

## **The Licensing of Community Radio**

**Response from Richard Brook, Radio Royston, 48 Blacker Lane, Crigglesstone,  
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### **Main topics: Regional music radio, 3½ mile limit, use of pirates and the BBC**

My interest is in community-run niche music radio and regional community radio, run by enthusiasts with a common interest for members of their community throughout the region.

It is informative to consider what people are already providing and listening to spontaneously, by way of pirate radio.

40 years ago a new type of music station was provided in this way, and shut down by the government, despite a massive popular campaign. 40 years on the BBC re-create it for a few days as a nostalgic tribute, and the whole country rises up and demands it again and says it's the best radio they've heard for decades. Dare I use the phrase "The people know best"?

Ofcom needs to do more to provide the radio people want to hear. Music everyone wants, wherever they live, chosen by the community for the community. This needs regional frequencies with the BBC's universal coverage, but community-style management and access.

I've been looking at various options, and the best has now emerged, in the light of the Essex experience. The BBC themselves, and the listeners, told us what they want to see.

**I already floated the idea of regional community radio for niche music, and BBC/community co-operation, in my commercial radio consultation response of 11<sup>th</sup> March, which was also submitted to this consultation as it covers common ground. Everything said in that response is still valid.**

**However, events have taken a dramatic turn in the last 10 days, due to the spontaneous national public response to Pirate BBC Essex, which changed the whole ball park in which community radio operates.**

This was offshore pirate radio - which incidentally had national, regional and local stations - hybridised with BBC regional radio and community radio and displaying all three's best qualities unadulterated.

In fact it was more fun than the original because it was interactive. We could actually take part by instant text and email and slip our feedback into the show, which we did in our thousands. Hundreds all over the country stayed up all night listening on the Internet and emailing. The listeners effectively took over the show and determined how it developed.

News of it spread by email from friend to friend, and the website had 300,000 hits in a week, even though it was listenable on MW in Suffolk, Essex, Kent and East London. People were saying they hadn't listened to radio for years. At one stage a backlog of 500 texts developed.

The BBC are now analysing the thousands of texts and emails received.

If there's one thing to say for the tragic deprivation of refreshing, spontaneous offshore-style music radio that this nation has suffered for the last 37 years, it's that due to the bold and inspired decision of BBC Radio Essex to celebrate the memory of the nation's much-missed offshore radio which started in their area, this is the way it's going to come back for everyone nationwide, with regional identity, community involvement and the BBC's universal coverage.

And no adverts to get in the way of the music.

It will be paid for by listeners' donations, because the nation wants to hear it. I foresee that within months we will have well-known offshore and land-based pirate stations broadcasting as regional or national stations under the aegis of the BBC, but with the open access and community involvement of community radio.

The BBC would be effectively a technical and management resource, as people are generally right in saying this is too big for small groups or individuals, but the presenters would control the programmes.

It might need an enabling law and safeguards to protect both parties' interests unless it was a straightforward absorption into the BBC, as it's outside all the definitions enabled by current legislation unless there's provision for it in the BBC charter.

But that could be rushed through at the same time as the current review of the Community Radio Order, or at least provision made for trials of the concept, covering 50s & 60s music in the first place. I suspect most of those ready to have a go immediately would already be BBC or commercial DJs, except in our own case where volunteers have been recruited.

BBC ownership of community stations has been banned to prevent Auntie taking over, but the reality is BBC presenters wanting to break free and give the public what it wants. And that ban will only apply to the small community stations envisaged by Ofcom. It would not be contravened by a regional station seeking an alliance or merger.

**Our regional offshore-style sector will be very strongly music-led, non-commercial, and with a more spontaneous interactive style and larger playlists than commercial radio and the traditional BBC.**

There is no commercial station for that sort of music that it would draw listeners away from. As I predicted, listener after listener said they hadn't listened to radio so much in years, some hardly at all, and it was TV soaps that they'd stop listening to.

Even in London there is no 24 hour 50s & 60s music station, as London listeners were quick to point out.

