

Format Change Request Form OfW 332

Station Name:	3TR fm
Name of Person Proposing Format Change:	Steve Bulley Regional Programme controller (South West) The Local Radio Company
Outline Format Change(s) Proposals:	Programming sharing and co-location with Spire fm (Salisbury)

Operators of analogue local radio licences may apply to Ofcom to have the station's Format amended. Any application should be made using the layout shown on this form, and should be in accordance with Ofcom's published procedures for Format changes (available on our website).

Under section 106(1A) of the Broadcasting Act 1990 (as amended*), Ofcom may consent to the change only if it is satisfied that *at least one* of the following four criteria is satisfied:

- (a) that the departure would not substantially alter the character of the service;*
- (b) that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons living the area or locality for which the service is licensed to be provided;*
- (c) that the departure would be conducive to the maintenance or promotion of fair and effective competition; or*
- (d) that there is evidence that, amongst persons living in that area or locality, there is a significant demand for, or significant support for, the change that would result from the departure.*

Only one of these four criteria need be satisfied in order for Ofcom to consent to the proposed change. However, even if Ofcom is of the opinion that the proposed change satisfies one or more of the statutory criteria, there may be reasons (depending on the particularly circumstances of the case) why Ofcom may not consent to the proposed change.

In addition, applicants should note that, under section 106ZA of the same Act (as amended*), a proposed change that *does not* satisfy the first of these criteria (i.e. a change that Ofcom considers *would* or *could* substantially alter the character of the

service) must, if it is to be considered further under any of the other three criteria, be consulted upon. #.

In the event that Ofcom receives a request for Format change and considers that criterion (a) is *not* satisfied, it will seek confirmation from the applicant as to whether it wishes to proceed with the request (and, if so, whether it wishes to amend or replace its submission in light of the necessity to make it public).

Please present your submission in the following manner:

Section 106(a) relevance...

We wish to co-locate the 3TR fm studios within our existing studios in Salisbury for Spire fm

We would also like to propose the sharing programming across 3TR fm (Warminster) and Spire fm for six hours daytime, this would originate from the Spire fm studios in Salisbury City centre. We propose this forms part of the required ten local hours.

While the origination of the programming would change from Warminster to Salisbury it will not have any effect on the 3TR fm output. We will continue to have exclusive, strong, locally relevant news and content on air provided through our successful existing infrastructure and 3TR fm will remain committed to providing quality local programming. Spire fm's studios are only 20 miles from 3TR fm's, the TSA's are adjacent.

We believe that 3TR fm will maintain it's already strong local identity with local relevant news and programming output. We are also confident that our audience will experience that to no noticeable change to what they hear from their local radio station. We therefore do not anticipate an adverse reaction to our plans.

News and travel would be locally made for each service during shared programming.

Section 106 (b), (c) and (d) relevance...

The MCA of the 3TR fm is 18,400, which is firmly in line with Ofcom's published thinking with regard to aiding smaller stations to bring benefits for listeners.

Any additional information and/or evidence in support of proposed change(s).

Format Change Request Form OfW 332

Station Name:	Vale fm
Name of Person Proposing Format Change:	Steve Bulley Regional Programme controller (South West) The Local Radio Company
Outline Format Change(s) Proposals:	Regional programming sharing and Co-location with Wessex fm.

Operators of analogue local radio licences may apply to Ofcom to have the station's Format amended. Any application should be made using the layout shown on this form, and should be in accordance with Ofcom's published procedures for Format changes (available on our website).

Under section 106(1A) of the Broadcasting Act 1990 (as amended*), Ofcom may consent to the change only if it is satisfied that *at least one* of the following four criteria is satisfied:

- (a) that the departure would not substantially alter the character of the service;*
- (b) that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons living the area or locality for which the service is licensed to be provided;*
- (c) that the departure would be conducive to the maintenance or promotion of fair and effective competition; or*
- (d) that there is evidence that, amongst persons living in that area or locality, there is a significant demand for, or significant support for, the change that would result from the departure.*

Only one of these four criteria need be satisfied in order for Ofcom to consent to the proposed change. However, even if Ofcom is of the opinion that the proposed change satisfies one or more of the statutory criteria, there may be reasons (depending on the particularly circumstances of the case) why Ofcom may not consent to the proposed change.

In addition, applicants should note that, under section 106ZA of the same Act (as amended*), a proposed change that *does not* satisfy the first of these criteria (i.e. a change that Ofcom considers *would* or *could* substantially alter the character of the

service) must, if it is to be considered further under any of the other three criteria, be consulted upon. #.

