

Revocation of the Wigan small-scale radio multiplex licence award

Background

Under section 51(6) of the Broadcasting Act 1996 (as modified by the Small-scale Radio Multiplex and Community Digital Radio Order 2019), Ofcom may revoke the award of a small-scale radio multiplex licence where the licence itself has not yet been granted and Ofcom has reasonable grounds for believing that the person to whom the licence was awarded will not provide the service within 18 months of the date of the award.

Decision

Ofcom has taken the decision to revoke the licence award we made on 12 May 2022 to Wigan & St Helens Community Media CIC (“WSHCM”) in relation to the Wigan small-scale radio multiplex service.

This is on the basis that the statutory conditions for revocation as set out above have been met. Firstly, the awarded licence has not yet been granted. Secondly, we have reasonable grounds to believe the service will not be provided within 18 months of award (i.e. by 12 November 2023) as WSHCM had confirmed on 26 October 2023 that it had decided not to go ahead with launch. This is understood to be linked to the discovery of structural defects in a building operated by the arts centre involved in the application, which had significant financial consequences for a range of activities, including plans to establish the multiplex service.

There were two applicants for the Wigan licence, but we would note that there is not a statutory mechanism for awards to be passed to a “reserve” applicant without a further application process.

Ofcom will consider re-advertising the Wigan multiplex licence should we receive any expressions of interest following today’s announcement.

Ofcom notes that the Wigan licence formed part of Round Two of its small-scale multiplex licensing process, focusing on the North West England and North East Wales “macro-area”, all of which had a statutory deadline of 12 November 2023 to launch. Should we decide in principle to re-advertise, it may be appropriate to adjust the advertised area to reflect actual coverage of launched multiplexes nearby, and any potential applicant expressing an interest may wish to express a view on that issue and on the timing of any re-advertisement.