I've already offered to go through the BBC's record library and other private collections and pick out all the forgotten music of hit parade quality that's not been dusted off for 40 years, by listening to it with a listener and music critic's ear and no preconceptions about the artists concerned.

And to combine this resource with music already sourced specifically for a new 1950s & 60s station and music offered by listeners, mobile jive/bop DJs, record companies who had it in the can when the music died, and bands who want to re-create it.

And to offer this music resource on computer for instant play to every BBC or community station that wants to play it.

It would be very nice for Auntie to give all community stations a shoulder to lean on, because they have researchers as well as DJs to give music support, news and community departments ready to give all sorts of help appropriate to the area they serve, and clerical and admin support that we would not have as an independent regional music station operating on a shoestring from presenters' homes without any paid staff.

Of course this would introduce admin costs even if we gave our services free as individuals, but it's much easier for the Government to pay the BBC centrally and give them a budget to help all stations with.

### **Pirates and Community Relations**

I also understand that if niche music community radio comes under the BBC's charter, London's Afro-Caribbean communities will be able to hear their favourite reggae and gospel DJs because the BBC is not subject to the ban on using convicted pirates.

Such a station would be the main means of luring pirates over into legal radio, with the informal style of presentation and musical innovation they best respond to.

If you analyse the flashpoints for the ethnic riots and burnings that broke out in over 30 towns and cities between 1975 and 2001, the reasons were often seemingly trivial incidents centred on stopping or arresting "local heroes" who were popular with their peer group. It pays to remember that very few people regard unlicensed broadcasting as doing anything wrong at all.

Given the crackdown now proposed on pirate radio under the Communications Act 2003, and the introduction of powers of arrest, it is frightening that Everitt seems to be resigned to black communities not applying for legal licences because they have their pirates, and that Ofcom is giving no indication of an amnesty to allow those already convicted to come over to the legal sector.

He says in New Voices 1.43:

“The existence of numerous Afro-Caribbean pirate stations may have reduced the pool of those interested in the Access Radio experiment.”

Only one station applied for the pilot scheme, compared with 27 Asian stations, and that wasn't in London where there are said to be about 100 pirates..

It is also telling that he describes (3.8) how 20 years ago a Birmingham pirate station trained by the BBC to turn legal went back to pirating when it was refused a licence. Is that surprising?

This is supposed to be about giving communities pride in their culture, not suppressing it because their faces don't fit.

It is totally invidious that any community or interest group should be denied a service or receive a poorer one because the individual willing and able to provide it has a conviction ... for providing it!

In my book that's evidence that they'll sustain it and ask for no reward.

It's also a bad law because the only offence it punishes is the offence of getting caught, and its main achievement is to perpetuate piracy for another 5 years.

Those who drafted such crazy laws and procedures should examine their conscience before the Community Radio Order is laid before Parliament, and ensure that it does not apply to community radio where involvement is unpaid community service and any ban on individuals serving the community punishes the community, not the offender.

Ofcom should be obliged to consider all applications and applicants on their overall merits and the public interest. They should retain the power, at their discretion, to remove individuals they consider unfit for good reason, after considering the full circumstances of their offence, but the deciding factor should always be the public interest. It should always be the best person for the job.

Time after time, the Community Radio Order imposes on Ofcom the duty to consider the best interests of the community, yet in this key area of recruiting those best able to do it or those with the best proposal, the law bans Ofcom from considering the best interests of the community.

**Question 2** **3½ mile limit** (*More detail in my Commercial Radio response*)

**This is a red flag rule. It will drive good people out of community radio.**

**I fundamentally disagree with the 3½ mile radius limit for FM, especially when it comes to niche music radio for musical tastes, ethnic cultures and age groups not covered 24/7 by commercial radio or the BBC.**

And even when they are, because Essex listeners pointed out last week that the commercial “gold” stations have a very small playlist even for the genres of music they play and it very soon becomes boring. It isn’t music-led. The BBC and pirates are, but haven’t the broadcasting hours to play a fraction of what’s in their record libraries, all sitting there ready to use.

