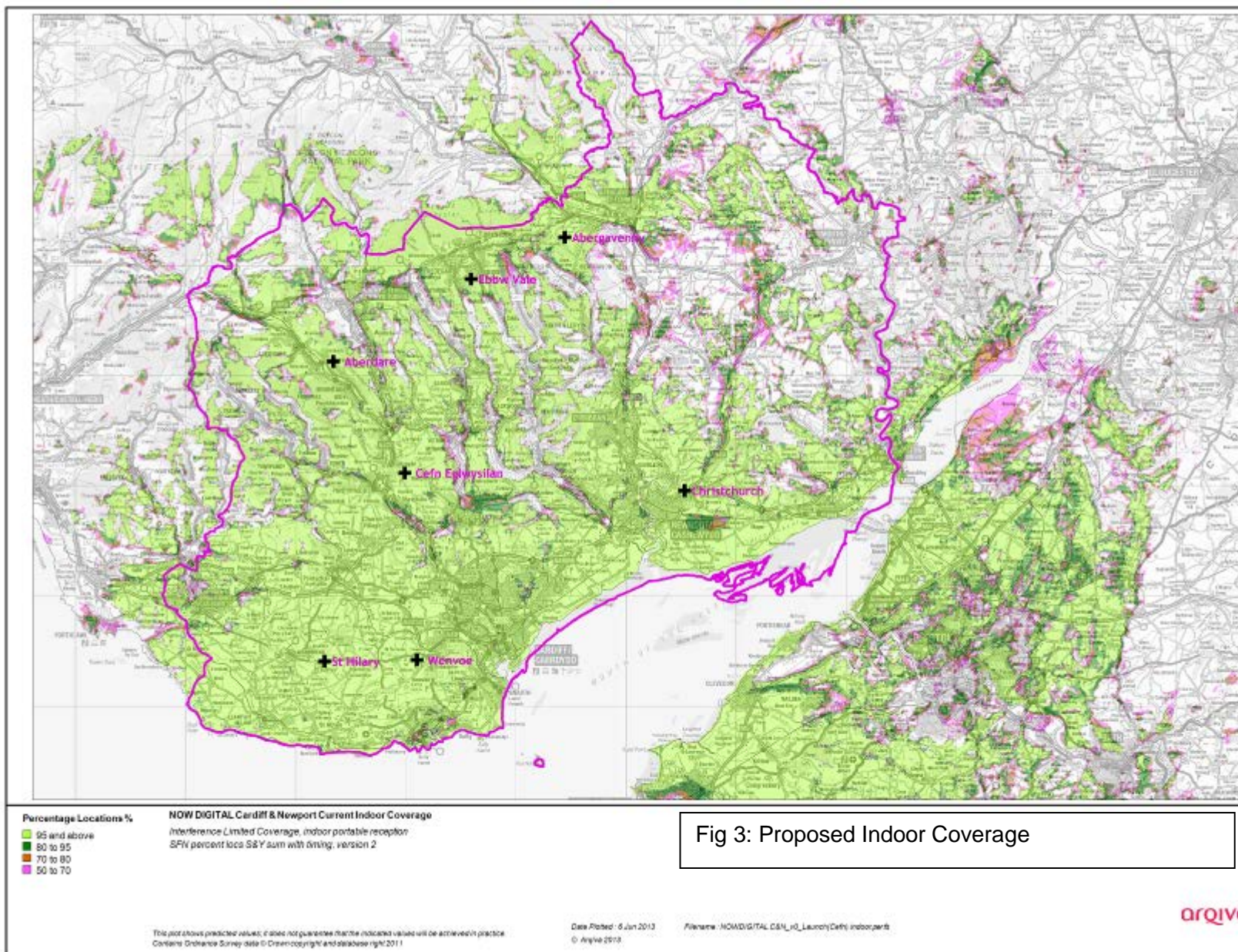
Transmitter	NGR	Site Ht m AOD	Antenna Ht m AGL	ERP kW	Antenna & Bearing
Wenvoe	ST110742	129	140	4.0	Complex antenna
St Hilary	ST250293	126	210	2.0	Yagis on 300° ETN
Christchurch	ST353896	94	50	2.0	Yagis on 290° ETN
Cefn Eglwysilan	ST099912	379	30	1.2	Dipoles on 340° ETN
Aberdare	SO034013	282	43	0.36	Cardioid on 210° ETN
Abergavenny	SO244126	436	47	0.36	Dipoles on 065° ETN
Ebbw Vale	SO159088	442	32	0.36	Cardioid on 000° ETN
Mendip	ST564488	302	220	1.5	Panel antenna

