
Community Digital Sound Programme (C-DSP) licence

Application form – Part A (public)

Name of applicant (i.e. the body corporate that will hold the licence):

Exeter Community Radio Ltd t/a Phonic FM

Proposed service name:

Phonic FM

Radio multiplex service(s) on which the proposed C-DSP service is to be provided:

Exeter

Public contact details:

Dr David Treharne, 'The Phoenix', Gandy Street, Exeter, Devon EX4 3LS

Publication date: 1 September 2020

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1. Overview

You should complete this form if you are applying for a community digital sound programme licence (“C-DSP”). You can find further information about C-DSP services in the [guidance notes for licensees and applicants](#).

This application form is divided into two parts – **Part A** (which we will publish on our website) and **Part B** (which will be kept confidential). This document constitutes Part A; [Part B of the application form](#) is available on our website.

If you encounter any issues using these forms, please contact broadcast.licensing@ofcom.org.uk.

The purpose of this form

- 1.1 You should complete this form if you are applying for a Community Digital Sound Programme (C-DSP) licence.
- 1.2 A digital sound programme service intended for broadcast by means of a local or small-scale radio multiplex service requires either a C-DSP licence or a local DSP licence. Ofcom’s published guidance notes set out some of the key issues that potential applicants need to consider in deciding which type of licence is suitable for them. In summary, C-DSP services are not run for financial gain and are required to provide social gain. C-DSP licences therefore include strict conditions to ensure that happens, and provide less flexibility than a local DSP licence. However, they do provide access to capacity that small-scale radio multiplex service providers are required to reserve solely for C-DSP services.
- 1.3 A C-DSP licence will be required even if the same programme service is also provided on any other platforms (e.g. FM, satellite), as separate licences are required for those.
- 1.4 As noted above, small-scale radio multiplex services will have reserved capacity for C-DSP services. Issue of a C-DSP licence does not, however, guarantee carriage on a small-scale (or local) radio multiplex service. That is a matter for agreement between the C-DSP licensee and the multiplex service provider, and there may be more C-DSP licences issued in a locality than there are reserved slots on the small-scale radio multiplex service. Note that a C-DSP service does not necessarily have to broadcast using reserved capacity. It can use unreserved capacity on a small-scale radio multiplex service or capacity on a local radio multiplex service, again subject to agreement with the multiplex service provider.
- 1.5 An application for a C-DSP licence will be accepted only once Ofcom has advertised the licence for the small-scale radio multiplex service upon which the proposed C-DSP service is intended to be provided. There is no closing-date by which an application for a C-DSP licence must be submitted (i.e. it can be submitted at any time after the licence for the relevant small-scale radio multiplex licence has been advertised).
- 1.6 You can find further information about how to determine if a service requires a C-DSP licence in Section 2 of the [guidance notes for applicants and licensees](#).

Provision of information

- 1.7 Ofcom requires complete and accurate information to assess applications. This is so that we can assess your application against statutory criteria, consider whether those involved in the body applying for a licence are ‘fit and proper’ to hold a licence, and determine whether their involvement with other organisations disqualifies them from participation in a licence.
- 1.8 It is an offence under the Broadcasting Act 1996 (as amended) to provide false information or withhold relevant information during the application process, and may be grounds for revocation of a licence subsequently granted.

Publication of information about applications and licensed services

- 1.9 Information provided in **Part A** of the application form will be published by Ofcom following the submission of your application. Information provided in **Part B** will not be published.
- 1.10 In submitting this application you agree that, should a licence be granted, Ofcom may publish contact details for the licensee (specified in Section 2 of Part B of the application form), which may include personal data, on the Ofcom website and/or in other relevant publications. If you have any questions about the information that we publish, or there are any changes to this information, you should contact the Broadcast Licensing team by email (broadcast.licensing@ofcom.org.uk).
- 1.11 Ofcom considers issued C-DSP licences to be public documents and copies of licences will be made available to third parties on request albeit, other than the Key Commitments which are tailored to the service, C-DSP licences are standard form documents. A brief description of the licensed service will be published on the Ofcom website, along with the Key Commitments which form part of the licence.
- 1.12 Ofcom publishes a [monthly radio licensing update](#) which lists new services licensed, licences revoked, licence transfers, and changes to licensed services during the past month.