**These interests need universal FM coverage. Afro-Caribbean communities in different cities in the same region, and people with a common interest in the same kind of music, need bringing together by regional radio. For many people, regional identity and a radio station shared with friends throughout the region is as important as local identity.**

**A community is just as much a community if it’s scattered over a 35 mile radius in an urban area, and the management can be the same.**

**Everitt misses the plot completely in New Voices 6.2.13. Radio is the only way to link such communities together. It’s far cheaper and better quality on that scale, and just as grass-roots.**

**A station with a million listeners run by the community for the community is far more sustainable by donations from the public and far more able to raise a surplus for good causes.**

**It may well be that the BBC will provide this regional community radio, using the same principles as Ofcom’s scheme.**

**Either way, frequencies need to be reserved for it, alongside those for neighbourhood radio. It will benefit millions and bring much greater social gain.**

Listener after listener in the 50-60 age group saw the commercial stations as dinosaurs to get rid of, because they denied us our musical culture just by being there and filling the available frequencies with clones they never listened to. These were the 60s music listeners (Mods and Rockers).

I got exactly the same reaction from the 60-70 year olds when I polled the jive/bop (Teddy Boy) fraternity who want true 50s rock ‘n’ roll. They only listen to the BBC, and moan that it doesn’t have enough hours of their music.

Commercial DJs listen to pirates. That’s where all the rare music is, because they’re volunteer-run and aren’t trying to be commercial. They’re the guardians of our culture, but they have to be harnessed to work with the BBC, because the BBC needs volunteers to man extra frequencies if we’re ever going to hear that music 24/7 again.

Several of the BBC’s most popular DJs are those who defied the ban on 15<sup>th</sup> August 1967 and went on broadcasting on Caroline, risking arrest the moment they stepped on British soil. These are the sort of people we need to stand up for the British public.

I believe in pirates doing unpaid community service to serve their communities in the way they know best. That's what they wanted to do in the first place.

Give us those under-used frequencies and let pirates with or without convictions work on them for new BBC FM stations. It will take about 5 or 6 per region to cover the underserved niches, each regional group getting a good signal to 10-20% of the UK population, 5-10 million people.

This is extremely good value for money, and being informal, spontaneous and volunteer-run, they are nearly as cheap to put on as a chat show.

The BBC could use a lot more power than most commercial stations are given, and get a better signal to everyone.

We could ultimately do with 24 hour stations for true rock 'n' roll, 50s & 60s style, folk & country, reggae & gospel, and 50s-80s style from all 6 decades as distinct from the 60s-90s of most oldies stations. Playlists should be style-led rather than by date.

Jazz and swing is another, though perhaps best provided by extending Saga to all regions in return for it working with neighbourhood stations for the same genre, as it has expertise and a genuine interest in the older community.

**50s & 60s** is the priority, as we have that ready and it's what the offshore fans are calling for and demanding the BBC puts on immediately for the Spring and August bank holidays.

My team could cover most of Yorkshire & Lancashire from Holme Moss, to test the format and fund-raising methods with unpaid volunteers supported by the BBC.

We could continue through to the August holiday on a dedicated ex-pirate frequency to raise money for the region's hospitals, while the Essex team extend their holiday week broadcasts to the whole of the Home Counties and East Anglia, using more of their local frequencies. This would enable a range of approaches to be compared before anything is set in stone.

**Afro-Caribbean music** is the second priority, to get the ethnic pirates on board before the black communities discover they've been left out of community radio.

According to Everitt they have not prepared much to launch legal neighbourhood community radio.

But they have chosen to launch pirate stations with a range of 35 miles. I used to listen to one in Sheffield that was clearly powerful enough to reach the Leeds community and possibly even Manchester, Derby and Nottingham.

They have decided they want to link their communities together by radio, and what is more natural? It's distance links that radio does best, and all those scattered and

isolated in between benefit as well. We want to extend our hand to the black communities, not beat them with a stick.

