

Annex 6

Analogue commercial radio stations by size

Area	Station	Pop	Key
FM STATIONS < 100,000			
Gairloch & Loch Ewe FM	Two Lochs	1,681	England
Skye & Lochalsh FM	Cuillin	1,877	Wales
Ullapool FM	Lochbroom	1,922	Scotland
Pitlochry FM	Heartland	5,352	N Ireland
Oban FM	Oban	8,690	FM
Kintyre, Islay & Jura FM	Argyll	9,400	AM
Fort William FM	Nevis	11,257	Regional
Western Isles FM	Isles	13,551	Local
Shetland FM	SIBC	15,754	
Warminster FM	3TR	18,410	
West Somerset FM	Quay West	19,826	
Arbroath FM	RNA	20,568	
Helensburgh FM	Your Radio	22,389	
Bridlington FM	Yorkshire Coast	28,405	
Rutland FM	Rutland	32,012	
Dumbarton FM	Your Radio	33,628	
Worksop FM	TRAX	34,848	
North Norfolk FM	North Norfolk	37,930	
Bridgwater FM	Quay West	38,299	
Kendal & Windermere FM	Lakeland	39,979	
Andover FM	Andover FM	40,000	
Northallerton	BTN FM	40,000	
Newry FM	Five FM	40,117	
Barrow in Furness FM	Abbey FM	43,894	
Coleraine FM	Q97.2	44,948	
Peterhead & Fraserburgh FM	Waves	45,169	
Winchester FM	Win FM	50,343	
Guernsey FM	Island	51,342	
Shaftesbury FM	Vale	53,710	
Rugby FM	Rugby	58,763	
Hinckley FM	Fosseway	59,809	
Perth FM	Perth FM	60,000	
Banbury FM	Touch FM	60,770	
Inverurie FM	NECR	65,008	
Canterbury FM	KMFM	65,624	
Ashford FM	KMFM	66,801	
Newbury FM	Kick	67,103	
Buxton FM	High Peak	67,792	
Ceredigion FM	Ceredigion	72,088	
Jersey FM	Channel 103	72,419	
Alton FM	Delta	73,032	

Weston-super-Mare FM	Star	73,478
Mid Ulster FM	Six FM	74,471
Salisbury FM	Spire	74,802
Fenland FM	Fen	75,972
Loughborough FM	Oak	80,499
Bridgend FM	Bridge	80,939
Omagh & Enniskillen FM	Q101.2FM	81,247
South Hams FM	South Hams	81,689
Borders FM	Borders	81,807
Scarborough FM	Yorkshire Coast	82,242
Bath FM	Bath	82,433
Kidderminster	The Wyre	83,588
Ballymena FM	Seven FM	86,328
Hastings FM	Arrow	86,353
South West Scotland FM	South West Sound	86,700
Pembrokeshire FM	Pembrokeshire	89,127
Maidstone FM	CTR	90,329
Grimsby FM	Compass	91,992
Thanet FM	KMFM	93,169
Barnstaple FM	Lantern	94,403
Caernarvon FM	Champion	94,873
King's Lynn FM	KLFM	96,144
West Cumbria FM	CFM	97,808
Basingstoke FM	Kestrel	99,745
		3,654,648

AM STATIONS < 100,000

Montgomeryshire AM	Makhyon	67,335
Ludlow AM	Sunshine	97,026
		164,361

AM STATIONS > 100,000

Aberdeen AM	NorthSound 2	245,770
Plymouth AM	Classic Gold	277,397
Dundee & Perth AM	Tay	322,977
Swansea AM	Swansea Sound	368,625
Heads of the Valleys AM	Valleys	475,315
Exeter & Torbay AM	Classic Gold	476,740
Bournemouth AM	Classic Gold	479,183
Hereford & Worcester AM	Sunshine	482,695
Wrexham AM	Marcher Gold	483,556
Reigate & Crawley AM	Classic Gold	497,622
Guildford AM	County Sound	514,551
Swindon & West Wiltshire AM	Classic Gold	531,049
Ayr AM	West Sound	544,973
Norwich AM	Classic Gold	552,669
Gloucester AM	Classic Gold	559,468
Ipswich & Bury St. Edmonds AM	Classic Gold	565,364
Coventry AM	Classic Gold	584,701
Stoke AM	Signal 2	620,522
Northampton AM	Classic Gold	627,517
Peterborough AM	Classic Gold	628,634
Reading & Basingstoke AM	Classic Gold	692,793

<i>Humberside AM</i>	<i>Magic</i>	730,709
<i>Leicester AM</i>	<i>Sabras</i>	740,667
<i>Teesside AM</i>	<i>Magic</i>	788,973
<i>Cardiff & Newport AM</i>	<i>Capital Gold</i>	922,139
<i>Edinburgh AM</i>	<i>Forth 2</i>	963,916
<i>South Hampshire AM</i>	<i>Capital Gold</i>	966,020
<i>Bristol & Bath AM</i>	<i>Classic Gold</i>	1,009,708
<i>Brighton & Eastbourne AM</i>	<i>Capital Gold</i>	1,022,832
<i>Kent AM</i>	<i>Capital Gold</i>	1,041,029
<i>Preston & Blackpool AM</i>	<i>Magic</i>	1,058,143
<i>Luton & Bedford AM</i>	<i>Classic Gold</i>	1,128,298
<i>Tyne & Wear AM</i>	<i>Magic</i>	1,267,530
<i>Leeds AM</i>	<i>Magic</i>	1,269,454
<i>Bradford & Huddersfield AM</i>	<i>Pulse Classic Gold</i>	1,360,778
<i>South Yorkshire AM</i>	<i>Magic</i>	1,532,094
<i>Nottingham & Derby AM</i>	<i>Classic Gold</i>	1,552,196
<i>Glasgow AM</i>	<i>Clyde 2</i>	1,573,496
<i>Southend & Chelmsford AM</i>	<i>Classic Gold</i>	1,621,326
<i>Liverpool AM</i>	<i>Magic</i>	1,690,270
<i>Birmingham AM1</i>	<i>Capital Gold</i>	1,758,367
<i>Manchester AM1</i>	<i>Magic</i>	1,849,446
<i>North London AM</i>	<i>London Turkish</i>	1,915,684
<i>East Lancashire AM</i>	<i>Asian Sound</i>	1,923,963
<i>Wolverhampton & Shrewsbury AM</i>	<i>Classic Gold</i>	2,174,496
<i>Manchester AM2</i>	<i>Capital Gold</i>	2,200,721
<i>Birmingham AM2</i>	<i>XL</i>	3,104,253
London AM4	Kismet	6,259,497
London AM7	Club Asia	7,163,171
London AM6	Premier	7,664,644
London AM2	Capital Gold	7,981,662
London AM1	LBC News	7,981,662
London AM5	Sunrise	8,038,386
London AM3	Spectrum	10,433,014

FM STATIONS 100,000 - 250,000

Warwick	Touch FM	100,000
High Wycombe FM	Mix 107	100,854
Isle of Wight FM	Isle of Wight	103,792
Yeovil FM	Ivel	105,501
Shrewsbury & Oswestry FM	The Severn	106,721
Weymouth & Dorchester FM	Wessex	106,779
Londonderry FM2	Q102.9	107,128
Dover & Folkestone FM	KMFM	107,209
Harlow FM	Ten 17	107,288
Burgess Hill & Haywards Heath FM	Bright	107,975
Darlington FM	Alpha	108,262
Chester FM	Dee	110,213
Dundee FM2	Wave 102	110,451
Cheltenham FM	Star	111,730
Worthing FM	Splash	113,487

Telford FM	Telford	114,120
Macclesfield FM	Silk	116,157
Tendring FM	Dream 100	117,154
Eastbourne FM	Sovereign	130,359
Colchester FM	SGR Colchester	131,083
Cambridge FM2	Star	134,258
Peterborough FM2	Lite	136,403
Mansfield FM	Mansfield	137,739
North Wales Coast FM	Coast	138,711
Swindon FM	Brunel FM	139,722
Exeter FM	Exeter FM	140,000
Great Yarmouth & Lowestoft FM	Beach	145,296
Aylesbury FM	Mix 96	147,310
Ipswich FM	Town FM	154,993
Kettering FM	Connect	156,045
Chelmsford FM	Dream	157,550
Southport FM	Dune	159,128
Hertford FM	Hertbeat	159,535
Blackburn FM	The Bee	164,096
Medway Towns FM	KMFM	168,629
Torbay FM	Palm FM	169,951
Barnsley FM	Dearne	173,022
Carlisle FM	CFM	173,439
Harrogate FM	Stray	176,821
Chesterfield FM	Peak	177,509
Carmarthenshire FM	Carmarthenshire	178,318
Stratford FM	Touch	190,454
Burnley FM	2BR	191,267
Inverness FM & AM	Moray Firth	194,748
Plymouth FM	Diamond FM	200,000
Herefordshire & Monmouth FM	H&M Classic Hits	200,000
Tunbridge Wells FM	KMFM	206,277
Warrington FM	Wire	207,411
Yorkshire Dales FM & AM	Fresh	207,457
South East Staffordshire FM	Touch	207,582
Reading FM2	Reading	213,772
Oxford FM2	Oxford's FM 107.9	214,710
Southend FM	Southend FM	225,000
Blackpool FM	Radio Wave	227,322
Knowsley FM	KCR	231,468
Ayr FM	West FM	232,422
Bournemouth FM2	Fire	232,750
Brighton FM2	Juice	236,204
Morecambe Bay FM	The Bay	239,046
Aberdeen FM 2	Original 106	240,029
Aberdeen FM 1	NorthSound 1	240,029
Coventry FM2	Touch	247,275

FM STATIONS < 250,000

Plymouth FM	Plymouth Sound	265,334
York FM	Minster	267,205
Milton Keynes FM	Horizon	267,925
Stirling FM	Central	268,855
Preston & Chorley	Proud FM	270,000
Chichester & Littlehampton FM	Spirit	271,387
Norwich	Radio Norwich	290,313
Cambridge & Newmarket FM	Q103	292,489
Bolton FM	Tower	292,762
Fife FM	Kingdom	292,768
St. Albans FM	Mercury	293,347
Durham FM	Durham FM	295,628
Swansea FM2	Swansea Bay	300,000
Oxford FM 3	Jack FM	300,000
Portsmouth FM	The Quay	300,485
Swansea FM	The Wave	301,639
Doncaster FM	TRAX	302,124
North Lanarkshire FM	L107	308,048
Bournemouth FM1	2CR	317,749
Dundee & Perth FM	Tay	321,044
Peterborough FM1	Hereward	323,126
Gloucester FM	Severn Sound	324,029
Wolverhampton FM2	The Wolf	329,122
Taunton & Yeovil FM	Orchard	332,065
Bristol FM2	Star	339,235
Huddersfield FM	Home	339,972
Wakefield FM	Ridings	347,194
Sunderland FM	Sun	352,530
Bradford FM2	Sunrise	368,977
Ipswich & Bury St. Edmonds FM	SGR	375,395
Kingston-upon-Thames FM	Jackie	376,096
Slough, Maidenhead & Windsor FM	Time	383,348
Rotherham FM	Rother FM	385,235
Southampton FM	The Saint	390,042
Northampton FM	Northants 96	392,517
Thamesmead FM	Time	399,013
Exeter & Torbay FM	Gemini	409,218
Reigate & Crawley FM	Mercury	417,274
Lewisham FM	South FM	423,171
Hull	KCFM	430,000
Swindon & West Wiltshire FM	GWR	431,400
Havering FM	Time	448,040
Stockport FM	Imagine	462,925
Cornwall FM	Pirate	483,401
Bristol	Original 106	500,000
Belfast FM2	City Beat	507,275
Wigan FM	Wish	511,113
Guildford FM	Eagle	535,886
Cornwall FM2	Atlantic	544,917

