



Providing a service in accordance with ‘Key Commitments’, Secklow Sounds CIC

Type of case	Broadcast Licence Conditions
Outcome	In Breach
Service	1055 The Point
Date & time	30 October 2023 to 5 November 2023
Category	Key Commitments
Summary	The Licensee failed to maintain its character of service and to provide the locally produced output and aspects of its speech and music requirements specified in its Key Commitments. Breaches of Conditions 2(1) and 2(4).

Introduction

1055 The Point is a radio service for people in Milton Keynes, and particularly the disadvantaged, and those from diverse backgrounds. The licence for 1055 The Point is held by Secklow Sounds CIC (“the Licensee”).

Like other community radio stations, Secklow Sounds CIC is required to deliver ‘[Key Commitments](http://static.ofcom.org.uk/static/radiolicensing/Community/commitments/cr100777.pdf)’ (<http://static.ofcom.org.uk/static/radiolicensing/Community/commitments/cr100777.pdf>), which form part of its licence. These set out how the station will serve its target community and deliver social gain (community benefits), and also include a description of the on-air programme service.

Ofcom received a complaint about the Licensee’s compliance with its Key Commitments. In order to assess the complaint, Ofcom requested recordings of the output of the service between 30 October and 5 November 2023, as well as a programme schedule for the same week, music logs and an explanation of how the Licensee was meeting its requirements under its Key Commitments.

Having assessed the recordings, associated programme schedule, music logs and written response from the Licensee, it appeared that Secklow Sounds CIC was not delivering the following Key Commitments:

- Character of service: 1055 The Point “is a radio service for people in Milton Keynes, and particularly the disadvantaged, and those from diverse backgrounds. It gives a platform to local emerging music and arts, and promotes the voluntary sector”.
- “Music: The main type of music broadcast over the course of each week are: mainstream music across popular genres from the 1960s to the present day; specialist shows featuring local and other independent artists, plus music from earlier decades”.
- “Speech. The main types of speech output broadcast over the course of each week are: interviews and discussions on issues affecting the local community; national and local news; local weather and traffic updates”.
- “The service provides original output for a minimum of 40 hours per week”.
- “The service provides all locally-produced output, with the exception of national news bulletins”.
- “The service provides a range of community benefits (social gain objectives mandated by statute) for the target community, both on-air and off-air, and in doing so, achieves the following objectives:”
 - “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”.
- “Members of the target community contribute to the operation and management of the service”.

Ofcom considered that this raised potential issues under Conditions 2(1) and 2(4) in Part 2 of the Schedule to Secklow Sounds CIC’s licence. These state, respectively:

2(1): “The Licensee...shall provide the service specified in Part I (b) of the Annex for the remainder of the licence period”.

2(4): “The Licensee shall ensure that the Licensed Service accords with the proposals set out in Part I (b) of the Annex so as to maintain the character of the Licensed Service throughout the licence period”.

Ofcom requested comments from the Licensee on how it was complying with the above conditions.

Response

Character of service

The Licensee stated that the service heavily promotes the “arts, heritage and voluntary sectors through both on-air mentions of events, fundraising appeals and campaigns”.

It underlined that it focuses on promoting free events in order to avoid excluding those from disadvantaged backgrounds, and stated that it offers advertising to “key services that may be needed by those in disadvantaged backgrounds”, such as a local women’s shelter. The Licensee further set out that it makes use of its local news content in order to cater to those from “disadvantaged and diverse backgrounds”. It said that it is also currently training new presenters “to have additional content to cover current affairs”.

In terms of providing a platform for local emerging music, the Licensee said “we are open to this, but in the period stated we have received no local submissions from the broadcast area”. It added that it is “seeking relevant bands through proactively reaching out to them on social media in order to produce a new music show on a Sunday”.

Music

The Licensee set out that its music format is “a soft [adult contemporary] that splits between 70s-90s predominantly but also has space for 00s”. It explained that there had been an increase in 80s and 90s music following feedback from listeners. It also stated that it has a specialist 60s show, new and local music show and a country show including songs from all eras and the latest releases.

