

Key Commitments change request form

Community radio station name:	Big City Radio CIC
Licence number:	CR00038BA
Licensee (company name):	Big City Radio CIC
Contact name:	Muff Murfin.
Date of request:	29/08/2019

Details of requested change(s) to Key Commitments

A community radio operator may apply to Ofcom to have the station's Key Commitments amended.

Please complete the table overleaf by including your current Commitment in the left hand column and your proposed revised Commitment in the centre column. In the right hand column please give a brief explanation as to why you wish to make each change.

We also require you to complete a second table which asks you to explain your proposed changes with reference to the statutory framework.

If you do not provide an explanation for your proposed changes and a completed comparison table, Ofcom cannot consider a Key Commitments change.

Please complete this form and return it to: broadcast.licensing@ofcom.org.uk

Existing Commitment (as in your published Key Commitments) Please only include one commitment change per row, and add more rows as necessary into the table.	Proposed revised/new Key Commitment	Reason for proposed change
The service provides original output 24 hours per day.	The service provides original output a minimum of 12 hours per day.	We are finding it difficult to find volunteers at certain times to provide a service 24 hours a day. The area does have a safety problem at present.
The service provides locally-produced output 24 hours a day.	The service provides locally-produced output a minimum of 12 hours per day.	As above.

Statutory requirements

Under section 106(1A)(a)-(f) of the Broadcasting Act 1990 (as amended and modified¹) Ofcom must be satisfied that your proposed changes **meet at least one of the criteria referred to below**.

Please indicate which of these criteria you believe your proposed changes satisfy by deleting YES or NO as applicable and provide an explanation for why you consider a particular criterion is met in the relevant box. You should note that even if Ofcom is of the opinion that your explanation of your proposed changes meets one or more of these criteria, there may still be reasons why Ofcom is unable to consent to the change. When explaining your proposed changes, it is not enough to state that you believe one of the criteria is met. You must also demonstrate *why* you consider that at least one of these criteria is met.

In particular, if Ofcom is not satisfied that the changes would not substantially alter the character of the service (criterion (a) below), Ofcom cannot consent to the change without consulting on your proposals.² If this is the case, we will contact you to confirm that you are happy for us to consult on your proposed changes, and whether you wish to make any changes to your request in light of the need to make it public.

As part of our consideration of your request to make changes to your Key Commitments, we require applicants to provide an explanation for **at least one** of the criteria below.

(a) In your judgement would the proposed changes substantially alter the character of the service?	NO (Please explain why below)
No. Our interpretation of Ofcom's rules was wrong and we have not always performed as our Promise of Performance Required.	
(b) Do you consider that the proposed changes would narrow the range of programmes available by way of relevant independent radio services to persons comprising the relevant community?	/NO (Please explain why below)
No. Our area is very influenced by music and sport. We provide a lot of music relevant to the area and provide sports facilities 10 hours per day.	
(c) Do you believe that there is evidence that, amongst persons comprising that community, there is a significant demand for, or significant support for, the changes that you have proposed?	/NO (Please explain why below)
Our output has never been criticised by the majority of the local community and as long as we keep up our music content, I do not envisage any criticism. We will monitor both on and off air and change the output if required.	
(d) Do you consider that your proposed changes would be	/NO

¹ As amended by sections 312 and 313 of the Communications Act 2003 and modified by the Community Radio Order 2004.

² Ofcom may approve a change under any of criteria (b), (c), (d) and (e) 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.

prejudicial to the access by members of that community to the facilities used for the provision of the service and for training in the use of those facilities?	(Please explain why below)
I do not think so. Our trainees just want to just be on radio. What they play and do on air is immaterial.	
(e) Do you consider that the proposed changes would be prejudicial to the delivery of social gain resulting from the provision of the service provided under your licence?	/NO (Please explain why below)
Our listeners listen to us because we are local and play good music. That will not change.	

Please set out below any additional information and/or evidence you wish to provide in support of your proposed changes.
In particular, you may wish to outline how you think your proposed change(s) fit(s) within Ofcom's [published guidance on changes to Key Commitments](https://www.ofcom.org.uk/data/assets/pdf_file/0017/31913/kc-changes-guidance.pdf) (https://www.ofcom.org.uk/data/assets/pdf_file/0017/31913/kc-changes-guidance.pdf).

Having looked at other radio station's promise of performance and spoken to other stations, I think we are more realistic about our output and what we can achieve with our volunteers.

The request was **AGREED**, because Ofcom was satisfied in relation to Section 106(1A)(a) of the Broadcasting Act 1990 (as modified by the Community Radio Order 2004, and further modified by the Community Radio (Amendment) Orders 2010 and 2015) that the change would not substantially alter the character of the service, and for the policy reasons given below.

The changes to original output hours and locally-produced output hours are both reductions of 50% to the existing Key Commitments. While this is a large percentage drop, the station's existing commitment of 24 hours per day was objectively extremely high, and well in excess of the requirement of almost all other community radio stations. As 12 hours per day remains a significant proportion of overall output, Ofcom is satisfied that the station will be able to deliver all elements of its character of service within the 12 hours per day, and thus we are of the view that this change will not have a substantial impact on the character of service.

In terms of our policy criteria, we are satisfied that the change will not affect the station's ability to meet the community radio 'characteristics of service' set out in the legislation, and for the reasons set out above, we judge the extent of the impact of the change on the character of service to be low. We therefore decided to exercise our discretion to approve the change.

September 2020

Data Protection

We require the information requested in this form in order to carry out our licensing duties under the Broadcasting Act 1990, Broadcasting Act 1996 and Communications Act 2003. Please see Ofcom's [General Privacy Statement](https://www.ofcom.org.uk/about-ofcom/foi-dp/general-privacy-statement) (<https://www.ofcom.org.uk/about-ofcom/foi-dp/general-privacy-statement>) for further information about how Ofcom handles your personal information and your corresponding rights.