

Key Commitments change request form

Community radio station name:	Cross Counties Radio
Licence number:	CR102863BA/2
Licensee (company name):	Cross Counties Radio Ltd
Contact name:	Sharon Harris-Boulter
Date of request:	8 th January 2024

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
Speech. The main types of speech output broadcast over the course of each week are: news, local information and discussion.	Speech. The main types of speech output broadcast over the course of each week are: news, local information and general community chat.	The expectation of discussion is too much for a workplace audience which is our primary target audience at Magna Park in Lutterworth and therefore all conversation and discussion based programming needs to be in proportion with the radio stations music to speech ratio whilst reflecting the needs and interests of its potential overall audience.

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)
No, this revision to the speech element of our Key Commitments will not alter the character of the service, but will further ensure that when our presenters are conducting community interest conversation (general community chat) that the duration is more digestible to the primary workforce audience in the target area. Our intention is to agree with Ofcom that speech delivery through community chat is conducted in a way that has an element of discussion, without the requirement of long debates. This will provide the target audience with relevant concise speech representing community interests, either with the presenter sharing the expression of the community as an individual or through chat with a fellow radio station contributor, or with a guest via the telephone or a community member in the studio.	
(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)
No, by delivery of community chat, this will actually increase the potential with our volunteer presenters, of whom many are not professional presenters and have little experience with controlling a conversation on-air. By placing an expectation of community chat to our presenters rather than intense discussion will provide additional support and confidence to our presenters and will encourage them to engage more through community chat with the listener.	

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.

<p>(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?</p>	<p>YES/NO (Please explain why below)</p>
<p>Yes, It is important for Ofcom to recognise that the application for Cross Counties Radio was first and foremost to serve the 20,000 strong workforce audience that work around the clock in the mega-shed distribution centres at Magna Park, Lutterworth which is Europe's largest warehouse distribution estate. Whilst music carries across these massive warehouses, speech bounces around inside these buildings and can be quite troublesome to the workforce audience. Therefore ensuring that all speech elements that are dry, without any musical content underneath them should be presented in a way that satisfies our secondary audience in homes, offices and small shops within the target area, but does not alienate or annoy the mass audience working 24 hours a day in the 56 jumbo jet sized aircraft hangers (mega-sheds) operated by various different blue-chip companies including Asda, BT, GXO, Lidl, Disney Store, Wayfair, Rhenus Logistics and many more. This audience is the life blood of both Cross Counties Radio and the target community as the majority of people that work at Magna Park also live within the target area. This primary audience naturally becomes a major part of our secondary audience when they leave their 12 hour shifts and travel home in their cars and for many continue listening at home.</p>	
<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?</p>	<p>YES/NO (Please explain why below)</p>
<p>NO, the expectation of the word chat to a listener or guest from the community provides a lot less expectation to individuals and should increase the confidence of interaction, where as the word discussion is more formal and from our experience places fear into a guests mind as it suggests there could be a hidden agenda or long winded debate that makes guests and listeners feel uncomfortable. By inviting a chat suggests that a colleague, guest or listener will provide a view point on a relevant community topic without being held hostage to the radio station and going round the houses asking the same question in various different ways whilst keeping it light with an angle of positivity where possible, so not to offend.</p>	
<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?</p>	<p>YES/NO (Please explain why below)</p>
<p>No, the listener will see no change to the service, this change of key commitment is purely to ensure that Ofcom and Cross Counties Radio are on the same page and have a reference point of what we both expect from the licence to ensure that we don't have to come back to this issue again in the future.</p>	

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)

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Please refer to our original application that explains about our primary workforce community at Magna Park, Lutterworth.

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 has asked to replace “discussions” with “general community chat” in its Key Commitments relating to speech content, on the basis it considers the use of the former means a requirement that the station must broadcast long formal debates which do not appeal to its audience.

We consider it is a matter for each community radio licensee to determine how to provide a service in accordance with their Key Commitments, and as such we have not tried to define terms such as “discussions”. In this particular case, we do not agree with the Licensee’s interpretation. However, the decision we need to make in relation to the Licensee’s request is not how to define a particular word included in the Key Commitments, but rather whether we can agree to the request to change the Key Commitments having regard to the relevant statutory criteria and our policy criteria.

In this respect, we have taken account not only of the specific change proposed by the Licensee but also of other relevant obligations in the Key Commitments which the Licensee is not seeking to change, particularly the requirement for it to achieve “the facilitation of discussion and the expression of opinion”. This is a requirement upon all licensed community radio services. As noted above, we consider it is a matter for a Licensee to determine how to meet its requirements. However, we think it is self-evident that facilitating discussion and the expression of opinion (particularly the former) and “community chat” both require the involvement of more than one party.

Therefore, we would not expect the proposed change from “discussion” to “general community chat”, coupled with the continuing requirement to facilitate discussion and the expression of opinion, to result in a significant impact on the radio station’s speech content. As such, we are satisfied in relation to section 106(1A)(a).

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. We have therefore decided to exercise our discretion to approve this change.

March 2024