

## Key Commitments change request form

<b>Community radio station name:</b>	EAVA FM
<b>Licence number:</b>	CR000178
<b>Licensee (company name):</b>	St Mathews Community Solution Centre Ltd
<b>Contact name:</b>	Vijay Umrao
<b>Date of request:</b>	25-01-2024

### 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](mailto:broadcast.licensing@ofcom.org.uk).

<b>Existing Commitment (as in your published Key Commitments)</b> <i>Please only include one commitment change per row, and add more rows as necessary into the table.</i>	<b>Proposed revised/ new Key Commitment</b>	<b>Reason for proposed change</b>
<p>The service provides original output for a minimum of 10 hours per day.</p>	<p>The service provides original output for a minimum of 56 hours per week.</p>	<p>We would like to move from a daily minimum to a weekly minimum. This helps for when there are complications with live or pre-recorded programming on days of the week, such as weekends, bank holidays &amp; religious holidays. We also request to slightly reduce the total original hours to be in line with an average of 8 hours per day. The impacts of the pandemic and cost of living crisis and changes to community capacity, mean that our volunteers may not be able to commit to as much time on-air.</p>
<p>The service provides locally-produced output for a minimum of 13 hours per day.</p>	<p>The service provides locally-produced output for a minimum of 70 hours per week.</p>	<p>We would like to move from a daily minimum to a weekly minimum. This helps for when there are complications with live or pre-recorded programming on days of the week, such as weekends, bank holidays &amp; religious holidays. We also request to slightly reduce the total local hours to be in line with an average of 10 hours per day. The impacts of the pandemic and cost of living crisis and changes to community capacity, mean that our volunteers may not be able to commit to as much time on-air.</p>

## Statutory requirements

Under section 106(1A)(a)-(f) of the Broadcasting Act 1990 (as amended and modified<sup>1</sup>) 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.<sup>2</sup> 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)	<b>In your judgement would the proposed changes substantially alter the character of the service?</b>	NO	(Please explain why)  The character of service would not change. The proposed changes are to update the descriptions of some of the station output and offer flexibility with how the original content hours are met.
(b)	<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?</b>	NO	(Please explain why)  On the contrary, the changes should serve to increase the range of programmes available to our target community of local people & hopefully encourage more to get involved in volunteering with us. EAVA FM's award-winning output over the years has been eclectic, including music, local news and information with cultural, faith and educational programming, all supported by community members and local stakeholders. – the proposed changes are about ensuring our volunteers' creativity isn't restricted.
(c)	<b>Do you believe that there is evidence that, amongst persons comprising that community, there is a significant demand for, or</b>	YES	(Please explain why)  The station is led day-to-day by community members within the target group in Leicester. They are the key driver for these changes. They want to ensure that EAVA FM is able to broadcast

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

<sup>2</sup> 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.

	<b>significant support for, the changes that you have proposed?</b>		a wide range of programming that reflects the rich diversity of Leicester.
(d)	<b>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?</b>	NO	(Please explain why)  These changes would help to enable our target community and volunteers more time to train new members – there would be no negative impact on access to our facilities.
(e)	<b>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?</b>	NO	(Please explain why)  EAVA FM is proud to deliver social gain, in areas such as; -the provision of opportunities for the gaining of work experience and training; -the promotion of social inclusion; -the promotion of civic participation and volunteering.  We are also committed to providing a platform for those who are broadly under-served elsewhere. The proposed changes have no negative-bearing on our delivery of social gain.

**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) (https://www.ofcom.org.uk/\_\_data/assets/pdf\_file/0017/31913/kc-changes-guidance.pdf).

This change request was made following discussion from target communities and volunteers involved in providing the service.

## 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 requested to convert its Key Commitments for original output and locally produced output from daily to weekly requirements, which will reduce its requirement from 10 hours per day (70 hours per week equivalent) and 13 hours per day (91 hours per week equivalent) to 56 hours per week and 70 hours per week respectively. These represent reductions of 20% and 30% respectively. In requesting these changes the Licensee has stated that the proposal will enable it to have additional flexibility to deliver the licenced service. We are satisfied these changes do not substantially alter the character of 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.

*April 2024*