

Consultation response form

Consultation title	Love Sport and Panjab Radio - Requests to change Format
Representing (delete as appropriate)	Organisation
Organisation name	Community Media Association

Your response

Question	Your response
Respondents are invited to comment on whether they agree with Ofcom's preliminary decision and to frame their views and responses with reference to, or in the context of, the statutory criteria in section 106(1A) of the Broadcast Act 1990 (as amended). Use this space to provide your response.	Confidential? – N Please see attached response.

Love Sport and Panjab Radio

Requests to Change Format

The Community Media Association (CMA) is a non-profit making organisation founded in 1983 to support community radio. The CMA represents the community media sector to Government, industry and regulatory bodies.

Our membership brings together established organisations, aspirant groups and individuals within the sector. The CMA provides a range of advice, information and consultancy, offering support to anyone with an interest in the sector.

Much of the CMA's work has a strategic emphasis and the organisation has been intensely involved in liaison on behalf of the community broadcasting sector with Government, the regulator Ofcom and other strategic bodies regarding actual or proposed legislation and regulation of community radio.

Desi Radio is a long-standing member of the CMA and the stations asked for our comments on the Requests to change Format for Love Sport and Panjab Radio.

1. Background

Desi Radio is a community radio station for the Panjabi-speaking community in west London, providing for different faith communities, nationalities and ages. It promotes better understanding of the Panjabi community and encourages a sense of community among Panjabi people. The station also promotes the inclusion of disadvantaged groups.

The service broadcasts:

- Music. The main types of music broadcast over the course of each week are: music of Panjabi origin including traditional and folk songs, Bhangra, spiritual and classical music.
- Speech. The main types of speech output broadcast over the course of each week are: local news, news from East and West Panjab, information, advice, community announcements, studio guests and discussion.
- Over the course of each week, programming in Panjabi, and occasionally English, is broadcast.
- The service provides original output between 07.00 and 24.00 hours on weekdays with some reduction on weekends and holidays.
- The service provides locally-produced output during all daytime hours.

The studio is located within the licensed coverage area.

The service provides a range of community benefits (social gain objectives mandated by statute) for the target community, both on-air and off-air, and in doing so, achieves the following objectives:

- 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.

Members of the local community in Southall contribute to the operation and management of the service. The service has mechanisms in place to ensure it is accountable to its target community.

In its broadcasts and operations, Desi Radio also serves to develop and foster a better understanding and an appreciation of Panjabi culture – a rich and complex culture made up of a number of different components such as music, language, literature, film, radio, television, history, the poetry of Panjabi Gurus and Pirs, shared symbols, song and dance, food, art, philosophy, science, fashion, sport, festivals, heroic legends, architecture, mythology, religion, memories, rituals, moral values, habits and manners, common ancestors, dreams and visions, shared meanings and associations.

Panjabi culture is also largely shaped by its geographical situation such as climate, seasons, landscape, flora and fauna, rivers, and mountains.

The above cultural practices and representations alter and shape the Panjabi community's social, economic and political circumstances within society, and helps maintain the community's sense of identity.

2. The Proposal

Ofcom proposes to approve the Format Change Requests submitted by A Spokesman Said Limited ('ASSL'), which holds an AM commercial radio licence for Greater London broadcasting as 'Love Sport', and Panjab Radio London Limited ('PRLL'), which holds an AM commercial radio licence for North London broadcasting as 'Panjab Radio'.

ASSL wishes to change the 'Character of Service' of its station's published Format for the Greater London coverage area from "A 24-hour speech service for Londoners focussing on sports plus some topical content and local information" to, "The service will be known as Panjab Radio and will provide a service aimed at the Panjabi community. The service will be broadcast in Panjabi and English languages."

PRRL wishes to change the 'Character of Service' of its station's published Format for the North London AM coverage area from, "The service is known as Panjab Radio and will provide a service aimed at the Panjabi community. Embracing Panjabi culture and language with spiritual music and the celebration of festivals for a variety of religions. The service broadcast in Panjabi and English languages." to "A 24-hour speech service for Londoners focussing on sports plus some topical content and local information".

3. Comments on Ofcom's preliminary view on the requests

Ofcom is minded to agree to the requests for the following reasons:

4.2 a) Should the requests be permitted and implemented simultaneously, listener choice of independent radio services in North London would not narrow. Panjab Radio and Love Sport services will continue to be available to listeners within the coverage area. On that basis statutory criterion (b) would be met in respect of that change.

The CMA has no comment to make on the above. If the proposed changes are implemented, it is agreed that radio listeners in North London would still be able to access the Panjab Radio and the Love Sport services.

4.2 b) For Greater London as a whole, there would be a narrowing of available services. Areas outside of the North London MCA lose a dedicated sports service, which would be replaced by a London-wide Panjabi service which overlaps with existing services of a similar nature. On that basis, it does not appear to us to be possible to grant that request on the basis of statutory criterion (b), but we can consider it under criterion (d) as follows.

Here the CMA agrees with Ofcom that for “Greater London as a whole, there would be a narrowing of available services”. Therefore it is the CMA’s opinion to recommend that Ofcom considers dismissing the request to vary the licence for Love Sport on the basis that such a change would leave the Greater London coverage area with, quoting 3.11 of Ofcom’s assessment of the Greater London market in ‘Section 3. Consideration of the requests’:

“...no local analogue commercial radio services, other than Love Sport, that have any requirement in the Formats of their licences to cover sport, or to provide sports talk. Talk Sport, which is also available on the AM band within Greater London, is a national, rather than local, service and, in accordance with the Act, is not taken into account in these considerations”.

With regard to the following:

4.2 c) The level of demand and support for the change to the character of service provided under the Greater London ASSL licence appears to us to be sufficient to satisfy the requirements of criterion (d) of section 106(1A) of the Broadcasting Act 1990 (as amended). We take account that the sources of that support included representative people and organisations who might be expected to reflect the views of their stakeholders.

It is the CMA’s opinion that Ofcom should be minded to refuse the request to vary the licence for Panjab Radio since the level of demand for a new Panjabi radio service as evidenced by a “total of 31 letters of support were submitted supporting the ASSL Request; 27 of which originated from within the Greater London licensed area. These came from individuals, businesses, elected officials, community and faith-based groups” [3.4] should not be considered to be a sufficient level of support for a proposed London-wide Panjabi station, when taking into account the total population of London and the population of the Panjabi community across London as a whole.

Desi Radio, as the incumbent community radio station in Southall, engages with a high level of individuals, businesses, elected officials, community and faith-based groups, and has worked with possibly hundreds of volunteers in its 13-year history of broadcasting to the Panjabi community in West London and beyond. A new station broadcasting to that locality would, by Ofcom’s own analysis, reduce listener choice and replicate existing services placing Desi Radio under considerable competitive pressure in an already fragile broadcasting ecosystem.

Regarding the following:

4.2 d) Ofcom’s own policy regarding changes, including substantial changes, to AM station Formats, is that we are likely to be more willing to agree them than would be the case for FM stations.

In this particular case, the CMA has no comment on the above. The CMA welcomes Ofcom’s flexibility in its approach to licensing AM formats.

Therefore, it is the CMA’s opinion that the requested changes to the characters of the relevant services would indeed narrow the range of programmes available across the Greater London

licensed area, per statutory criterion 2.14 b), for London sports radio listeners and for the Panjabi community in the MCA of Desi Radio. Additionally, the evidence offered to support the requested change to PRL's current service might not be considered to meet a threshold to indicate that a sufficient level of demand exists for Ofcom to consider that statutory criterion 2.14 d) has been met in this case.