

Key Commitments change request form

Community radio station name:	Cross Counties Radio
Licence number:	CR102863BA/2
Licensee (company name):	Cross Counties Radio Ltd
Contact name:	Sharon Harris-Boulter
Date of request:	3 rd May 2023

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 for a minimum of 161 hours per week.	The service provides original output for a minimum of 106 hours per week.	Due to an error on the original application that Ofcom and ourselves are aware of 161 hours has proved to be impossible for us to achieve, hence we propose to provide 106 hours of original output per week.

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)
This reduction in hours allows us to focus on a sustainable and more realistic amount of original output hours without stretching the human resources we have available to us, increasing our ability to provide more training, increase our volunteering recruitment process and create synergy with a stronger personal presence as the decrease of hours frees up some essential volunteer time to do more within our target areas.	
(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)
The range of programmes will remain unchanged and we will continue to develop the radio station to meet the needs and demand of our target area.	
(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)

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.

From the communities point of view they will see no change to our services. From the amendments that we have made to our schedules, the listener experience will only improve.

<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>NO (Please explain why below)</p>
<p>The proposed changes will make no difference to access opportunities for members of the community we serve. We have an open door policy in the community and we welcome volunteers of all backgrounds from our target area to train with us and we constantly have our volunteers in training, both on-air and off-air.</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>NO (Please explain why below)</p>
<p>The proposed changes will not make a difference to delivery of social gain for members of the community we serve. We are constantly striving to improve our ability to provide more social gain both on air and off air. These changes will not affect our delivery of social gain as this is part of our core constitution and memorandum of articles of understanding.</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).

We propose to continue our programme of volunteer recruitment and training, as we always have. Covid created a damaging impact on our volunteer numbers. We've only just recovered from the loss of volunteers during that time. Whilst revising our schedules with what we believe is a sustainable level of both broadcasting hours and the number of volunteers we have available, we have built in the provision to cover for unforeseen circumstances such as illness and holidays.

Attached as a separate PDF document - Weekly output schedule (Live/VT & Automated hours).

Attached as a separate PDF document - Letter of support from Alberto Costa MP

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) for further information about how Ofcom handles your personal information and your corresponding rights.

Amended May 2018

Ofcom notes on the request

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) i.e. that the change would not substantially alter the character of the service, and for the policy reasons given below.

The Licensee is requesting a reduction in its original output requirement, from 161 hours a week to 106 hour per week. This would represent a reduction of roughly one-third to the original output requirement. The Licensee has stated that this reduction would give it greater operational flexibility, allowing its volunteers to spend more time on training and community outreach. We agree that this will be a result of this change, and recognise that volunteer-led stations may require increased flexibility in the face of reduced hours in the current climate. The Licensee has also stated that the proposed changes will not affect its ability to train volunteers nor its open-door policy for members of the community looking to participate in the service.

Ofcom is satisfied that the change would not represent a substantial change to the character of the service. We note that the current original output requirement of 161 hours per week is particularly high, and that the revised requirement of 106 hours per week, while a relatively large decrease from the current requirement, would still be a relatively high requirement which would ensure that the service continues to meet the characteristics of a community radio service.

Ofcom previously considered a request from Cross Counties Radio to reduce its original output requirement from 161 hours to 70 hours per week. We considered that request to be a substantial change to the character of the service, and therefore consulted the public on whether we should approve it. Following representations received by members of the public, we decided not to approve the request, as we were given information that the Licensee would reduce its training of new volunteers, and consequently its provision of social gain, if the request was approved.

We are satisfied that this revised request, however, would not represent a substantial change to the character of the service. Nonetheless, we expect that the Licensee will use the increased operational flexibility provided by this reduction in original output to provide more training to members of its target community and enhance its delivery of social gain. We have therefore decided to exercise our discretion and approve this request.

May 2023