

Key Commitments change request form

Community radio station name:	Felixstowe Radio
Licence number:	CR000190BA/4
Licensee (company name):	Felixstowe Radio Community Interest Company
Contact name:	Laura Locke
Date of request:	28 th October 2023

Details of requested change(s) to Key Commitments

A community radio operator may apply to Ofcom to have the station's Key Commitments amended.

Please complete the table overleaf by including your current Commitment in the left hand column and your proposed revised Commitment in the centre column. In the right hand column please give a brief explanation as to why you wish to make each change.

We also require you to complete a second table which asks you to explain your proposed changes with reference to the statutory framework.

If you do not provide an explanation for your proposed changes and a completed comparison table, Ofcom cannot consider a Key Commitments change.

Please complete this form and return it to: broadcast.licensing@ofcom.org.uk

Existing Commitment (as in your published Key Commitments) Please only include one commitment change per row, and add more rows as necessary into the table.	Proposed revised/new Key Commitment	Reason for proposed change
1 Broadcast of 8 hours of original output	Broadcast of 35 hours weekly	Build up presenters/broadcast hours to meet our key commitments (see below)
2 Broadcast of local output of 13 hours a day	Broadcast of 63 hours local output	Build up our locally created broadcast hours

Statutory requirements

Under section 106(1A)(a)-(f) of the Broadcasting Act 1990 (as amended and modified¹) Ofcom must be satisfied that your proposed changes **meet at least one of the criteria referred to below**.

Please indicate which of these criteria you believe your proposed changes satisfy by deleting YES or NO as applicable and provide an explanation for why you consider a particular criterion is met in the relevant box. You should note that even if Ofcom is of the opinion that your explanation of your proposed changes meets one or more of these criteria, there may still be reasons why Ofcom is unable to consent to the change. When explaining your proposed changes, it is not enough to state that you believe one of the criteria is met. You must also demonstrate *why* you consider that at least one of these criteria is met.

In particular, if Ofcom is not satisfied that the changes would not substantially alter the character of the service (criterion (a) below), Ofcom cannot consent to the change without consulting on your proposals.² If this is the case, we will contact you to confirm that you are happy for us to consult on your proposed changes, and whether you wish to make any changes to your request in light of the need to make it public.

As part of our consideration of your request to make changes to your Key Commitments, we require applicants to provide an explanation for **at least one** of the criteria below.

(a) In your judgement would the proposed changes substantially alter the character of the service?	YES/NO (Please explain why below)
This will allow us to build our presenter portfolio and our software and hardware sustainability following a time of significant change as explained below.	
(b) Do you consider that the proposed changes would narrow the range of programmes available by way of relevant independent radio services to persons comprising the relevant community?	YES/NO (Please explain why below)
We will still ensure that the commitments for local high quality and relevant community broadcasting will be adhered to. In the meantime, we have trained and will mentor and develop new presenters and increase our technical support and resilience.	
(c) Do you believe that there is evidence that, amongst persons comprising that community, there is a significant demand for, or significant support for, the changes that you have proposed?	YES/NO (Please explain why below)
Felixstowe Radio CIC has a very loyal following and many have expressed their support for our continued relevant output. Presentations and discussions have occurred with members of the community including the Chamber of Commerce and the Rotary Club and MENTA business support organisation and the impetuous and support for the station to sustain is considerable!	

¹ As amended by sections 312 and 313 of the Communications Act 2003 and modified by the Community Radio Order 2004.

² Ofcom may approve a change under any of criteria (b), (c), (d) and (e) without consultation, or after a consultation of less than 28 days, if Ofcom considers that to hold a consultation at all, or for 28 days or more, would result in a delay that would be likely to prejudice the interests of the licensee. Ofcom may also remove for the purposes of consultation any confidential information submitted by the licensee.

