
DRAFT STATUTORY INSTRUMENTS

2015 No.

**The Broadcasting Act 1996 (Renewal of Local
Radio Multiplex Licences) Regulations 2015**

Amendments to the Broadcasting Act 1996

3. After section 58 of the Broadcasting Act 1996, insert—

“58ZA Renewal of local radio multiplex licences

(1) The holder of a local radio multiplex licence may apply to OFCOM for a renewal of that licence if that person has completed the works necessary to ensure that, as a minimum, coverage of the multiplex service in the area or locality in which the licence is granted complies with the coverage plan for that area or locality.

(2) A licence renewed under this section is to expire on 31st December 2030.

(3) An application for a renewal of a licence must be made not later than the day falling three months before the relevant date.

(4) At any time before determining the application, OFCOM may require the applicant to provide a technical plan supplementing those (if any) submitted under sections 50(4)(b) and 58(4)(a)(i).

(5) Where an application has been duly made under this section, OFCOM may refuse the application only if—

- (a) it appears to them that the applicant has failed to comply with any of the conditions included in the licence, or
- (b) they are not satisfied that the applicant would, if the licence were renewed, provide a service complying with the conditions to be included in the licence as renewed.

(6) Where OFCOM have granted a person’s application they must formally renew the person’s licence from the date on which the application is granted.

(7) Where a licence is renewed under this section, the licence as renewed must include—

- (a) a condition that the holder of the licence must, for the duration of the licence, maintain, as a minimum, the coverage of the multiplex service in the area or locality concerned at the level attained at the time the application for renewal of the licence was made;
- (b) such further conditions as appear to OFCOM to be appropriate for securing the implementation of any supplementary technical plan submitted under subsection (4).

(8) In this section—

“coverage plan”, in relation to an area or locality in which a local radio multiplex licence is granted, means a plan produced by OFCOM which sets out the coverage on local Digital Audio Broadcasting which OFCOM have assessed is broadly equivalent to relevant existing FM local commercial radio coverage in that area or locality

“the relevant date” shall be determined in accordance with section 58.

(9) Nothing in this section prevents the holder of a local radio multiplex licence from applying for a new licence on one or more occasions in pursuance of a notice under section 50(2).”