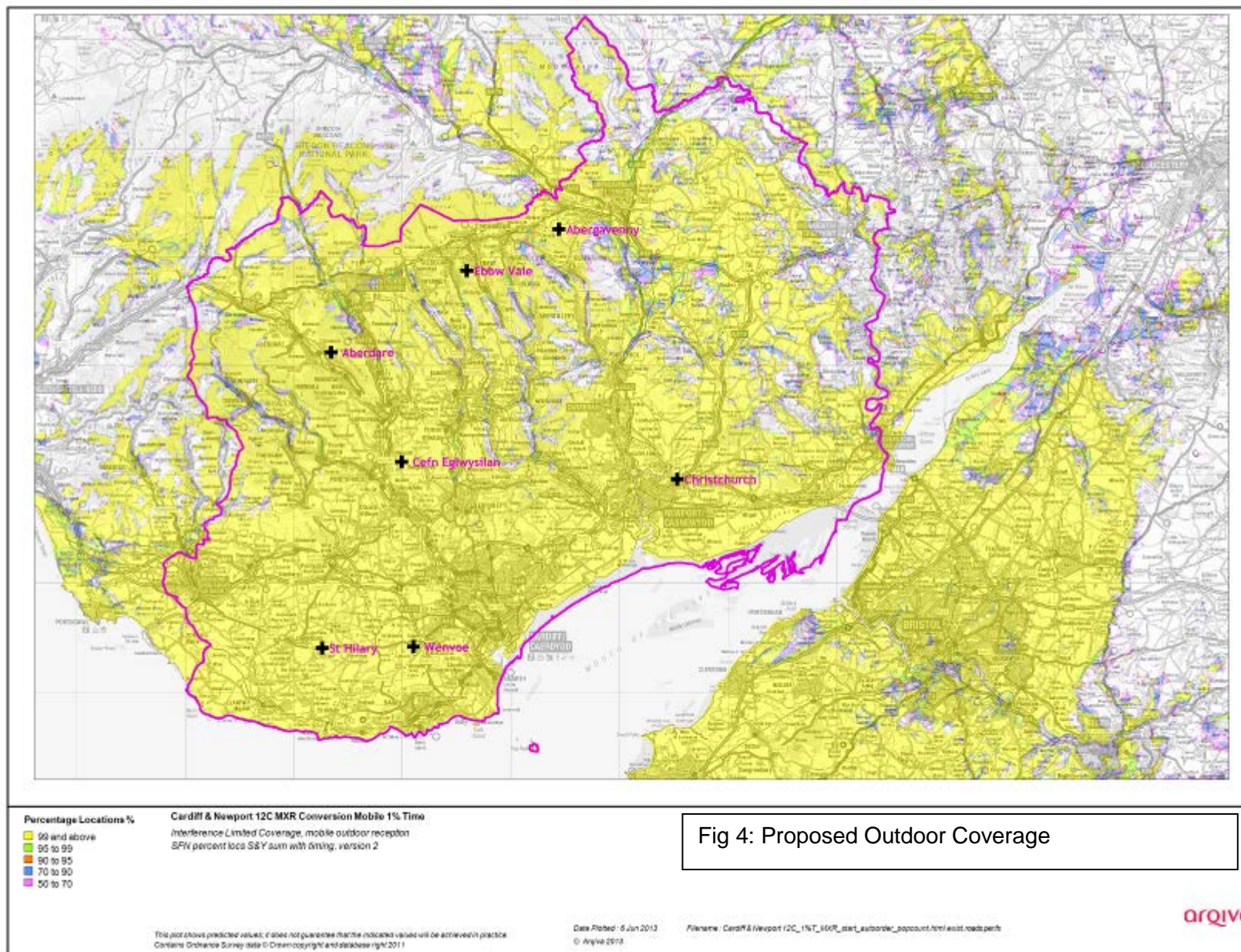
Population Coverage within Editorial Area:-