In the event that Ofcom receives a request for Format change and considers that criterion (a) is *not* satisfied, it will seek confirmation from the applicant as to whether it wishes to proceed with the request (and, if so, whether it wishes to amend or replace its submission in light of the necessity to make it public).

Please present your submission in the following manner:

Section 106(a) relevance...

We wish to co-locate the Vale fm studios within our existing Wessex fm studios in Dorchester.

We also propose to share programming across Vale fm and Wessex fm retaining four hours a weekday local programming for each service. This would form part of the required 10 local hours. We propose this would originate from the Wessex fm studios in Dorchester. We propose this forms part of the required ten local hours.

While the base of our programming operation would change it would not have any detrimental effect on the Vale fm output. We would continue to have strong locally relevant news and content on air using specific split presenter links.

Vale fm remains committed to providing locally relevant content. The Wessex fm studios are only 20 miles from the edge of Vale fm's TSA at Blandford, and the TSA's are adjacent. Both stations cover the Dorset area with commonality of population.

We believe that Vale fm will maintain a strong local identity with local relevant news and content. We are confident that to Vale fm listeners there will be no noticeable change to what they hear from their local radio station. We therefore do not anticipate an adverse reaction to our plans

News and travel would be locally made for each service during shared programming.

Section 106 (b), (c) and (d) relevance...

Any additional information and/or evidence in support of proposed change(s).

The MCA of the Vale fm is 53,710, which is firmly in line with Ofcom's published thinking with regard to aiding smaller stations to bring benefits for listeners.

Format Change Request Form OfW 332

Station Name:	Arrow fm
Name of Person Proposing Format Change:	Steve Bulley Regional Programme controller (South West) The Local Radio Company
Outline Format Change(s) Proposals:	Regional programming sharing and Co-location with Sovereign Radio.

Operators of analogue local radio licences may apply to Ofcom to have the station's Format amended. Any application should be made using the layout shown on this form, and should be in accordance with Ofcom's published procedures for Format changes (available on our website).

Under section 106(1A) of the Broadcasting Act 1990 (as amended*), Ofcom may consent to the change only if it is satisfied that *at least one* of the following four criteria is satisfied:

- (a) that the departure would not substantially alter the character of the service;*
- (b) that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons living the area or locality for which the service is licensed to be provided;*
- (c) that the departure would be conducive to the maintenance or promotion of fair and effective competition; or*
- (d) that there is evidence that, amongst persons living in that area or locality, there is a significant demand for, or significant support for, the change that would result from the departure.*

Only one of these four criteria need be satisfied in order for Ofcom to consent to the proposed change. However, even if Ofcom is of the opinion that the proposed change satisfies one or more of the statutory criteria, there may be reasons (depending on the particularly circumstances of the case) why Ofcom may not consent to the proposed change.

In addition, applicants should note that, under section 106ZA of the same Act (as amended*), a proposed change that *does not* satisfy the first of these criteria (i.e. a change that Ofcom considers *would* or *could* substantially alter the character of the

service) must, if it is to be considered further under any of the other three criteria, be consulted upon. #.

In the event that Ofcom receives a request for Format change and considers that criterion (a) is *not* satisfied, it will seek confirmation from the applicant as to whether it wishes to proceed with the request (and, if so, whether it wishes to amend or replace its submission in light of the necessity to make it public).

Please present your submission in the following manner:

Section 106(a) relevance...

We wish to co-locate the Arrow fm studios (Hastings) within our existing Sovereign Radio studios in Eastbourne.

We also propose to share programming across Arrow fm and Sovereign fm retaining 4 hours a weekday local programming for each service. We propose this would form part of the required 10 local hours.

We currently run a four hour 'East Sussex Today' programme across both services utilising the current regulations, which we wish to continue.

Arrow fm remains committed to providing locally relevant content. Sovereign's studios are only 18 miles from Arrow fm's current facilities and the TSA's are adjacent. Both stations cover the East Sussex area with commonality of population.

We believe that Arrow fm will maintain a strong local identity with local relevant news and content. We are confident that to Arrow fm listeners there will be no noticeable change to what they hear from their local radio station. We therefore do not anticipate an adverse reaction to our plans

News and travel would be locally made for each service during shared programming.

Section 106 (b), (c) and (d) relevance...

The MCA of the Arrow fm is 86,353, which is firmly in line with Ofcom's published thinking with regard to aiding smaller stations to bring benefits for listeners.

