

Key commitments change request form

Community radio station name:	Radio Caroline
Licence number:	CR101725BA
Licensee (company name):	Radio Caroline AM Broadcasting Ltd
Contact name:	Peter Moore
Date of request:	14 March 2019

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: community.radio@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
Original Output The service provides original output for a minimum of 144 hours per week.	Original Output The service provides original output for a minimum of 120 hours per week	Every weekday, we provide original output for 17 hours from 07:00 until 23:59. On Saturdays and Sundays this is currently increased to 22 hours and 19 hours respectively giving an overall weekly total of 126 hours. Any non-original output is broadcast after midnight when listener numbers are minimised. This has been the position, more or less, for the past 12 months as we have been unable to source volunteers willing to provide live or recorded programming during these hours. Consequently, we seek to reduce this commitment to an attainable 120 hours per week which will also provide with us a 'safety' margin to cover situations where presenters are unable to make programmes owing to sickness and/or work commitments or for periods where a presenter leaves the Station and a replacement has to be found.

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
The overall character of the service would not change. The requested reduction is being made to reflect the current position which has, in reality, been the same for the past 12 months.	
(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 proposed change will not alter the range of programmes. This would remain as it has been for the past 12 months and as a consequence, the persons within the relevant community will not be aware of the change.	
(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?	YES please explain why below
The requested change will enable us to ensure total compliance during periods of unexpected events, sickness, leavers etc. Thus our Community would continue to be well served in the same way that it has been for the past 12 months.	

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.

(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?	NO please explain why below
The proposed change would not impact the access by members of our community to the facilities used for the provision of the service and for training in the use of them.	
(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?	NO please explain why below
The change would not be prejudicial to the delivery of social gain because our service will continue at the same level and to same standard as it has done hitherto.	

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 have asked for this change to re-align this Key Commitment with what we are realistically able to maintain as an organisation run entirely by volunteers. The proposed reduction in the commitment to provide the number of original output hours is attainable and provides us with a margin for contingencies, such that we can ensure compliance with this Key Commitment.

Continuation of the character and range of programmes to our community would not be impacted by this change

We trust that you will appreciate the rationale for our making this application and trust that you will make the requested change.

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).

The request represents approximately a 15% reduction in hours of original output which, in our view, would not substantially impact the character of service. Furthermore, the station has noted that for the 12 months prior to the request they have in fact been producing this reduced amount of original output, so there will be no obvious changes to the service from the perspective of listeners. We have also taken into account the challenges facing the station with regard to sourcing volunteers.

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 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