



Providing a service in accordance with ‘Format’, Bauer Radio Limited

Type of case	Broadcast Licence Conditions
Outcome	Resolved
Service	Greatest Hits Radio (Salisbury)
Date & time	8 to 14 January 2024
Category	Format
Summary	The Licensee failed to fulfil the requirements specified in its Format to deliver local news. Resolved.

Introduction

Greatest Hits Radio (Salisbury) is a local commercial radio station for the Salisbury area. The licence for Greatest Hits Radio (Salisbury) is held by Bauer Radio Limited (“Bauer” or “the Licensee”).

Like all other analogue commercial radio stations, Bauer is required to deliver its [Format](http://www.ofcom.org.uk/static/radiolicensing/analogue/formats/al102762.doc) (http://www.ofcom.org.uk/static/radiolicensing/analogue/formats/al102762.doc) which forms part of its licence. The Format sets out the type of broadcast output that the radio station is required to deliver. It also sets out when local news is required to be broadcast on the service.

Greatest Hits Radio (Salisbury) is a station that has committed to being a “locally-oriented broad music and information station for the Salisbury area, with a strong commitment to local news”. In addition, its Format requires it to provide an “enhanced local news service” in return for being able to broadcast a greater number of networked hours (i.e. programmes not made from within the station’s licensed coverage area or ‘approved area’) during daytime programming. This means the station must provide local news bulletins from 6am to 7pm, rather than just at peak-times. Ofcom’s [Localness guidelines](https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/radio-broadcasters/localness) (https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/radio-broadcasters/localness) set out that stations which are required to provide an

enhanced local news service are expected to include at least one fully-formed local news story, and normally more than this, in each enhanced daytime bulletin.

Ofcom received a complaint that the Licensee was not broadcasting the required local news bulletins. Ofcom requested recordings of the Licensee's broadcast output from 8 to 14 January 2024 to ensure that Bauer was complying with its Format requirements with respect to local news.

Having reviewed the recordings and information Bauer had provided, we noted that a significant proportion of the news broadcast during daytime weekdays and at peak times at the weekend did not obviously appear likely to be of particular interest to listeners in the Salisbury area. It therefore appeared that the Licensee may not have been meeting the following requirements in its Format:

Character of Service: A locally oriented broad music and information station for the Salisbury area, with a strong commitment to local news.

- Local News: Local news must be broadcast at least hourly during daytime weekdays and peak-time weekends.

Ofcom considered that this raised potential issues under Licence Conditions 2(1) and 2(4). These state, respectively:

2(1) "The Licensee shall provide the Licensed Service specified in the Annex [Format] for the licence period"; and

2(4) "...the Licensee shall ensure that the Licensed Service accords with the proposals set out in the Annex [Format] so as to maintain the character of the Licensed Service throughout the licence period".

We requested comments from the Licensee on how it was complying with the above conditions.

Response

Bauer said that until early January 2024, Greatest Hits Radio (Salisbury) had its own bespoke local news bulletin. The Licensee explained that from 2 January 2024 it had planned to trial a "county" bulletin for its stations in Wiltshire¹ because it considered that the city-focused news bulletins for Salisbury "sounded jarring and parochial against industry-leading shows such as Ken Bruce and Simon Mayo".

However, the Licensee set out that it decided instead to trial a "combined Salisbury/Hampshire bulletin with added South Wiltshire content", on the basis that the audience in Salisbury "would feel more connected to Southampton/Hampshire than the rest of Wiltshire"².

Bauer explained that it then monitored the output and audience feedback to judge whether the new bulletins were "the right decision for [the] audience and remained compliant with Ofcom guidelines". It concluded that while it considered every bulletin broadcast during the trial to have contained local news stories that were "directly relevant" to the Salisbury audience, the trial bulletins also included stories relating to localities in parts of Hampshire farther away from Salisbury such as Portsmouth, which it felt "did not sit well" on the Salisbury service. The Licensee added "this

¹ Bauer also operates other local radio stations in the area.

² Salisbury is in the south of Wiltshire, close to the border with Hampshire.

was particularly the case at weekends when the news agenda means local Salisbury stories are less strong”.

The Licensee explained that it therefore decided to revert to the original plan for a Wiltshire-based bulletin at weekends from 27 January 2024, and to a “fully-Salisbury bulletin” on weekdays from March.

In its response, Bauer made clear that its decision following the trial to revert to bespoke news bulletins for Salisbury on weekdays (and Wiltshire-wide bulletins at weekends) was an editorial one based on the fact that the trial bulletins included stories that were less relevant to Salisbury, and not because the trial bulletins were inconsistent with Ofcom’s guidelines regarding the inclusion of stories of direct relevance to the local audience.

The Licensee explained its view that a news story does not need to be about Salisbury to be of direct relevance to listeners in Salisbury, and that it would risk reducing the quality of its local news service if there was a requirement to spread stories about Salisbury across the day to ensure there was at least one in every bulletin.

Decision

Reflecting our duty to ensure a diverse range of local analogue radio services, commercial radio licensees are required to provide the specified licensed service set out in their Format.

All local commercial radio services broadcasting on FM are required by their Format to provide local news, and our Localness guidelines set out our (non-exhaustive) view on how a licensee can best meet this requirement in the interests of listeners.

We consider these guidelines provide licensees with the flexibility to make their own editorial judgements within a framework of broad expectations which Ofcom is required by law to devise. They are not rules with which a licensee must comply.

There is no requirement (or guidance) that a news story can only be of direct relevance to listeners in a particular locality if it is explicitly ‘about’ that locality.³ It therefore follows that there is also no requirement, or expectation, that every local news bulletin must include a story which is ‘about’ the locality the station is licensed to serve. However, as set out above, stations which are required to provide an enhanced local news service are expected to include at least one fully-formed local news story, and normally more than this, in each enhanced daytime bulletin.

In reviewing the local news bulletins broadcast on Greatest Hits Radio (Salisbury) during the period 8 to 14 January 2024, we noted that many of the stories in the bulletins related to events in Hampshire rather than the Salisbury area. In particular, the Sunday bulletins contained a mix of national stories and items relating to people and/or events in Hampshire. We recognise this does not mean those news stories could not be considered to be relevant to listeners in Salisbury, particularly those who travel to and/or work in Hampshire. However, overall, we judged that the balance between stories which were explicitly ‘about’ the Salisbury area and those which were not

³ Whether or not a news story is ‘about’ a particular location is a matter of opinion. [Ofcom commissioned research](https://webarchive.nationalarchives.gov.uk/ukgwa/20230703113250/https://www.ofcom.org.uk/research-and-data/tv-radio-and-on-demand/radio-research/radio_deregulation) into listeners’ views on localness suggests that stories about people living in, or from, the local area, or about events in the local area, would probably qualify (https://webarchive.nationalarchives.gov.uk/ukgwa/20230703113250/https://www.ofcom.org.uk/research-and-data/tv-radio-and-on-demand/radio-research/radio_deregulation).

(accepting the latter could still be seen as relevant) was such that the sense of local character and/or kinship that [research](#) shows listeners like to get from their local radio station was weakened (https://www.ofcom.org.uk/__data/assets/pdf_file/0012/115113/consultation-localness-radio.pdf).

We recognise that during this period the Licensee was trialling a combined Salisbury/Hampshire news bulletin which explains the greater incidence of stories drawn from beyond the Salisbury area, and that following this trial it has decided to revert to a “fully-Salisbury bulletin” on weekdays and a Wiltshire-focused bulletin at weekends. On this basis, we consider this matter resolved.

Resolved