

## Key Commitments change request form

<b>Community radio station name:</b>	Glastonbury FM CIC Ltd
<b>Licence number:</b>	CR000117
<b>Licensee (company name):</b>	5996289
<b>Contact name:</b>	Joanne Schofield
<b>Date of request:</b>	14 <sup>th</sup> December 2023

### 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>
Programming We aim to broadcast at least 6 hours a day of locally originated programming (live programming may include pre-recorded inserts if applicable)	We aim to broadcast 30 hours per week locally and originally produced programming	The existing commitment does not allow for interruption to service due to reduction in management resources or volunteer absence.

## 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)
It is just a reduction of 12 hours but it is likely we will over commitment. But the need to make an official change ensures we are not in breach of our licence.	
(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)
No, it is likely to allow us to broaden our range allowing more time for outreach and training when resources are stretched.	
(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?	YES (Please explain why below)
Yes. Discussions with our current Volunteers identified they could not increase hours. Current challenges with finances mean that resources are not able to be allocated to outreach. These are not challenges that can not be overcome but we envisage that the next 12 months at least we need to rebuild our programming post the pandemic.	

<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.

(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?	NO (Please explain why below)
No. We are only looking to change from daily hours to an overall weekly total with a small reduction. This is likely to give us more time to open up to new community ideas.	
(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?	YES (Please explain why below)
No. Our output hours is just a small part of our key commitments. There is no change to our non-broadcast commitments	

<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>
<p>In the past 2 years there appears to be a highlight on community radio stations not meeting their key commitments and being found in breach of their Licence Agreements. Although we are likely to over commitment on these new commitments we do not want to fall in breach.</p>

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

The Licensee is requesting to convert its Key Commitments for original output and locally produced output from daily to weekly requirements, but also to reduce them from 6 hours per day (42 hours per week equivalent) to 30 hours per week. This represents a reduction of approximately 29.6% to both original and locally-produced output. In requesting this change the Licensee has stated that the proposal will enable it to “[allow] more time for outreach and training when resources are stretched.”. The Licensee also noted that current financial challenges restrict its ability to increase its broadcast output.

While this represents a reduction to both of the Licensee’s original and locally-produced output requirements, we consider that 30 hours per week should still be enough to ensure the station remains able to deliver on its Key Commitments to provide a service “for people in Glastonbury, Street, Wells and surrounding villages” and provide “an entertaining and informative service, broadcasting a wide range of locally- sourced music, news, information and topical issues relating to the target community.” As such, we are satisfied this change does not substantially alter the character of the service.

In terms of our policy criteria, Ofcom is satisfied the change will not affect the station’s ability to meet the community radio ‘characteristics of service’ set out in the legislation, and there are no other policy reasons to refuse the change. We have therefore decided to exercise our discretion to approve this change.

January 2024