

Tormedia

cyfryngau cymunedol yn Dorfaen

SUBMISSION BY TORFAEN COMMUNITY MEDIA ENTERPRISE COMPANY TO
OFCOM :: CONSULTATION ON THE LICENCING OF COMMUNITY RADIO

Question 1: What role should Ofcom have in respect of community radio, beyond the licensing of new services?

We believe that Ofcom, having been given a remit (subject to an Order in Parliament) to licence and develop the new community radio sector, has a duty to foster its steady growth and to help sustain projects in their fledgling years. We note that Ofcom has stated its intention to do this with a light touch and we welcome this.

We hope that Ofcom will exercise this light touch by use of the carrot rather than the stick. We would not like to see Ofcom play the role of 'Nanny knows best', as did the Independent Broadcasting Authority in the early years of ILR. Most community radio practitioners will, in fact, be pursuing the very aims that the IBA had for ILR in those early years, eg a commitment to public service broadcasting rather than being a purveyor of wall to wall dance music.

It is pleasing to note that the issue of a *Community Media Fund* remains a viable possibility and, we believe, Ofcom has a role to play in aiding growth of the sector by judiciously planned use of *CMF*.

Clearly, Ofcom has a duty of care to curb excesses which might arise in the community radio sector, such as over-commercialism in business or in creative product but it has, equally, a duty to ensure a fair regulatory landscape in which the new sector might flourish unhindered by unnecessary constraints.

We agree that Ofcom should have oversight of projects' performance commitments and believe, further, that the regulator could play a key role in bringing together a range of trade and other bodies to offer advice and a degree of practical assistance to aid capacity building, growth of scope, and development of public awareness. The Community Media Association would be an obvious partner in this process but there will, inevitably, be regional bodies with whom CMA and Ofcom might work. Tormedia aims to be a kick-start partner in a national association of community media organisations in Wales and it, for instance, should be willing to work with Ofcom and CMA to develop the sector.

We are concerned about the use of the word ‘brand’, even if it’s meant in a very loose context. We hope this does not suggest that community radio could be encouraged to be more image than substance. It is, of course, essential that community radio should be appealing in as wide a sense as possible but it should not aim to compete for audiences with BBC and commercial radio. Its purpose is to be an editorially independent, alternative and very local medium, and to be fully open to access.

Question 2: Do you agree with our proposed policy for the allocation of spectrum and the size of coverage areas for community radio services?

Notwithstanding the special case for (non-metropolitan) Wales which we made in our recent submission to DCMS (reprinted below), Ofcom’s frequency allocation proposals seem to be fair and balanced and we agree with them.

THE SPECIAL CASE IN WALES

Inevitably, every organisation in every walk of life believes it can plead a special case. Ours is special not only to Torfaen but, we assert, to much of Wales. In a letter to us (23 Sept. 2002), Richard M. Crowe of the Welsh Language And Media Department of the Assembly Government, replying on behalf of the Minister for Finance, Local Government and Communities, wrote “Creative Future/Cymru Greadigol’ (the Assembly Govt’s cultural strategy document) recognises that the development of radio in Wales has not kept pace with that in England... (and) there is... a suspicion that Wales has been low on the priority list of... regulators in the broadcasting industry.” He went on to write “The Assembly Government will be conducting a study of broadcasting issues and... will be considering how Ofcom will be able to help the audio-visual environment in Wales become a leader in the field.”

In response to this apparent lack of development, we urge that in non-metropolitan regions of Wales, community radio be licenced in areas larger than parts of or even whole small towns. In our case, we are proposing a radio service which will cover the entirety of the unitary authority of Torfaen CBC (approx. ten miles by four and total catchment of approx. 90,000) with a studio centre in each of the three main (very different) towns and, ultimately, a mobile studio enabling access in the interstices. Each studio would supply its programming to the one transmitter on a centrally planned timesharing basis.

We believe that this makes sense from two points of view: (1) the need for only one frequency as opposed to two or three (were they available), and (2) it would enable faster growth of the medium throughout Wales (or other, similar, areas) and greater access to the population in a more cost-effective manner.

Question 3: Do you agree that community radio should be an applicant-led process with an annual 12-week period when applications can be submitted for any neighbourhood or community in the UK?

