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## **Community radio**

Eight community radio licence awards: March 2018

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**Statement:**

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# About this document

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This document announces the award of eight community radio licences.

The licences are for stations serving communities in Scotland (one for Cumbernauld, and one for Musselburgh, Tranent and Wallyford), Northern Ireland (two in Belfast) and England (two in Newcastle and Gateshead, one in Bristol and one in Maldon, Essex).

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# 1. Licence awards

- 1.1 During March 2018, Ofcom made decisions to award eight community radio licences. The licences are for stations serving communities in Scotland – one for Cumbernauld, and one for Musselburgh, Tranent and Wallyford; Northern Ireland – two in Belfast; and England – two in Newcastle and Gateshead, one in Bristol and one in Maldon (Essex).
- 1.2 All community radio services must satisfy certain 'characteristics of service' which are specified in legislation<sup>1</sup> – Ofcom was satisfied that each applicant awarded a licence met these 'characteristics of service'. In addition, each application was considered having regard to statutory criteria<sup>2</sup>, the details of which are described below. This statement sets out the key considerations in relation to these criteria which formed the basis of Ofcom's decisions to award the licences. Where applicable, the relevant statutory reference (indicated by the sub-paragraph number) is noted in brackets.

## Applicants awarded a licence

- 1.3 Ofcom has made a licence award to each of the following:
- BE FM (BE FM Belfast Limited), Belfast
  - Juice (Juice Belfast Limited), Belfast
  - Cumbernauld FM (Cumbernauld FM Limited), Cumbernauld
  - Radio Saltire (Radio Saltire (SCIO)), Tranent, Wallyford and Musselburgh
  - Maldon Community Radio (St Peter's Studio and Community Radio Limited), Maldon and parts of the Maldon District area
  - Pride FM Tyneside (Pride Community Network Limited), Newcastle and Gateshead
  - Radio Tyneside (Radio Tyneside), Newcastle and Gateshead
  - SWU.FM (SWU.FM Limited), Bristol
- 1.4 These services will be licensed for a period of five years from the date of their launch, on FM.
- 1.5 As required by law, Ofcom was satisfied that the new services would not prejudice unduly the economic viability of any local analogue commercial radio service.

## BE FM

- 1.6 BE FM will be a cross-community and non-denominational Christian radio station for Belfast. Directors bring experience of community radio, finance and education to the project, and Ofcom was satisfied that the applicant had demonstrated its ability to maintain the proposed service (1a). Ofcom considered that the proposed service would, by

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<sup>1</sup> Regulation 3 of the Community Radio Order 2004.

<sup>2</sup> Section 105 of the Broadcasting Act 1990 (as modified by the Community Radio Order 2004, as itself amended by the Community Radio (Amendment) Orders 2010 and 2015).

focusing on broadcasting Christian music as well as news and information of relevance to a Christian audience, broaden the range of radio programmes available in the area (1c). BE FM will serve a group that is currently under-served by radio in Belfast (1e). The applicant provided evidence of support for the proposed service from Church leaders in Belfast (1d).

## **Juice**

- 1.7 Juice will serve the LGBT (lesbian, gay, bisexual and transgender) community in Belfast. The applicant currently operates an online station, and group members have also gained experience from community radio and television broadcasting. It has studio equipment and premises already in place. The directors have experience in running a business, IT, journalism, working with young people, and finance. Ofcom was satisfied that the applicant had demonstrated its ability to maintain the proposed service (1a). The group has used its online experience to help ensure that its content will cater for the tastes and interests of the target community (1b). The station will serve a currently under-served community in Belfast, and the applicant has a number of links with local organisations which will help it deliver its social gain objectives to its target community (1e).

## **Cumbernauld FM**

- 1.8 Cumbernauld FM will broadcast a service for the population of Cumbernauld. The applicant has gained experience as an internet radio broadcaster, and group members bring experience in education (including media training), community radio management and involvement in local community fundraising. Ofcom considered that the applicant had shown its ability to maintain the proposed service (1a). The proposed service will broadcast a broad range of music and have a local focus which will broaden radio choice in the area (1c). Its social gain objectives include proposals to strengthen community links and boost community pride (1e). It has well-developed training plans and group members with the experience to deliver them, as well as a partnership with New College Lanarkshire Cumbernauld campus (1g).

