

Format Change Request Form OfW 332

Station Name:

97.2 Stray FM

**Name of Person
Proposing Format
Change:**

Mike Vitti, Area Director, TLRC PLC

**Outline Format Change(s)
Proposals:**

Reduction of Specialist Music Hours from 14 per week to 9:

97.2 Stray FM has always endeavoured to provide a service where the music fits the wide parameters of the target audience age range of 25-54, including a total of 14 hours per week of Specialist Music Output.

Presently the specialist programmes include; three hours of Soul Music on Saturday night; Well known Dance Party anthems on both Friday and Saturday evenings; retro 80's music on Sunday afternoons and a 'cheesy' 'High School Hits' programme on Friday night. All of which compliment our main daytime mix of music.

It is difficult to try and produce alternative music varieties at this station and we are worried about repartition. There is no real rock music output on Stray FM therefore a Rock Show would not really complement our current daytime programming yet our Essential Eighties selection works with our current format exceptionally well. As a result of this we would like to request a change of format from a requirement of fourteen hours a week of specialist music to nine. This will enable Stray FM to continue to integrate our specialist music into our overall sound-shape.

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 do not believe the requested change to format regarding specialist music shows would in any way alter the character of the service. On the contrary; it is hoped the changes would actually enhance the service to our listeners making the Station sound even *more* familiar.

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

Any change of format to reduce the number of Specialist Music hours would not narrow any range of programmes available, but would enhance the service we offer of tuneful well known songs for the local communities, a sound that has become

distinctive amongst the listening audience.

Also, any change of format would continue to promote fair competition as it would remove any crossovers with competing stations and their music policies, in effect providing more choice for listeners across North Yorkshire.

By keeping observations on the text messages and telephone calls coming into Stray FM from listeners, certain kinds of music are noticeable more popular with our listeners, for example the 'School Disco' and the 'Essential Eighties'. Both of the programmes work around popular (and not often played on the radio) songs that provide a catch factor to listeners, rather like opening a bag of sweets whilst blindfolded, every one an unexpected surprise.

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

In the event that these changes of format are agreed to it means that 97.2 Stray FM can concentrate on providing a quality music service with enough variety to enhance the current daytime format, whilst offering enough 'non-daytime' specialist output (such as Soul, Eighties, Modern Nostalgia etc) to complement the station's total sound, and ensuring that we can continue to amend the station output to a quality format enjoyed by our listenership.

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

We do not consider the request to reduce specialist music programming hours on Stray FM from 14 hours per week to nine hours per week to be an unreasonable one, given the very mainstream nature of this station and the unusually high number of specialist hours (for a local service of this type) that are required by its current Format. Given that the specialist music shows on Stray are required by the station's Format to "complement the main music mix" (rather than to provide something clearly distinct from it), we feel that acceptance of the request would not be likely to bring about a significant change in Stray's character of service. The request is therefore agreed.