The Licensee also explained that it has amended its music programming to have a different sound from MKFM, another community radio station in the area.

Speech

The Licensee stated that it regularly mentions local issues, sport and news, and has interviews with local charities, such as the YMCA, to promote their campaigns. It also set out that it has a national news service hourly, locally-produced local news and presenters mention weather and traffic.

Regarding discussion content, the Licensee outlined that none was broadcast in 2023 due to a shortage of volunteers.

Original and locally-produced output

The Licensee highlighted that it has a studio located in the coverage area. It further highlighted that some presenters do record from home due to their personal circumstances meaning they are unable to attend the studio to record all shows. The Licensee further outlined that it believes that the option to record from home is important after the Coronavirus pandemic, both due to the personal situations of volunteers and the increasing expectation for flexible working through a broader trend. It also highlighted that while the programme ‘Soul Stew’ is syndicated, the presenter is from the “wider borough area”.

In its response regarding the service’s original output, the Licensee set out that it has “live breakfast for 3 hours every weekday, live drive and live evening for 5 hours everyday so that provides 40 hours minimum plus [its] weekend shows”.

Social gain

The Licensee confirmed that it provides online-based training to its presenters, with mentors who provide “ongoing advice and guidance on presenting style and content ideas”, and also to external groups in its outreach programme. It highlighted that it was currently training four new volunteers as part of its requirement to provide education and training. It highlighted that moving forward it

was looking to launch 'Point Radio Academy' to train new presenters from its target community, and that it was hoping to work with MK College and the YMCA to facilitate this.

With regard to how the service was allowing volunteers to contribute to the operation and management of the service, the Licensee highlighted the diversity of its volunteer base. It also said that volunteers, a range of local charities and social enterprises all contribute to its content. The Licensee also explained that 30% of its board is "low income".

Future compliance

The Licensee stated that it was taking further action to improve its compliance with its Key Commitments, and that it intended to resubmit a request to Ofcom to change its Key Commitments.¹ Additionally, it was looking to work with residents of the YMCA to produce programming to improve output aimed at diverse and disadvantaged communities. It is also seeking external advice and guidance to connect with new partners and sponsors.

Decision

Reflecting our duties to ensure a diverse range of local radio services, community radio licensees are required to provide the licensed service specified in their Key Commitments. This is a fundamental purpose for which a community licence is granted.

Character of service

1055 The Point's character of service states that it "is a radio service for people in Milton Keynes, and particularly the disadvantaged, and those from diverse backgrounds". Ofcom found that there was insufficient content to distinguish the service from a service targeting the general population of Milton Keynes. The presenter content monitored included some general chat, and some discussion of upcoming local country music gigs and events during the country music show. Despite the Licensee's representations, we did not consider that the local news content broadcast specifically targeted these groups. We found the local news stories included: the death of a teenager at a local holiday resort; a local charity's fireworks event; a murder in Milton Keynes; the AI tech summit in Bletchley; and MK Dons being knocked out of the FA Cup.

Overall, while we acknowledge the actions the Licensee has outlined to rectify the lack of content for "the disadvantaged" and "those from diverse backgrounds", we consider that the Licensee was not complying with its character of service during the week monitored.

Music

Ofcom found that the station predominately broadcast mainstream popular music from the 1970s, 80s and 90s, with a heavy focus on music from the 1980s. Music from the present day appeared to largely be broadcast in the specialist music shows, which included a country music show and a show dedicated to local bands. While music from the present day did appear to feature in these specialist shows, given that one show focuses exclusively on country music, and the other music from

¹ The Licensee had previously submitted a request to Ofcom to change its Key Commitments about which it was in discussion with Ofcom.

currently not well-known local artists, the station did not feature mainstream music from the present day.

The Licensee has applied to Ofcom to change its Key Commitments to better reflect how it serves its community and we are in discussion with the Licensee about that request. Any request must be approved by Ofcom before changes are made to a service's output that would mean it is no longer compliant with its Key Commitments. We note that the Licensee stated that it intends to resubmit its request to change its Key Commitments.

