
Section 355 Review of Output

Trax FM (Bassetlaw and Doncaster)

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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.

On 6 February 2019, Ofcom received notification from Lincs FM Group Limited that agreement had been reached to sell its wholly-owned subsidiary company Trax FM Limited, which holds the analogue radio licences for Doncaster and Bassetlaw (broadcasting as 'Trax FM'), to Bauer Radio Limited. The acquisition of these licences and others owned by Lincs FM Group Limited was completed on 28 February 2019.

Ofcom has now carried out its review under section 355 in relation to the Doncaster and Bassetlaw licences. In doing so, we have reviewed the output broadcast under the licences in the three months prior to the change of control taking place, and considered information provided to it by Bauer Radio Limited with regard to the future programming of the station.

Ofcom's assessment of the output of Trax FM (prior to the change of control)

The characters of service for the Bassetlaw and Doncaster licences are, respectively, as follows:

A music and information station aimed primarily at 25-54 year-olds in the Bassetlaw area, with a strong commitment to local news.

A music and information station aimed primarily at 25-54 year-olds in the Doncaster area, with a strong commitment to local news.

The two licences have permission from Ofcom to co-locate at Doncaster and share all of their local programming hours.

Trax FM broadcast 24 hours per day of locally-made programming¹ from its studios in Doncaster, meaning the licensee greatly exceeded the Format requirement for 10 hours per day on weekdays, and four hours per day at weekends. Some of this programming was also aired by other local radio stations formerly owned by Lincs FM Group Limited, specifically its evening show which was shared with Dearne FM, Rother FM and Rutland Radio.

Trax FM's daily programme schedule included local weather, travel and traffic news, and hourly 'what's on' information. The station broadcast locally-produced news bulletins, typically of three minutes' duration, between 6am and 7pm on weekdays, and between 8am and 12pm at weekends. Normally around half the stories featured were drawn from the Doncaster and Bassetlaw area. These bulletins were compiled and read by a team of five journalists based in Doncaster, who also provided bulletins for other Lincs FM Group stations in Yorkshire.

Regular features on Trax FM included 'Take the Cake', a competition where listeners competed to have a cake delivered to their workplace, and other giveaways offering tickets to events such as those at the nearby Doncaster Racecourse.

The service broadcast a specialist football programme, '6 o'clock kick-off', dedicated to local teams including Doncaster Rovers, Worksop Town and Retford United on Thursday evenings during the football season, featuring local fans and interviewing players and managers.

The station's music policy featured releases from the 1960s to the present. There was a feature showcasing local unsigned acts on Wednesday afternoons, while new albums and singles were aired in programmes on Saturday and Sunday evenings. Older tracks featured during 'Back Trax' hours at 9am and 2pm on weekdays.

The new owner's plans



Recommended variations to the licence

Based on our assessment of Trax FM's output in the three months prior to the change of control, we do not believe that the services considered in this Review were broadcasting any programming that was not already reflected in the requirements of its Format which would, in our view, have a significant impact upon:

- 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.

Therefore, we are not proposing any variations to the licences.

April 2020

¹ Locally-made programming defined as programming made within the licence area or wider 'approved area.'