## **Radio Saltire**

- 1.9 Radio Saltire will serve the population of Tranent, Wallyford and Musselburgh in East Lothian. The applicant has gained as an online community station, and group members bring experience in radio broadcasting, radio skills training and event promotion. It proposes a low-cost operation run by volunteers and already has a team of volunteers in place. Ofcom was satisfied that the applicant had demonstrated its ability to maintain the proposed service (1a). The applicant proposes a highly locally-focused service for an area of East Lothian which is not the main focus of an existing service (1c). The applicant provided evidence of demand and support for the service, and already has links in place with a number of local organisations, community groups and charities (1d).

## **Maldon Community Radio**

- 1.10 Maldon Community Radio will broadcast to the population of Maldon and other parts of Maldon District in Essex. The applicant already runs a community radio service covering part of the area, and as a result has studio and transmission facilities and broadcasting experience. Ofcom was satisfied that the applicant had demonstrated its ability to maintain the proposed service (1a). The applicant has links and partnerships in place, for example with local schools, which will help it deliver social gain to its target community (1e). It will build on its experience of being accountable to its target community by appointing more people onto its board and setting up a volunteers' committee to pass suggestions and criticisms to the board (1f).
- 1.11 The applicant, St Peter's Studio and Community Radio Limited, already holds a community radio licence to broadcast across a smaller area. In accordance with ownership rules, it will need to surrender that licence should it decide to take up this licence offer.

## **Pride FM Tyneside**

- 1.12 Pride FM Tyneside will serve the LGBT (lesbian, gay, bisexual and transgender) community of Newcastle and Gateshead. The group has gained experience in radio and internet radio broadcasting over the past eight years, and the group includes members with experience of working for the BBC, commercial radio and in local TV. It has premises and equipment in place to enable it to commence broadcasting. Ofcom considered that the applicant had demonstrated its ability to maintain the proposed service (1a). The applicant carried out a survey of its listeners which demonstrated demand for the service (1d) and help to shape its proposed output to cater for the tastes and interests of its target community (1b). It has social gain objectives which involve working with a range of partner organisations, many of which it has worked with before. These include, for example, working with the University of Northumbria to deliver training and with the police on a hate crime initiative. Ofcom considered that these partnerships will help Pride FM Tyneside to deliver its social gain objectives for its target community (1e).

## **Radio Tyneside**

- 1.13 Radio Tyneside will provide a service for people aged over 50 in Newcastle and Gateshead and will have a focus on health and wellbeing. The applicant is a charity, and group members have experience in hospital radio broadcasting, fund-raising and radio training going back many years. It has sufficient assets to cover all pre-launch costs and will operate a low-cost operation run by volunteers. Ofcom was satisfied that the applicant had demonstrated its ability to maintain the proposed service (1a). Radio Tyneside proposes a service which will cater for the tastes and interests of its target community, and which it has developed using feedback to its current hospital radio output (1b). Formal accountability measures include membership and voting rights in the charity for regular volunteers, and an advisory committee which will include representatives of the local health community (1f).

## **SWU.FM**

- 1.14 SWU.FM will be a youth-led station for Bristol with a focus on urban, electronic and dance music. The applicant group has worked as a creative hub for local music, art and events for a number of years. It has gained experience via internet radio and temporary FM broadcasting licences, as well as in festival and event management. It already has premises, studio and OB equipment in place. Ofcom considered that the applicant had exhibited its ability to maintain the proposed service (1a). The applicant provided evidence of both demand and support for the service, including the results of a listenership survey (1d). Its social gain proposals build on its experience in involving and motivating young people through music. They include offering training, mentoring and production and broadcasting experience (1e). It will also use its connections with local education establishments such as DBS, Bristol University, UWE and Bristol Music Trust to offer work experience and training for students (1g).

## 2. Statutory requirements relating to community radio licensing

- 2.1 The following pages set out the statutory requirements relating to community radio licensing, and details of the licensing process. Further information about these, and detailed information relating to community radio, can be found at: [https://www.ofcom.org.uk/data/assets/pdf\\_file/0016/101860/Community-radio-guidance.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0016/101860/Community-radio-guidance.pdf)
- 2.2 In carrying out its functions, Ofcom is required to have regard to the general duties set out in section 3 of the Communications Act 2003. In addition, under section 85(2)(b) of the Broadcasting Act 1990 (“BA 1990”), it is the duty of Ofcom to do all that it can to secure the provision within the UK of a range and diversity of local radio services.