The Asian communities have regional stations and regional evening shows on the BBC.

The Afro-Caribbeans appear to have nothing. It's small wonder that we view each other with mistrust and lock our car doors when we drive through their areas. Good community relations should be paramount, and the BBC would do it well.

Their community departments would be the ideal umbrella and support for community workers attached to the neighbourhood stations, and the BBC's educational tradition would qualify it well for motivating young blacks who traditionally under-perform in school.

Take the pirates' keenness to volunteer and their enthusiasm for rare and innovative music, and the record collections of community DJs and BBC listeners.

Add the BBC record library, and set volunteers to work searching it for forgotten gems. Share the results with stations in other regions, which is easier to do when it's the BBC, and you have a community music station second to none, playing the music that's already there but never heard. BBC stations run by the community with BBC help and supervision.

Use the resource that's staring you in the face. It will cost next to nothing.

If we use the BBC record library, there's less setup cost in buying CDs specially, or buying rubbish without hearing it first.

Make them regional fund-raisers for the NHS and charity, and you justify them and put in place the links for happy listeners to donate their running cost at the same time.

We don't need an army manning the phones, just direct web links to the charities. No cost, lives saved, quality of life improved, artists promoted, record sales revived.

If it's all for charity, which it should be, artists and record companies may waive their royalties. Offshore stations were deluged with free promotional discs, and I've received some already. They only played them if they liked them, and I would do the same.

I believe in public service broadcasting, telling people where they can obtain products and services they already want. The BBC can do this now, naming record labels, suppliers, brand names. They couldn't 40 years ago.

The businessmen who started the offshore stations hoped to make a bit of money or advertise their businesses but are now retiring age. Caroline was started to promote an independent record company's artists. The founder of Radio Scotland died of a broken heart six months after the station closed.

Those that carry on as RSLs are run by volunteers and music fans, the very people we want in the BBC and community radio.

It's the BBC that are now their natural partners, and it took a stunt by BBC presenters to bring it home to us. We don't want to "bomb the BBC" any more, we want to help them bring our music back.

**Question 3 Simultaneous applications for the whole UK**

**I agree. It's vital that all applications are considered together, so that licences granted in one area don't restrict opportunities in another area before that area can apply. Ofcom can then work outwards from the centre of the country, and downwards from the largest stations to the smallest.**

**Question 4 Consulting commercial stations**

**Yes. It's only fair to give commercial stations an opportunity to comment.**

**Question 5 50% limit on income from advertising and sponsorship**

**A general 50% limit seems about right, but Ofcom should have discretion to vary it in exceptional circumstances.**

**Question 6 Application form and supporting material**

**Yes. The information requested seems adequate.**

**Question 7 Order in which licences are considered this year**

**It seems sensible to consider the existing stations first. Then I agree you need to look at the crowded areas first to allow time for difficult decisions. I still recommend the order I suggested at Question 3 for the actual allocation of frequencies, to avoid boxing yourself in.**

**Question 8 Other criteria when deciding between rival applications**

**Social gain should indeed be a key criterion, and multiple deprivation is a valid one too.**

**If two groups with different interests want airtime in the same neighbourhood, I would recommend so many hours each, and let them choose whether to combine or operate as separate stations.**

**Niche music services for the same taste in different localities, or services for the same ethnic group in neighbouring cities, which had potential to interest similar groups elsewhere too, could be pointed in the BBC's direction if there was scope for the groups to collaborate on a single regional station for all their communities.**

**Combining these into more powerful stations on fewer frequencies and mainly in the BBC national and Classic FM bands would give good reception to far more people and leave less small stations competing for the neighbourhood frequencies.**

**Question 11 Obtaining feedback**

**Stations could have a regular or occasional forum session where listeners emailed or phoned or texted their comments to be read out and responded to.**

**Pirate BBC Essex got thousands of emails and texts in just 7 days in this way, and every one is now being studied by BBC researchers.**

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