

## Key Commitments change request form

<b>Community radio station name:</b>	Cinque Ports Radio (formerly Shoreline FM)
<b>Licence number:</b>	CR103150
<b>Licensee (company name):</b>	Retrocadia Ltd
<b>Contact name:</b>	James Clark
<b>Date of request:</b>	01/03/2022

### 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](mailto:broadcast.licensing@ofcom.org.uk)

<b>Existing Commitment (as in your published Key Commitments)</b> Please only include one commitment change per row, and add more rows as necessary into the table.	<b>Proposed revised/new Key Commitment</b>	<b>Reason for proposed change</b>
The main types of music broadcast over the course of each week are: popular music predominantly from the <b>1950s to 1970s</b> but will also include contemporary tracks.	The main types of music broadcast over the course of each week are: popular music predominantly from <b>the 1950s to the 1980s with specialist music shows and carefully selected contemporary tracks from the last 20 years that fit with the sound of the station and the older demographic.</b>	We have successfully run an internet radio station in the same area for over a year and have found that 80's music is very popular with our audience. Our 80s shows have the highest listening figures on the station and facilitate the most listener interaction.
The service provides original output for a minimum of 10 hours per day.	The service provides original output for a minimum of 63 hours per week.	We wish to change the way our commitment to the number of required original hours are calculated. If calculated on a weekly basis rather than daily, this would give us a safety margin should a single day fall short of the number of required hours which is most likely to happen due to illness or at holiday times etc. We are also proposing a modest reduction in the committed number of hours per week. We will continue to target 70 hours plus per week of original output but believe that the proposed new commitment reflects an almost inevitable shortfall, created by freeing studio time to train new presenters as well as short term losses due to illness and holidays.

## Statutory requirements

Under section 106(1A)(a)-(f) of the Broadcasting Act 1990 (as amended and modified<sup>1</sup>) 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.<sup>2</sup> 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?	NO (Please explain why below)
<p>We have successfully run an internet radio station in the same area for over a year and have found that 80's music is very popular with our audience. Our 80s shows have the highest listening figures on the station and facilitate the most listener interaction. The introduction of specialist music shows would also increase the range of music played on the station and allow the broadcast of rarely heard tracks.</p> <p>We currently broadcast 72 hours of original output per week, 10 hours per day weekdays and 11 at weekends and we will continue to target this per week, but the change in the way the local hours are recorded and the reduction to 63 hours per week would allow us some breathing room in case of presenter sickness, holidays etc.</p>	
(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?	NO (Please explain why below)
<p>There is no other local station in our TSA that plays or offers such a wide and diverse range of music, we believe adding 80s music to the station will increase listeners.</p> <p>We would still aim to broadcast 70 plus hours of original output per week, and the proposed reduction in hours would only be needed to cover staff absences. During this time our automation would still contain local information and content.</p>	

<sup>1</sup> As amended by sections 312 and 313 of the Communications Act 2003 and modified by the Community Radio Order 2004.

<sup>2</sup> 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 (Please explain why below)</p>
<p>We have successfully run an internet radio station in the same area for over a year and have found that 80s music is very popular with our audience. Our 80s shows have the highest listening figures on the station and facilitate the most listener interaction.</p> <p>We believe the reduction in original output would have a very small impact on the local community and would not affect the overall output and would not reduce the “localness” of the station.</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>NO (Please explain why below)</p>
<p>There would be no change to this.</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>NO (Please explain why below)</p>
<p>There is no proposed change to our facilities and their availability to the public. We also believe that this change would increase social gain by increasing the listener base and engaging other demographics within our area allowing us to reach out to more of the community.</p>	

<p><b>Please set out below any additional information and/or evidence you wish to provide in support of your proposed changes.</b></p> <p>In particular, you may wish to outline how you think your proposed change(s) fit(s) within Ofcom’s <a href="https://www.ofcom.org.uk/data/assets/pdf_file/0017/31913/kc-changes-guidance.pdf">published guidance on changes to Key Commitments</a> (<a href="https://www.ofcom.org.uk/data/assets/pdf_file/0017/31913/kc-changes-guidance.pdf">https://www.ofcom.org.uk/ data/assets/pdf file/0017/31913/kc-changes-guidance.pdf</a>).</p>
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**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.

## 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 changes would not substantially alter the character of the service, and for the policy reasons given below.

The licensee wishes to broaden the types of music which it will broadcast over the course of each week to include music from the 1980s, as well as provide specialist music shows and “carefully selected contemporary tracks from the past 20 years that fit with the sound of the station and the older demographic”. Ofcom was satisfied that this change would not substantially alter the character of service. This is because we recognise that music from the 1980s is likely to appeal to members of the target audience, as set out in the station’s overall character of service, which remains the “middle and older age groups” of the Hythe Bay and Romney Marsh community. Given the existing Key Commitments already permit the station to air some contemporary tracks, we were also satisfied that the other proposed changes to the station’s music output would not constitute a substantial change, particularly as the licensee must ensure that it continues to play significant amounts of music from the 1950s, 60s and 70s as well as from the 1980s and more recent decades.

The licensee also wishes to convert its current daily requirement for the provision of original output to a weekly commitment, while making a modest reduction in its total original output, from 70 hours per week to 63 hours per week. This change will provide the station with greater operational flexibility to manage presenter absences over the course of a week rather than a single day, and will allow for the use of some studio time to train new presenters. Ofcom is satisfied that this change will not substantially alter the character of the programme service provided by Cinque Ports Radio, and that the licensee will continue to be able to meet its Key Commitments regardless of this slight reduction in original output hours.

In terms of our policy criteria, we are satisfied that the changes will not affect the station's ability to meet the community radio 'characteristics of service' set out in the legislation, and for the reasons set out above, we judge the extent of the impact of the changes on the character of service to be minimal. We therefore decided to exercise our discretion to approve the changes.

*March 2022*