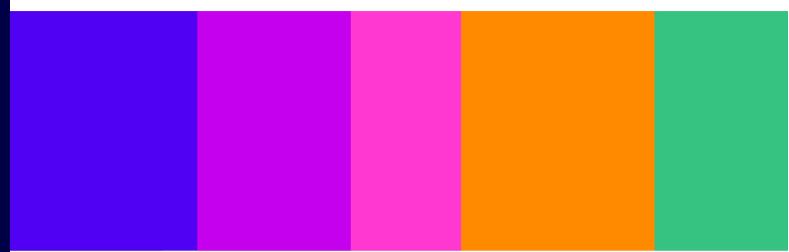


Community radio licence extensions

Process note

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Extending your analogue Community Radio licence

This document sets out the process that community radio licensees should follow when applying to extend their analogue community radio licence.

The legal framework

The Community Radio Order 2025 (the "2025 Order") came into force on 1 April 2025, and makes provision for renewal of community radio licences.

Ofcom has the power to extend community radio licences for a period of not more than five years on three consecutive occasions, and an extension of not more than ten years following three previous consecutive extensions.¹

An application for an extension may only be made within a period beginning 18 months prior to the expiry date of the existing licence, and ending six months before that date.²

Where Ofcom receives an application for the extension of a community radio licence, it shall extend the licence for such a period as it thinks fit (not exceeding five years or ten years as the case may be), if it is satisfied:

(a) as to the ability of the licence holder to maintain the service for the period of the extension; and

(b) that the licence holder would, if the licence were extended, be in a position to comply with the conditions included in the licence in pursuance of section 106 of the Broadcasting Act $1990.^3$

For community radio licences, this is essentially referring to the 'Key Commitments' section of each station's licence. Therefore, in considering any application for extension of a community radio licence, we will need to consider the likelihood of a licensee breaching any of its Key Commitments.⁴

Completing the application form

The application form asks for:

- The station's predicted income and expenditure for the year starting from the expiry date of the current licence.
- Information about the licensee's financial situation at the time of applying.
- The licensee's commitment to continue to deliver its Key Commitments (which are included in the licence under section 106 of the Broadcasting Act 1990 (as that section has effect by virtue of the 2025 Order).

In addition, we require:

- Information about the company holding the licence, i.e. a completed and signed Licensee Declaration form. This is required so that we may check that the company and the directors comply with ownership and other requirements in the Communications Act 2003 and the Broadcasting Act 1990.
- Latest annual financial accounts.
- Such other information as we may request, on a case by case basis, as relevant in determining the above criteria.

The financial information, along with company accounts and the licensee's annual financial reports that we have on file, is required in order to help us to understand the licensee's finances and its ability to maintain the service in a new licence period.

No application fee is required for an application for a community radio station licence extension.

Information that we will consider

When considering a request for a licence extension we will take account of the information that a licensee sends us as referred to above (application form, Licensee Declaration and company accounts), and use these documents to determine the matters set out in the legal framework section above.

In addition, Ofcom will take into account the following information that we have on file:

- The licensee's annual radio returns which relate to its past delivery of Key Commitments and financial matters.
- The licensee's regulatory record in complying with its Key Commitments, insofar as it is relevant to satisfying ourselves that the service is able to comply with these for the duration of the new licence period.

As part of our assessment, Ofcom may contact the licensee for further information or clarification. This may be, for instance, where Ofcom needs to clarify the information provided in the application form or accompanying documents.

Data Protection

We require the information requested in this form in order to carry out our licensing legal duties. Please see Ofcom's General Privacy Statement <u>www.ofcom.org.uk/about-ofcom/foi-dp/general-</u> <u>privacy-statement</u> for further information about how Ofcom handles your personal information and your corresponding rights.

Making a decision

We will consider applications as soon as is reasonably practicable. However, applicants should be aware that it will sometimes take some time to make a decision if, for example, we need to seek clarification about an application or related matters. When we have made a decision, we will write to the licensee. In addition, we will announce licence extension decisions in Ofcom's monthly <u>radio</u> <u>broadcasting update</u> published on our website.

For further information, please contact broadcast.licensing@ofcom.org.uk