Data protection

- 1.13 We require the information requested in this form in order to carry out our licensing duties under the Broadcasting Act 1990, Broadcasting Act 1996 and Communications Act 2003. Please see Ofcom’s [General Privacy Statement](#) for further information about how Ofcom handles your personal information and your corresponding rights.

Keeping up to date with broadcasting matters

- 1.14 We strongly recommend that the appropriate person at the applicant body signs up to receive Ofcom’s regular email updates on broadcasting matters including notification when the Broadcast and On Demand Bulletin is published.

- 1.15 To sign up to receive these communications, you must visit [the email updates area of our website](#) and select 'Broadcasting.'

2. Applicant's details

About this section

In this section we are asking you for details about the applicant company. This must be a body corporate which is not profit distributing.

In the first part of this section, we are asking for basic details about the applicant. These include company registration number and contact information.

In the second part of this section we are asking for details of the applicant's officers (directors or, in the case of LLPs, designated members), its shareholders and participants. Where applicable, we are also asking for details of the officers of the applicant's parent and associated companies or LLPs etc.

If any of the individuals named in your responses are known by more than one name/version of their name, all names must be provided.

Certain persons are disqualified from holding a C-DSP licence. This section asks the questions which enable us to consider this for those types of disqualification which apply specifically to bodies corporate. It also asks questions which are relevant to our assessment of the applicant's fitness and propriety to hold a C-DSP licence.

Before completing this section of the form, you should read [Ofcom's guidance on the definition of 'control' of media companies](#). Throughout this section, "control" has the meaning it is given in Part I of Schedule 2 of the Broadcasting Act 1990.

The response boxes and tables should be expanded or repeated where necessary, or provided in a separate annex.

'Officerships' in this section refers to: directorships of bodies corporate, designated memberships of LLPs, or membership of a governing body of an unincorporated association (including partnerships).

Applicant information and contact details

2.1 Name of applicant (i.e. the body corporate that will hold the licence):

Exeter Community Radio t/a Phonic FM

2.2 Company registration number stated on Companies House:

05979408

2.3 For UK registered companies, the address of the applicant's registered office stated on Companies House.

For non-UK registered companies, the principal office address:

Bradninch Place, Gandy Street, Exeter, Devon, EX4 3LS

- 2.4 If a UK registered company, is the **current** Memorandum and Articles of Association document available on the Companies House website?

Yes/ (delete as appropriate)

If no, please submit the up to date document and indicate you have done so in the checklist in Section 4 of Part B.

- 2.5 Contact details of the individual duly authorised by the applicant for the purposes of making this application. This individual should be the company secretary, a director or (if an LLP) designated member.

(If you are an agent completing the form on behalf of the applicant please do not enter your details here – see paragraph 2.25 of the [guidance notes](#)).

Full name	Dr. David Anthony Treharne
Job title	Chair
Address	The Phoenix, Gandy Street, Exeter, Devon, EX4 3LS
Telephone	01392 277476/01392 271684
Mobile phone	07802 741082
Email	drdavidtreharne@btconnect.com

- 2.6 If the proposed Licensed Service has/will have a website, please provide the website address below.

www.phonic.fm

- 2.7 How will the service be financed? If the applicant is receiving, or is likely to receive, any form of funding and/or financial assistance to establish and maintain the service, please provide details of who is providing that funding/financial assistance and the extent of it.

If you are receiving funding from, or on behalf of, a source that could be considered a political organisation or a religious body, you must set out the nature of that organisation here.

‘The service will be financed by existing income sources – membership subscriptions, donations received and fundraising activities. We do not expect to apply for any additional funding relating to the C-DSP licence and anticipate that we may be able to acquire advertising revenues from the use of the broader DAB spectrum.’