### The characteristics of a community radio service

- 2.3 All community radio licensees must satisfy 'characteristics of service' requirements which are specified in Article 3 of the Community Radio Order 2004. The characteristics of community radio services are:
- that they are local services provided primarily for the good of members of the public, or of communities, and in order to deliver social gain, rather than primarily for commercial reasons or for the financial or other material gain of the individuals involved in providing the service;
  - that the service is intended primarily to serve one or more communities (whether or not it also serves other members of the public);
  - that the person providing the service does not do so in order to make a financial profit by so doing, and uses any profit that is produced in the provision of the service wholly and exclusively for securing or improving the future provision of the service, or for the delivery of social gain to members of the public or the community that the service is intended to serve;
  - that members of the community it is intended to serve are given opportunities to participate in the operation and management of the service; and
  - that, in respect of the provision of that service, the person providing the service makes himself accountable to the community that the service is intended to serve.
- 2.4 Article 2 of the Community Radio Order 2004 includes four mandatory “social gain” objectives. “Social gain” means the achievement, in respect of individuals or groups of individuals in the community that the service is intended to serve, or in respect of other members of the public, of the following objectives:
- the provision of sound broadcasting services to individuals who are otherwise underserved by such services;
  - the facilitation of discussion and the expression of opinion;

- the provision (whether by means of programmes included in the service or otherwise) of education or training to individuals not employed by the person providing the service; and
- the better understanding of the particular community and the strengthening of links within it.

2.5 Article 2 also includes a number of other objectives of a social nature which may be considered to represent "social gain".

## **Matters to which Ofcom shall have regard**

2.6 There are seven matters set out in section 105(1) BA 1990 that Ofcom must have regard to when considering whether to grant a community radio licence. In summary these are:

- The ability of each applicant to maintain its proposed service over the licence period (section 105(1)(a)).
- The applicant's ability to cater for the tastes and interests of the target community (section 105(1)(b)).
- The extent to which each applicant would broaden the range of local radio services available in the area, and have a content distinct from those services (section 105(1)(c)).
- The extent to which there is evidence of local demand or support for a proposed service (section 105(1)(d)).
- The extent to which the service would deliver social gain benefits to the public or relevant community (section 105(1)(e)).
- Provisions for making the operator of service accountable to the relevant community (section 105(1)(f)).
- Provisions for allowing access by members of the public or the relevant community to the station facilities, and the provision of training in the use of those facilities (section 105(1)(g)).

2.7 In considering whether, or to whom (and on what conditions), to grant a community radio licence, Ofcom must also have regard to the need to ensure that any service provided under that licence does not prejudice unduly the economic viability of any other local commercial radio service.

2.8 Furthermore, without prejudice to the generality of that economic impact requirement, section 105(4) BA 1990 requires Ofcom to impose conditions to ensure, in effect, that any community radio service is prohibited from taking any relevant income from paid advertising and sponsorship of programmes except in the following respects:

- A 'fixed revenue allowance' totalling £15,000 per financial year of the licensee for such relevant income - this exception applies to any community radio service where that service overlaps with any local commercial radio service serving a potential audience of no more than 150,000 persons who have attained the age of 15 years or older.
- A 'fixed revenue allowance' totalling £15,000 per financial year of the licensee for such relevant income plus a proportion of the total relevant income (specified by Ofcom in

the licence), but which must not exceed 50% of the total relevant income (disregarding the fixed revenue allowance) for the licence in question in that year - this exception applies to all community radio services other than a community radio service referred to in (i) above. It should be noted that a community radio service that overlaps with any local commercial radio service serving a potential audience of no more than 150,000 persons who have attained the age of 15 years or older, which has at any time been varied pursuant to section 106(1A)(e) BA 1990, is also covered by this exception.

- 2.9 For the avoidance of doubt, programme sponsorship includes station or channel sponsorship, and commercial communications.

## **Process for assessment of applications**

- 2.10 The Ofcom Board has delegated the discharge of certain of its functions in relation to television and radio broadcast licensing to one or more senior executives from Ofcom's Content & Media Policy Group. Each of those individuals, on their own or together, have responsibility for deciding on the award of community radio licences.
- 2.11 The decision-makers for these licence awards were Ofcom's Director of Content Standards, Licensing and Enforcement, Ofcom's Director, Broadcast Licensing and Ofcom's two Principals, Broadcast Licensing.

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