



Analogue Commercial Radio Licence: Format Change Request Form

| | |
|--|-------------------------|
| Date of request: | 17.6.16 |
| Station Name: | NORTH NORFOLK RADIO |
| Licensed area and licence number: | AL285-1 NORTH NORFOLK |
| Licensee: | North Norfolk Radio Ltd |
| Contact name: | JONATHAN HEMMINGS |

Details of requested change(s) to Format

| | |
|---|---|
| Character of Service <i>Complete this section if you are requesting a change to this part of your Format</i> | Existing Character of Service: N/A |
| | Proposed new Character of Service: N/A |
| Programme sharing and/or co-location arrangements <i>Complete this section if you are requesting a change to this part of your Format</i> | Current arrangements: None in place although up to six of the ten locally-made weekday hours on North Norfolk Radio AL285-1 can be shared with sister-station Radio Norwich AL300-1. AL285-1 is also permitted to co-locate with AL300-1. |
| | Proposed new arrangements: North Norfolk licence AL285-1 will share all programming with Radio Norwich AL300-1 and East Coast licence AL186-1, The Beach. They will locate at the Radio Norwich premises in Norwich NR7 0EE where all weekday peak hours 0600-1900 and weekend peak hours 0800-1200 would be made. |
| Locally-made hours and/or local news bulletins <i>Complete this section if you are requesting a</i> | Current obligations: N/A |

| | |
|--|---|
| <i>change to this part of your Format</i> | Proposed new obligations: N/A |
|--|---|

The holder of an analogue local commercial radio licence may apply to Ofcom to have the station's Format amended. Any application should be made using the layout shown on this form, and should be in accordance with Ofcom's published procedures for Format changes (available on our website at <http://stakeholders.ofcom.org.uk/broadcasting/radio/formats-content/changes/>)

Under section 106(1A) of the Broadcasting Act 1990 (as amended), Ofcom may consent to a change of a Format only if it is satisfied that *at least* one of the following five statutory criteria is satisfied:

- (a) *that the departure would not substantially alter the character of the service;*
- (b) *that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons living the area or locality for which the service is licensed to be provided;*
- (c) *that the departure would be conducive to the maintenance or promotion of fair and effective competition*
- (d) *that there is evidence that, amongst persons living in that area or locality, there is a significant demand for, or significant support for, the change that would result from the departure; or*
- (e) *that (i) the departure would result from programmes included in the licensed service ceasing to be made at premises in the area or locality for which the service is provided, but (ii) those programmes would continue to be made wholly or partly at premises within the approved area (as defined in section 314 of the Communications Act 2003 (local content and character of services)).*

Only one of these five criteria need be satisfied in order for Ofcom to consent to the proposed change. However, even if Ofcom is of the opinion that the proposed change satisfies one or more of the statutory criteria, there may be reasons (depending on the particular circumstances of the case) why Ofcom may not consent to the proposed change. The additional criteria to which Ofcom will have regard when exercising this discretion can be found at: <http://stakeholders.ofcom.org.uk/broadcasting/radio/formats-content/changes/>)

Applicants should note that, under section 106ZA of the same Act (as amended), a proposed change that *does not* satisfy the first or last of these criteria (i.e. a change that Ofcom considers *would* or *could* substantially alter the character of the service, or does not relate to the origin of locally-made programmes) must, if it is to be considered further under any of the other three criteria, be consulted upon. #.

In the event that Ofcom receives a request for Format change and considers that criterion (a) or (e) is *not* satisfied, it will seek confirmation from the applicant as to whether it wishes to proceed with the request (and, if so, whether it wishes to amend or replace its submission in light of the necessity to make it public).

Please set out the statutory criterion, or criteria, set out in section 106(1A) of the Broadcasting Act 1990 that you believe is/are satisfied in relation to this Format change request, and the reasons for this:

This change will not substantially alter the character of the service or narrow the range of programmes. All stations are in the OfCom East Anglia area. Radio Norwich AL300-1 has a broadcast area contiguous with North Norfolk Radio AL285-1 to the North and West and with The Beach AL186-1 to the South and East.

All three services currently follow the same music format. The broad music policy will continue. For example, artists featured on the current playlist range from contemporary hits by Taylor Swift, Ellie Goulding, Take That, Mark Ronson and Adele to classics by Queen, Chic, Michael Jackson and Lionel Richie, and this policy is reinforced further by the No Repeat Workday 9-5, guaranteeing a broad range of artists, songs and eras.

Our commitment to localness has been enhanced by the introduction of a full-time Street Team, carrying out promotional activity in the licensed area on a daily basis ranging from Cool Rides to School for kids, donut runs into workplaces, car sticker promotions and many more daily events in the local market place.

Split link technology which is already used in our off-peak group programming to deliver even stronger localness will be employed in peak hours, and our local News will be increased further thanks to the creation of a dedicated Newsroom, based and staffed at Radio Norwich's premises. (This replaces the hub at sister station Town 102 in Ipswich, Suffolk).

This new News service will super-serve the North Norfolk, Norwich and Great Yarmouth/Lowestoft area, and have direct editorial responsibility for covering its licensed area. New extended local news bulletins will run at 1pm and 6pm weekdays. We shall also introduce a twice-weekly local sports phone-in programme dealing with not only Norwich City FC but also local leagues across the area, particularly relating to women's and children's sports and leagues as well.

Local bulletins will run hourly from 0600-1900 with half hourly headlines as well on Breakfast and Drivetime programmes.

There will be no reduction in locally-made programming hours, running weekdays 0600-1900. The character of the service will not be substantially altered. Local Programming will be based in Norwich where all weekday peak hours 0600-1900 and weekend peak hours 0800-1200 would be made.

