
Section 355 Review of Output

Imagine Radio (Stockport)

Introduction

When a local commercial radio licence undergoes a change of control (this includes licence transfer), Ofcom is required, under section 355 of the Communications Act 2003 ('the Act'), to undertake a review of the effects or likely effects of the change of control in relation to:

- the quality and range of programmes included in the service;
- the character of the service, and;
- the extent to which Ofcom's duty under section 314 of the Act is performed in relation to the service. Ofcom's duty under section 314 of the Act relates to securing the inclusion of an appropriate amount of local material, and a suitable proportion of locally-made programmes in the service.

Under section 356 of the Act, where it appears to Ofcom from its review that the change of control would be prejudicial to any of the three matters listed above, then it must vary the licence, by including such conditions as it considers appropriate, with a view to ensuring that the relevant change of control is not so prejudicial. In doing so, any new or varied conditions must be such that the licence holder would have satisfied them throughout the three months immediately before the change of control. Ofcom is required to publish a report of its review, setting out its conclusions and any steps it proposes to take under section 356. Where Ofcom proposes to vary the licence, it is required to give the licence holder a reasonable opportunity to make representations about the variation.

In February 2019, a change of control took place at Imagine FM Limited ('Imagine'), which holds the local commercial FM licence for Stockport, broadcasting as 'Imagine Radio.' Prior to the change of control, all shares in Imagine were held by Mondiale Hospitality Holdings Limited. Following the change of control, 50% the shares in Imagine were held by Like Holdings Limited, with Helius Media Limited holding the other 50%.

Ofcom has now carried out its review under section 355 in relation to the Stockport licence. In doing so, we have reviewed the output provided under the licence in the three months prior to the change of control taking place, and considered information provided by Imagine with regard to the future programming of the service provided under the licence.

Ofcom's assessment of the output of the Stockport licence (prior to the change of control)

The Character of Service of the Stockport licence is:

A LOCALLY FOCUSED BROAD MUSIC AND INFORMATION STATION FOR STOCKPORT.

All programming was locally-made at Imagine's studios in Stockport. The station therefore greatly exceeded the minimum hours of locally-made programming specified in its Format (ten hours per day during weekday daytimes, and four hours during daytime on weekend days). Programming was broadcast live between 6am and 7pm on weekdays, and between 6am and 6pm at the weekend. Programming outside of these times was generally automated.

Imagine's Format requires local news to be broadcast at least hourly during peak time, defined by Ofcom as being weekday breakfast and afternoon drivetime, and weekend late breakfast. To meet this requirement, Imagine provided 60 seconds of local news on the half-hour at weekday breakfast and afternoon drivetime, and at the weekends between 8.30 am and 11.30am. The bulletins were prepared by a freelance journalist based at the station's Stockport studios. Regular weather forecasts and 24 scheduled local travel news bulletins were also broadcast at weekday breakfast and drivetime.

During the football season, Imagine carried full match commentaries of all Stockport County FC fixtures on Saturday afternoons and midweek evenings, with pre- and post-match coverage of the games also included.

Specialist music shows broadcast by Imagine prior to the change of control were, on Saturdays, 'Disco Fever' (5pm to 8pm), 'Disco Dancing 80s' (8pm to 10pm), followed by a dance music show from the well-known Manchester club DJ Graeme Park (10pm to midnight). On Sundays, 'Sunday Chill' (3-6pm) featured Ibiza-style chill-out music, and there was an R&B show, 'The Quest' between 5pm and 7pm.

The new owner's plans

Following the change of control, Imagine Radio no longer broadcasts any specialist music programming, and no longer provides full match coverage of Stockport County FC games.

Imagine has submitted plans to co-locate and share all of its output (including the local hours of production) with the local commercial radio licence for Buxton, which also broadcasts as 'Imagine Radio' and is owned by the same parent company. As the Stockport and Buxton licences are currently located in different Ofcom 'approved areas', this request will be subject to a public consultation.

Recommended variations to the licence

Based on our assessment of the station's output in the three months prior to the change of control, and the new owner's stated plans, it does not appear to us that the change of control of the Stockport licence would be prejudicial to any of the following three matters:

- the quality and range of programmes included in the service;
- the character of the service; and,
- the extent to which local material and locally-made programmes are included in the service.

In particular, we do not consider that Imagine Radio was broadcasting any programming that was not already reflected in the requirements of the station's Format which would, in our view, have a significant impact upon any of these matters.

Therefore, we are not proposing any variations to the licence under section 356.

October 2020