Ownership and control of the company which will hold the licence

Details of officers, participants and shareholders of the applicant

2.8 Please provide the following details for each director or designated member of the applicant:

Full name of individual	Correspondence address ¹	Country of residence	Other officerships held (and nature of the business concerned)	Other employment
Dr David Treharne	The Phoenix, Gandy Street, Exeter Ex4 3LS	England	Director ExeDAB Ltd	None
Paul Giblin	The Phoenix, Gandy Street, Exeter Ex4 3LS	England	None	Local Government Officer
James John Evans	The Phoenix, Gandy Street, Exeter Ex4 3LS	England	None	Data Analyst

2.9 Please identify any entities with which the applicant is affiliated:

(If this question is not applicable to the applicant please respond “N/A” in the table.)

Full name of the entity	Address
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¹ This should be the same address as is held and published by Companies House.

N/A	

- 2.10 Complete the following table, expanding it if necessary, to list all bodies corporate which are controlled by the applicant, and their affiliates:

Full name of entity	Address	Affiliates
N/A		

- 2.11 Complete the following table, expanding it if necessary, to list all persons who control the applicant, together with their affiliates. If any persons or bodies control the applicant jointly because they act together in concert (e.g. because of a shareholder's agreement), each such person must be identified here:

Full name of individual or body	Address	Affiliates
N/A		

- 2.12 Complete the following table, expanding it if necessary, to list all officerships in other bodies that are held by any individual listed in response to question 2.11, and any affiliates of those bodies:

Full name of individual	Name of body in which officership held	Affiliates of that body
Dr David Anthony Treharne	ExeDab Ltd	

- 2.13 Complete the following table, expanding it if necessary, to list all bodies corporate which are controlled by any body corporate listed in response to question 2.11, and their affiliates:

Full name of body corporate listed in 2.11	Body corporate controlled	Affiliates of body corporate controlled
N/A		

- 2.14 In relation to each body corporate identified in response to question 2.11, complete the following table, expanding it if necessary, to list all bodies which hold or are beneficially entitled to shares, or who possess voting powers, amounting to more than 5% in the body corporate concerned ("participants"). You may, but are not required to, exclude from this table any bodies listed in response to question 2.11. If you are unable to provide a complete answer to this question in relation to beneficial owners, please state whether you have any reason to suspect the existence of any beneficial owners.

Name of body corporate identified in response to question 2.11				
Full name of >5% participant	Number of shares	Total investment (£s)	Total investment (%)	% of voting rights
Comments				
N/A				

Involvement of the applicant in specified activities

- 2.15 Please state below whether the applicant, or any of the directors, shareholders or other individuals named above, including their associates (i.e. directors of their associates and other group companies), is, or is involved in, any of the below, and the extent of that interest.

Activity/involvement	Yes or No	Please state who is involved; the name of the body/individual/agency they are involved with; and the extent of their involvement
A local authority	No	
A body whose objects are wholly or mainly of a political	No	

nature, or which is affiliated to such a body		
A body whose objects are wholly or mainly of a religious nature; ²	No	
An individual who is an officer of a body falling within (b) or (c);	No	
A body corporate which is an associate (as defined in paragraphs 1(1) and 1(1A) of Part I of Schedule 2 to the Broadcasting Act 1990) of a body falling within (b) or (c);	No	
An advertising agency or an associate of an advertising agency	No	

Details of applications, licences and sanctions

2.16 Is the applicant a current licensee of Ofcom?

Yes (delete as appropriate).

If yes, please provide the licence details expanding the table if necessary:

Licence number	Name of multiplex
CR000118BA/2	

2.17 Has the applicant held an Ofcom broadcasting licence before?

Yes (delete as appropriate).

Lic	Name of service or multiplex
CR000118BA/	

² Please refer to Sections 3 to 5 of [Ofcom's religious guidance note](#) for details on how we determine the eligibility of religious bodies to hold certain broadcasting licences.

- 2.18 Has anyone involved in the proposed service, held an Ofcom broadcasting licence or been involved in an Ofcom-licensed broadcast service before?

Yes (delete as appropriate).

