

---

## Section 355 Review of Output

Dearne FM (Barnsley)

[Redacted] Redacted for publication

---

## 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 that agreement had been reached to sell the analogue radio licence for Barnsley (broadcasting as 'Dearne FM'), held by its subsidiary company Dearne FM Limited, to Bauer Radio Limited ('Bauer'). The acquisition of this and other licences 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 Dearne FM. In doing so, we have reviewed the output of the licence in the three months prior to the change of control taking place, and considered information provided to it by Bauer with regard to the future programming of the licence.

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

The Character of Service of the Barnsley licence is:

A LOCALLY-FOCUSED MUSIC AND INFORMATION STATION FOR BARNSELY AND THE IMMEDIATELY SURROUNDING AREA, WITH A STRONG COMMITMENT TO LOCAL NEWS.

All programming on Dearne FM was broadcast from studios in Doncaster, which sits within the station's 'approved area' of South Yorkshire.

Although Dearne FM has permissions from Ofcom to share all of its local programming hours with other Lincs FM Group stations, namely Trax FM (Doncaster), Rother FM (Rotherham) and Rutland

Radio, only the evening show (7-11pm) was in fact shared. This programme was recorded by a single presenter with some generic content, with other content being specifically local to each station.

Dearne FM'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. At other times UK-wide, national and international news must feature.

On weekdays, Dearne FM provided live local news bulletins daily from 6am through to 7pm, and at weekends from 8am to 12pm. The bulletins included a mix of national and local news, with a heavy bias towards Barnsley stories. Generally of three minutes duration, the bulletins were produced and read by a team of five journalists based in Doncaster who were also producing bulletins for sister stations Trax FM, Ridings FM and Rother FM.

Local traffic and weather information was broadcast by Dearne FM throughout the day and night, together with hourly 'what's on' bulletins, plus school closure information and local football scores, when relevant.

Specialist or themed programming broadcast included 'Red All Over', a weekly show dedicated to Barnsley football club (Fridays, 6-7pm). Musically, there were 'classic hits' hours broadcast every weekday at 9am and 2pm, while new music was showcased on Saturday and Sunday evenings, with an 'Unplugged' feature on Friday afternoons giving exposure to local unsigned acts.

## The new owner's plans



## Recommended variations to the licence

Based on our assessment of the station's output in the three months prior to the change of control, we do not believe that the Dearne FM licence considered in this Review 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:

- 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 licence under section 356.

*April 2020*