Coventry FM1	Mercia	559,811
Norwich FM	Broadland	563,200
Belfast FM3	U105	603,996
Oxford & Banbury FM1	Fox	620,196
Lincoln FM	Lincs	639,134
Hereford & Worcester FM	Wyvern	641,508
Cardiff & Newport FM	Red Dragon	658,903
Wrexham & Deeside FM	MFM-Buzz	667,733
Oldham FM	The Revolution	673,539
Bristol & Bath FM1	GWR	674,437
Liverpool FM2	Juice	675,905
Paisley FM	Rock Radio 96.3	704,066
Leicester FM	Leicester Sound	712,566
Reading & Basingstoke FM	2-TEN	751,305
Belfast FM & AM	Downtown	761,513
Teesside FM	TFM	788,467
Bedford FM	Chiltern	813,824
Luton FM	Chiltern	813,825
Stoke FM	Signal 1	818,797
Leeds FM	Aire	836,687
Brighton & Eastbourne FM	Southern	838,286
Southend & Chelmsford FM	Essex	861,317
Humberside FM	Viking	895,819
South Wales Regional FM	TBA	900,000
Edinburgh FM2	Talk 107	968,932
Haringey FM	London Greek	1,012,200
Edinburgh FM	Forth One	1,042,714
Nottingham FM	Trent	1,057,559
Derby FM	Ram	1,057,559
Kent FM	Invicta	1,083,171
Bradford & Huddersfield FM	The Pulse	1,088,038
South Hampshire FM	Power-Ocean	1,116,374
Belfast FM1	Cool FM-Downtown	1,158,555
South Yorkshire FM	Hallam	1,184,382
Preston & Blackpool FM	Rock	1,207,258
Birmingham FM2	Galaxy	1,223,555
Manchester FM3	Xfm	1,234,535
South Wales Regional FM	Real	1,237,568
Tyne & Wear FM	Metro	1,328,512
Wolverhampton & Telford FM	Beacon	1,373,782
Solent Regional FM	Original 106	1,374,137
East of England Regional FM	Kiss	1,424,437
Manchester FM4	Rock Talk	1,450,000
Solent Regional FM	Wave 105	1,451,264
Glasgow FM2	Saga	1,461,855
Liverpool FM1	City	1,465,433
Liverpool FM3	City Talk	1,465,433
East Midlands Regional FM2	Saga	1,547,621
Brixton FM	Choice	1,577,032
Manchester FM2	Galaxy	1,628,501
Severn Estuary Regional FM	Kiss 101	1,638,589

East Midlands Regional FM1	Heart	1,657,293
Glasgow FM1	Clyde 1	1,723,748
Birmingham FM1	BRMB	1,816,137
North West London FM	Choice	1,929,148
North East	Saga	2,000,000
North East England Regional FM2	Galaxy	2,028,604
North East England Regional FM	Century	2,028,604
Manchester FM1	Key 103	2,166,470
West Midlands Regional FM3	Kerrang!	2,294,015
West Midlands Regional FM1	Heart	2,294,015
West Midlands Regional FM2	Saga	2,294,015
Central Scotland FM2	Xfm	2,395,417
Central Scotland FM1	Real	2,463,854
South & West Yorkshire Regional FM	Real	2,943,772
Yorkshire Regional FM	Galaxy	3,231,254
North West England Regional FM1	Smooth	4,260,637
North West England Regional FM2	Century	4,260,637
London FM4	Smooth	6,106,343
London FM5	XFM	6,227,937
London FM3	Kiss	6,703,389
London FM2	Capital 95.8	7,045,749
London FM8	Heart	7,045,749
London FM1	LBC	7,045,749
London FM6	Magic	7,045,749
London FM7	Virgin	7,045,749

Annex 7

Current radio ownership rules

A7.1 There is a set of ownership rules relating to each of:

1. local analogue licences;
2. national and local radio multiplex licences; and
3. local digital sound programme service licences (the services that are carried on multiplexes).

A7.2 These rules are designed to ensure plurality of ownership (i.e. to ensure services are provided by a range of different commercial providers) rather than being specifically designed to protect competition.

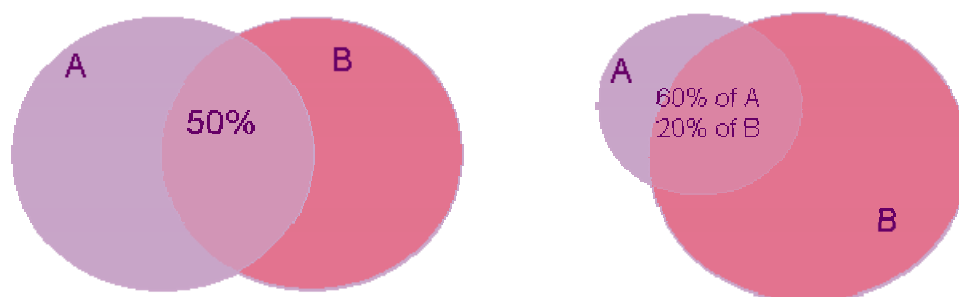
A7.3 All of the types of licence listed above are subject to rules designed to maintain plurality within commercial radio provision. Local analogue licences are also subject to cross-media ownership restrictions.

A7.4 Applying the ownership rules in relation to a particular licence consists of factual and legal analysis.

Local analogue licence rules

A7.5 These rules are concerned with licences which overlap. Two licences are considered to overlap, for the purpose of the rules, if the population shared between them is more than 50% of the total population of either licence²³. For example licence A could overlap licence B by 60%, but B may overlap A by only 20%, depending on the total sizes of A and B. As long as one of these figures is over 50%, the two licences overlap for the purpose of the rules. Two examples are in Figure 33.

Examples of licences which overlap for the purposes of identifying a cluster

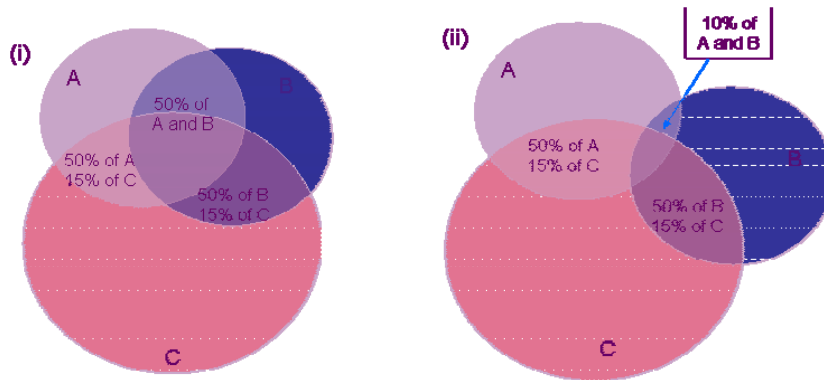


Source: Ofcom

²³ The population coverage of a local licence (and hence any related overlap population) is defined by reference to its Measured Coverage Area or MCA. The MCA is the area within which a service is capable of being received at a level satisfying the technical standards set out in Ofcom in its "Coverage: Planning Policy, Definitions and Assessment" document. This area is combined with data from the latest census to produce population coverage, and population overlap, figures.

A7.6 The analogue ownership rules apply only once an operator seeks to hold a third or subsequent licence such that the MCA for this further licence shares a 50% overlap with the two or more licences already owned. Holding this third or subsequent licence would form a “cluster” of three or more overlapping licences. The points test is applied to each licence in the cluster, in order to see whether the points limit would be breached immediately after the operator became the holder of the further licence.

Example of a cluster and example of licences which do not form a cluster



Source: Ofcom

A7.7 Figure 34 (i) is a cluster of licences under the rules. Figure 34(ii) is not, because there are not three overlaps of 50% or more.

A7.8 The points test is applied on a licence by licence basis. For each test, the licence in question is allocated four points; all other commercial licences which overlap with it by 5% or more are attributed points, as set out in Table 1. BBC local analogue stations are excluded from this calculation.

Table 1: Overlap and points attributable

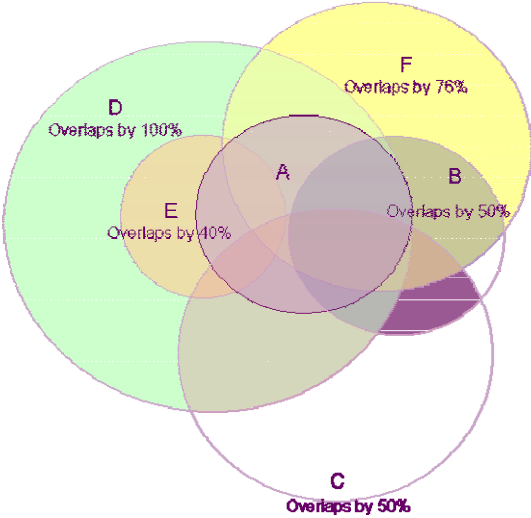
Overlap	Points attributable
up to 5%	0
5-25%	1
25-75%	2
75% or more	4

Source: Ofcom

A7.9 Once all overlapping licences have been considered then the points attributed to those licences plus the licence in question are summed. The points that are controlled by the operator in question are also added up. If the operator controls more than 55% of the total points then the points test is failed, and the operator may not hold the further licence in question.

A7.10 The points test is applied to every licence that has been identified as forming part of the "cluster" in question. Figure 35, Figure 36 and Figure 37 provide examples of the test being applied to each licence in the cluster from Figure 34 above, i.e. the operator in question already holds licences A and B, and is seeking to acquire licence C. These three licences form a cluster and so Ofcom applies the points test to each of the licences A, B and C.

Test for licence A



Source: Ofcom

A7.11 Licence A is analysed in Table 2.

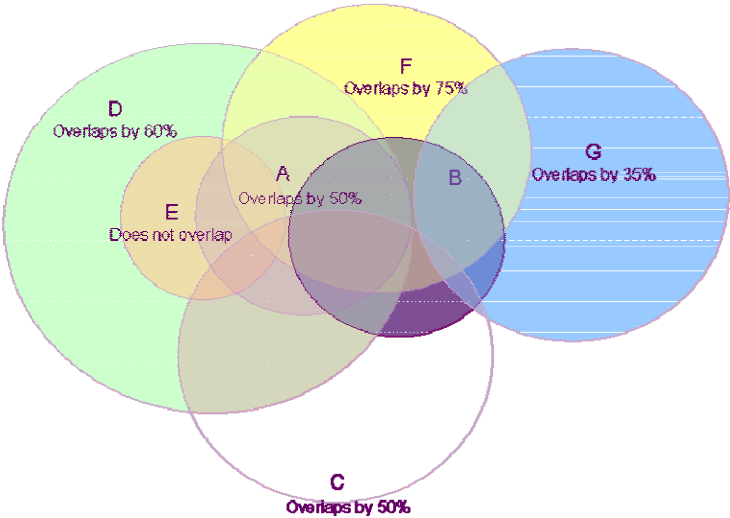
Table 2: Overlap and points for licence A

Licence	Overlap with A	Owned points	All points
A	licence being tested	4	4
B	50%	2	2
C	50%	2	2
D	100%		4
E	40%		2
F	76%		4
Total		8	16

Source: Ofcom

A7.12 The licensee would own eight points; the total of all points is 16 points. The “owned points” in A’s area would be 50% of the total. This licence does not fail the test.

Test for licence B



Source: Ofcom

A7.13 Licence B is analysed in Table 3.

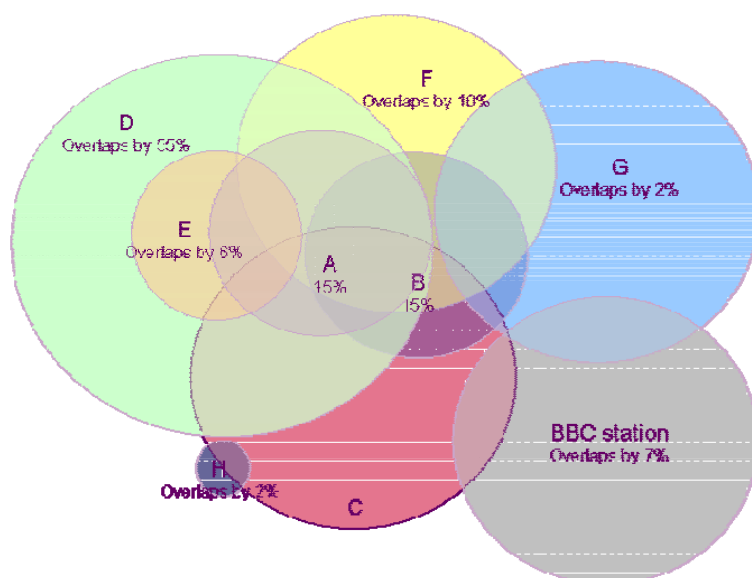
Table 3: Overlap and points for licence B

Licence	Overlap with B	Owned points	All points
A	50%	2	2
B	licence being tested	4	4
C	50%	2	2
D	60%		2
E	None		0
F	75%		4
G	35%		2
Total		8	16

Source: Ofcom

A7.14 The licensee would own eight points. The total of all points is 16 points. The “owned points” in B’s area are 50% of the total. This licence does not fail the test.

Test for licence C



Source: Ofcom

A7.15 Licence C is analysed in Table 4.

Table 4: Overlap and points for licence C

Licence	Overlap with B	Owned points	All points
A	15%	1	1
B	15%	1	1
C	licence being tested	4	4
D	55%		2
E	6%		1
F	10%		1
G	2%		0
H	2%		0
I	7%		BBC – not counted
Total		6	10

Source: Ofcom

A7.16 The licensee would own six points. The total of all points is 10. The “owned points” in C’s area are 60% of the total. The operator is not permitted to own this licence in combination with A and B.