If yes, please provide the details expanding the table if necessary:

Dates licence was held or dates of involvement	Licence number (if known)	Name of service or multiplex
2008 - present	: CR000118BA/2	Phonic FM

- 2.19 Does the applicant control an existing Ofcom licensee?

Yes (delete as appropriate).

If yes, please provide the licence details expanding the table if necessary:

Licence number	Name of service or multiplex
: CR000118BA/2	Phonic FM

- 2.20 Is the applicant controlled by an existing licensee or by any person who is connected (within the meaning of Schedule 2 to the Broadcasting Act 1990) with an existing licensee (i.e. as a “participant”)?

No (delete as appropriate).

If yes, please provide the following information, expanding the table if necessary:

Licence number	Name of service or multiplex

- 2.21 Has the applicant made any other application to Ofcom (or its predecessor broadcast regulators – the Independent Television Commission and the Radio Authority) for any licence which has since been surrendered by the licensee or revoked by Ofcom (or one of its predecessor regulators)?

No (delete as appropriate).

If yes, please provide the following information, expanding the table if necessary:

Licence number	Name of service or multiplex

- 2.22 Is the applicant subject to any current or pending investigation by any statutory regulatory or government body in the United Kingdom or abroad in respect of any broadcast-related matter?

No (delete as appropriate).

If yes, please provide the following details expanding the table if necessary:

Licence number (or equivalent)	Name of service or multiplex	Details of the investigation

- 2.23 Has the applicant – or any person(s) controlling the applicant – ever been subject to a statutory sanction for contravening a condition of a broadcasting licence in the UK or any other jurisdiction?

No (delete as appropriate).

If yes, please provide the following details relating to each sanction expanding the table if necessary:

Licence number (or equivalent)	Name of service or multiplex	Nature of the breach	Sanction im- posed	Date sanction imposed

- 2.24 In relation to any of the directors, shareholders or other individuals named in this application, please provide any information which you think may be a relevant consideration for Ofcom in determining whether or not the applicant is fit and proper to hold a Broadcasting Act licence. If the applicant or the form signatory fails without reasonable excuse at this point to declare any matter of which Ofcom subsequently becomes aware, and which we do consider to be relevant to the applicant's eligibility to hold a licence, we will take it into account in determining the question of whether the applicant/licensee remains fit and proper to hold a licence.

If you have no information to provide, please respond "N/A".

N/A

- 2.25 Has the applicant – or any person(s) controlling the applicant – ever been convicted of an unlicensed broadcasting offence?

No (delete as appropriate).

If yes, please provide the following details:

Full name	Date of conviction/action (dd/mm/yy)	Penalty

3. The proposed service

About this section

This section asks you to describe your proposed service, including the Key Commitments you propose to include in your licence. This includes your service name, multiplex name and character of service, in addition to standard commitments that all C-DSP licensees need to abide by. If a licence is granted, the information you provide in this section will be used to form the basis of the annex to your licence. You will only be authorised to broadcast what is detailed in the annex of the licence.

In this section, you will also need to set out how your service will provide social gain, community participation and how you will be accountable to the target community. This is in line with statutory requirements for the granting of C-DSP licences.

If you hold, or intend to hold, multiple C-DSP licences, the answers given in this section and the intended delivery of your Key Commitments must apply to the locality in which your proposed service will broadcast (as set out in the Draft Key Commitments in this application form).

Your proposed service and target community

3.1 What is the proposed service name?

Phonic FM

3.2 On which radio multiplex service do you intend to broadcast? If the relevant radio multiplex licence has not yet been awarded, please state the name of the area that the multiplex service is intended to cover, as defined in the multiplex licence advertisement.

Exeter area

3.3 Where is your proposed studio located? Please note that this must be located within the coverage area of the small-scale radio multiplex service identified in answer to 5.2 (or the advertised area for a small-scale radio multiplex service that has not yet been awarded).³

³ If you propose to provide your service on a local, rather than a small-scale, radio multiplex service, there is no requirement for your studio to be located within the licensed area of that local radio multiplex service.

