

RESPONSE TO OFCOM CONSULTATION DOCUMENT

“Radio – Preparing for the future”

from the Lincs FM Group

- 1 *Do you agree with our proposals to use formats as the primary tool of regulation for analogue commercial local radio?*

Yes. However, we think that as far as is possible within the constraints placed by regulation and the licence award procedure, formats should only relate to output.

2. *How do you think the objective of ensuring the provision on commercial local radio of a high quality news service, including local and national news, is best achieved?*

- *Should stations be allowed to use news hubs to allow them to operate in the most operationally effective way?*

Yes. Listeners judge a local service by what they hear – Ofcom should do the same. News hubs allow higher quality presentation and more time for journalists to gather news on the ground.

- *Do you agree that we should include a statement in the localness guidelines to the effect that, in order to provide a comprehensive local news service, each station must provide direct and accountable editorial responsibility, based within the licensed area, for the provision of a news service equivalent at least to full time professional journalist cover for all of the hours during which its licensed format specifies that it will provide local news programmes?*

No. Such a requirement is both unnecessary and dangerous. A local news programme, as opposed to a bulletin on many local stations, is likely to be pre-recorded and does not require a journalist in attendance at the time of broadcast. Even with news bulletins these may well be pre-recorded, and broadcast after the journalist has gone off duty. This often happens at a number of our stations. It also confuses the structure of editorial responsibility within some stations. The editorial responsibility at the Lincs FM group at each station rests with the programme manager for whom the journalists work. The programme manager retains editorial responsibility whether he or she is on duty or not. Such

requirements as this will significantly hamper our ability to produce high quality local news.

- *Is there a better way to achieve the objective that focuses more on output rather than input regulation*

Yes. Ofcom should not include anything that it doesn't have to either in its localness code or formats that relates to how a broadcast is compiled. Anything that restricts the flexibility particularly of small licencees will reduce the ultimate quality of output.

3. *Should stations be allowed to decide for themselves how much programming they automate?*

Yes. Listeners judge by what they hear. Automation should be at the station's discretion.

4. *Should the requirement for a station's studios to be based within the measured coverage area be relaxed to require the station to be based within the licensed area?*

Yes. This is a sensible relaxation.

5. *Do you agree that a station's local hours, as defined by its format, should include local material, but that, outside of these hours, stations should be free to share material with other stations on a network basis as they see fit?*

Yes

6. *Do you agree that each station should be required to maintain a format and localness file, available both at its premises and online, which demonstrates how it is meeting its obligations?*

Yes. However we think that in line with what we have set out earlier the localness file should only be required to include detail of output. Details of local news stories covered and quantity of local news is of interest to listeners, however whether programmes or bulletins are automated and how many staff are employed to compile them is not relevant to listeners. Because of the specific requirements for local production of programmes in formats we can understand the requirement to detail production location. We think that the localness file should only relate to what is required by formats and indicated as good practice by localness guidelines – which should be silent on both staffing and automation.

7. *Do you agree with our revised localness guidance, which sets out the factors stations should take into account in providing local programming?*

Yes, except the first bullet point. We suggest this should be restricted to the first two sentences. The format requirements for local news are more than adequate. All our stations employ locally based journalists and our stations have won many news awards however our current operation would regularly be in breach of this paragraph as presently drafted. If we had to adhere to it the quality of our local news output would be reduced. For us such requirements would be seriously restrictive to the significant disadvantage of listeners as well as frustrating for staff who are used to being able to make the best editorial and resource decisions for listeners rather than to meet regulations.

8. *Do you agree with our proposals to allocate more spectrum in VHF Band III for DAB-compatible use (subject to spectrum clearance and international agreement) in the following way:*

- *Three blocks to provide local multiplexes to those areas which currently do not have their own local multiplex and some areas which already have local multiplexes?*
- *One or two blocks for national coverage (depending upon whether four or five blocks of spectrum are available in total)?*

We agree with the proposals. We think it is vital that where new multiplexes fill in white space the multiplex area should be homologous with the principal existing analogue local station. In the case of Lincs FM we would suggest that the multiplex should cover all of Lincolnshire from the Humber to the Wash (including Lincolnshire, North Lincolnshire and North-East Lincolnshire) as a smaller multiplex area would be much more difficult to make viable and would recognise the distinct community of Lincolnshire.

[If the area for a Lincolnshire multiplex also included the unitary authority of Rutland it would offer a way that we could include both Rutland Radio and Compass FM in a single multiplex taking only one space on the multiplex as they each only cover small areas at either end of the multiplex area.]

[Note: The map on page 62 wrongly shows Compass FM as “Adult mainstream”. It is actually “35+ and gold”]

9. *Do you agree that the proposed local DAB digital radio multiplexes should be awarded as Broadcasting Act licences?*

Yes.

10. *Do you agree that the frequency blocks proposed to be allocated to national coverage should be awarded under the terms of the Wireless Telegraphy Act only (ie without the need for a Broadcasting Act licence)?*

Yes.

11. *What demand do you envisage there being for nationally-allocated DAB-compatible spectrum?*

No particular view.

12. *Do you think the limit on non-programme related data carried on each commercial DAB digital radio multiplex should be raised from the current limit of 20%? If so, what should the limit be raised to? What do you envisage extra capacity would be used for?*

No particular view.

13. *Do you think the limit on non-programme related data (including radio) carried on each commercial digital terrestrial television multiplex should be raised from the current limit of 10%? If so, what should the limit be raised to?*

No particular view.

14. *Do you agree with the proposal to abolish the minimum bit-rate limit for DAB digital radio and replace it with a co-regulatory system akin to that applied in television for picture quality?*

Yes. This seems a sensible relaxation which will allow multiplex operators to respond to improving technology.

15. *How should Ofcom allocate further MW (AM) frequencies between commercial and community radio?*

We believe priority should always be given to commercial radio, and only where a frequency (either on FM or MW) is not suitable for commercial broadcasting should it be allocated to community radio.

16. *How might we accommodate the advertisement of new commercial MW licences into our existing FM licensing plans?*

We prefer Ofcom's third attentive "giving a clear priority to FM at all times, but slotting a few new MW licence advertisements into the schedule as and when practicable".

Questions 17-19

We have not answered these questions directly as we do not have the resources to fully address the issues raised.

We believe very strongly that all our services make a major contribution to local life and that we serve a significant public purpose.

2 March 2005