Local analogue licence rules – cross-media ownership

A7.17 In any area where there are three or more overlapping local licences, a person who is the dominant local newspaper provider, or the holder of the local Channel 3 television licence, may become the holder of one or more of those radio licences only if the points attributed to the licences held by that person would not account for more than 45% of the total points available in the area. As for the radio-only points test described above, the test may be applied prospectively, that is before the person becomes the holder of the radio licence in question. The test is applied as if he has become the licence-holder, in order to see whether the points limit would be breached if he did so.

A7.18 Note that this cross-media ownership rule applies wherever there are three or more overlapping licences, no matter who owns each of them, whereas the radio-only rule above takes effect only when the same person holds three or more overlapping licences.

A7.19 There is also a “backstop” rule that no person may hold a local radio licence and the local Channel 3 television licence and be the dominant local newspaper provider in the same area.

A7.20 “Dominant local newspaper provider” means someone who runs:

4. a local newspaper with a local market share of 50% or more in the coverage area of the radio licence in question; or
5. local newspapers which together have a local market share of 50% or more in that area.

Digital multiplex licence rules

A7.21 No person may hold more than one national radio multiplex licence at the same time²⁴. There is currently only one national radio multiplex licence.

A7.22 The rule on local radio multiplex ownership states that no person may hold any two local radio multiplex licences that share a 50% or more population overlap²⁵.

Local digital sound programme service rules

A7.23 The rules on ownership of local digital sound programme services apply to commercial services carried on local radio multiplexes. They do not take any BBC digital services into account. The rules can be broken down into two stages: a “threshold” test, and a “points” test.

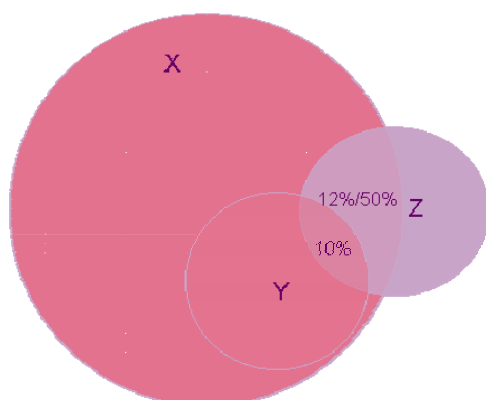
A7.24 As with the local analogue rules, the local digital sound programme tests are applied in order to see whether the rules would be breached immediately after the operator began providing the further service.

²⁴ Paragraph 7 of Schedule 14 to the Communications Act 2003.

²⁵ Paragraph 8 of Schedule 14 to the Communications Act 2003.

- A7.25 The first stage of these ownership rules (the "threshold" test) involves looking at the number of services provided by a person on a single multiplex, or across overlapping multiplexes (if relevant). Overlapping in this context means that the potential audience of one multiplex service includes at least 50% of the potential audience of the other multiplex²⁶.
- A7.26 Because of the way that the multiplex licence areas are constructed – with a mixture of larger local multiplex licences (so-called regional multiplex licences) overlaid on a network of smaller local multiplex licences – one multiplex service may overlap with two or more other multiplexes. Figure 38 illustrates this.

Example of a multiplex service (X) which overlaps with two other multiplexes



Source: Ofcom

- A7.27 X and Y overlap, and X and Z overlap. Y and Z do not overlap each other.
- A7.28 The "threshold" rule is that an operator may provide up to four digital sound programme (DSP) services across overlapping multiplexes. If an operator wishes to provide more than the threshold number of services, then the second stage ("points test") is triggered. This test works in a similar way to the analogue points test.
- A7.29 If a multiplex does not share a 50% overlap with another, this means an operator may put up to four services on this multiplex before the threshold is reached. If a multiplex does share a 50% overlap with another multiplex, then an operator may spread four services across the two. He could have two DSP services on each multiplex, or three on one and one on the other, or four on one and none on the other.
- A7.30 The points test is applied to the services provided on the multiplex on which the further service is to be added (the "relevant multiplex") together with services on multiplexes which overlap by at least 5% with the relevant multiplex (referred to in this annex as the "multiplex area"). A person may not provide services representing more than 55% of the total points available in respect of all local digital sound programme services provided in the multiplex area.
- A7.31 One key difference between the analogue and digital service rules is that DSP services are classified into significant services, intermittent services, and services

²⁶ Overlaps are calculated by reference to each multiplex's Primary Protected Area (PPA). This is area within which Ofcom, in its regulation of other multiplex operators, will seek to protect a given service from interference.

which are neither significant nor intermittent (referred to in this annex as "minor services"). The Media Ownership (Local Radio and Appointed News Provider) Order 2003 (SI 2003/3299) defines these services. Broadly speaking, "significant services" are those that transmit 24 hours a day, "intermittent services" broadcast for around 12 hours a day, and "minor services" broadcast only occasionally²⁷.

A7.32 The significance of categorising services in this way is that it affects how they are counted for the points test. While the points attributed to significant services count towards both the operator's total and the total number of points in respect of all services provided in the multiplex area, intermittent services count only towards the operator's total and are ignored for the purpose of calculating the total in respect of all services provided in the multiplex area. Minor services are not allocated any points, neither for the operator's total nor for the multiplex area total.

A7.33 A local digital sound programme service attracts points in a similar way to a local analogue licence. All services on the relevant multiplex attract four points. Services on overlapping multiplexes attract points according to the degree of overlap between multiplexes.

A7.34 The points attribution is set out in Table 5.

Table 5: Multiplex overlap and points attributable

Overlap between multiplexes	Points attributable to each service on the multiplex:		
	Classification of service	To the operator in question	To the multiplex area
up to 5%	Significant	0	0
	Intermittent	0	0
5-25%	Significant	1	1
	Intermittent	1	0
25-75%	Significant	2	2

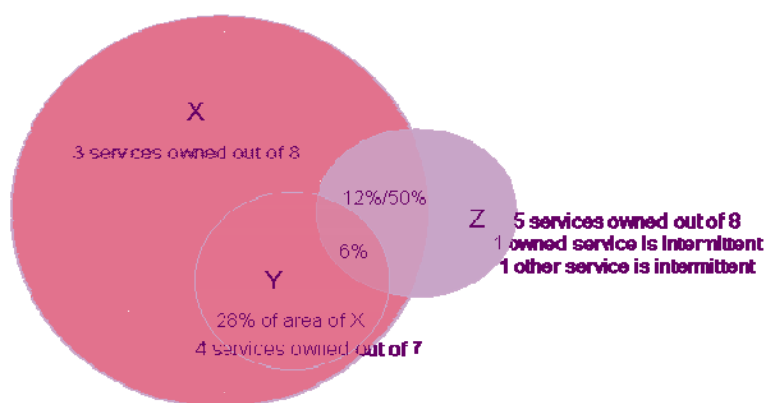
Source: Ofcom

A7.35 In Figure 39, if an operator provides a further service on X, and we are applying the points test to multiplex X, then as multiplex Y overlaps multiplex X by 28%, and multiplex Z overlaps multiplex X by 12%, we allocate:

6. four points for every significant service, and every intermittent service provided by the operator, on X;
7. two points for every significant service, and every intermittent service provided by the operator, on Y; and
8. one point for every significant service, and every intermittent service provided by the operator, on Z.

²⁷ Significant services currently represent 97% of DSP services, with the remainder intermittent. There are no minor services as of October 2004.

DSPS points calculation



Source: Ofcom

A7.36 If the threshold test is applied to multiplex X, the number of services provided by the operator on multiplex X and on the overlapping multiplexes is 12. The points test is therefore applied. The results for area X are set out in Table 6.

Table 6: Overlap and points for area X

Multiplex	Overlap with X	Owned services	Owned points	All services	All points
X	licence being tested	3	12	8	32
Y	28%	4	8	7	14
Z	12%	5	5	6	6
Total			25		52
Percent owned			48%		

Source: Ofcom

A7.37 Note: on Z, all five owned services are counted in the operator's total, but in calculating the points universe only six out of eight are counted, because two services are intermittent.

A7.38 If the threshold test is applied to multiplex Y, the number of services provided by the operator on multiplex Y and on the overlapping multiplex (X) is seven. The points test is therefore applied. The results for multiplex Y are set out in Table 7.

Table 7: Overlap and points for area Y

Multiplex	Overlap with Y	Owned services	Owned points	All services	All points
X	100%	3	12	8	32
Y	licence being tested	4	16	7	28
Z	6%	5	5	6	6
Total			33		66
Percent owned			50%		

Source: Ofcom

A7.39 If the threshold test is applied to multiplex Z, the number of services provided by the operator on multiplex Z and on the overlapping multiplex (X) is eight. The points test is therefore applied. The results for multiplex Z are set out in Table 8.

Table 8: Overlap and points for area Z

Multiplex	Overlap with Z	Owned services	Owned points	Universe services	Universe points
X	50%	3	6	8	16
Y	6%	4	4	7	7
Z	licence being tested	5	20	6	24
Total			30		47
Percent owned			64%		

Source: Ofcom

A7.40 The rule is breached and the operator must reduce his owned points by 5 or more (by taking one service off Z and one off Y, for example).

Annex 8

Illustration of new commercial radio ownership proposals

Notes of guidance

Each worksheet shows:

- the radio services falling within the coverage area of the multiplex concerned
- the points each service attracts
- the owner of each service
- total points attributable to the multiplex area
- points attributable to each owner in total and by %

Digital services on each relevant multiplex serve a population equal to the PPA of the multiplex

Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included

Services on any other multiplex which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area are included

Points for each service are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))

Points are attributed to service as follows:

Population	Points
<100,000	1
100,000-300,000	2
300,000 - 500,000	3
500,000 - 1,000,000	5
>1,000,000	8

The ownership rule only applies in areas where there are more than 20 points in total

A single owner cannot account for more than 66% of the total number of points in any multiplex area

Simulcast services count as one service, with the larger population taken into account. E.g. Northsound One broadcasts on both analogue and digital in Aberdeen, but this counts as one service as far as the Aberdeen multiplex area is concerned

Digital services which broadcast for less than 8 hours per day are excluded

The Plymouth/Cornwall multiplex and Swindon/West Wilts multiplexes are treated as if they were both 2 separate multiplexes for the purposes of the ownership rules

Analogue services which do not fall into any multiplex area (e.g. some of the island services) do not fall under these ownership rules.

Some analogue licences do not appear in the tables if they have not yet launched or where the degree of overlap is not yet known

Regional multiplexes all also cover local multiplex areas and are counted there, so separate calculations are not required for regional areas

Multiplex area				Ayr								
TOTAL POPULATION				299,882								

AREA	An.	DAB	STATION	POPULATION	Ownership							TOTAL			
					UTV	Gcap	Chrysalis	Emap	GMG	CN Group	UBC		Other		
Ayr		y	Kiss	299,882				2							2
Ayr	y	y	West Sound AM	299,882				2							2
Ayr	y	y	West Sound FM	299,882				2							2
Ayr		y	3C	299,882				2							2
Ayr		y	UCA	299,882								2			2
															0
															0
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	0	0	0	8	0	0	0	2	10
	0.0%	0.0%	0.0%	80.0%	0.0%	0.0%	0.0%	20.0%	100.0%

Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points This rule only applies in areas where there are more than 20 points in total Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))
100-300,000	2	
300,000 - 500,000	3	
500,000 - 1,000,000	5	
>1,000,000	8	

Multiplex area	Birmingham
TOTAL POPULATION	1,837,793

AREA	An.	DAB	STATION	POPULATION	Ownership									
					UTV	Gcap	Chrysalis	Emap	GMG	Sunrise	UBC	Other	TOTAL	
Birmingham	y	y	96.4 FM BRMB	1,837,793		8								8
Birmingham	y	y	Capital Gold 1152	1,837,793		8								8
Birmingham		y	Xfm	1,837,793		8								8
Birmingham		y	Magic 105.4 FM	1,837,793				8						8
Birmingham	y	y	Radio XL	1,837,793								8		8
Birmingham		y	Kiss	1,837,793				8						8
Birmingham		y	Sunrise Radio	1,837,793						8				8
Birmingham		y	Chill	1,837,793		8								8
Birmingham		y	Century Digital	1,837,793		8								8
WestMidlands	y	y	Galaxy 102.2	1,837,793			8							8
WestMidlands	y	y	100.7 Heart FM	1,837,793			8							8
WestMidlands	y	y	Saga Radio	1,837,793					8					8
WestMidlands		y	Capital Disney	1,837,793		8								8
WestMidlands		y	Smooth FM	1,837,793					8					8
WestMidlands		y	The Arrow	1,837,793			8							8
WestMidlands		y	Real	1,837,793					8					8
WestMidlands		y	LBC	1,837,793			8							8
WestMidlands	y	y	Kerrang 105.2 FM	1,837,793				8						8
WestMidlands		y	Urban Choice	1,837,793		8								8
														0
														0
														0
														0
						0	56	32	24	24	8	0	8	152
						0.0%	36.8%	21.1%	15.8%	15.8%	5.3%	0.0%	5.3%	100.0%

Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))

Multiplex area**Bradford/Halifax/Hudds**

TOTAL POPULATION

843,378

AREA	An.	DAB	STATION	POPULATION	Ownership									
					UTV	Gcap	Chrysalis	Emap	GMG	TLRC	UBC	Other	TOTAL	
Bradford/Halifax/Hudds	y	y	The Pulse	843,378	5									5
Bradford/Halifax/Hudds	y	y	Classic Gold	843,378							5			5
Bradford/Halifax/Hudds	y	y	Sunrise FM	843,378								5		5
Bradford/Halifax/Hudds		y	Smash Hits	843,378				5						5
Bradford/Halifax/Hudds		y	Kismat	843,378								5		5
Bradford/Halifax/Hudds		y	Kiss 100 FM	843,378				5						5
Bradford/Halifax/Hudds		y	Panjab Radio	843,378								5		5
Bradford/Halifax/Hudds		y	Masti Radio	843,378								5		5
Bradford/Halifax/Hudds		y	Islam Radio	843,378								5		5
Yorkshire DAB		y	Capital Disney	801,357		5								5
Yorkshire DAB		y	Urban Choice	801,357		5								5
Yorkshire DAB		y	Heart	801,357			5							5
Yorkshire DAB		y	102.2 Smooth FM	801,357				5						5
Yorkshire DAB		y	The Arrow	801,357			5							5
Yorkshire DAB		y	LBC	801,357			5							5
Yorkshire DAB	y	y	Galaxy 105	801,357			5							5
Yorkshire DAB	y	y	Real Radio	801,357				5						5
Yorkshire DAB		y	Yorkshire Radio	801,357								5		5
Huddersfield		y	Home FM	320,148						3				3
														0
														0
														0
														0
					5	10	20	10	10	3	5	30	93	
					5.4%	10.8%	21.5%	10.8%	10.8%	3.2%	5.4%	32.3%	100.0%	
Station pop				Points	RULES									
<100,000				1	A single owner cannot account for more than 66% of the total number of points									
100-300,000				2	This rule only applies in areas where there are more than 20 points in total									
300,000 - 500,000				3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included									
500,000 - 1,000,000				5	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))									
>1,000,000				8										

Multiplex area **Bristol/Bath**
 TOTAL POPULATION 827,079

AREA	An.	DAB	STATION	POPULATION	Ownership									
					UTV	Gcap	Chrysalis	Emap	GMG	UKRD	UBC	Other	TOTAL	
Bristol/Bath	y	y	GWR FM	827,079		5								5
Bristol/Bath	y	y	Classic Gold 1260AM	827,079							5			5
Bristol/Bath		y	Our Kind of Music	827,079								5		5
Bristol/Bath		y	Kiss 100 FM	827,079				5						5
Bristol/Bath		y	XFM	827,079		5								5
Bristol/Bath		y	Passion for the Plane	827,079								5		5
Bristol/Bath		y	Chill	827,079		5								5
Bristol/Bath		y	Access Channel	827,079									5	5
Bristol/Bath		y	Fun	827,079									5	5
South Wales/Severn	y	y	Kiss 101	820,227				5						5
South Wales/Severn	y	y	Real Radio	820,227					5					5
South Wales/Severn		y	Capital Disney	820,227		5								5
South Wales/Severn		y	Urban Choice	820,227		5								5
South Wales/Severn		y	Heart 106.2 FM	820,227			5							5
South Wales/Severn		y	Smooth FM	820,227					5					5
South Wales/Severn		y	The Arrow	820,227			5							5
South Wales/Severn		y	LBC	820,227			5							5
Bath	y		Bath FM	80,834									1	1
Bristol	y		Star	339,235							3			3
Weston S Mare	y		Star 107.7	69,420							1			1
Bristol	y		Original (not on air)	500,000									3	3
														0
														0
						0	25	15	10	10	4	5	24	93

						0.0%	26.9%	16.1%	10.8%	10.8%	4.3%	5.4%	25.8%	100.0%
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Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))

Multiplex area **Cambridge**
TOTAL POPULATION 345,939

AREA	An.	DAB	STATION	POPULATION	Ownership							TOTAL	
					UTV	Gcap	Chrysalis	Emap	GMG	UKRD	UBC		Other
Cambridge	y	y	Q103	345,939		3							3
Cambridge	y	y	Classic Gold	345,939							3		3
Cambridge		y	XFM	345,939		3							3
Cambridge		y	Smash Hits	345,939				3					3
Cambridge	y	y	Kiss 105-108	345,939				3					3
Cambridge		y	Chill	345,939		3							3
Cambridge		y	Access Channel	345,939								3	3
Cambridge		y	Virgin Radio Groove	345,939								3	3
Cambridge	y		Star	134,258						2			2
													0
													0
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					0	9	0	6	0	2	3	6	26

						0.0%	34.6%	0.0%	23.1%	0.0%	7.7%	11.5%	23.1%	100.0%
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Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))

Multiplex area**Cardiff/Newport**

TOTAL POPULATION

843,602

AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	CN Group	UBC	Other	TOTAL		
Cardiff/Newport	y	y	Red Dragon FM	843,602		5									5
Cardiff/Newport	y	y	Capital Gold	843,602		5									5
Cardiff/Newport		y	Century	843,602					5						5
Cardiff/Newport		y	Fun	843,602								5			5
Cardiff/Newport		y	Xfm	843,602		5									5
Cardiff/Newport		y	Chill	843,602		5									5
Cardiff/Newport		y	Access Channel	843,602								5			5
South Wales/Severn	y	y	Kiss 101	843,602				5							5
South Wales/Severn	y	y	Real Radio	843,602					5						5
South Wales/Severn		y	Capital Disney	843,602		5									5
South Wales/Severn		y	Urban Choice	843,602		5									5
South Wales/Severn		y	Heart 106.2 FM	843,602			5								5
South Wales/Severn		y	Smooth FM	843,602					5						5
South Wales/Severn		y	The Arrow	843,602			5								5
South Wales/Severn		y	LBC	843,602			5								5
South Wales FM2	y		? (not on air)	843,602								5			5
															0
															0
															0
															0
															0
															0
															0
															0
						0	30	15	5	15	0	0	15		80
						0.0%	37.5%	18.8%	6.3%	18.8%	0.0%	0.0%	18.8%		100.0%
Station pop			Points		RULES										
<100,000			1		A single owner cannot account for more than 66% of the total number of points										
100-300,000			2		This rule only applies in areas where there are more than 20 points in total										
300,000 - 500,000			3		Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included										
500,000 - 1,000,000			5												
>1,000,000			8		Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))										

Multiplex area		Cornwall												
<i>TOTAL POPULATION</i>		415,346												
AREA	An.	DAB	STATION	POPULATION	Ownership									
					UTV	Gcap	Chrysalis	Emap	GMG	UKRD	UBC	Other	TOTAL	
Cornwall	y	y	Plymouth Sound	415,346		3								3
Cornwall		y	Kiss 100 FM	415,346				3						3
Cornwall		y	XFM	415,346		3								3
Cornwall		y	Chill	415,346		3								3
Cornwall		y	Access Channel	415,346								3		3
Cornwall	y	y	Pirate	415,346						3				3
Cornwall	y		Atlantic FM	356,568								3		3
														0
														0
														0
														0
														0
														0
														0
														0
														0
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														0
						0	9	0	3	0	3	0	6	21
						0.0%	42.9%	0.0%	14.3%	0.0%	14.3%	0.0%	28.6%	100.0%
Station pop				Points	RULES									
<100,000				1	A single owner cannot account for more than 66% of the total number of points									
100-300,000				2	This rule only applies in areas where there are more than 20 points in total									
300,000 - 500,000				3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included									
500,000 - 1,000,000				5	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))									
>1,000,000				8										

Multiplex area **Coventry**
 TOTAL POPULATION 621,835

AREA	An.	DAB	STATION	POPULATION	Ownership									
					UTV	Gcap	Chrysalis	Emap	GMG	CN	UBC	Other	TOTAL	
Coventry	y	y	Mercia FM	621,835		5								5
Coventry	y	y	Classic Gold 1359AM	621,835							5			5
Coventry	y	y	Touch FM	621,835						5				5
Coventry		y	XFM	621,835		5								5
Coventry		y	Kiss 100 FM	621,835				5						5
Coventry		y	Punjabi Radio	621,835								5		5
Coventry		y	Sunrise	621,835								5		5
Coventry		y	Chill	621,835		5								5
Coventry		y	Access Channel	621,835									5	5
West Midlands	y	y	Galaxy 102.2	621,835			5							5
West Midlands	y	y	100.7 Heart FM	621,835			5							5
West Midlands	y	y	Saga Radio	621,835					5					5
West Midlands		y	Capital Disney	621,835		5								5
West Midlands		y	Smooth FM	621,835					5					5
West Midlands		y	The Arrow	621,835			5							5
West Midlands		y	Real	621,835					5					5
West Midlands		y	LBC	621,835			5							5
West Midlands	y	y	Kerrang 105.2 FM	621,835				5						5
West Midlands		y	Urban Choice	621,835		5								5
Birmginham	y		Radio XL	612,292									5	5
														0
														0
						0	25	20	10	15	5	5	20	100

					0.0%	25.0%	20.0%	10.0%	15.0%	5.0%	5.0%	20.0%	100.0%
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Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))

Multiplex area

Edinburgh

TOTAL POPULATION

1,167,267

AREA	An.	DAB	STATION	POPULATION	Ownership							TOTAL		
					UTV	Gcap	Chrysalis	Emap	GMG	TLRC	UBC		Other	
Edinburgh	y	y	Forth FM	1,167,267				8						8
Edinburgh	y	y	Forth AM	1,167,267				8						8
Edinburgh		y	Chill	1,167,267		8								8
Edinburgh		y	Sunrise	1,167,267								8		8
Edinburgh		y	3C	1,167,267				8						8
Edinburgh		y	Kiss	1,167,267				8						8
Edinburgh		y	Saga 105.2	1,167,267					8					8
Central Scotland	y	y	Real Radio	1,167,267					8					8
Central Scotland		y	Heart	1,167,267			8							8
Central Scotland	y	y	XFM	1,167,267		8								8
Central Scotland		y	Smash Hits	1,167,267				8						8
Central Scotland		y	102.2 Smooth FM	1,167,267					8					8
Central Scotland		y	Galaxy Digital	1,167,267			8							8
Central Scotland		y	the Arrow	1,167,267			8							8
Central Scotland		y	Kerrang 105.2 FM	1,167,267				8						8
Edinburgh	y		Talk 107	960,727	5									5
Fife	y		Kingdom FM	290,086								5		5
Stirling FM	y		Central FM	229,295						5				5
														0
														0
														0
														0
														0
														0
														0
														0
						5	16	24	48	24	5	0	13	135

	3.7%	11.9%	17.8%	35.6%	17.8%	3.7%	0.0%	9.6%	100.0%
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Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals)

Multiplex area **Glasgow**
 TOTAL POPULATION 1,800,930

AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	TLRC	UBC	Other	TOTAL		
Glasgow	y	y	Clyde 1	1,800,930				8							8
Glasgow	y	y	Clyde 2	1,800,930				8							8
Glasgow		y	Chill	1,800,930		8									8
Glasgow	y	y	96.3 Rock Radio	1,800,930					8						8
Glasgow		y	Sunrise	1,800,930									8		8
Glasgow		y	3C	1,800,930				8							8
Glasgow		y	Kiss 100 FM	1,800,930				8							8
Glasgow	y	y	Saga 105.2	1,800,930					8						8
Central Scotland	y	y	Real Radio	1,800,930					8						8
Central Scotland		y	Heart	1,800,930			8								8
Central Scotland	y	y	XFM	1,800,930		8									8
Central Scotland		y	Smash Hits	1,800,930				8							8
Central Scotland		y	102.2 Smooth FM	1,800,930					8						8
Central Scotland		y	Galaxy Digital	1,800,930			8								8
Central Scotland		y	the Arrow	1,800,930			8								8
Central Scotland		y	Kerrang 105.2 FM	1,800,930				8							8
Ayr AM	y		West Sound	439,734				3							3
Dumbarton	y		Your Radio	33,628									1		1
Helensburgh	y		Your Radio	22,389									1		1
North Lanarkshire	y		L107	271,581									2		2
Stirling FM	y		Central FM	193,701						2					2
															0
															0
															0
															137
															0.0%
															11.7%
															17.5%
															37.2%
															23.4%
															1.5%
															0.0%
															8.8%
															100.0%

Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))