Any additional information and/or evidence in support of proposed change(s).

Both TSA's are coastal with a majority of the population working within the area, leisure time tends to be spent within the area too.

Tourism plays a major part of the economy within both TSA's which will continue to be reflected in the output of both Arrow fm and Sovereign fm.

Format Change Request Form OfW 332

Station Name:	Mix 96
Name of Person Proposing Format Change:	Steve Bulley Regional Programme controller (South West) The Local Radio Company
Outline Format Change(s) Proposals:	Programming sharing and co-location with Mix 107

Operators of analogue local radio licences may apply to Ofcom to have the station's Format amended. Any application should be made using the layout shown on this form, and should be in accordance with Ofcom's published procedures for Format changes (available on our website).

Under section 106(1A) of the Broadcasting Act 1990 (as amended*), Ofcom may consent to the change only if it is satisfied that *at least one* of the following four criteria is satisfied:

- (a) that the departure would not substantially alter the character of the service;*
- (b) that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons living the area or locality for which the service is licensed to be provided;*
- (c) that the departure would be conducive to the maintenance or promotion of fair and effective competition; or*
- (d) that there is evidence that, amongst persons living in that area or locality, there is a significant demand for, or significant support for, the change that would result from the departure.*

Only one of these four criteria need be satisfied in order for Ofcom to consent to the proposed change. However, even if Ofcom is of the opinion that the proposed change satisfies one or more of the statutory criteria, there may be reasons (depending on the particularly circumstances of the case) why Ofcom may not consent to the proposed change.

In addition, applicants should note that, under section 106ZA of the same Act (as amended*), a proposed change that *does not* satisfy the first of these criteria (i.e. a change that Ofcom considers *would* or *could* substantially alter the character of the

service) must, if it is to be considered further under any of the other three criteria, be consulted upon. #.

In the event that Ofcom receives a request for Format change and considers that criterion (a) is *not* satisfied, it will seek confirmation from the applicant as to whether it wishes to proceed with the request (and, if so, whether it wishes to amend or replace its submission in light of the necessity to make it public).

Please present your submission in the following manner:

Section 106(a) relevance...

We wish to co-locate the Mix 96 (Aylesbury) studios within our existing studios in High Wycombe for Mix 107.

We also propose to share programming across Mix 96 and Mix 107 by running a 'Bucks Today' 4 hour programme weekdays. We propose this would form part of the required 10 local hours.

While the origination of the programming would change from Aylesbury to High Wycombe it will not have any effect on the Mix 96 fm output. We will continue to have exclusive, strong, locally relevant news and content on air provided through our successful existing infrastructure and Mix 96 fm will remain committed to providing quality local programming. Mix 107 fm's studios are only 18 miles from Mix 96 fm's, the TSA's are adjacent. Both stations cover the Buckinghamshire area with commonality of population.

We believe that Mix 96 fm will maintain its already strong local identity with local relevant news and programming output. We are also confident that our audience will experience that to no noticeable change to what they hear from their local radio station. We therefore do not anticipate an adverse reaction to our plans.

News and travel would be locally made for each service during shared programming.

Section 106 (b), (c) and (d) relevance...

Any additional information and/or evidence in support of proposed change(s).

Both Mix 96 and Mix 107 come under the Buckinghamshire Local Council Authority and therefore have common synergy.

Both Aylesbury and High Wycombe are Affluent commuter towns with a large percentage of the population commuting into London using the fast train links.

Format Change Request Form OfW 332

Station Name:	Alpha fm
Name of Person Proposing Format Change:	Steve Bulley Regional Programme controller (South West) The Local Radio Company
Outline Format Change(s) Proposals:	Regional programming sharing that originates from Durham FM for four hours a day

Operators of analogue local radio licences may apply to Ofcom to have the station's Format amended. Any application should be made using the layout shown on this form, and should be in accordance with Ofcom's published procedures for Format changes (available on our website).

Under section 106(1A) of the Broadcasting Act 1990 (as amended*), Ofcom may consent to the change only if it is satisfied that *at least one* of the following four criteria is satisfied:

- (a) that the departure would not substantially alter the character of the service;*
- (b) that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons living the area or locality for which the service is licensed to be provided;*
- (c) that the departure would be conducive to the maintenance or promotion of fair and effective competition; or*
- (d) that there is evidence that, amongst persons living in that area or locality, there is a significant demand for, or significant support for, the change that would result from the departure.*

Only one of these four criteria need be satisfied in order for Ofcom to consent to the proposed change. However, even if Ofcom is of the opinion that the proposed change satisfies one or more of the statutory criteria, there may be reasons (depending on the particularly circumstances of the case) why Ofcom may not consent to the proposed change.