The Phoenix, Gandy Street, Exeter, Devon EX4 3LS

- 3.4 If the proposed service is a simulcast of an existing licensed radio service, please list that below and provide the licence number.

CR000118BA/2

- 3.5 What is the target community of the service? Please include the geographical area that you wish to serve in addition to the interests or characteristics that define your target community. The area you wish to serve must be geographically located within the coverage area of the radio multiplex service on which you intend to broadcast. **Answer in fewer than 400 words.**

Providing Arts Information and support for the Population of the Greater Exeter area. This includes programming about drama, poetry, written and spoken word, visual and cinematic arts, film making, music in the widest sense, including live music sessions and support for arts based activities throughout the broadcast area. Musical styles include Classical Music, Jazz, Folk, electronic and ambient music, experimental music as well as other styles. The service attempts to be “a sound alternative for Exeter”.

The target audience is a diverse mixture of persons who wish to benefit from Arts activity based in Exeter and its environs and/or participate in those events.

- 3.6 How will you ensure that your proposed C-DSP service is run on a not-for-profit basis? Please give details of specific measures or arrangements in place to ensure this, and how any profit will be wholly and exclusively used for securing or improving the future provision of the service, or for the delivery of social gain. **Answer in fewer than 400 words.**

‘Exeter Community Radio is a private limited company without share capital, and is therefore run as a not-for-profit organisation. Any surplus is reinvested back in to the company to assist with future operating costs such as the repair or replacement of equipment which will benefit both the members in broadcasting and the community who are listening to our content’

Social gain

- 3.7 What community benefits will your service bring to your target community(ies) and, if applicable, the general public. Please include summaries of evidence to support your answer, including details about other organisations you intend to work with. **Answer in fewer than 500 words. Please do not provide names of individuals in your answer.**

Phonic FM has been providing 'a sound alternative for Exeter' since 2008. It has promoted a wide range of Arts events from live music concerts to poetry readings and drama productions. With over 100 members actively involved in the station it has provided training opportunities for a wide range of participants which have included partially sighted, wheelchair users and various other medical conditions. Membership is not constrained by the ability or otherwise to pay for membership and currently includes, unwaged, unemployed others in receipt of a range of benefits.

The station is actively engaged with a wide range of other bodies such as Dreadnought South West who 'take over' the station on International Women's Day, Xpressions the University of Exeter Student Station, Double Elephant Print Studio, Sound Gallery studios, as well as being active participants in Exeter City Councils Arts outreach programme. The station is also involved with a number of neighbourhood initiatives with the City of Exeter.

- 3.8 Please summarise how your service will facilitate discussion and the expression of opinion. Answer **in fewer than 200 words**.

Phonic FM holds at least three open access meetings a year in which members and members of the public are invited to participate. These meetings are minuted and the minutes are in the Public Domain. In addition guests regularly appear live or by telephone to inform and discuss topics. There is also provision for contact as detailed on the station website.

- 3.9 How will you ensure that members of your target community(ies) can gain access to the facilities used to provide your service, and receive training in using these? In particular, please set out how this will be done practically, formally and/or informally. **Answer in fewer than 400 words.**

See also answer 3.7. In 13 years on air Phonic has trained over 200 persons and allowed them on-air after a suitable period of training. There is a Director who has specific responsibility for the oversight of training and several members who conduct and support an induction and initial studio support.

- 3.10 How will your service provide better understanding of your target community and the strengthening of links within it? **Answer in fewer than 200 words.**

Listeners to the current service are active participants in our online activities and provide insightful and useful feedback. There is an excellent rapport with our listeners at our 'live' events, which provides useful feedback and frank feedback.

- 3.11 Please summarise the relevant experience of the group or its members in activities related to the provision of social gain or other relevant non-broadcast areas (such as third sector, training or education). **Answer in fewer than 200 words.**

See also 3.9. Phonic FM has a group responsible for training whose expertise covers a wide range of skills and areas of expertise. The group contain members who have professional qualifications in areas such as counselling, teaching, law, equal opportunities and voice training. Support and courses by other providers have from time to time been brought in from bodies such as Exeter University and Exeter College.