<u>Multiplex area</u>		<u>Humberside</u>													
TOTAL POPULATION				674,772											
AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	Lincs	UBC	Other	TOTAL		
Humberside	y	y	Viking FM	674,772				5							5
Humberside	y	y	Magic 1161	674,772				5							5
Humberside	y	y	Lincs FM	674,772						5					5
Humberside		y	Xfm	674,772		5									5
Humberside		y	Classic Gold	674,772							5				5
Humberside		y	Kiss 100 FM	674,772				5							5
Humberside		y	Smash Hits	674,772				5							5
Humberside		y	Kerrang 105.2 FM	674,772				5							5
Humberside		y	Heat	674,772				5							5
Yorkshire		y	Capital Disney	674,772		5									5
Yorkshire		y	Urban Choice	674,772		5									5
Yorkshire		y	Heart	674,772			5								5
Yorkshire		y	102.2 Smooth FM	674,772					5						5
Yorkshire		y	The Arrow	674,772			5								5
Yorkshire		y	LBC	674,772			5								5
Yorkshire	y	y	Galaxy 105	674,772			5								5
Yorkshire	y	y	Real Radio	674,772					5						5
Yorkshire		y	Yorkshire Radio	674,772								5			5
Bridlington	y		Yorkshire Coast - Bric	28,405									1		1
Grimsby	y		Compass	91,992							1				1
														0	
															0
															0
					0	15	20	30	10	6	5	6	6	92	
					0.0%	16.3%	21.7%	32.6%	10.9%	6.5%	5.4%	6.5%	100.0%		
Station pop				Points	RULES										
<100,000				1	A single owner cannot account for more than 66% of the total number of points										
100-300,000				2	This rule only applies in areas where there are more than 20 points in total										
300,000 - 500,000				3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included										
500,000 - 1,000,000				5											
>1,000,000				8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))										

Multiplex area **Inverness**
 TOTAL POPULATION 238,129

AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	Lincs	UBC	Other	TOTAL		
Inverness	y	y	MFR	238,129				2							2
Inverness	y	y	MFR 1107 MW	238,129				2							2
Inverness		y	3C	238,129				2							2
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
					0	0	0	6	0	0	0	0	0	6	

					0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
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Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals)

Multiplex area	<u>Kent</u>	
TOTAL POPULATION		1,147,861

AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	KM	UBC	Other	TOTAL		
Kent	y	y	Invicta	1,147,861		8									8
Kent	y	y	Capital Gold	1,147,861		8									8
Kent		y	XFM	1,147,861		8									8
Kent		y	KM-digital	1,147,861						8					8
Kent		y	Kiss 100 FM	1,147,861				8							8
Kent		y	Fun	1,147,861								8			8
Kent		y	Access Channel	1,147,861								8			8
Kent		y	Chill	1,147,861		8									8
Ashford	y		KMFM Ashford	66,130						1					1
Canterbury	y		KMFM Canterbury	65,624						1					1
Maidstone	y		CTR FM	90,329						1					1
Medway towns	y		KMFM Medway	168,629						2					2
Tunbridge wells	y		KMFM Tunbridge	205,987						2					2
Dover/Folkestone	y		KMFM	107,209						2					2
Thanet	y		KMFM	93,169						1					1
															0
															0
															0
															0
															0
															0
															0
															0
															0
						0	32	0	8	0	18	0	16		74
						0.0%	43.2%	0.0%	10.8%	0.0%	24.3%	0.0%	21.6%		100.0%

Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))
>1,000,000	8	

Multiplex area		Lancashire													
TOTAL POPULATION				1,328,578											
AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	TLRC	UBC	Other	TOTAL		
Blackpool	y		Wave	227,322	2										
Blackburn	y		Bee	164,096								2		2	
Burnley	y		2BR	185,215						2				2	
Preston & Chorley	y		Proud (not on air)	270,000	2									2	
Lancashire	y	y	Rock FM	1,328,578				8						8	
Lancashire	y	y	Magic 999	1,328,578				8						8	
Lancashire		y	3C	1,328,578				8						8	
Lancashire		y	Classic Gold	1,328,578							8			8	
Lancashire		y	Heat	1,328,578				8						8	
Lancashire		y	Kerrang!	1,328,578				8						8	
Lancashire		y	Kiss	1,328,578				8						8	
Lancashire		y	Smash Hits	1,328,578				8						8	
Lancashire		y	Xfm	1,328,578		8								8	
N W England		y	Arrow	1,328,578			8							8	
N W England		y	Capital Disney	1,328,578		8								8	
N W England		y	Choice	1,328,578		8								8	
N W England		y	LBC	1,328,578			8							8	
N W England	y	y	Galaxy	1,328,578			8							8	
N W England		y	Heart	1,328,578			8							8	
N W England		y	Real	1,328,578				8						8	
N W England	y	y	Century	1,328,578				8						8	
N W England	y	y	Smooth	1,328,578				8						8	
														0	
															0
					2	24	32	56	24	2	8	2		150	
					1.3%	16.0%	21.3%	37.3%	16.0%	1.3%	5.3%	1.3%		100.0%	
Station pop				Points	RULES										
<100,000				1	A single owner cannot account for more than 66% of the total number of points										
100-300,000				2	This rule only applies in areas where there are more than 20 points in total										
300,000 - 500,000				3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included										
500,000 - 1,000,000				5	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))										
>1,000,000				8											

Multiplex area Leicester
 TOTAL POPULATION 722,711

AREA	An.	DAB	STATION	POPULATION	Ownership										
					CN	Gcap	Chrysalis	Emap	GMG	Lincs	UBC	Other	TOTAL		
East Midlands	y		Saga	564,569						5					5
Leicester	y	y	Heart	722,711			5								5
Leicester	y	y	Sabras	722,711								5			5
Leicester	y	y	Leicester Sound	722,711		5									5
Leicester		y	A Plus	722,711								5			5
Leicester		y	Capital Disney	722,711		5									5
Leicester		y	Chill	722,711		5									5
Leicester		y	Classic Gold	722,711							5				5
Leicester		y	Galaxy	722,711			5								5
Leicester		y	Xfm	722,711		5									5
Hinckley	y		Fosseway	55,990							1				1
Loughborough	y		Oak	77,873							1				1
					0	20	10	0	5	2	5	10		52	

	0.0%	38.5%	19.2%	0.0%	9.6%	3.8%	9.6%	19.2%	100.0%
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Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))

Multiplex area		Liverpool													
TOTAL POPULATION				1,819,227											
AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	TLRC	UBC	Other	TOTAL		
Liverpool		y	Radio City 96.7	1,819,227				8							8
Liverpool		y	Magic 1548	1,819,227				8							8
Liverpool		y	Classic Gold	1,819,227							8				8
Liverpool		y	3C	1,819,227				8							8
Liverpool		y	XFM Manchester	1,819,227		8									8
Liverpool		y	Kiss	1,819,227				8							8
Liverpool		y	Smash Hits	1,819,227				8							8
Liverpool		y	Kerrang 105.2 FM	1,819,227				8							8
Liverpool		y	Heat	1,819,227				8							8
N W England		y	Arrow	1,819,227			8								8
N W England		y	Capital Disney	1,819,227		8									8
N W England		y	Choice	1,819,227		8									8
N W England		y	LBC	1,819,227			8								8
N W England	y	y	Galaxy	1,819,227			8								8
N W England		y	Heart	1,819,227			8								8
N W England		y	Real	1,819,227					8						8
N W England	y	y	Century	1,819,227					8						8
N W England	y	y	Smooth	1,819,227					8						8
Chester		y	Dee	98,745									1		1
Knowsley FM		y	KCR FM	231,468									2		2
Liverpool		y	Juice	675,905	5										5
Southport		y	Dune	158,812						2					2
Warrington		y	Wire	189,091	2										2
Wigan		y	Wish	370,562	3										3
Wrexham AM		y	Classic Gold Marcher	319,793								3			3
Wrexham FM		y	Marcher Sound	503,620		5									5
Liverpool		y	CityTalk (not on air)	1,400,000				8							8
					10	29	32	64	24	2	11	3	175		
					5.7%	16.6%	18.3%	36.6%	13.7%	1.1%	6.3%	1.7%	100.0%		
Station pop				Points	RULES										
<100,000				1	A single owner cannot account for more than 66% of the total number of points										
100-300,000				2	This rule only applies in areas where there are more than 20 points in total										
300,000 - 500,000				3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included										
500,000 - 1,000,000				5	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals)										
>1,000,000				8											

Multiplex area	London
TOTAL POPULATION	9,812,248

AREA	An.	DAB	STATION	POPULATION	Ownership									
					UTV	Gcap	Chrysalis	Emap	GMG	SMG	UBC	Other	TOTAL	
London	y	y	Capital 95.8	9,812,248		8								8
London	y	y	Capital Gold	9,812,248		8								8
London	y	y	Xfm	9,812,248		8								8
London 1	y	y	Magic 105.4 FM	9,812,248				8						8
London 1	y	y	LBC 97.3	9,812,248			8							8
London 1	y	y	Sunrise Radio	9,812,248								8		8
London 1	y	y	Kiss 100 FM	9,812,248				8						8
London 1	y	y	LBC 1152	9,812,248			8							8
London 1		y	Century Digital	9,812,248					8					8
London 1		y	Capital Disney	9,812,248		8								8
London 1		y	Smash Hits	9,812,248				8						8
London 2		y	Virgin Radio Xtreme	9,812,248						8				8
London 2	y	y	Heart 106.2	9,812,248			8							8
London 2		y	The Hits	9,812,248				8						8
London 2	y	y	Spectrum	9,812,248								8		8
London 2		y	UCB UK	9,812,248								8		8
London 2	y	y	102.2 Smooth Radio	9,812,248					8					8
London 2		y	Galaxy Digital	9,812,248			8							8
London 2		y	Yarr Radio	9,812,248								8		8
London 2		y	Kerrang 105.2 FM	9,812,248				8						8
London 3		y	Fun	8,990,511								8		8
London 3		y	Virgin Radio Groove	8,990,511						8				8
London 3		y	The Arrow	8,990,511			8							8
London 3	y	y	Choice FM (Brixton)	8,990,511		8								8
London 3		y	Virgin Classic Rock	8,990,511						8				8
London 3		y	Passion for the Plane	8,990,511								8		8
London 3		y	Gaydar	8,990,511								8		8
London 3		y	Easy Radio	8,990,511								8		8
London 3	y	y	Premier Christian Rac	8,990,511								8		8
London 3		y	Panjab Radio	8,990,511								8		8
London 3		y	Classic Gold Digital	8,990,511							8			8
London 3		y	Heat	8,990,511				8						8
London 3		y	Chill	8,990,511		8								8
Aylesbury	y		Mix 96	130,976								2		2

Guildford AM	y	County Sound	514,165						5	5
Guildford FM	y	Eagle	514,219						5	5
Haringey	y	LGR	1,012,200						8	8
Harlow	y	Ten 17	106,367	2						2
Havering	y	Time FM	330,204						3	3
Hertford	y	Hertbeat	119,807						2	2
High Wycombe	y	Mix 107	100,854						2	2
Kingston	y	Raido Jackie	376,096						3	3
Lewisham	y	South FM	423,171						3	3
London AM4	y	KATR	6,257,100						8	8
London AM7	y	Club Asia	7,064,837						8	8
Maidstone	y	CTR	86,486						1	1
Medway Towns	y	KMFM Medway	167,991						2	2
North London AM	y	London Turkish	1,913,287						8	8
North London FM	y	Choice North London	1,928,276	8						8
Reigate/Crawley AM	y	Classic Gold 1521	497,622				3			3
Reigate/Crawley FM	y	Mercury FM	404,857	3						3
Slough	y	Time 106.6	360,823						3	3
St Albans	y	Mercury 96.6	293,347						2	2
Thamesmead	y	Time FM	399,013						3	3
Tunbridge Wells	y	KMFM Tunbridge	205,987						2	2
0										
0 61 40 48 16 24 11 150 350										

				0.0%	17.4%	11.4%	13.7%	4.6%	6.9%	3.1%	42.9%	100.0%
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Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))