On air content will still be strongly based around matters of local importance, relevance and general interest to our target audience in the broadcast area, distinct from national broadcasters. Activities with schools, sports groups, charities, our Local Heroes awards, programming at times of flooding, snow etc. will all give listeners a feeling of kinship between themselves and the station.

We have also reduced the number of networked shows to just weekday evenings and weekend afternoons, with a new locally voicetracked early weekend breakfast show 6-8am brought in to provide local information and events updates for the discrete area, plus a locally voicetracked Sunday evening show.

Local travel news will continue to be delivered weekdays every 15 minutes at breakfast, hourly during daytimes and every 20 minutes at drivetime. It will remain hourly on weekends late breakfast plus whenever needed.

Local weather will continue to be delivered at least once every 15 minutes on

weekday breakfast and drivetime plus in all news bulletins during daytime and on weekends late breakfast.

The statutory criterion under section 106 (1A) (e) applies to the proposed new arrangements on co-location and programme-sharing since under these arrangements local programmes will continue to be made in the OfCom approved area of East Anglia.

Please provide any additional information and/or evidence in support of the proposed change(s) below. In particular, the applicant may wish to outline how they see that the proposed change fits within Ofcom's published Format change request policy (<http://stakeholders.ofcom.org.uk/broadcasting/radio/formats-content/changes/>) and also Ofcom's Localness guidance, which includes our co-location and

programme sharing policy

(<http://stakeholders.ofcom.org.uk/broadcasting/radio/localness/>).

The proposed changes to co-location and programme sharing are consistent with OfCom's Statement on commercial radio localness regulation (15 April 2010) since the licences concerned are all within the same OfCom approved area, East Anglia.

There will be no reduction in local programming hours, weekdays 0600-1900 and weekends 0800-1200. We shall over-deliver on local news requirements in terms of hourly 0600-1900 weekdays with headlines half-hourly at Breakfast and Drive, plus weekends 0800-1200.

Radio Norwich AL300-1 has a broadcast area bordering and, in part overlapping, with North Norfolk Radio AL285-1 to the North and West and similarly with The Beach AL186-1 to the South and East.

Culturally, the areas served by the three services share many things – hospitals, police, education plus commuter routes and famous holiday destinations. Norwich itself is the key central location for the three areas, as a place of work, commuting and shopping. The River Yare covers the Norwich, Great Yarmouth and Lowestoft areas, with the River Wensum connecting the Norwich and North Norfolk areas. Key shared roads such as the A47, A140, A146 and A1067 bring the three areas together as well.

Therefore we feel there is a very strong cultural affinity between these three areas and the fact that geographically, they border one another and are linked by key roads and rivers, adds to this assertion.

North Norfolk Radio has an MCA of just 37,930 with The Beach at 174,124. Adding these to Radio Norwich's area of 290,313 is, we feel, a factor that makes for an even stronger case as two of the three stations are below 250,000, indeed one well below 100,000. One larger and more viable station will be greatly beneficial to us, and will allow financial investment in areas where we can further develop our localness e.g. a new Newsroom, extra journalists and a larger Street Team.

The proposed sharing of all programming between the three stations will enable a reduction in the amount of overheads spent on non-programming items. It will therefore represent a genuine material contribution to the safeguarding of local output and the future viability of both station licences. The competitive market in this region is dominated by well-funded highly networked national brands. The proposed programme-sharing helps us maintain an operation based on local content and activity. Infrastructure cost savings, and savings in business rates and rent will enable us to enhance the local programming and promotion initiatives, outlined above.

It is therefore our view that this proposal meets the criteria for programme-sharing and co-location as defined by OfCom. Thank you.

Notes

Ofcom may approve a change under any of criteria (b) to (d) 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.

Background to the Decision

North Norfolk Radio Ltd, the licensee of North Norfolk Radio, has made a request for this service to share its local programming hours with the two other services in Norfolk also owned by Anglian Radio Ltd, The Beach (Lowestoft & Great Yarmouth) and Radio Norwich.

Every FM local commercial radio service is required to broadcast a certain amount of locally-made programming, which is specified in its Format. Locally-made programmes are those made within a station's licensed area or, where Ofcom has approved a wider area relating to that station, that "Approved Area"¹. The "approved area" relating to all three of these licensed services is the East Anglia Approved area.

This request would change the character of service as set out in North Norfolk Radio's Format, and accordingly can be agreed only if Ofcom is satisfied in regard to one of the statutory criteria set out in section 106(1A) of the Broadcasting Act 1990 (as set out above).

If we are satisfied in relation to one of the statutory criteria, we are then able to decide whether or not to approve the request, taking account of our published policy criteria².

Decision

Ofcom was satisfied in relation to section 106(1A)(e) of the Broadcasting Act 1990, on the basis that the change requested, if approved, would result from programmes included in the licensed service ceasing to be made at premises in the area or locality for which the service is provided, but that those programmes will continue to be made wholly or partly at premises within the East Anglia Approved Area.

Ofcom has previously said that we are likely to consent to co-location/and or programme sharing requests where the stations concerned are located in the same Approved Area, provided we are satisfied that the stations involved will continue to provide local material relevant to the listeners in their individual licensed areas.

In this case, we were satisfied that the key local material strands – local news, sport, weather and what's on information – will continue to be delivered on a bespoke basis by North Norfolk Radio using 'split link' technology, and the weekday 13.00 and 18.00 local news bulletins will be increased in length.

November 2016

¹ <https://www.ofcom.org.uk/consultations-and-statements/category-1/radio/statement>

² https://www.ofcom.org.uk/_data/assets/pdf_file/0024/87405/The-regulation-of-Format-changes.pdf