

***transplanUK***

***The licensing of  
Community Radio***

***Consultation  
Response***



***Question 1:***

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

Ofcom should be involved in all aspects of the initiation and operation of Community Radio using the type of light-touch regulation typified by that of the Radio Authority in the past.

Community Radio Stations in the UK should effectively serve their communities as in the conditions set in their licence. Ofcom should make regular visits to stations to witness first hand the work being undertaken.

Simple annual reports to an agreed format should be submitted by community stations along with samples of programming and scheduling to ensure that they do not extend beyond their remit and be confused in the listener's mind with existing commercial operations in the area.

This should not prevent Community Radio from developing quality programming and Ofcom should apply all the current codes and guidelines to all community stations.

### **Question 2:**

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

From our wide experience in the planning and operation of more than 80 RSLs over the past 8 years, we feel that a much more radical approach to frequency allocation is required for Community stations, and indeed for the provision of other types of local services.

Firstly, the transmission coverage required to enable a Community station to correctly serve its audience should not be pre-determined.

Although it will no doubt require more work for the Regulator, each proposition should be considered on its merits.

We have experience of stations requiring only to serve a small village or part of a City where maybe 5 watts would be adequate, contrasted with our proposals for Afan fm to serve the youth of several valleys in South Wales where a 200W central transmitter and up to six relays would be required to achieve adequate coverage. There should be no hard-and-fast rule if Ofcom is to correctly serve the æthos of Community Radio.

It is agreed that the FM radio spectrum (87,5 to 108 MHz) is a limited and valuable asset. But it is not fully-subscribed even in today's conditions, and parts of it are significantly under-used because of a historic exclusive call on certain sub-bands, notably by the BBC. While it is simplistic to call for a radical re-think and audit of the Band II spectrum, many small stations could be positioned within existing allocations to little or no detriment to existing broadcasters.

As an example, in most populated areas listeners can receive up to four acceptable services on BBC Radio 1 in the 20 discrete channels which constitute the sub-band 97,9 to 99,9 MHz. It is not beyond the bounds of reality to allocate

several channels within this sub-band to local student stations for example, using maybe 20W to cover a College or University and its immediate environs.

The present system of allocating 1W EMRP on medium wave (508-1602 kHz AM) with the proviso that radiation cannot be acknowledged outside the physical boundary of the campus is indefensible in today's environment, as indeed is offering 50mW in the FM Band, only available in very sparsely-populated areas of the UK.

There are also many high-powered Regional and larger Local stations which cover far in excess of their allocated or indeed desired TSA, and low-powered stations could again be allocated the same channel in places some 50km from such major broadcasters with no detriment to the former's coverage.

### **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?

We fail to see the virtue of the thinking behind this proposal. It appears to bring huge administrative problems for the Regulator with no apparent advantages.

Whilst we are fully in agreement with the concept of application being driven by those who have formulated a need for radio in their community rather than by the selection of candidate areas by the Regulator, we suggest that applications should be accepted at all times without restriction, subject to a strict regime of eligibility as before.

This will avoid an influx of poorly-designed and ill-founded applications which we suggest would even further waste the Regulator's valuable and limited manpower resources.

### **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?

We suggest that to great extent this can be classed as a red herring. The type of advertiser or investor who would be attracted to a Community station would not be in a position to afford to advertise on an existing commercial station, and indeed would not need the relatively large-scale coverage that this would bring.

Community stations would perforce provide a different service from existing operators, as defined by their stated audience sector in their Application. It would be in order for the Regulator to decline a bid from a Community station which proposed a format too close to that of an established broadcaster.

There would indeed be many good reasons in practice why a conscientious exiting commercial broadcaster would want to work in harmony with a true Community station, as indeed is already evident in some more remote parts of the country.

Existing broadcasters should be informed of and kept in step with Community applications within or adjacent to their existing TSA.

**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 consider that this should be determined again on a case-by-case basis, accepting that it will produce a greater workload; against which should be offset the gestation of new stations best suited to their stated purpose and their business plan.

**Question 6:**

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

No.

Again, we cannot understand why Ofcom would want to eliminate evidence of experience and acceptability to the community of Applicants. Obviously a good business plan is required – so also should be parallel evidence of the background and capabilities of the Applicant.

It produces visions of the consumption of spectrum by services which will be under-used and under-supported by the local community.

Public funders understandably require such material and whilst it should not be a requirement, Ofcom should welcome such materials to be submitted as evidence of bona fides and acceptability to the community.

**Question 7:**

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

We suggest that Ofcom prioritises projects which have shown initiative and gained experience by conducting such trials ahead of those who have declined or have not reached that stage. This will facilitate filtering out of projects which are not viable and therefore unsuited to the Community Radio platform.

**Question 7:**

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

In general we have no objection to these proposals.

**Question 9:**

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

We feel that this is an essential element of the Application process.

**Question 10:**

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

It is required in all forms of conventional business and should again be considered a mandatory condition for Application.

**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?

However this is done, it will produce a considerable expense burden on the Regulator.

This should be the function of the management of a radio station at any level, and should form a part of the station's licensing terms.

Ofcom should produce a simple but comprehensive form applicable to the information that it and the station requires for satisfactory operation. Stations failing to produce such information to an extent and at a time acceptable to the Regulator should have licences reduced or revoked as at present.

Local authorities, administrators, funders and businesses could be polled at regular intervals to determine the success of the station in the community.