Multiplex area	Manchester
TOTAL POPULATION	2,465,786

AREA	An.	DAB	STATION	POPULATION	Ownership									
					UTV	Gcap	Chrysalis	Emap	GMG	TLRC	UBC	Other	TOTAL	
Bolton	y		Tower	292,762	2									2
Manchester	y		Rocktalk	1,450,000					8					8
Manchester	y	y	Asian Sound	2,465,786								8		8
Manchester	y	y	Capital Gold	2,465,786		8								8
Manchester		y	Kerrang	2,465,786				8						8
Manchester	y	y	Key	2,465,786				8						8
Manchester		y	Kiss	2,465,786				8						8
Manchester	y	y	Magic	2,465,786				8						8
Manchester		y	Smash Hits	2,465,786				8						8
Manchester	y	y	Xfm	2,465,786		8								8
N W England		y	Arrow	2,465,786			8							8
N W England		y	Capital Disney	2,465,786		8								8
N W England		y	Choice	2,465,786		8								8
N W England		y	LBC	2,465,786			8							8
N W England	y	y	Galaxy	2,465,786			8							8
N W England		y	Heart	2,465,786			8							8
N W England		y	Real	2,465,786					8					8
N W England	y	y	Century	2,465,786					8					8
N W England	y	y	Smooth	2,465,786					8					8
Oldham	y		Revolution	673,539								5		5
Stockport	y		Imagine	462,925	3									3
Warrington	y		Wire	207,410	2									2
					7	32	32	40	32	0	0	13	156	

					4.5%	20.5%	20.5%	25.6%	20.5%	0.0%	0.0%	8.3%	100.0%	

Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals)

Multiplex area		Northern Ireland													
TOTAL POPULATION		1,314,520													
AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	CN	NMG	Other	TOTAL		
Northern Ireland	y	y	Downtown Radio	1,314,520				8							8
Northern Ireland	y	y	Cool FM	1,314,520				8							8
Northern Ireland	y	y	Q102.9 FM	1,314,520							8				8
Northern Ireland	y	y	City Beat 96.7	1,314,520						8					8
Northern Ireland	y	y	Classic FM	1,314,520		8									8
Northern Ireland	y	y	Kiss 100 FM	1,314,520				8							8
Northern Ireland	y	y	talkSPORT	1,314,520	8										8
Northern Ireland	y	y	3C	1,314,520				8							8
Ballymena	y		Seven FM	86,328							1				1
Belfast	y		U105	603,996	5										5
Coleraine	y		Q97.2	44,948							1				1
Mid Ulster	y		Six FM	54,449							1				1
Omagh	y		Q101.2	81,247							1				1
Newry	y		Five FM	66,000							1				1
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
															0
						13	8	0	32	0	8	13	0		74
						17.6%	10.8%	0.0%	43.2%	0.0%	10.8%	17.6%	0.0%		100.0%
Station pop			Points		RULES										
<100,000			1		A single owner cannot account for more than 66% of the total number of points										
100-300,000			2		This rule only applies in areas where there are more than 20 points in total										
300,000 - 500,000			3		Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included										
500,000 - 1,000,000			5		Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))										
>1,000,000			8												

Multiplex area **Norwich**
 TOTAL POPULATION 593,301

AREA	An.	DAB	STATION	POPULATION	Ownership							TOTAL	
					UTV	Gcap	Chrysalis	Emap	GMG	Tindle	UBC		Other
Norwich		y	Access	593,301								5	5
Norwich	y	y	Beach	593,301						5			5
Norwich	y	y	Broadland	593,301		5							5
Norwich		y	Chill	593,301		5							5
Norwich	y	y	Classic Gold	593,301							5		5
Norwich		y	Smash Hits	593,301				5					5
Norwich	y	y	Kiss 105-6	593,301				5					5
Norwich		y	Xfm	593,301		5							5
Norwich	y		Radio Norwich	350,000						3			3
North Norfolk	y		North Norfolk	33,750						1			1
													0
													0
													0
													0
													0
													0
													0
													0
													0
													0
													0
													0
													0
													0
					0	15	0	10	0	9	5	5	44
					0.0%	34.1%	0.0%	22.7%	0.0%	20.5%	11.4%	11.4%	100.0%
Station pop				Points	RULES								
<100,000				1	A single owner cannot account for more than 66% of the total number of points This rule only applies in areas where there are more than 20 points in total Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals)								
100-300,000				2									
300,000 - 500,000				3									
500,000 - 1,000,000				5									
>1,000,000				8									

<u>Multiplex area</u>		<u>Peterborough</u>	
TOTAL POPULATION		385,743	

AREA	An.	DAB	STATION	POPULATION	Ownership									
					UTV	Gcap	Chrysalis	Emap	GMG	Lincs	UBC	Other	TOTAL	
Peterborough	y	y	Hereward FM	385,743		3								
Peterborough	y	y	Classic Gold 1332 AM	385,743							3			3
Peterborough		y	Kiss	385,743				3						3
Peterborough		y	Smash Hits	385,743				3						3
Peterborough		y	Passion for the Plane	385,743								3		3
Peterborough		y	Chill	385,743		3								3
Peterborough		y	Access Channel	385,743									3	3
Peterborough	y	y	Lite FM	136,403									2	2
Rutland	y		Rutland Radio	32,012						1				1
														0
														0
														0
														0
														0
														0
														0
														0
														0
														0
														0
														0
														0
														0
					0	6	0	6	0	1	3	8	24	
					0.0%	25.0%	0.0%	25.0%	0.0%	4.2%	12.5%	33.3%	100.0%	

Station pop	Points
<100,000	1
100-300,000	2
300,000 - 500,000	3
500,000 - 1,000,000	5
>1,000,000	8

RULES

A single owner cannot account for more than 66% of the total number of points

This rule only applies in areas where there are more than 20 points in total

Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included

Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals)

<u>Multiplex area</u>		<u>Plymouth</u>		TOTAL POPULATION									
				<i>325,958</i>									
AREA	An.	DAB	STATION	POPULATION	Ownership								
				UTV	Gcap	Chrysalis	Emap	GMG	UKRD	UBC	Other	TOTAL	
Plymouth	y	y	Plymouth Sound	325,958		3						3	
Plymouth		y	Kiss 100 FM	325,958			3					3	
Plymouth		y	XFM	325,958		3						3	
Plymouth		y	Chill	325,958		3						3	
Plymouth		y	Access Channel	325,958							3	3	
Plymouth	y	y	Classic Gold 1152	325,958						3		3	
Cornwall	y		Atlantic FM	237,429							2	2	
Plymouth	y		Diamond FM (not on air)	200,000							2	2	
												0	
												0	
												0	
												0	
												0	
												0	
												0	
												0	
												0	
												0	
												0	
												0	
												0	
												0	
					0	9	0	3	0	0	3	7	22
					0.0%	40.9%	0.0%	13.6%	0.0%	0.0%	13.6%	31.8%	100.0%
Station pop				Points	RULES								
<100,000				1	A single owner cannot account for more than 66% of the total number of points								
100-300,000				2	This rule only applies in areas where there are more than 20 points in total								
300,000 - 500,000				3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included								
500,000 - 1,000,000				5	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))								
>1,000,000				8									

Multiplex area		Reading													
TOTAL POPULATION				636,144											
AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	Tindle	UBC	Other	TOTAL		
Reading	y	y	2-Ten FM	636,144		5								5	
Reading	y	y	Classic Gold	636,144							5			5	
Reading		y	XFM	636,144		5								5	
Reading		y	Chill	636,144		5								5	
Reading		y	Kiss 100 FM	636,144				5						5	
Reading		y	Our Kind of Music	636,144								5		5	
Reading		y	Access Channel	636,144								5		5	
Reading		y	Fun	636,144								5		5	
Basingstoke	y		Kestrel	99,745						1				1	
Newbury	y		Kick FM	67,103						1				1	
Reading	y		Reading 107	213,772								2		2	
														0	
															0
															0
															0
															0
															0
															0
															0
															0
															0
					0	15	0	5	0	2	5	17		44	
					0.0%	34.1%	0.0%	11.4%	0.0%	4.5%	11.4%	38.6%		100.0%	
Station pop				Points	RULES										
<100,000				1	A single owner cannot account for more than 66% of the total number of points										
100-300,000				2	This rule only applies in areas where there are more than 20 points in total										
300,000 - 500,000				3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included										
500,000 - 1,000,000				5	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))										
>1,000,000				8											

Multiplex area	South Yorks	
TOTAL POPULATION	1,253,127	

AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	Lincs	UBC	Other	TOTAL		
South Yorks	y	y	Hallam FM	1,253,127				8						8	
South Yorks	y	y	Magic AM	1,253,127				8						8	
South Yorks		y	XFM	1,253,127		8								8	
South Yorks		y	Trax FM	1,253,127						8				8	
South Yorks		y	Classic Gold Digital	1,253,127							8			8	
South Yorks		y	Kiss 100 FM	1,253,127				8						8	
South Yorks		y	Smash Hits	1,253,127				8						8	
South Yorks		y	Kerrang 105.2 FM	1,253,127				8						8	
South Yorks		y	Heat	1,253,127				8						8	
Yorkshire		y	Capital Disney	1,253,127		8								8	
Yorkshire		y	Urban Choice	1,253,127		8								8	
Yorkshire		y	Heart	1,253,127			8							8	
Yorkshire		y	102.2 Smooth FM	1,253,127					8					8	
Yorkshire		y	The Arrow	1,253,127			8							8	
Yorkshire		y	LBC	1,253,127			8							8	
Yorkshire	y	y	Galaxy 105	1,253,127			8							8	
Yorkshire	y	y	Real Radio	1,253,127					8					8	
Yorkshire		y	Yorkshire Radio	1,253,127								8		8	
Barnsley	y		Dearne	172,319						2				2	
Chesterfield	y		Peak	135,760								2		2	
Rotherham	y		Rother FM	385,235						3				3	
					0	24	32	48	16	13	8	10	151		
					0.0%	15.9%	21.2%	31.8%	10.6%	8.6%	5.3%	6.6%	100.0%		

Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))

Multiplex area

Southend

TOTAL POPULATION

1,290,796

AREA	An.	DAB	STATION	POPULATION	Ownership									
					UTV	Gcap	Chrysalis	Emap	GMG	Tindle	UBC	Other	TOTAL	
Southend	y	y	Essex FM	1,290,796		8								8
Southend	y	y	Breeze 1359 & 1431	1,290,796							8			8
Southend		y	Passion for the Plane	1,290,796								8		8
Southend		y	Kiss 100 FM	1,290,796				8						8
Southend		y	XFM	1,290,796		8								8
Southend		y	Our Kind of Music	1,290,796								8		8
Southend		y	Chill	1,290,796		8								8
Southend		y	Access Channel	1,290,796								8		8
Southend		y	Fun	1,290,796								8		8
Chelmsford	y		Dream 107.7	157,222						2				2
Colchester FM	y		SGR Colchester	131,083		2								2
Harlow	y		Ten 17	85,944		1								1
London AM 3	y		Spectrum	978,348								5		5
Tendring	y		Dream 100	105,035						2				2
Southend	y		Southend Radio (not i	200,000								2		2
														0
														0
														0
														0
														0
														0
														0
						0	27	0	8	0	4	8	39	86

						0.0%	31.4%	0.0%	9.3%	0.0%	4.7%	9.3%	45.3%	100.0%
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Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals)

Multiplex area

Stoke

TOTAL POPULATION

880,440

AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	TLRC	UBC	Other	TOTAL		
Stoke	y	y	Signal 1 FM	880,440	5										5
Stoke	y	y	Signal 2 AM	880,440	5										5
Stoke		y	Smash Hits	880,440				5							5
Stoke		y	Kiss 100 FM	880,440				5							5
Stoke		y	UCB UK	880,440								5			5
Macclesfield	y		Silk FM	106,809						2					2
					10	0	0	10	0	2	0	5	27		

Station pop	Points	RULES
<100,000	1	A single owner cannot account for more than 66% of the total number of points
100-300,000	2	This rule only applies in areas where there are more than 20 points in total
300,000 - 500,000	3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included
500,000 - 1,000,000	5	
>1,000,000	8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals)

37.0%	0.0%	0.0%	37.0%	0.0%	7.4%	0.0%	18.5%	100.0%
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<u>Multiplex area</u>					<u>Teesside</u>									
TOTAL POPULATION					673,138									
AREA	An.	DAB	STATION	POPULATION	Ownership									
					UTV	Gcap	Chrysalis	Emap	GMG	TLRC	UBC	Other	TOTAL	
Teesside	y	y	96.6 TFM	673,138				5						5
Teesside	y	y	Magic 1170	673,138				5						5
Teesside		y	3C	673,138				5						5
Teesside		y	XFM	673,138		5								5
Teesside		y	Classic Gold Digital	673,138							5			5
Teesside		y	Kiss	673,138				5						5
Teesside		y	Smash Hits	673,138				5						5
Teesside		y	Kerrang 105.2 FM	673,138				5						5
Teesside		y	Heat	673,138				5						5
North East England	y	y	Galaxy 105 - 106	673,138			5							5
North East England	y	y	Century Radio	673,138					5					5
North East England		y	Capital Disney	673,138		5								5
North East England		y	Urban Choice	673,138		5								5
North East England		y	Heart 106.2 FM	673,138			5							5
North East England		y	102.2 Smooth FM	673,138					5					5
North East England		y	The Arrow	673,138			5							5
North East England		y	Real Radio	673,138					5					5
North East England		y	LBC	673,138			5							5
Darlington	y		Alpha	106,949						2				2
														0
														0
														0
														0
														0
					0	15	20	35	15	2	5	0		92
					0.0%	16.3%	21.7%	38.0%	16.3%	2.2%	5.4%	0.0%		100.0%
Station pop				Points	RULES									
<100,000				1	A single owner cannot account for more than 66% of the total number of points									
100-300,000				2	This rule only applies in areas where there are more than 20 points in total									
300,000 - 500,000				3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included									
500,000 - 1,000,000				5	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))									
>1,000,000				8										