Total Households in current editorial area = 499,007 Total Households in new editorial area = 624,271 Total roads in current editorial area = 612.9km Total roads in new editorial area = 900.8km	Indoor Households	Outdoor Mobile km
Current coverage Block 11C (current editorial area)	391,268 (78.4%)	455 (74.2%)
Proposed coverage including MXR conversions Block 12C (new editorial area)	492,964 (79.0%)	712 (79.1%)



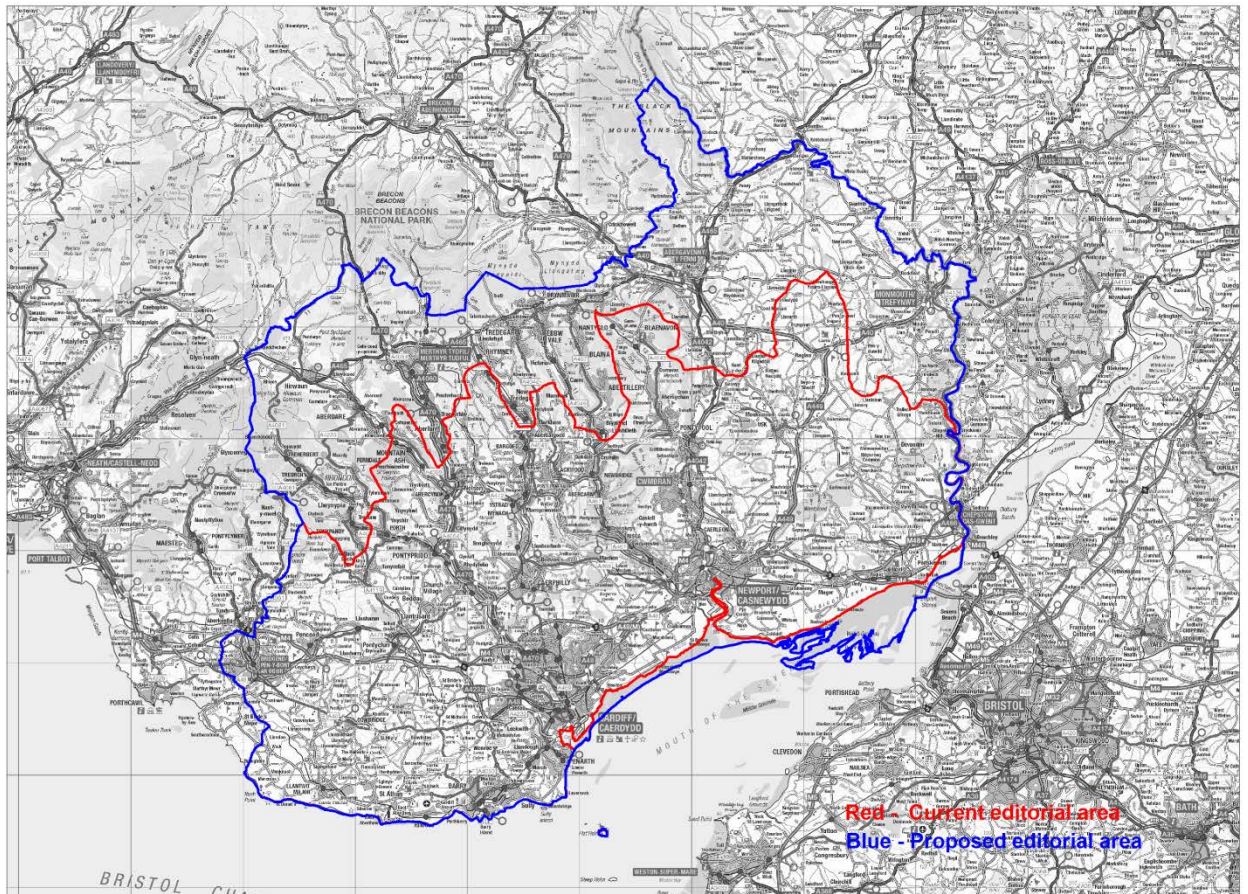






Annex 6

Map of existing and proposed Cardiff & Newport licensed area



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