Participation

- 3.12 How do you propose to ensure that members of your target community(ies) are given opportunities to participate in the operation and management of the service? **Answer in fewer than 400 words.**

See 3.7, 3.8 and 3.9 Phonic FM has an open access policy and encourages members to fully participate in improving and developing strategies to maintain and improve the service.

Accountability

- 3.13 How will members of your target community contact your service and influence its operation? **Answer in fewer than 300 words.**

See 3.7 , 3.8, 3.9, 3.10, 3.12

- 3.14 How will suggestions and/or criticisms from members of your target community(ies) be considered and acted upon? **Answer in fewer than 300 words.**

See also sections 3.7 and 3.9 Phonic FM provides a consistently high quality of live events which encourages a wide cross section of its listenership to attend and participate. These include regular gigs with a range of music genres, poetry readings, drama performances as well as informative sessions attended by local businesses.

Draft Key Commitments

Service name: *the on-air name of the programme service (as in question 3.1 of this application)*

Phonic.FM

Proposed radio multiplex service: *as in question 3.2 of this application, specify if small-scale or local multiplex the radio station plans to broadcast on*

Exeter area

Description of target audience:

Those interested in Arts (in the widest sense) in the Greater Exeter area

Description of locality, which can be all of, or a subset of, the area covered by the radio multiplex service specified above:

The Greater Exeter area

Brief statement of main purpose of the radio service, its functions/activities: *describe in no more than 50 words*

Provision of Arts based and Arts related activity in the Exeter catchment and travel to work area

The text below is included in the Key Commitments in all C-DSP licences, and does not need to be amended or augmented. Every service is required to comply with these requirements, but the details of how each service does so do not need to be included in the Key Commitments.

The studio of the Licensed Service is located within the coverage area of the Small-Scale Radio Multiplex Service identified above (n.b. the Licensee will not be in breach of this requirement if an existing studio ceases to fall within the coverage area merely as a result of technical changes to the Small-Scale Radio Multiplex Service outside the control of the Licensee).

The Licensed Service shall have the characteristics of a Community Digital Sound Programme Service as set out in the 2019 Order and, in so doing, shall achieve the following objectives:

- the facilitation of discussion and the expression of opinion,
- 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
- the better understanding of the particular community and the strengthening of links within it.

Members of the target community shall contribute to the operation and management of the service.

The service shall have mechanisms in place to ensure it is accountable to its target community in the specific area or locality.

4. Compliance of the service

About this section

This section asks you to describe the compliance arrangements for the proposed licensed service, i.e. the arrangements which the applicant will put in place to ensure that the content it proposes to broadcast will comply with the relevant regulatory codes and rules for programming and advertising. These include:

- The Ofcom Broadcasting Code
- The BCAP Code: the UK Code of Broadcast Advertising
- The Phone-paid Services Authority Code of Practice

Condition 17 of a C-DSP licence requires that you have compliance procedures in place, and this section asks that you demonstrate your ability to meet this licence condition.

Before completing this section of the form you should read Section 4 of the [C-DSP guidance notes](#), where you will also find links to the codes and rules listed above.

- 4.1 Will the individual named as Compliance Contact in response to question 2.3 in Part B have overall responsibility for compliance for the duration of the licence?

Yes (delete as appropriate)

- 4.2 Please give details of all compliance training and compliance experience (including dates) the person named in response to question 2.3 in Part B has received in the relevant codes and rules (for example, those referred to in the box at the start of this section).

One of the named Directors fulfils a senior compliance role within Devon County Council.

- 4.3 How many staff does the applicant have (or plan to have) in its compliance team? Please provide a brief description of the functions each person will be performing. Please do not give names of individual members of staff.

These functions are, and will be carried out by three Members of the Company Board, our Accountant and at least two current Members. Functions include a) Checking on-air output for compliance b) Scrutiny of finances income and expenditure c) Full compliance with H&S procedures d) Personnel developments including equality.

