

Key Commitments change request form

Community radio station name:	Gaydio (Brighton)
Licence number:	CR101283BA/1
Licensee (company name):	Gaydio Brighton Limited
Contact name:	Kriss Herbert
Date of request:	22/01/2024

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
Speech. The main types of speech output broadcast over the course of each week are: community news and information, events guide, discussion and magazine programmes.	Speech. The main types of speech output broadcast over the course of each week are: community news and information, events, discussion and magazine programmes.	We used to broadcast a daily events guide, however this is now included in general presenter speech, and would like to update the wording to ensure we remain compliant, and not subject to interpretation of the wording.

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)
No, any content included in the events guide will still be included inside of general presenters talk	
(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)
No – the change will not change the programmes	
(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)
We will still broadcast events, it just will not be in a separate guide. This means we can actually discuss more events across the day rather than being reliant on 1 guide.	
(d) Do you consider that your proposed changes would be prejudicial to the access by members of that community to the	YES/NO (Please explain why below)

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.

facilities used for the provision of the service and for training in the use of those facilities?	
No, it will not make any change,	
(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?	YES /NO (Please explain why below)
NO there will no change.	

<p>Please set out below any additional information and/or evidence you wish to provide in support of your proposed changes.</p> <p>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>

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.

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.

Upon consideration of the request, it appears to us, that the change from “events guide” to “events” constitutes a minor wording alteration and is unlikely to have a substantial impact on the Licensee’s character of service. The Licensee has stated that content previously delivered in the events guide portion of the schedule has been incorporated into “general presenter talk”. The Licensee also notes that it anticipates delivering more event information as a result of this change due to having additional flexibility to provide event information throughout the day. Ofcom acknowledges that this change will result in the removal of a specific events programme from the Licensee’s schedule, however, we are satisfied that event information will continue to feature.

We have considered this request under our policy criteria and consider that there are no policy reasons to refuse this request. We are satisfied that the change will not prevent the Licensee from providing a service for the LGBT+ community in Brighton, and that the change will not reduce the social gain delivered to that community. We have therefore decided to exercise our discretion to approve the change.

March 2024