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## Section 355 Review of Output

Radio Plymouth

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## Introduction

When a local commercial radio licence undergoes a change of control (this includes licence transfer), Ofcom is required, under section 355 of the Communications Act 2003 ('the Act'), to undertake a review of the effects or likely effects of the change of control in relation to:

- the quality and range of programmes included in the service;
- the character of the service, and;
- the extent to which Ofcom's duty under section 314 of the Act is performed in relation to the service. Ofcom's duty under section 314 of the Act relates to securing the inclusion of an appropriate amount of local material, and a suitable proportion of locally-made programmes in the service.

Under section 356 of the Act, where it appears to Ofcom from its review that the change of control would be prejudicial to any of the three matters listed above, then it must vary the licence, by including such conditions as it considers appropriate, with a view to ensuring that the relevant change of control is not so prejudicial. In doing so, any new or varied conditions must be such that the licence holder would have satisfied them throughout the three months immediately before the change of control. Ofcom is required to publish a report of its review, setting out its conclusions and any steps it proposes to take under section 356. Where Ofcom proposes to vary the licence, it is required to give the licence holder a reasonable opportunity to make representations about the variation.

On 16 September 2020, Ofcom received a formal request from Radio Plymouth Limited to transfer the local FM commercial radio licence for Plymouth, broadcasting as 'Radio Plymouth', from Radio Plymouth Limited to Bauer Media Audio Limited ('Bauer'). The licence transfer was approved by Ofcom on 29 September 2020.

Ofcom has now carried out its review under section 355 in relation to the Plymouth licence. In doing so, we have reviewed the output provided under the licence in the three months prior to the change of control taking place, and considered information provided by Bauer with regard to the future programming of the service provided under the licence.

## Ofcom's assessment of the output of Radio Plymouth (prior to the change of control)

The Character of Service of this Plymouth licence is:

**A LOCALLY-FOCUSED STATION SPECIFICALLY FOR PLYMOUTH WITH A FULL SERVICE OF LOCAL NEWS AND INFORMATION, ENTERTAINING SPEECH, FEATURES AND CONVERSATION WITH MAINSTREAM POPULAR MUSIC.**

In the three months prior to the change of control, all programming was locally-made and broadcast from Plymouth. The station therefore greatly exceeded the minimum hours of locally-made programming required by its Format of seven hours per day during weekday daytimes, and four hours during daytime on weekend days. Programming was broadcast live between 6.30am and 7pm

on weekdays, and at weekend breakfast. Programming outside of these times consisted of continuous automated music, except for a dance music show on Saturday nights.

Radio Plymouth provided two-minute local news bulletins at the top of each hour throughout the day on weekdays, and at weekend breakfast. The bulletins were compiled by two Plymouth-based journalists and were not shared with any other radio station. This level of local news provision exceeded the Format requirement to provide local news hourly during peak time (defined by Ofcom as being weekday breakfast and afternoon drivetime, and weekend late breakfast). Local news headlines were also provided on the half-hour during the weekday breakfast show.

Local weather and travel news was broadcast regularly by the station during daytime, and other local content included 'what's on' information, listener competitions, phone-in topics and guest interviews.

## The new owner's plans

Bauer plans to rebrand Radio Plymouth and integrate it into its 'Greatest Hits Radio' network. It plans to reduce the amount of locally-made programming to three per day on weekdays (and none on weekend days), which will be shared with other 'Greatest Hits Radio' stations owned by Bauer in the south west of England. In order to be able to implement these arrangements, Bauer has submitted an Approved Area change request and a Format Change Request to Ofcom. These will be considered in the next few weeks, noting that the Approved Area change request will be subject to a public consultation.

Bauer has told us that local news bulletins will remain two minutes in duration, and will continue to air hourly throughout daytime on weekdays, and between 7am and 1pm on weekend days. The local news will be compiled and read from Bauer's regional network centre in Bristol, which also serves Bauer's other local stations in the south west of England. There will be a dedicated reporter for Plymouth based inside the station's licence area.

Specialist or themed programming on Greatest Hits Radio will include, at the weekends, a retro chart show ('Now! That's What I Call A Chart Show'), an album chart show, and a US chart show ('America's Greatest Hits').

## Recommended variations to the licence

Based on our assessment of the station's output in the three months prior to the change of control, and the new owner's stated plans, it does not appear to us that the change of control of the Plymouth licence would be prejudicial to any of the following three matters:

- the quality and range of programmes included in the service;
- the character of the service; and,
- the extent to which local material and locally-made programmes are included in the service.

In particular, we do not consider that Radio Plymouth was broadcasting any programming that was not already reflected in the requirements of the station's Format which would, in our view, have a significant impact upon any of these matters.

Therefore, we are not proposing any variations to the licence under section 356.

*October 2020*