

Providing a service in accordance with ‘Key Commitments’, Buchan Community Radio CIC

Type of case Broadcast Licence Conditions

Decision In Breach

Service Buchan Radio

Date & time August 2022

Category Key Commitments

Summary The Licensee failed to fulfil the requirements specified in its Key Commitments to deliver original output for a minimum of 107 hours per week and to provide speech output over the course of each week comprised of local news, weather and travel, community information, what’s on, and interviews. Breach of Licence Conditions 2(1) and 2(4).

Introduction

Buchan Community Radio CIC is a community radio station focused on serving the people in Peterhead and surrounding areas of Buchan. The licence for Buchan Radio is held by Buchan Community Radio CIC (“Buchan Radio” or “the Licensee”).

Like all other community radio stations, , Buchan Community Radio CIC is required to deliver ‘[Key Commitments](http://static.ofcom.org.uk/static/radiolicensing/Community/commitments/cr102307.pdf)’ (<http://static.ofcom.org.uk/static/radiolicensing/Community/commitments/cr102307.pdf>), which form part of its licence. These set out how the station will serve its target community and deliver social gain (community benefits), and also include a description of the on-air programme service.

Ofcom requested recordings of the Licensee’s broadcast output from 1 August 2022 to 7 August 2022 to ensure that Buchan Radio was complying with its Key Commitments to broadcast a minimum of 107

hours per week and to provide speech output over the course of each week comprised of local news, weather and travel, community information, what's on and interviews.

Having reviewed the material Buchan Community Radio CIC had provided to assist us in our assessment, we found that the service broadcast no more than 47 hours of original output during the week monitored.

We also found that the speech output broadcast did not include local news, weather and travel, community information, what's on and interviews.

It therefore appeared that Buchan Radio was not delivering the following Key Commitments:

- "Speech: The main types of speech output broadcast over the course of each week are: local news, weather and travel, community information, what's on, and interviews."
- "The service provides original output for a minimum of 107 hours per week."

Ofcom considered that this raised potential issues under Licence Conditions 2(1) and 2(4). These state, respectively:

"2(1) The Licensee...shall provide the service specified in Part I (b) of the Annex for the remainder of the licence period."

"2(4) Subject to Condition 2(5) below..., the Licensee shall ensure that the Licensed Service accords with the proposals set out in Part I (b) of the Annex so as to maintain the character of the Licensed Service throughout the licence period".

We requested comments from the Buchan Community Radio CIC on how it was complying with the above conditions.

Response

The Licensee did not respond to our request for comments. However, we took into account the following information provided during the assessment of the complaint.

Speech

Buchan Radio did not provide any information about how it was meeting its speech requirement in its Key Commitments.

Original output

In its response, Buchan Radio did not deny that it was failing to meet its Key Commitment to provide original output for a minimum of 107 hours per week. It set out that:

"Buchan Radio has recently lost a few of our full time presenters who have moved onto full time work within a another radio station or left because they no longer have the time to volunteer for the station due to gaining full time employment els where. Due to this We have been starting from 8am - 11pm Most days Monday – Friday and the weekends 8am - 11pm / 12 Midnight. All content within this time frame is live from our station in Peterhead With it being a live on air DJ or our automated system in the studio.

We maybe didn't have live djs on during some of the daytime slots this was due to me [being unable to present shows]. Because we have been short of DJs I have been doing a few extra shows So I can confirm that some of daytime shows wasn't live on air that week 1st - 7th Aug. We are working very heard to try and stick to our schedule as best as we can. We are a small team trying our very best."

Decision

Reflecting our duties to ensure a diverse range of local radio services, community radio licensees are required to provide the licensed service specified in their Key Commitments. This is a fundamental purpose for which a community licence is granted.

Speech

During the period monitored, we did not find speech content consisting of local news, weather and travel, community information, what's on and interviews. While there was content broadcast by presenters on the days monitored, the speech output had no specific focus on issues of interest to the local community. The speech content broadcast consisted of international news and UK wide news, entertainment features, information about music, and 'shout outs' to listeners.

For these reasons, we consider that Buchan Radio is not complying with its Key Commitment to provide speech content consisting of local news, weather and travel, community information, what's on, and interviews.

Original Output

During the period monitored, we found that the Licensee broadcast a total of 47 hours of original output.

The Licensee was broadcasting at most 47 hours per week of original output, compared to the Key Commitment requirement of 107 hours per week. The Licensee did broadcast 28 hours of syndicated programmes during the week monitored, but this cannot be counted as original output because it was not first produced for and transmitted by Buchan Radio. We therefore consider that Buchan Radio is not complying with its Key Commitments by broadcasting less than the required 107 hours of original output per week.

Conclusion

Ofcom's Decision is that Buchan Community Radio CIC is in breach of Licence Conditions 2(1) and 2(4) for failing to comply with the following Key Commitments:

- Speech. The main types of speech output broadcast over the course of each week are: local news, weather and travel, community information, what's on, and interviews.
- The service provides original output for a minimum of 107 hours per week.

We expect the Licensee to work to rectify these issues immediately. We will monitor this service to ensure that Buchan Radio is complying with the Key Commitments.

Breach of Licence Conditions 2(1) and 2(4)