We have judged that the Licensee did not meet its requirement to broadcast "mainstream music across popular genres from the 1960s to the present day".

Speech

The speech content present during the week monitored consisted of national and local news, local weather and occasional traffic updates. There was some other presenter content but no interviews and discussions on issues affecting the local community were broadcast. We note the mitigating circumstances that a shortage of volunteers has impacted its ability to deliver its required discussion output. However, we are concerned that the Licensee admitted that no discussion content was broadcast in 2023.

We therefore consider that the Licensee did not meet the speech requirements in its Key Commitments.

Original and locally-produced output

The service is required to provide all locally-produced output, with the exception of national news. The Licensee has highlighted that some presenters currently record shows from home, this could potentially result in some hours broadcast not being locally produced. We have been unable to establish on the basis of the Licensee's representations whether they are complying with the requirement to broadcast all locally-produced output with the exception of national news bulletin. As the Licensee has not confirmed that those presenters who record shows from home are doing so from within the licensed coverage area, we consider that the Licensee failed to meet its requirement for all of its content to be locally produced.

The service is required to provide 40 hours a week of original output. In the schedule provided, the Licensee had outlined a total of 58 hours of original output, which the Licensee reiterated in its representations. However, in our assessment of the recordings, we judged that there were 27 hours of original output broadcast throughout the week. For several shows where a presenter had been indicated in the schedule, there was not one present when we came to assess the recordings. Apart from where Key Commitments explicitly allow for such output to be provided (e.g. a specialist dance music show), continuous music with no speech content other than advertisements, does not count as original output.

We therefore consider that the Licensee had failed to meet the requirement to broadcast 40 hours of original output a week.

Social gain

Based on the Licensee's response, we acknowledge that it was providing education and training to volunteers. We considered its representations that four additional volunteers had been undertaking

training and were contributing to the station's output. Therefore, we consider that the Licensee had met its requirement for "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".

However, the Licensee has not made clear how it recruits volunteers, nor how it handles new expressions of interest from volunteers. The Licensee described its existing volunteer base and how this reflects aspects of its target community. Particularly, we noted that the Licensee's representations did not make clear whether the new volunteers, who were involved in the production of content, were members of the target community. Further, the Licensee did not explain how the target community are able to contribute to the operation and management of the service outside of content production.

Therefore, it appeared that the Licensee had failed to meet the requirement that "Members of the target community contribute to the operation and management of the service".

Conclusion

Ofcom's Decision is therefore that Secklow Sounds CIC is in breach of Licence Conditions 2(1) and 2(4) for failing to comply with the following Key Commitments:

- Character of service: 1055 The Point "is a radio service for people in Milton Keynes, and particularly the disadvantaged, and those from diverse backgrounds. It gives a platform to local emerging music and arts, and promotes the voluntary sector".
- "Music: The main type of music broadcast over the course of each week are: mainstream music across popular genres from the 1960s to the present day; specialist shows featuring local and other independent artists, plus music from earlier decades".
- "Speech. The main types of speech output broadcast over the course of each week are: interviews and discussions on issues affecting the local community; national and local news; local weather and traffic updates".
- "The service provides original output for a minimum of 40 hours a week".
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- "Members of the target community contribute to the operation and management of the service".

Ofcom also took into account that in [issue 470 of Ofcom's Broadcast and On Demand Bulletin](#) the Licensee was found in breach of the same licence conditions for failing to comply with its character of service, locally-produced output, music and speech requirements between 26 September and 2 October 2022. We are concerned that over a year later the Licensee has failed to either make changes to its content to come into compliance with its current Key Commitments, or to expedite its plans to change its Key Commitments by submitting a suitable request to Ofcom.

We therefore expect the Licensee to work to rectify these issues immediately. Given that the Licensee has been found in breach of Licence Conditions 2(1) and 2(4), in particular for failing to comply with its character of service twice, in just over a year, **we are putting the Licensee on notice that these breaches of its licence will be considered for the imposition of a statutory sanction.**

Breaches of Licence Conditions 2(1) and 2(4)