
Community radio

Seven community radio licence awards: December 2017

Statement:

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About this document

This document announces the award of seven community radio licences.

The licences are for stations serving communities in Caithness (Scotland), Blackburn, Leyland and Rawtenstall (each in Lancashire), Great Driffield (East Riding of Yorkshire), and Liverpool and Southport (both in Merseyside).

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1. Licence awards

- 1.1 During December 2017, Ofcom made decisions to award seven community radio licences. The licences are for stations serving communities in Caithness (Scotland), Blackburn, Leyland and Rawtenstall (each in Lancashire), Great Driffield (East Riding of Yorkshire), and Liverpool and Southport (both in Merseyside).
- 1.2 All community radio services must satisfy certain 'characteristics of service' which are specified in legislation¹ – Ofcom was satisfied that each applicant awarded a licence met these 'characteristics of service'. In addition, each application was considered having regard to statutory criteria², the details of which are described below. This statement sets out the key considerations in relation to these criteria which formed the basis of Ofcom's decisions to award the licences. Where applicable, the relevant statutory reference (indicated by the sub-paragraph number) is noted in brackets.

Applicants awarded a licence

- 1.3 Ofcom has made a licence award to each of the following:
- Blackburn Youth Radio (Blackburn Community Radio Limited), Blackburn
 - Caithness FM (Caithness FM Limited), Caithness
 - Great Driffield Radio (Great Driffield Radio Limited), Great Driffield and surrounding village communities
 - Leyland Community Radio (Leyland Community Radio Limited), Leyland and surrounding area
 - Liverpool Community Radio (KensingtonVision CIC), Kensington and Fairfield, and surrounding areas in Liverpool
 - Mighty Radio (Mighty Radio Limited), Southport and surrounding areas
 - Rossendale Radio (Rossendale Radio Ltd), Rawtenstall and surrounding areas of the Rossendale Valley, East Lancashire
- 1.4 These services will be licensed for a period of five years from the date of their launch, on FM.
- 1.5 As required by law, Ofcom was satisfied that the new services would not prejudice unduly the economic viability of any local analogue commercial radio service.

Blackburn Youth Radio

- 1.6 Blackburn Youth Radio will serve young people (under 25 years of age) in Blackburn. The group's directors have extensive experience in broadcasting, as well as business management, sales, and broadcast engineering. The applicant has secured most of its pre-

¹ Regulation 3 of the Community Radio Order 2004

² Section 105 of the Broadcasting Act 1990 (as modified by the Community Radio Order 2004, as itself amended by the Community Radio (Amendment) Orders 2010 and 2015).

launch funding, as well as some year 1 funding via a grant. Ofcom was satisfied that the applicant had demonstrated its ability to maintain the service (1a). The applicant conducted research and ran focus groups in the area to help formulate its plans to cater for the tastes and interests of the target community (1b). Ofcom considered that the proposed service would, by focusing on serving the under-25s, broaden the range of radio programmes available in the area (1c). The applicant provided evidence of demand for the service from members of the target community, as well as support from local organisations including the youth service, schools and colleges (1d).

Caithness FM

- 1.7 Caithness FM is for the population of the county of Caithness, in Scotland. The applicant has extensive experience of broadcasting in the area. It already owns its own premises, studio and transmission equipment, and provided evidence of its financial viability over a number of years. As a result, Ofcom was satisfied that it could maintain the service (1a). Ofcom considered that the applicant had put forward strong social gain and access and training proposals with clear inclusivity objectives (1e), an existing volunteer base and experience in training its members (1g).

Great Driffield Radio

- 1.8 Great Driffield Radio will broadcast to the population of the parish of Great Driffield and surrounding village communities in the East Riding of Yorkshire. The directors bring a range of experience, particularly in community radio broadcasting and management, and Ofcom considered that the applicant had demonstrated its ability to maintain the service (1a). The proposed service will cater for the tastes and interests of local people with a locally-focused service (1b) and broaden the range of programmes available in the area (1c). Ofcom considered that its proposals to encourage involvement in the station via small working groups, as well as regular surveys and open meetings to invite direct feedback, will help ensure accountability to the target community (1f).

Leyland Community Radio

- 1.9 Leyland Community Radio is for people in Leyland, in Lancashire, with a particular focus on the over-35s and older age groups. The applicant group includes members with a range of relevant experience, including business management, radio broadcasting, training and audio engineering. It proposes a relatively low-cost operation, and has secured free premises. Ofcom considered that the group had demonstrated its ability to maintain the service (1a). It has an existing volunteer base, and has numerous links within the local community which will help it deliver its social gain objectives (1e). It provided evidence of demand and support from organisations, businesses and charities as well as individuals in the area (1d).

Liverpool Community Radio

- 1.10 Liverpool Community Radio will serve disadvantaged communities in Kensington and Fairfield and surrounding areas of Liverpool. The applicant group has extensive experience of operating a range of social enterprises in the area, as well as online and temporary FM radio services. Directors' experience includes training and digital inclusion. Ofcom was satisfied that the applicant had demonstrated its ability to maintain the proposed service (1a). Ofcom considered that the applicant had good experience of community engagement, and has many links and partnerships in place which will help it deliver social gain to its target community (1e).

Mighty Radio

- 1.11 Mighty Radio is for the population of Southport. The applicant group directors bring a range of experience to the project, including local business, local fundraising, business management, and radio broadcasting. It has secured free premises from a local partner organisation, and already owns its studio equipment. As a result, Ofcom considered that the applicant had demonstrated its ability to maintain the service (1a). Support for the project was demonstrated from a range of local organisations (1d). The group's social gain objectives include training proposals which have been developed in partnership with the YMCA, King George V College and Southport College. Ofcom considers that these and other partnerships detailed in the application will help the applicant to deliver its social gain objectives (1e).