- 4.4 How does the applicant intend to train staff in compliance procedures? Please include details of the compliance training that will be given to those responsible for live programming, including compliance staff, presenters and producers.

See 4.3 Staff training is ongoing in house, with regular inputs from external agencies.

- 4.5 It is a licence requirement that a licensee must ensure that all programming on its service (broadcast at any time of the day or night) complies with Ofcom's codes and rules (e.g. Ofcom's Broadcasting Code, which sets requirements on standards to be observed in programme content for the protection of the public). Set out in detail below the systems the applicant intends to have in place to ensure it will be able to comply with the codes and

rules at all times while the service is broadcasting, in particular when the service is broadcasting live content but also when pre-recorded material⁴ is being broadcast.

Compliance with the regulations are carried out in presenter training and regularly sampled for compliance. Spot checks are made by Directors during on-air hours.

- 4.6 Please set out how you will ensure compliance with your Key Commitments, including how you will maintain up-to-date information on how these are being delivered.

See also 4.5 above. Interaction with our target audience is carried out through regular interaction in formal settings (meetings) and at our organised gigs and events.

- 4.7 What language(s) does the applicant intend to broadcast in?

⁴ This could include, for example, material obtained from, or streamed from, third-party sources as well as content produced by the licensee.

English.

- 4.8 For each language listed in response to question 4.7, please provide details of how many compliance team member(s) are fluent in each language and will be responsible for ensuring that content broadcast in that language complies with the Ofcom's code and rules.
Please do not give names of individual members of staff.

See also 4.3

5. Declaration

About this section

This form must be submitted by the applicant named in response to question 2.2. An agent may not sign **the form**.

The person authorised to make the declaration on behalf of the applicant must print their name and must be one of the following :

- A director of the company or the company secretary where the applicant is a company.
- A designated member where the applicant is a Limited Liability Partnership.

The declaration must also be dated.

- 5.1 I hereby apply to Ofcom for the grant of a licence for the community digital sound programme service described above and declare that the information given in this application form is, to the best of my knowledge and belief, correct.
- 5.2 I further declare and warrant:
- a) that I am not a disqualified person within the meaning of that expression as defined in Part II of Schedule 2 to the Broadcasting Act 1990, as amended, or as a result of a disqualification order under Section 145 of the Broadcasting Act 1996;
 - b) that having made all reasonable enquiries neither the applicant nor any person controlling the applicant, as a result of the grant to me of the licence, breach any requirement of Schedule 14 to the Communications Act 2003 with regard to the accumulation of interests in broadcasting services or to the restrictions on cross-media interests; and
 - c) that the applicant is not disqualified by virtue of the provisions of section 143 (5) of the Broadcasting Act 1996 in relation to political objects and the provisions of section 144 (3) of the Broadcasting Act 1996 in relation to the provision of false information or through the withholding of information with the intention of misleading Ofcom; and
 - d) that no director or person concerned directly or indirectly in the management of the applicant is subject to a disqualification order as defined by section 145 (1) of the Broadcasting Act 1996.
- 5.3 I understand that Ofcom reserves the right to revoke the licence (if granted) if at any time any material statement made to Ofcom is found to be false and to have been by the applicant or any member or officer thereof knowing it to be false. I also understand that under sections 144 and 145 of the Broadcasting Act 1996, the provision of false information could incur a criminal conviction and a disqualification from the holding of a Broadcasting Act licence. I further certify that, to the best of my knowledge, any matters which might influ-

ence Ofcom's judgement as to whether the directors and any other individuals and/or bodies corporate with substantial involvement in this application are fit and proper persons to participate in a radio licence, have been made known to Ofcom.

Full name (BLOCK CAPITALS) of the applicant or person authorised to make the application of behalf of the applicant:

Dr David Treharne

Date of application:

25 January 2021

I am authorised to make this application on behalf of the applicant in my capacity as **(delete as appropriate):**

~~Company secretary~~ / company director / ~~designated member~~ (in the case of a Limited Liability Partnership)

You now need to complete the confidential section (Part B) of the application form