<p>(d) Do you consider that your proposed changes would be prejudicial to the access by members of that community to the facilities used for the provision of the service and for training in the use of those facilities?</p>	<p>YES/NO (Please explain why below)</p>
<p>This will not be detrimental in anyway as we are increasing our outreach with outside broadcast capabilities and we are driving forward with further ilnks with youth organisations and schools</p>	
<p>(e) Do you consider that the proposed changes would be prejudicial to the delivery of social gain resulting from the provision of the service provided under your licence?</p>	<p>YES/NO (Please explain why below)</p>
<p>The internal and external delivery of social gain is paramount and central to the ethos and culture of the station.</p>	

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<p>Please set out below any additional information and/or evidence you wish to provide in support of your proposed changes. In particular, you may wish to outline how you think your proposed change(s) fit(s) within Ofcom’s published guidance on changes to Key Commitments (https://www.ofcom.org.uk/ data/assets/pdf file/0017/31913/kc-changes-guidance.pdf).</p>
<p>Over the summer months Felixstowe Radio has been dealing with major significant issues beyond the station’s control.</p> <p>One of the station’s directors and a co-opted director had suddenly resigned and launched a competitor station in the direct broadcast area.</p> <p>This was unprepared for due to these directors not informing us in advance of their launch</p> <p>The competitor has headhunted some of our presenters and tech team to join them.</p> <p>Our advertising rates have been undercut by them.</p> <p>Member morale was damaged significantly by these actions and by inappropriate messages on social media. However this is now being rebuilt due to recruitment and improvements in our broadcast quality and sustainability.</p> <p>Our FM signal is managed from antennae and servers housed in the local secondary school. Due to end of term technical activities including a reboot and issues with the firewall were dealt with by their tech team and this resulted in a drop out of our signal. This has now been rectified through actions to be independent from the school with our own servers and internet line in to</p>

the school. Since this has been facilitated there have been no issues with connectivity and our output has significantly improved in quality.

Our Company Secretary has suffered from a sudden un-expected bereavement which has meant a delay in communication which has been very regrettable and unfortunate but also unavoidable.

Therefore our aims have been to-

- 1 Build up presenters/broadcast hours to retain our ability to meet our key commitments.
- 2 Build up our locally created broadcast hours.
- 3 Develop resilience and sustainability with new hardware and software being readily accessible and serviced.
- 4 Outside broadcast equipment purchased and more external events to be covered
- 5 Further funding to be raised to support sustainability and resilience.

Aim 1 is progressing well and supporting the improvement in aim 2. Aim 3 and 4 have been achieved and 5th is currently being progressed.

Data Protection

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](https://www.ofcom.org.uk/about-ofcom/foi-dp/general-privacy-statement) (<https://www.ofcom.org.uk/about-ofcom/foi-dp/general-privacy-statement>) for further information about how Ofcom handles your personal information and your corresponding rights.

Amended May 2018

Ofcom notes on the request

The request was AGREED, because Ofcom was satisfied in relation to Section 106(1A)(a) of the Broadcasting Act 1990 (as modified by the Community Radio Order 2004, and further modified by the Community Radio (Amendment) Orders 2010 and 2015) i.e. that the change would not substantially alter the character of the service, and for the policy reasons given below.

The Licensee is requesting to convert its Key Commitments for original output and locally produced output from daily to weekly requirements, but also to reduce them from 8 hours per day (56 hours per week equivalent) and 13 hours per day (91 hours per week equivalent) to 35 hours per week and 63 hours per week respectively. These represent reductions of 38% and 31% respectively. In requesting these changes the Licensee has stated that the proposal will enable it “to build [the Licensee’s] presenter portfolio and [its] software and hardware sustainability following a time of significant change”.

While these are relatively large reductions, we consider that 35 hours per week of original output and 63 hours per week of locally-produced output should still be enough to ensure the station remains able to deliver on its Key Commitments to provide a “distinctive community radio service for the inhabitants of Felixstowe and the surrounding villages” and to “foster a sense of community amongst the local inhabitants by providing information about the local area, offering the local community a forum for the discussion of local issues”. As such, we are satisfied these changes do not substantially alter the character of the service.

In terms of our policy criteria, Ofcom is satisfied the change will not affect the station’s ability to meet the community radio ‘characteristics of service’ set out in the legislation, and there are no other policy reasons to refuse the change. We have therefore decided to exercise our discretion to approve this change.

January 2024