
Community radio

Six community radio licence awards: January 2018

Statement:

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About this document

This document announces the award of six community radio licences.

The licences are for stations serving communities in Aberystwyth (Wales), Banbridge (Northern Ireland), Burgess Hill (West Sussex), Dartmoor (Devon), Paisley (Scotland), and Torbay (Devon).

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1. Licence awards

- 1.1 During January 2018, Ofcom made decisions to award six community radio licences. The licences are for stations serving communities in Aberystwyth (Wales), Banbridge (Northern Ireland), Burgess Hill (West Sussex), Dartmoor (Devon), Paisley (Scotland), and Torbay (Devon).
- 1.2 All community radio services must satisfy certain 'characteristics of service' which are specified in legislation¹ – Ofcom was satisfied that each applicant awarded a licence met these 'characteristics of service'. In addition, each application was considered having regard to statutory criteria², the details of which are described below. This statement sets out the key considerations in relation to these criteria which formed the basis of Ofcom's decisions to award the licences. Where applicable, the relevant statutory reference (indicated by the sub-paragraph number) is noted in brackets.

Applicants awarded a licence

- 1.3 Ofcom has made a licence award to each of the following:
- Radio Aber (Radio Aber Limited), Aberystwyth and surrounding areas (Wales)
 - Bounce FM (Bounce FM), Banbridge (Northern Ireland)
 - Burgess Hill Radio (Burgess Hill Community Radio CIC), Burgess Hill, West Sussex
 - Skylark (Skylark Sounds), south Dartmoor, Devon
 - Paisley FM (Paisley FM (2017) Limited), Paisley and surrounding areas in Renfrewshire (Scotland)
 - Riviera FM (Riviera FM Limited), Torbay, including Torquay, Paignton and Brixham (Devon).
- 1.4 These services will be licensed for a period of five years from the date of their launch, on FM.
- 1.5 As required by law, Ofcom was satisfied that the new services would not prejudice unduly the economic viability of any local analogue commercial radio service.

Radio Aber

- 1.6 Radio Aber will serve communities in Aberystwyth and surrounding areas in mid-Wales. The group's directors have extensive experience in broadcasting and fundraising, and the group currently runs a hospital radio service at Bronglais General Hospital. It proposes a low-cost operation; the premises have been provided without cost, and the service will be run by volunteers. Ofcom was satisfied that the applicant had demonstrated its ability to

¹ Regulation 3 of the Community Radio Order 2004

² Section 105 of the Broadcasting Act 1990 (as modified by the Community Radio Order 2004, as itself amended by the Community Radio (Amendment) Orders 2010 and 2015).

maintain the service (1a). The applicant used feedback on its existing service to help formulate its plans to cater for the tastes and interests of the target community (1b).

Bounce FM

- 1.7 Bounce FM is for the population of Banbridge, in Northern Ireland. The applicant proposes a low-cost service, already owns its own studio and transmission equipment, and has access to free premises. Some members of the group have experience of working in community radio in the area. As a result, Ofcom was satisfied that the applicant could maintain the service (1a). The proposed service will cater for the tastes and interests of local people with a locally-focused service (1b) and broaden the range of radio programmes available in this under-served area (1c).

Burgess Hill Radio

- 1.8 Burgess Hill Radio is for the population of Burgess Hill in West Sussex. The applicant operates an internet radio service for the area, and group members have experience in hospital radio, business and charity fund-raising locally. Its existing assets include studio equipment. Ofcom was satisfied that the applicant had demonstrated its ability to maintain the proposed service (1a). The applicant has an existing volunteer base, and has a number of links within the local community which will help it deliver its social gain objectives (1e). It provided evidence of support for the proposed service from a range of local organisations(1d).

Paisley FM

- 1.9 Paisley FM will provide a service for the people of Paisley, Renfrew and Johnstone in Renfrewshire. The directors have experience in radio and broadcasting, notably in both in managing and broadcasting on community, hospital and commercial radio services in Scotland. The group has secured free premises, IT and engineering support, and Ofcom considered that the applicant had demonstrated its ability to maintain the service (1a). The applicant provided evidence of both demand and support for the proposed service and had surveyed local people for their views (1d). It had established links with local partners such as the University of the West of Scotland, which would help it deliver its training objectives (1g).

Riviera FM

- 1.10 Riviera FM will be a community radio service for Torbay, Devon. The applicant has been operating as an internet radio station since 2009, has team of volunteers in place, and experience of successful fund-raising for the service. Group members bring a range of experience including in business and accountancy, broadcasting, engineering and third sector organisations. Ofcom considered that the applicant had demonstrated its ability to maintain the service (1a). Ofcom was satisfied that the applicant put forward a range of social gain objectives, and set out its experience (for example supporting people in

recovery), as well the local links and partnerships that would help it deliver these (1e). The applicant also demonstrated demand and support for the service (1d).