Multiplex area		Wolverhampton													
TOTAL POPULATION		1,086,632													
AREA	An.	DAB	STATION	POPULATION	Ownership										
					UTV	Gcap	Chrysalis	Emap	GMG	TLRC	UBC	Other	TOTAL		
Wolverhampton	y	y	Beacon FM	1,086,632		8									8
Wolverhampton	y	y	Classic Gold WABC	1,086,632							8				8
Wolverhampton		y	Chill	1,086,632		8									8
Wolverhampton		y	Kiss 100 FM	1,086,632				8							8
Wolverhampton		y	Xfm	1,086,632		8									8
Wolverhampton		y	Sunrise	1,086,632									8		8
Wolverhampton		y	Punjabi Radio	1,086,632									8		8
Wolverhampton		y	Day One Radio	1,086,632									8		8
West Midlands	y	y	Galaxy 102.2	1,086,632			8								8
West Midlands	y	y	100.7 Heart FM	1,086,632			8								8
West Midlands	y	y	Saga Radio	1,086,632					8						8
West Midlands		y	Capital Disney	1,086,632		8									8
West Midlands		y	Smooth FM	1,086,632					8						8
West Midlands		y	The Arrow	1,086,632			8								8
West Midlands		y	Real	1,086,632					8						8
West Midlands		y	LBC	1,086,632			8								8
West Midlands	y	y	Kerrang 105.2 FM	1,086,632				8							8
West Midlands		y	Urban Choice	1,086,632		8									8
Birmingham	y		Radio XL	894,271									5		5
Telford	y		Telford FM	114,120									2		2
Wolverhampton	y		Wolf	329,122	3										3
															0
					3	40	32	16	24	0	8	31			154
					1.9%	26.0%	20.8%	10.4%	15.6%	0.0%	5.2%	20.1%			100.0%
Station pop				Points	RULES										
<100,000				1	A single owner cannot account for more than 66% of the total number of points										
100-300,000				2	This rule only applies in areas where there are more than 20 points in total										
300,000 - 500,000				3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included										
500,000 - 1,000,000				5											
>1,000,000				8	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals))										

Multiplex area		North East Wales & West Cheshire											
TOTAL POPULATION		646,638											
AREA	An.	DAB	STATION	POPULATION	Ownership								
					UTV	Gcap	Chrysalis	Emap	GMG	TLRC	UBC	Other	TOTAL
Chester	y		Dee	109,671								2	2
Wrexham & Deeside	y		Marcher Sound	523,087		5							5
Wrexham & Deeside	y		Classic Gold Marcher	421,794							3		3
NE Wales & W Ches.		y		646,638									0
NE Wales & W Ches.		y		646,638									0
NE Wales & W Ches.		y		646,638									0
NE Wales & W Ches.		y		646,638									0
NE Wales & W Ches.		y		646,638									0
NE Wales & W Ches.		y		646,638									0
NE Wales & W Ches.		y		646,638									0
NE Wales & W Ches.		y		646,638									0
N W England		y	Arrow	526,302			5						5
N W England		y	Capital Disney	526,302		5							5
N W England		y	Choice	526,302		5							5
N W England		y	LBC	526,302			5						5
N W England	y	y	Galaxy	526,302			5						5
N W England		y	Heart	526,302			5						5
N W England		y	Real	526,302					5				5
N W England	y	y	Century	526,302					5				5
N W England	y	y	Smooth	526,302					5				5
Liverpool	y	y	Radio City	494,633				3					3
Liverpool	y	y	Magic 1548	494,633				3					3
Liverpool		y	3C	494,633				3					3
Liverpool		y	Classic Gold	494,633							3		3
Liverpool		y	Heat	494,633				3					3
Liverpool		y	Kerrang!	494,633				3					3
Liverpool		y	Kiss	494,633				3					3
Liverpool		y	Smash Hits	494,633				3					3
Liverpool		y	Xfm	494,633								3	3
					0	18	20	21	15	0	6	2	82
					0.0%	22.0%	24.4%	25.6%	18.3%	0.0%	7.3%	2.4%	100.0%
Station pop				Points	RULES								
<100,000				1	A single owner cannot account for more than 66% of the total number of points								
100-300,000				2	This rule only applies in areas where there are more than 20 points in total								
300,000 - 500,000				3	Any analogue station which has at least 66% of its total population coverage within the multiplex area or which covers at least 66% of the total multiplex area is included								
500,000 - 1,000,000				5	Points for each station are based on its total population coverage (although no station can have a coverage greater than the total population of the area (e.g. only the pop in the mux area is counted for regionals)								
>1,000,000				8									

Annex 9

Community Radio Order 2004

This is a reproduction of the Order without the accompanying schedule which modifies certain provisions of the Broadcasting Act 1990 and the Communications Act 2003, so far as they relate to community radio. See annex 10 for key provisions of the Broadcasting Act 1990 as modified by the schedule.

Citation and commencement

1. - (1) This Order may be cited as the Community Radio Order 2004.

(2) This Order shall come into force on the day after the day on which it is made.

Interpretation

2. - (1) In this Order -

"the 1990 Act" means the Broadcasting Act 1990;

"the 2003 Act" means the Communications Act 2003;

"community" means -

(a) the persons who live or work or undergo education or training in a particular area or locality, or

(b) persons who (whether or not they fall within paragraph (a)) have one or more interests or characteristics in common;

"community radio licence" means a licence under Part 3 of the 1990 Act (as it has effect by virtue of this Order) to provide a community radio service; "community radio service" means a local service having the characteristics set out in article 3;

"coverage area" means, in relation to a service provided under a local sound broadcasting licence, the area in the United Kingdom within which that service is capable of being received at a level satisfying such technical standards as have been laid down by OFCOM for the purposes of Part 2 of the Media Ownership (Local Radio and Appointed News Provider) Order 2003 in relation to such a service;

"local authority" has the meaning given in paragraph 1(1) of Part 1 of Schedule 2 to the 1990 Act;

"local service", "national service" and "restricted service" each has the meaning given in section 245(4) of the 2003 Act;

"potential audience" means, in relation to any local service, the persons who reside within the coverage area for that service;

"social enterprise" means a business which has as its primary objective the support of one or more projects of a social nature (rather than the production of a financial profit);

"social gain" has the meaning given by paragraph (2).

(2) In relation to a community radio service, "social gain" means the achievement, in respect of individuals or groups of individuals in the community that the service is intended to serve, or in respect of other members of the public, of the following objectives -

(a) the provision of sound broadcasting services to individuals who are otherwise underserved by such services,

- (b) the facilitation of discussion and the expression of opinion,
- (c) the provision (whether by means of programmes included in the service or otherwise) of education or training to individuals not employed by the person providing the service, and
- (d) the better understanding of the particular community and the strengthening of links within it,

and may also include the achievement of other objectives of a social nature and, in particular, those mentioned in paragraph (3).

(3) Those objectives are -

- (a) the delivery of services provided by local authorities and other services of a social nature and the increasing, and wider dissemination, of knowledge about those services and about local amenities;
- (b) the promotion of economic development and of social enterprises;
- (c) the promotion of employment;
- (d) the provision of opportunities for the gaining of work experience;
- (e) the promotion of social inclusion;
- (f) the promotion of cultural and linguistic diversity;
- (g) the promotion of civic participation and volunteering.

(4) For the purposes of this Order, two local sound broadcasting licences overlap if (but only if) the potential audience of the service provided under either of those licences includes 50 per cent. or more of the potential audience of the service provided under the other licence.

(5) In this Order, in relation to any service which is intended to serve more than one community, any reference to the community which that service is intended to serve shall be taken to include a reference to every such community.

(6) In this Order, one person shall be treated as being connected with another person if he would be so treated for the purposes of Schedule 2 to the 1990 Act.

Characteristics of community radio services

3. - (1) It is a characteristic of community radio services that they are local services provided primarily -

- (a) for the good of members of the public, or of particular communities, and
- (b) in order to deliver social gain,

rather than primarily for commercial reasons or for the financial or other material gain of the individuals involved in providing the service.

(2) It is a characteristic of every community radio service that it is intended primarily to serve one or more communities (whether or not it also serves other members of the public).

(3) It is a characteristic of every community radio service that the person providing the service -

- (a) does not do so in order to make a financial profit by so doing, and
- (b) uses any profit that is produced in the provision of the service wholly and exclusively for securing or improving the future provision of the service, or for the delivery of social gain to members of the public or the community that the service is intended to serve.

(4) It is a characteristic of every community radio service that members of the community it is intended to serve are given opportunities to participate in the operation and management of the service.

(5) It is a characteristic of every community radio service that, in respect of the provision of that service, the person providing the service makes himself accountable to the community that the service is intended to serve.

Application of broadcasting legislation

4. The provisions of the 1990 Act and the 2003 Act shall have effect in relation to a community radio service with the modifications set out in the Schedule.

Amendment of the Media Ownership (Local Radio and Appointed News Provider) Order 2003

5. The Media Ownership (Local Radio and Appointed News Provider) Order 2003 shall be amended by inserting after article 2 the following article -

"Community radio licences

2A. Nothing in this Order shall apply in respect of -

- (a) any local sound broadcasting service that is a community radio service, as defined by article 2(1) of the Community Radio Order 2004, or
- (b) any licence to provide such a service."

Disqualified persons

6. - (1) In addition to the modifications made by article 4 of, and the Schedule to, this Order, Part 2 of Schedule 2 to the Broadcasting Act 1990 shall have effect in relation to community radio licences as if the persons who are disqualified persons by virtue of that Part of that Schedule included, in relation to such licences, any person falling within paragraph (2).

(2) Those persons are -

- (a) any person who is not a body corporate;
- (b) any body corporate falling within paragraph (3); and
- (c) any C4 company or S4C company that would not otherwise be a disqualified person by virtue of paragraph (3).

(3) A body corporate falls within this paragraph if -

- (a) that body holds at least one relevant Broadcasting Act licence, or
- (b) that body is connected with a person who holds one or more such licences.

(4) In this article, a relevant Broadcasting Act licence is a Broadcasting Act licence which is not a licence to provide one of the following services -

- (a) a community radio service;
- (b) a digital sound programme service;
- (c) a restricted service;
- (d) a radio licensable content service;

- (e) a restricted television service;
- (f) a television licensable content service.

Restrictions on holding of community radio licences

7. - (1) No body corporate may hold more than one community radio licence at any one time.

(2) For the purposes of this article, any body corporate which is connected with another such body which holds such a licence shall be treated as if it also were a holder of that licence.

Secretary of State for Culture Media and Sport

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Annex 10

Key sections of the Broadcasting Act 1990

This annex sets out the sections of the Broadcasting Act 1990 (as amended by the Communications Act 2003) that have been modified by the Community Radio Order 2004.

Licences

Section 86 – Licence under Part III

- (1) ...
- (2) ...
- (3) A licence to provide a community radio service must specify a period of no more than five years as the period for which it is to be in force.

Applications for licences

Section 104

- (1) Where OFCOM propose to grant a licence to provide a community radio_ service, they shall publish, in such a manner as they consider appropriate, a notice-
 - a. stating that they propose to grant such a licence;
 - b. specifying any areas or localities in the United Kingdom in relation to which no applications may be made;
 - c. inviting applications for the licence and specifying the closing date for applications; and
 - d. stating the fee payable on any application made in pursuance of the notice.
- (2) Any application made in pursuance of a notice under subsection (1) must be in writing and accompanied by –
 - a. the fee specified in the notice under paragraph (d) of that subsection;
 - b. the applicant's proposals for providing a service that would –
 - i. cater for the tastes and interests of persons comprising the relevant community or for any particular tastes and interests of such persons,
 - ii. broaden the range of programmes available by way of local services to persons comprising of that community';
 - iii. broaden the range of local services provided in the area or locality in which the proposed service would be provided, and
 - iv. be of a nature or have a content distinct from that of any local service the licence for which would overlap with that for the proposed service;
 - ba. evidence that the provision of the service will result in the delivery of significant social gain to the public or the relevant community;
 - c. such information as OFCOM may reasonably require-
 - i. as to the applicant's present financial position and his projected financial position (with regard, in particular, to the number and nature of any persons from whom he proposes to receive the income required to provide the proposed service and the proportion of that income that he proposes to receive from each of those persons) during the period for which the licence would be in force, and
 - ii. as to the arrangements which the applicant proposes to make for, and in connection with, the transmission of his proposed service, and

- iii. as to the effect that the provision of the service would be likely to have on the economic viability of any other local service;
 - d. such other information as OFCOM may reasonably require for the purpose of considering the application.
- (3) At any time after receiving such an application and before determining it OFCOM may require the applicant to furnish additional information under subsection (2)(b), (ba), (c) or (d).
- (4) OFCOM shall, at the request of any person and on the payment by him of such sum (if any) as OFCOM may reasonably require, make available for inspection by that person any information furnished under subsection (2) (b) or (ba) by the applicants for a community radio licence.
- (5) [repealed]
- (6) ...
- (7) In this section and sections 105 and 106 “programme” does not include an advertisement.

