

**Format Change Request Form OfW 332**

<b>Station Name:</b>	Bath fm, 3TR fm, Vale fm
<b>Name of Person Proposing Format Change:</b>	Steve Bulley Regional Programme controller (South West) The Local Radio Company
<b>Outline Format Change(s) Proposals:</b>	Replace existing local news requirement with:  Bulletins with local news will be broadcast at least hourly during daytime, including at an extended bulletin of 15 mins duration each weekday. (This requirement may alternatively be met by airing a magazine-style programme combining music and news-based speech over a longer period of up to one hour, provided that overall speech minutage remains the same).

**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...

This change requested will allow Bath fm, 3TR fm & Vale fm to focus news resources on sourcing relevant local stories from the transmission area to provide 15 minutes of unique news daily. Currently these stations have a requirement to run a 15min bulletin and a further 10min extended bulletin, due to the size of the TSA's it is increasingly difficult to find a total of 25mins of quality news daily. The proposed change will allow the on site journalists to spend more time in the TSA creating emotive and relevant local news and increase the use of quality audio clips and feature packages that run weekly and rely less on generic national packages.

I strongly believe the quality of local news will improve and does not substantially alter the character of the service of the format.

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

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

This change will bring these stations in line with the larger sister stations Wessex fm (TSA 119,000) and Spire fm (TSA 100,000)

#### 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.

Version 4 – amended March 2007

#### **OFCOM NOTES ON THE REQUEST**

**Ofcom felt the request was in line with past decisions on similar sized (ie small) stations, which took into account the need to balance local information with other station output, avoiding 'fast gear changes' within the schedule. It is satisfied the overall flow of information will not be diminished. The request, therefore, is agreed.**

**August 14 2007.**