Skylark

- 1.11 Skylark will serve the southern part of Dartmoor National Park in Devon. The directors and group members have experience of community radio, sound art, local business and third sector organisations and Ofcom considered that the applicant had demonstrated its ability to maintain the service (1a). The output is to be created from the sounds of the lives of those who live and work in Dartmoor, as well as the natural environment, and use field recordings, conversations and readings for example, alongside recorded and improvised music. Ofcom considered that the proposed service would quite clearly broaden radio choice in the area (1c). The applicant has partnerships in place with local bodies which will help it to run training and workshops to produce output with local schools, community venues and local history groups, for example. Ofcom considers that these and other partnerships will help the applicant to deliver its social gain objectives (1e).

2. Statutory requirements relating to community radio licensing

- 2.1 The following pages set out the statutory requirements relating to community radio licensing, and details of the licensing process. Further information about these, and detailed information relating to community radio, can be found at: https://www.ofcom.org.uk/data/assets/pdf_file/0016/101860/Community-radio-guidance.pdf
- 2.2 In carrying out its functions, Ofcom is required to have regard to the general duties set out in section 3 of the Communications Act 2003. In addition, under section 85(2)(b) of the Broadcasting Act 1990 (“BA 1990”), it is the duty of Ofcom to do all that it can to secure the provision within the UK of a range and diversity of local radio services.

The characteristics of a community radio service

- 2.3 All community radio licensees must satisfy 'characteristics of service' requirements which are specified in Article 3 of the Community Radio Order 2004. The characteristics of community radio services are:
- that they are local services provided primarily for the good of members of the public, or of particular communities, and 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;
 - that the service is intended primarily to serve one or more communities (whether or not it also serves other members of the public);
 - that the person providing the service does not do so in order to make a financial profit by so doing, and 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;
 - that members of the community it is intended to serve are given opportunities to participate in the operation and management of the service; and
 - 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.
- 2.4 Article 2 of the Community Radio Order 2004 includes four mandatory “social gain” objectives. “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:
- the provision of sound broadcasting services to individuals who are otherwise underserved by such services;
 - 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.

2.5 Article 2 also includes a number of other objectives of a social nature which may be considered to represent "social gain".

Matters to which Ofcom shall have regard

2.6 There are seven matters set out in section 105(1) BA 1990 that Ofcom must have regard to when considering whether to grant a community radio licence. In summary these are:

- The ability of each applicant to maintain its proposed service over the licence period (section 105(1)(a)).
- The applicant's ability to cater for the tastes and interests of the target community (section 105(1)(b)).
- The extent to which each applicant would broaden the range of local radio services available in the area, and have a content distinct from those services (section 105(1)(c)).
- The extent to which there is evidence of local demand or support for a proposed service (section 105(1)(d)).
- The extent to which the service would deliver social gain benefits to the public or relevant community (section 105(1)(e)).
- Provisions for making the operator of service accountable to the relevant community (section 105(1)(f)).
- Provisions for allowing access by members of the public or the relevant community to the station facilities, and the provision of training in the use of those facilities (section 105(1)(g)).

2.7 In considering whether, or to whom (and on what conditions), to grant a community radio licence, Ofcom must also 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 commercial radio service.

2.8 Furthermore, without prejudice to the generality of that economic impact requirement, section 105(4) BA 1990 requires Ofcom to impose conditions to ensure, in effect, that any community radio service is prohibited from taking any relevant income from paid advertising and sponsorship of programmes except in the following respects:

- A 'fixed revenue allowance' totalling £15,000 per financial year of the licensee for such relevant income - this exception applies to any community radio service where that service overlaps with any local commercial radio service serving a potential audience of no more than 150,000 persons who have attained the age of 15 years or older.
- A 'fixed revenue allowance' totalling £15,000 per financial year of the licensee for such relevant income plus a proportion of the total relevant income (specified by Ofcom in

the licence), but which must not exceed 50% of the total relevant income (disregarding the fixed revenue allowance) for the licence in question in that year - this exception applies to all community radio services other than a community radio service referred to in (i) above. It should be noted that a community radio service that overlaps with any local commercial radio service serving a potential audience of no more than 150,000 persons who have attained the age of 15 years or older, which has at any time been varied pursuant to section 106(1A)(e) BA 1990, is also covered by this exception.

- 2.9 For the avoidance of doubt, programme sponsorship includes station or channel sponsorship, and commercial communications.

Process for assessment of applications

- 2.10 The Ofcom Board has delegated the discharge of certain of its functions in relation to television and radio broadcast licensing to one or more senior executives from Ofcom's Content & Media Policy Group. Each of those individuals, on their own or together, have responsibility for deciding on the award of community radio licences.
- 2.11 The decision-makers for these licence awards were Ofcom's Director of Content Standards, Licensing and Enforcement, Ofcom's Director, Broadcast Licensing and Ofcom's Principal, Broadcast Licensing.

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