Sections 104 (a) renewal of local licences and 104B (b) (special application procedure) shall not have effect.

Grant of Licences

Section 105

- (1) Where OFCOM have published a notice under section 104 (1), they shall, in determining whether, or to whom, to grant the community radio licence in question, having regard to the following matters, namely –
 - a. the ability of each of the applicants for the licence to maintain, through the period for which the licence would be in force, the service which he proposes to provide;
 - b. the extent to which any such proposed service would cater for the tastes and interests of persons comprising the relevant community, and, where it is proposed to cater for any particular tastes and interests of such persons, the extent to which the service would cater for those tastes and interests;
 - c. the extent to which any proposed service would broaden the range of programmes available by way of local services to persons living in the area or locality in which it would be provided, and, in particular, the extent to which the service would be of a nature or have a content distinct from that of any other local service the licence for which would overlap with the licence for the proposed service;
 - d. the extent to which there is evidence that, amongst persons living in that area or locality, there is a demand for, or support for, the provision of the proposed service;
 - e. the extent to which the provision of any such proposed service would result in the delivery of social gain to the public or relevant community;
 - f. the provision that each of the applicants proposes to make in order to render himself accountable to the relevant community in respect of the provision of the proposed service;

- g. the provision of each of the applicants proposes to make to allow for access by members of the relevant community to the facilities to be used for the provision of the service and for their training in the use of those facilities.
- (2) OFCOM shall not grant a community radio licence to any applicant who proposes to receive from –
- a. any one person, or
 - b. from any one person and any other persons connected with him, taken together,
- more than 50 per cent. of the income that would be required in each financial year of the applicant to provide the proposed service in that year.
- (3) Where OFCOM have published a notice under section 104 (1), in the case of a proposal of their to grant a licence to provide a community radio service, they shall, in determining-
- a. whether, or to whom, to grant the licence in question, and
 - b. if they grant it, the terms on which it is granted,
- have regard to the need to ensure that any service provided under that licence does not prejudice unduly the economic viability of any other local service.
- (4) Accordingly, and without prejudice to the generality of subsection (3) –
- a. OFCOM shall not grant a licence to provide a community radio service in any case where the licence, if granted, would overlap with another local licence for a service, other than a community radio service, the potential audience of which includes no more than 50,000 persons who have attained the age of 15 years;
 - b. every licence to provide a community radio service that overlaps with any other local licence the potential audience of which includes more than 50,000 persons who have attained the age of 15 years, but no more than 150,000 such persons, must contain such conditions as appear to OFCOM to be appropriate for prohibiting –
 - i. the inclusion in that service of any remunerated advertisement, and
 - ii. the sponsorship of any programmes included in that service; and
 - c. every licence to provide a community radio service, other than a licence to provide a service such as falls within paragraph (b) above, must contain the conditions mentioned in subsection (5).
- (5) Subject to subsection (6), the conditions are those that appear to OFCOM to be appropriate, in the case of the community radio licence in question, for ensuring that the amount of such of the relevant income for that licence as is attributable to any arrangements for-
- a. the inclusion in the service provided under that licence of any remunerated advertisement, or
 - b. the sponsorship of any programmes included in that service,
- does not, in any financial year of the licence holder, exceed such proportion of the total relevant income for that licence in that year as may be specified in those conditions.
- (6) Any condition imposed by OFCOM pursuant to subsection (4) (c) must specify such proportion of that total relevant income as –
- a. appears to OFCOM to be likely to secure the result that –
 - i. the inclusion in the service provided under that licence of remunerated advertisements, and
 - ii. the sponsorship of programmes included in that service,
- do not prejudice unduly the economic viability of any other local service; and

- b. is such as to secure that 50 per cent. of that income, or some lesser proportion of it, is attributable to the arrangements mentioned in subsection (5) (a) and (b).

(7) In this section –

“relevant income”, in relation to any community radio licence, means any payment or other financial benefit (whether direct or indirect) attributable to the provision of the service under that licence which any relevant person has received, will receive or is or will be entitled to receive in the financial year in question;

“relevant person”, in relation to a community radio licence, means the holder of that licence and every person who is connected with him; and

“remunerated advertisement”, in relation to a service provided under a community radio licence, means any advertisement included in that service for which any relevant person has received, will receive or is or will be entitled to receive, any payment or other financial benefit (whether direct or indirect) in consideration for so including it.

- (8) Any reference in this section to sponsorship does not include a reference to any payment made, or other financial benefit (whether direct or indirect) conferred, by a person for purposes that are wholly or mainly philanthropic in nature.

Requirements as to character and coverage of services

Section 106

- (1) A community radio shall include such conditions as appear to OFCOM to be appropriate for securing that the character of the licensed service, as proposed by the licence holder when making his application, is maintained during the period for which the licence is in force.
- (1A) Conditions included in a licence for the purposes of subsection (1) may provide that OFCOM may consent to a departure from the character of the licensed service if, and only if, they are satisfied –
 - a. that the departure would not substantially alter the character of the service;
 - b. that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons comprising the relevant community;
 - c. [omitted for community radio licences];
 - d. that, there is evidence that, amongst persons comprising that community, there is a significant demand for, or significant support for, the change that would result from the departure;
 - e. that the departure would not be prejudicial to the access by members of that community to the facilities used for the provision of the service and for training in the use of those facilities;
 - f. that the departure would not be prejudicial to the delivery of social gain resulting from the provision of the service provided under that licence.
- (1B) The matters to which OFCOM must have regard in determining for the purposes of this section the character of a service provided under a community radio licence include, in particular, the selection of spoken material and music in programmes included in the service.

- (1C) Without prejudice to the generality of subsection (1), a community radio licence shall include such conditions as appear to OFCOM to be appropriate for securing that the holder of the licence does not enter into, or remain subject to, any arrangement if an effect or that arrangement is to allow another holder of a Broadcasting Act licence or the BBC or the Welsh Authority to exercise an undue influence over the nature and content of the programmes included in the service provided under that licence.
- (1D) In subsection (1C), “arrangement” includes any agreement or arrangement with one or more other persons, whether or not it is, or is intended to be, legally enforceable.
- (2) Without prejudice to the generality of the provisions in subsections (1) to (1D), a community radio licence shall include such conditions as OFCOM consider are appropriate to ensure that the licence holder provides the service described in the application for that licence.
- (3) ...
- (4) Subject to subsection (5), OFCOM may, if they think fit, authorise the holder of a community radio licence, by means of a variation of his licence to that effect, to provide the licensed service for any additional area or locality adjoining the area or locality in which that service has previously been licensed to be provided.
- (5) OFCOM shall only exercise the power conferred on them by subsection (4) if it appears to them –
- a. that to do so would not result in a significant increase of the area or locality in which the service in question is licensed to be provided; or
 - b. that the increase that would result is justifiable in the exceptional circumstances of the case.
- (6) As soon as practicable after OFCOM have exercised that power in relation to any service, they shall publish, in such manner as they consider appropriate, a notice –
- a. stating that they have exercised that power in relation to that service; and
 - b. giving details of the additional area or locality in which that service is licensed to be provided.
- (7) In this section “relevant independent radio services” means the following services so far as they are services falling to be regulated under section 245 of the Communications Act 2003 –
- a. sound broadcasting services;
 - b. radio licensable content services;
 - c. additional services;
- but, in relation to a departure from the character of a service provided under a community radio licence, does not include a service that is provided otherwise than wholly or mainly for reception by persons comprising the relevant community in question.

Annex 11

Frequency availability for community radio

- A11.1 Ofcom was very pleased to have been able to award such a large number of community radio licences in the first round of licensing. However, there was serious difficulty in identifying suitable FM frequencies in some areas in the first round. Ofcom has been able to identify a number of areas in the country where it is unlikely that suitable frequency resources remain available for further community stations to be licensed on FM (VHF Band II) spectrum (even taking into consideration the possibility of licensing some services for mono-only broadcasting, for example) in this round.
- A11.2 As a result, Ofcom will NOT accept applications proposing to serve on FM localities in any of the following areas of the UK, in this round. It is important to note that this list may not be exhaustive. In some areas of the country Ofcom has not carried out a detailed audit of frequency availability for community radio. This means that Ofcom may not be able to identify suitable FM frequencies in some areas not included in the following list.

Scotland and Northern Ireland

- City of Edinburgh Unitary Authority
- Glasgow City Unitary Authority

West and South Yorkshire and the Humber

- Leeds Metropolitan District

North Wales and northwest England

- Cheshire – Vale Royal District
- Lancashire – Chorley District
- Oldham Metropolitan District
- Tameside District
- Wirral Metropolitan District

West Midlands, east Midlands and Lincolnshire

- Birmingham Metropolitan District
- City of Nottingham
- Nottinghamshire – Gedling District
- Telford & Wrekin Unitary Authority
- City of Wolverhampton Metropolitan District

East and southeast England, including London

- Harlow District
- London (Boroughs of Barking & Dagenham, Barnet, Bexley, Brent, Camden, City of London, City of Westminster, Ealing, Enfield, Greenwich, Hackney, Hammersmith & Fulham, Haringey, Havering, Hillingdon, Hounslow, Islington, Kensington & Chelsea, Lambeth, Lewisham, Newham, Southwark, Redbridge, Richmond Upon Thames, Tower Hamlets, Waltham Forest, Wandsworth.)*
- Stevenage District

*(N.B. The London Boroughs of Harrow, Kingston upon Thames, Merton, Sutton, Croydon and Bromley are not on this list. There remains the possibility that suitable frequencies may be identified in these areas.)

A11.3 A limited number of medium wave frequencies may be available in some of these areas. However medium wave frequencies are generally heavily used and Ofcom has not carried out a frequency audit of these resources for community radio. Therefore, in some locations, it may not be possible to identify any suitable frequencies, either on FM or medium wave.

A11.4 In and around the areas listed above, and generally in urban areas of the UK, as well as some coastal regions (e.g. Kent, the south coast and Norfolk) we expect there to be a shortage of suitable FM frequencies. In some cases, if we are able to license services in such areas they may be for areas of significantly less than a 5km radius (in general we endeavour to identify a frequency that would deliver coverage of up to a maximum of 5km radius for FM community radio services). In some cases licences may only be available for broadcasting on FM in mono, rather than stereo. In some of these areas, the letters of intent we have received indicate that we may get a high number of applications. In such cases, should applications be considered to merit a licence award, Ofcom may need to decide between applicants if there are insufficient frequencies available to offer licences to all.

Annex 12

The Community Media Charter

The Community Media Association has adopted the following ten-point code of practice, **The Community Media Charter**:

Recognising that Community Media foster the freedom of expression and information, the development of culture, the freedom to form and confront opinions and active participation in local life; noting that different cultures and communities lead to a diversity of forms of Community Media; this Charter identifies objectives which Community Media share and should strive to achieve:

- i) To promote the right to communicate, to assist the free flow of information and opinions, to encourage creative expression and to contribute to the democratic process and a pluralist society;
- ii) To provide access to training, production and distribution facilities, to encourage local creative talent, to foster local traditions, and to provide services for the benefit, entertainment, education and development of their audience;
- iii) To seek to have their ownership representative of local geographically recognisable communities or of communities of common interest;
- iv) To be editorially independent of government, commercial and religious institutions and political parties in determining their programming policy;
- v) To provide a right of access to minority and marginalised groups and to promote and protect cultural and linguistic diversity;
- vi) To honestly inform their audience on the basis of information drawn from a variety of sources and to provide a right of reply to any person or organisation subject to serious misrepresentation;
- vii) To be established as organisations which are not run with a view to profit and to ensure their independence by being financed from a variety of sources;
- viii) To recognise and respect the contribution of volunteers, to recognise the right of paid workers to join trade unions and to provide satisfactory working conditions for both;
- ix) To operate management, programming and employment practices which oppose discrimination and which are open and accountable to all supporters, staff and volunteers;
- x) To foster exchange between Community Media practitioners using communications to develop greater understanding in support of peace, tolerance, democracy and development.