In addition, applicants should note that, under section 106ZA of the same Act (as amended*), a proposed change that *does not* satisfy the first of these criteria (i.e. a change that Ofcom considers *would* or *could* substantially alter the character of the

service) must, if it is to be considered further under any of the other three criteria, be consulted upon. #.

In the event that Ofcom receives a request for Format change and considers that criterion (a) is *not* satisfied, it will seek confirmation from the applicant as to whether it wishes to proceed with the request (and, if so, whether it wishes to amend or replace its submission in light of the necessity to make it public).

Please present your submission in the following manner:

Section 106(a) relevance...

We would like to propose the sharing programming across Alpha fm (Darlington) and Durham fm for four hours a day and would originate from the Durham fm studios in Durham City centre. We propose this forms part of the required ten local hours.

While the origination of for this four hour programme would change from Darlington to Durham it will not have any effect on the Alpha fm output. We will continue to have exclusive, strong, locally relevant news and content on air provided through our successful existing infrastructure and Alpha fm will remain committed to providing quality local programming. Durham fm's studios are only 18 miles from Alpha fm's, the TSA's are adjacent and the MCA's overlap significantly.

Any shared programming across Alpha fm and Durham fm will continue to maintain strong local identities and retain locally relevant and produced content as per the station's commitment in the existing Format. News would be locally made for each service during shared programming.

We believe that Alpha fm will maintain its already strong local identity with local relevant news and programming output. We are also confident that our audience will experience no noticeable change to what they hear from their local radio station.

We therefore do not anticipate an adverse reaction to our plans

Section 106 (b), (c) and (d) relevance...

The MCA of Alpha fm is 108,262 is slightly over Ofcom's published thinking with regard to aiding smaller stations to bring benefits for listeners. However, there is great synergy between Darlington and County Durham and some significant overlap around Junction 60 of the A1(M) and around the Newton Aycliffe area to the North of the Alpha FM MCA.

Notes

* As amended by sections 312 and 313 of the Communications Act 2003

Ofcom may approve a change under any of criteria (b) to (d) 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.

Agreed Change of Format to TLRC stations

OFCOM NOTES ON THE REQUESTS

The requests made here by The Local Radio Company are linked to different areas of the country, but each request represents a limited pairing of stations which can be regarded as 'sister' stations.

In short TLRC is asking to co-locate and share limited daytime programming as follows :

- 3TR fm (Warminster) would co-locate at, and share six of ten daytime hours with, Spire fm (Salisbury)
- Vale fm (Shaftesbury) would co-locate at, and share six of ten daytime hours with, Wessex fm (Dorchester)
- Arrow fm (Hastings) would co-locate at, and share six of ten daytime hours with, Sovereign fm (Eastbourne)
- Mix 96 (Aylesbury) would co-locate at, and share six of ten daytime hours with, Mix 107 (High Wycombe)
- Alpha fm (Darlington) would share four of ten daytime hours with, and from. Durham fm (Durham)

Each request has aspects which are unique to its particular case, but all fall into the spirit of Ofcom's conclusions reached after its "Future of Radio – The Next Phase" consultation.

Its conclusion was an acceptance that co-location might be a way to alleviate problems of some of the smaller stations.

Guidelines assure that such co-locations are "natural fits" and, therefore, Ofcom takes into account the size of stations, cultural and geographical affinity and the financial situation as well as, naturally, the shape of the radio landscape in which such requests are made.

The geographical position of stations forming these requests (MCAs are adjacent) make them natural ones that fit the criteria, and neither 'pairing' appears to stretch the idea of creating an area that would be acceptable to listeners.

Indeed, many of the stations have already shared programming in the past – and have worked together particularly with news operations and programmes – leading to the assumption that the limited sharing and co-location will not disenfranchise listeners to the stations involved.

Each station will run separate breakfast shows, and news and travel will remain bespoke during shared programming, and in some cases there should be a clear increase to the news commitment with news-based programming.

The stations still have the requirement to deliver the Character of Service in their Format, and neither co-location nor programme sharing should dilute that demand.

Therefore, Ofcom intends to monitor stations which have accepted the new moves by Ofcom and requested such changes, to ensure they are still delivering the demands and obligations of each Format.

The detail and background set out in these requests indicate it will perfectly possible to deliver these obligations. The situation will be policed through output regulation.

The requests are granted.

April 2008