The proposed process of rolling out community radio in an applicant-led manner will prove to be one of the key tests of demand, and we therefore agree with this proposal. We are concerned, however, that the proposal is for only one round of licence applications per year. This approach is presumably bound up with logistics and we would urge Ofcom to return to the drawing board and rethink the management of licencing to enable a continuous trickle through process. We believe this will result in steadier growth and enable success for those organisations which might be thin at the managerial level (yet capable of superlative delivery in the creative sense) and thus beset with workload delays ahead of an annual target date. In suggesting this, we have in mind that 99% of community radio projects will emerge, by their very nature, from the community & voluntary sector. The annual window approach strikes us as potentially unfair and likely to hold back development.

Question 4: Do you agree with Ofcom's proposal to invite submissions from commercial radio operators if they consider that their economic viability might be affected by the provision of a community radio service, based on the application proposals?

No. We believe that community and commercial radio are two quite different species. One is run entirely in the interests of shareholders with a degree of commitment to delivery of programming suited to consumers' lifestyle beliefs. The other is to be provided to areas or communities of benefit with the intention of being socially useful in the widest sense. We are not keen to see any interference in the licencing process by private companies seeking to protect their profit margins. In any case, we do not believe that community radio, managed with due care and attention, will ever be in a position to damage the overall audience and receipts profile of commercial radio. In our case, we have no intention of being a threat to the profits of overlapping commercial stations and do not believe it would be in our interests or those of our stakeholders.

Question 5: Should there be a general limit of 50% of annual income that community radio stations are permitted to obtain from the sale of advertising and sponsorship, or should this be decided on a case by case basis?

We agree with the notion that advertising and/or sponsorship receipts should represent no more than 50% of income. We would be unhappy with less but see little reason to want more. We would prefer to see an across the board 50% limit rather than a case by case decision since this would inevitably lend itself to interference by commercial interests.

Question 6: Are you content with Ofcom's proposals for the submission of applications?

Yes.

Question 7: Are you content with Ofcom's proposals for the order in which it will consider applications in the first year?

Yes.

Question 8: Aside from the Government's selection criteria, what other criteria should Ofcom use when deciding between applications?

It would be appropriate that Ofcom look at the strength and diversity of the applicant's board, its cross-community connections and, consequently, its ability to deliver community involvement to the project. Conversely, the applicant's commitment to deliver the project to its area of benefit in a meaningful way, particularly in terms of providing airtime or publicity to user groups (eg CAB, people's centres, residents' groups, area voluntary council, volunteer bureaux, the voluntary & community sector at large, WEA and similar, local authority, area education authority, area health authority, police liaison groups, et al), and in delivery of on going capacity building projects.

Applicants' commitment to open access broadcasting and to the fostering of a corp of volunteers to deliver the radio station and its services is a major component of the viability of an application and is an area to which Ofcom will no doubt pay attention.

Applicants' ability to financially sustain the service(s) for the duration of the licence is, in many ways, the key deciding factor. Should the board show strength in the voluntary & community sector, as suggested above, this would be a moot point. In light of our experience of voluntary & community sector funding, we hope that Ofcom will show (a) a degree of faith and (b) some flexibility during the application process since funds cannot be sourced without having a detailed business plan to support the funding application(s). It will, therefore, be necessary to make financial assertions to Ofcom which will only become substantive after the licence has been granted. A clear case of the chicken and the egg.

Question 9: Are you content with the proposal for listing a station's key commitments in its licence?

Yes. We would hope to see some flexibility by Ofcom in assessing licencees' delivery of key commitments, especially in reviewing first year of broadcasting and associated activities. In an ideal world, timelines and delivery forecasts work perfectly true to plan. It is not an ideal world.

Question 10: Are you content with Ofcom's proposal that each station should produce an annual report?

Yes. We would have a duty to produce an annual report of a similar nature for our stakeholders, in any case.

Question 11: Do you have suggestions on how we might research the impact of community radio services on target communities or on other methods of seeking feedback from communities?

We would strongly recommend that Ofcom seek input by area voluntary councils, volunteer bureaux, CABs, and the full range of local authorities. Further indication of the reach of community radio projects (altogether different from the 'reach' of commercial radio) might be measured by local educational institutions, area public library services, and local newspapers, most of which will want to have some association with community radio services or, at the very least, will 'follow the story'.

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