Rossendale Radio

- 1.12 Rossendale Radio is for the community of Rawtenstall and surrounding areas of the Rossendale Valley, in Lancashire. The applicant group includes individuals with experience in broadcasting, as well as business management, sales, marketing, and the third sector. Ofcom considered that the applicant had demonstrated its ability to maintain the service (1a). The proposed service will broaden choice in an area which is only partially served by other radio services (1c). The applicant provided evidence of demand and support for the service from a number of local organisations, as well as a social media campaign to bring back community radio for Rossendale (1d).

2. Statutory requirements relating to community radio licensing

- 2.1 The following pages set out the statutory requirements relating to community radio licensing, and details of the licensing process. Further information about these, and detailed information relating to community radio, can be found at: https://www.ofcom.org.uk/data/assets/pdf_file/0016/101860/Community-radio-guidance.pdf
- 2.2 In carrying out its functions, Ofcom is required to have regard to the general duties set out in section 3 of the Communications Act 2003. In addition, under section 85(2)(b) of the Broadcasting Act 1990 (“BA 1990”), it is the duty of Ofcom to do all that it can to secure the provision within the UK of a range and diversity of local radio services.

The characteristics of a community radio service

- 2.3 All community radio licensees must satisfy 'characteristics of service' requirements which are specified in Article 3 of the Community Radio Order 2004. The characteristics of community radio services are:
- that they are local services provided primarily for the good of members of the public, or of particular communities, and in order to deliver social gain, rather than primarily for commercial reasons or for the financial or other material gain of the individuals involved in providing the service;
 - that the service is intended primarily to serve one or more communities (whether or not it also serves other members of the public);
 - that the person providing the service does not do so in order to make a financial profit by so doing, and uses any profit that is produced in the provision of the service wholly and exclusively for securing or improving the future provision of the service, or for the delivery of social gain to members of the public or the community that the service is intended to serve;
 - that members of the community it is intended to serve are given opportunities to participate in the operation and management of the service; and
 - that, in respect of the provision of that service, the person providing the service makes himself accountable to the community that the service is intended to serve.
- 2.4 Article 2 of the Community Radio Order 2004 includes four mandatory “social gain” objectives. “Social gain” means the achievement, in respect of individuals or groups of individuals in the community that the service is intended to serve, or in respect of other members of the public, of the following objectives:
- the provision of sound broadcasting services to individuals who are otherwise underserved by such services;
 - the facilitation of discussion and the expression of opinion;

- the provision (whether by means of programmes included in the service or otherwise) of education or training to individuals not employed by the person providing the service; and
- the better understanding of the particular community and the strengthening of links within it.

2.5 Article 2 also includes a number of other objectives of a social nature which may be considered to represent "social gain".

Matters to which Ofcom shall have regard

2.6 There are seven matters set out in section 105(1) BA 1990 that Ofcom must have regard to when considering whether to grant a community radio licence. In summary these are:

- The ability of each applicant to maintain its proposed service over the licence period (section 105(1)(a)).
- The applicant's ability to cater for the tastes and interests of the target community (section 105(1)(b)).
- The extent to which each applicant would broaden the range of local radio services available in the area, and have a content distinct from those services (section 105(1)(c)).
- The extent to which there is evidence of local demand or support for a proposed service (section 105(1)(d)).
- The extent to which the service would deliver social gain benefits to the public or relevant community (section 105(1)(e)).
- Provisions for making the operator of service accountable to the relevant community (section 105(1)(f)).
- Provisions for allowing access by members of the public or the relevant community to the station facilities, and the provision of training in the use of those facilities (section 105(1)(g)).

2.7 In considering whether, or to whom (and on what conditions), to grant a community radio licence, Ofcom must also have regard to the need to ensure that any service provided under that licence does not prejudice unduly the economic viability of any other local commercial radio service.

2.8 Furthermore, without prejudice to the generality of that economic impact requirement, section 105(4) BA 1990 requires Ofcom to impose conditions to ensure, in effect, that any community radio service is prohibited from taking any relevant income from paid advertising and sponsorship of programmes except in the following respects:

- A 'fixed revenue allowance' totalling £15,000 per financial year of the licensee for such relevant income - this exception applies to any community radio service where that service overlaps with any local commercial radio service serving a potential audience of no more than 150,000 persons who have attained the age of 15 years or older.
- A 'fixed revenue allowance' totalling £15,000 per financial year of the licensee for such relevant income plus a proportion of the total relevant income (specified by Ofcom in

the licence), but which must not exceed 50% of the total relevant income (disregarding the fixed revenue allowance) for the licence in question in that year - this exception applies to all community radio services other than a community radio service referred to in (i) above. It should be noted that a community radio service that overlaps with any local commercial radio service serving a potential audience of no more than 150,000 persons who have attained the age of 15 years or older, which has at any time been varied pursuant to section 106(1A)(e) BA 1990, is also covered by this exception.

- 2.9 For the avoidance of doubt, programme sponsorship includes station or channel sponsorship, and commercial communications.

Process for assessment of applications

- 2.10 The Ofcom Board has delegated the discharge of certain of its functions in relation to television and radio broadcast licensing to one or more senior executives from Ofcom's Content & Media Policy Group. Each of those individuals, on their own or together, have responsibility for deciding on the award of community radio licences.
- 2.11 The decision-makers for these licence awards were Ofcom's Director of Content, Standards, Licensing and Enforcement, Ofcom's Director of Broadcast Licensing and Ofcom's two Principals, Broadcast Licensing.

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