

Key Commitments change request form

Community radio station name:	Beyond Radio
Licence number:	CR100156
Licensee (company name):	Proper Community Media Lancaster Ltd
Contact name:	Duncan Moore
Date of request:	23/02/23

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 16 hours per day.	The service provides original output for a minimum of 70 hours per week.	Beyond Radio is currently meeting its daily commitment for original content. We are conscious though that we ask a great deal of volunteers who deliver our content on a daily basis across the week. We feel that a move from minimum daily hours to minimum weekly hours will reduce the pressure on the station and its volunteers when holidays, illness and unexpected absence takes place and therefore, protect against failing to meet the commitment. Whilst we have flexibility to swap in volunteers it is not always possible on short notice to place volunteers into the longer and specialist show slots that would see the station fall below the current daily commitment if these slots couldn't be staffed.
Speech. The main types of speech output broadcast over the course of each week are: community information, drama, documentaries, poetry and comedy.	Speech. The main types of speech output broadcast over the course of each week are topical local news relating to the service area, community interest material and information relating to forthcoming events	When Beyond Radio began broadcasting our intention was to offer an alternative to what was already on offer from our local commercial operator and this original key commitment would demonstrate that. Since the demise of

		<p>that operator Beyond Radio has become the default provider of local news and community information for our district. This was no more in evidence than through the pandemic when listener interaction showed that there was a large appetite for up to date information and commentary. Whilst we provide output related to the original key commitment, feedback would suggest that this content isn't as popular among our listeners and that local news and information is a preference. Our social media interactions would seem to back this up with our local news stories achieving 1.2m views on Facebook for the week commencing 13/2/23. This demonstrates to us that for local and regional listeners our local news, community and events output is in high demand and should be given a high priority as no other broadcaster operating in our district offers this service. Whilst we wish to retain a level of commitment to the type of speech noted in the original key commitments, it has been increasingly difficult to source and produce some of this type of content, with reliance on a small group of professional people who work in that field, all of whom have commitments elsewhere.</p>
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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?	YES/NO (Please explain why below)
<p>No. Beyond radio is a 24hour 7day operating station and will continue to be so. We have no plans to reduce our level of programme output but are seeking to put in place a safety net for occasions where the station may fall short of current key commitment requirements due to unforeseen circumstance and the nature of the voluntary workforce we employ.</p> <p>The change to our speech output will allow the station the flexibility to continue to offer listeners the meaningful local news and community and events information service we provide now and which evidence suggests is the preference, whilst still retaining a station commitment to offer a level of the original speech led output where possible.</p>	
(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?	YES/NO (Please explain why below)
<p>No. There is a station commitment to continue to provide output as we have done through locally produced programming and 'bought-in' programming through initiatives such as material produced by support from the Audio Content Fund. With the pressure of legislative sanctions removed and a refocus of our key commitments to a range of speech output that we have demonstrated our audience wants, we believe the changes requested would allow for greater flexibility and widen our programme range giving opportunities to develop programme type further over time.</p>	

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.

(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/NO (Please explain why below)
<p>Yes. It is clear through our on-line interaction that news and community and event information is in high demand by our community. Requests from local community and charitable organisations wishing to promote their work and events to the public are increasing. This would suggest to us that the station is valued more for its strong community connections rather than for its specific culturally focused programme output which historically has received little feedback.</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?	YES/NO (Please explain why below)
<p>No. Beyond Radio has a strong commitment to providing opportunities to members of our community despite age, ability or socio-economic background. The station is fully staffed by volunteers and will continue to offer access to our facilities to those who wish to join the organisation and learn the skills required to deliver the service we offer.</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?	YES/NO (Please explain why below)
<p>No. We envisage no negative changes to our current level of social gain requirements as a result of these proposed changes. We believe that a refocus of our speech led content to that which we have proposed will in fact create further social gain outcomes as we shift from broadly cultural requirements to more community focused ones which offer greater inclusive opportunities for our local population. For example, the requirement to create a comedy programme against reporting on a local hygiene bank initiative. The latter is a more accessible proposition to produce for the majority of volunteers and likely to be of greater social gain benefit to the general local population.</p>	

<p>Please set out below any additional information and/or evidence you wish to provide in support of your proposed changes.</p> <p>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).</p>
<p>We believe the changes proposed will not distract from the characteristic of community radio as set out by Ofcom. It is our intention to continue to offer a locally produced and delivered service that is provided primarily for the good of members of the public within our local community whilst still delivering social gain opportunities and outcomes through a variety of actions.</p>

We also believe that the proposed changes to our speech led output will help promote across our district a better understanding of our community and bring about the strengthening of links within it as the main focus of the change will be that community and the varied aspects that make it so.

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) (<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 to convert its Key Commitment on original output from a daily to a weekly requirement. The change from 16 hours per day to 70 hours per week would also represent a reduction of 37.5% of its original output requirement.

As the Key Commitments also require Beyond Radio to be “an open access project to unite the diverse communities in the area” with output created by local volunteers, we considered carefully whether such a reduction in original output requirements would substantially alter the character of the service.

In requesting this change, the Licensee says moving to a weekly requirement would provide resilience and flexibility in the event volunteers were unable to present, and will ensure it is able to meet its key commitments on original output whilst balancing volunteer availability. Additionally, the Licensee has said it will continue to offer access to its facilities for training and development purposes.

While a reduction in original output could be seen to potentially reduce opportunities for local volunteers to access the station and create output, we recognise that flexibility is important when relying on volunteers, and we do not consider that a lower original output requirement necessarily leads to reduced access. In this particular case, we are also conscious that the current requirement for 16 hours per day of original output is very high, and the proposed new requirement of 70 hours per week is still a significant level to meet. For these reasons, we are satisfied the reduction in the original output requirement would not substantially alter the character of the Beyond Radio service.

With regard to the proposed change to the station’s speech requirements, we recognise that drama, documentary, poetry and comedy are among the more specialised and challenging types of speech content to produce, especially for a volunteer-led service. As Beyond Radio is a service for the whole local community rather than one with a specific focus on culture and/or the arts, we are satisfied that the removal of the current requirements noted above would not substantially alter the character of the service.

In terms of our policy criteria, Ofcom is satisfied the change will not affect the station’s ability to meet the community radio ‘characteristics of service’ set out in the legislation, and there are no other policy reasons to refuse the change. As previously noted, the Licensee’s Key Commitments require it to provide “an open access project to unite the diverse communities in the area”. This is in line with the community radio ‘characteristics of service’ requirements “that members of the community it is intended to serve are given opportunities to participate in the operation and management of the service”. Additionally, Ofcom notes that Beyond Radio is a service for the whole local community and the proposed changes to its Key Commitments will not substantially alter this. We have therefore decided to exercise our discretion to approve this change.

May 2023