

Key Commitments change request form

Community radio station name:	Bro Radio
Licence number:	CR122
Licensee (company name):	Vale of Glamorgan Broadcasting CIC
Contact name:	Nathan Spackman
Date of request:	24/05/2020

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
License Area: Barry (as shown in the licensed coverage area map)	License Area: Barry, Llantwit Major, Penarth and the surrounding areas.	This change reflects Bro Radio's recently increased FM output at its main transmission site in Barry, with a new FM service on 100.2fm in Llantwit Major and soon to launch 106.1fm in Penarth. These changes, mean the station provides a service to the wider area, which encompasses Barry, Llantwit Major, Penarth and surrounding areas.
Description of Character: BRO Radio is a service for the community of Barry. It promotes a feeling of social identity and community pride amongst the economically diverse community of Barry. Its programming consists of a mixture of locally relevant speech and music, and it encourages non-Welsh speakers to learn Welsh.	Description of Character: Bro Radio is a service focused on the Vale of Glamorgan. It promotes a feeling of social identity and community pride amongst the urban, rural and coastal communities which exist within the county. Its programming reflects the life of the residents it serves, with a mixture of locally relevant news, information and music during the day, with specialist music and information programming, covering sport, key communities, Welsh Language and specialist music genres during the evening and weekends.	Bro Radio has recently increased its FM output at its main transmission site in Barry, with a new FM service launched on 100.2fm in Llantwit Major. These improvements have helped the station to realise its ambition to serve the wider Vale of Glamorgan. These changes bring the stations original description of character of service up to date, reflecting the progress the station has made since its launch in 2009.
Music:	Music:	Bro Radio is accountable to its audience

<p>The main types of music broadcast over the course of the week are: contemporary pop music, music from the 1960s to 1990s, and specialist music genres</p>	<p>During daytime programming (Monday – Saturday, 7am – 6pm), Bro Radio broadcasts a mix of today’s new and chart music, alongside music from 1975 to today. During the evenings and weekends, Bro Radio broadcasts specialist music programming, including Rock, Reggae, Classical and Welsh Language music genres.</p>	<p>and has spent much time refining its music to reflect its community. It feels that the changes reflect its community today and its focus on serving specialist music communities during the evenings and weekends.</p>
<p>The service provides original output¹ for a minimum of 12 hours per day.</p>	<p>The service provides original output for a minimum of 84 hours per week.</p>	<p>Although Bro Radio far exceeds this, it feels that a chance from daily to weekly hours will give it the flexibility required to reach its key commitments, during unexpected circumstances, i.e illness, loss of transmission or technical issues.</p>
<p>The service provides locally-produced output² for a minimum of 13 hours per day.</p>	<p>The service provides locally-produced output for a minimum of 91 hours per week.</p>	<p>Although Bro Radio far exceeds this, it feels that a chance from daily to weekly hours will give it the flexibility required to reach its key commitments, during unexpected circumstances, i.e illness, loss of transmission or technical issues.</p>

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?	YES/NO (Please explain why below)
<p>No.</p> <p>The changes in hours gives Bro Radio flexibility in its output – should there be days of the week, in which it cannot meet its broadcast hours. The station already exceeds this, but should technical problems or presenter illness occur, these changes allow the station to still reach its key commitments.</p> <p>The changes to the stations Description of Character of services removes any confusion, which exists locally, that the station only serves the Barry area. Recent FM extension and improvement has provided a wider coverage area to serve the county.</p> <p>We believe the changes requested would not substantially alter the character of service, as Bro Radio is the only community radio service to cover the Vale of Glamorgan.</p>	
(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?	YES/NO (Please explain why below)
<p>No.</p> <p>These changes help give the station clear focus during daytime programming – following consultation and research in its current and new communities. The changes allow for a clear definition of specialist music programming, whilst confirming its increased local news and sport programming during the evenings and weekends.</p>	
(c) Do you believe that there is evidence that, amongst persons	YES/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.

<p>comprising that community, there is a significant demand for, or significant support for, the changes that you have proposed?</p>	<p>(Please explain why below)</p>
<p>Yes.</p> <p>Bro Radio has seen much interest in volunteering, advertising and events, across the wider Vale of Glamorgan. However, many still misinterpret the station as one just for the Community of Barry. These changes allow the station to have clear focus on the wider Vale of Glamorgan and shows its aims to support those across the wider Community.</p> <p>The changes help to make Bro Radio more inclusive to the wider Vale of Glamorgan.</p>	
<p>(d) Do you consider that your proposed changes would be 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?</p>	<p>YES/NO (Please explain why below)</p>
<p>No.</p> <p>Bro Radio’s plans to serve the wider Vale of Glamorgan are helping it to open up further opportunities in the wider county.</p> <p>Its launch in Llantwit Major, has led to the opportunity for further studios in the town, to offer training, support and opportunities to a large waiting list which exists – whilst continuing to serve those with the same opportunities at its main broadcast studios in Barry.</p> <p>Bro Radio continues to offer an open door policy for training and volunteering, which is made even more accessible due to locally built studios to serve Llantwit Major and surrounding areas, which suffer from poor transportation to and from the Barry area, seven days a week.</p> <p>Volunteers will have access to both spaces to record, present and develop locally produced programmes and have them broadcast on Bro Radio.</p>	
<p>(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?</p>	<p>YES/NO (Please explain why below)</p>
<p>No.</p> <p>The changes we are proposing would not be prejudicial in the delivery of social gain, if anything they will increase the social gain in which it delivers.</p> <p>Additional studios, a clear wider coverage area and focus now means the organisation can deliver social gain throughout the Vale of Glamorgan community.</p>	

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](https://www.ofcom.org.uk/data/assets/pdf_file/0017/31913/kc-changes-guidance.pdf)).

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 simple conversions from current daily requirements to a weekly commitment without changes to the overall volume of hours to be delivered. On this, Ofcom is satisfied that this change would not alter the character of the service, and provides the station with greater flexibility.

The change to the licence area more accurately describes its new coverage area following on from successful coverage extensions into Llantwit Major, Penarth and surrounding areas. Ofcom is satisfied that this change does not substantially alter the character of service and instead adds clarification to local audiences as to the accurate area that the station covers.

Changes to the description of service, and thus to the music output of the station, are updated representations of what the station has already been providing and is largely in line with their existing commitments. We consider that the change from 1960s to 1990s, to 1975 to today represents only a minor alteration to the character of service. Furthermore, provision of Welsh Language music and the inclusion of Welsh Language music within the description of service safeguards the station's output of Welsh language.

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 minimal. 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.

Amended May 2018