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# Global Radio approved area requests

For the east, south and west of England

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**STATEMENT**

Publication Date: 26 February 2019

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# 1. Overview

Most local analogue commercial radio stations are required to produce a certain number of hours of locally-made programming. Under legislation passed in 2010, these stations are not only able to broadcast their locally-made hours from within their licence area, but may instead broadcast from studios based elsewhere within a larger area approved by Ofcom. These wider areas are known as ‘approved areas’. Stations can also share their local hours of programming with other stations located in the same approved area.

In October 2018, Ofcom published a statement<sup>1</sup> (the ‘October 2018 Statement’) that introduced, following consultation, a new set of approved areas in England<sup>2</sup> to give stations more flexibility in their broadcasting arrangements. We also said that we would consider requests from licensees to create new, bespoke, approved areas, since the statutory framework allows for an approved area in relation to each local analogue service.

## What we have decided

Following consultation, Ofcom has approved three new approved areas which Global Radio has asked Ofcom to create for a number of FM local radio licences it owns.

These new approved areas for Global Radio are as follows:

- Anglia
- Meridian
- South West & Westcountry

Following this decision, we have also approved a number of Format change requests submitted by Global Radio enabling stations located within these new approved areas to co-locate and share their local programming hours.

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<sup>1</sup> [https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0019/124435/statement-further-consultation-localness-commercial-radio.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0019/124435/statement-further-consultation-localness-commercial-radio.pdf)

<sup>2</sup> The October 2018 statement maintained the previous single approved area for Northern Ireland, and there was a further consultation on approved areas in Scotland and Wales.

## 2. The approved area requests

### **'Anglia' approved area**

- 2.1 In December 2018, Ofcom received a request from Global Radio asking that Ofcom designate an approved area which it has labelled as 'Anglia', as defined below, as an approved area for the purposes of section 314 of the Communications Act 2003, for the following FM radio licences:
- Cambridge & Newmarket (Heart)
  - Colchester (Heart)
  - Harlow (Heart)
  - Ipswich & Bury St. Edmunds (Heart)
  - Luton & Bedford (Heart)
  - Milton Keynes (Heart)
  - Northampton (Heart)
  - Norwich & Great Yarmouth (Heart)
  - Peterborough (Heart)
  - Southend & Chelmsford (Heart)
- 2.2 A map of the Anglia approved area, as proposed by Global Radio, which combines parts of the Ofcom South of England approved area with parts of the Ofcom East of England approved area, is at Annex 1.
- 2.3 In its request, Global Radio provided a number of reasons why it believes the Anglia approved area would be appropriate in relation to each of the 10 local licences concerned, based on consistency with Ofcom's approved area policy, considerations of distances between stations and the affinities between the station areas.
- 2.4 Ofcom's preliminary view of Global Radio's request was that we were minded to approve the Anglia approved area for the 10 local FM licences listed above.
- 2.5 Our preliminary view was based upon the fact that the proposed new approved area closely matches ITV's 'Anglia' region, and is therefore consistent with our general approach, as set out in the October 2018 Statement, of approved areas broadly (but not necessarily exactly) matching ITV regions. This was on the basis that the ITV regions are an already well-established framework for the delivery of sub-UK wide broadcast programming, which both audiences and advertisers have a degree of familiarity with.

### **'Meridian' approved area**

- 2.6 In December 2018, we received a request from Global Radio asking that Ofcom designate an approved area which it has labelled as 'Meridian', as defined below, as an approved area for the purposes of section 314 of the Communications Act 2003, for the following FM radio licences:

- Bournemouth (Heart)
  - Brighton, Eastbourne & Hastings (Heart)
  - Brighton & Hove (Capital)
  - Maidstone, Medway & East Kent (Heart)
  - Oxford & Banbury (Heart)
  - Reading & Basingstoke (Heart)
  - Reigate & Crawley (Heart)
  - South Hampshire (Heart – 97.5, 96.7 FM, Capital – 103.2 FM)
- 2.7 A map of the Meridian approved area, as proposed by Global Radio, which combines parts of the Ofcom South of England approved area with parts of the Ofcom West of England approved area, is at Annex 2.
- 2.8 In its request, Global Radio provided a number of reasons why it believes the Meridian approved area would be appropriate in relation to each of the eight licences concerned, based on consistency with Ofcom’s approved area policy, considerations of distances between stations and the affinities between the station areas.
- 2.9 Ofcom’s preliminary view of Global Radio’s request was that we were minded to approve the Meridian approved area for the eight local FM licences listed above.
- 2.10 Our preliminary view was based upon the following:
- The proposed new approved area very closely matches ITV’s ‘Meridian’ region, and is therefore consistent with our general approach of approved areas broadly matching ITV regions.
  - With regard to affinity between the licence areas, we agreed with Global Radio that the south coast of England, stretching from Kent to the Solent, constitutes an identifiable region which has reasonably significant transport and cultural links.
  - We accepted Global Radio’s contention that the cities of Southampton and Portsmouth generally have more in common with other major population centres in the Ofcom south of England approved area (e.g. Brighton) than they do with other major population centres in the Ofcom West of England approved area, such as Bristol and Exeter.
  - We also noted that the proposed Meridian approved area is smaller in population terms than Ofcom’s South of England approved area, which includes the counties of Hertfordshire, Buckinghamshire, Bedfordshire and Northamptonshire (none of which form part of the new approved area proposed by Global Radio).

## **‘South West & Westcountry’ approved area**

- 2.11 In December 2018, we received a request from Global Radio asking that Ofcom designate an approved area which it has labelled as the ‘South West & West Country’, as defined below, as an approved area for the purposes of Section 314 of the Communications Act 2003, for the following FM radio licences:
- Barnstaple (Heart)
  - Bristol & Bath (Heart)

## Global Radio approved area requests

- Cornwall (Heart)
  - Exeter & Torbay (Heart)
  - Gloucester & Cheltenham (Heart)
  - Plymouth (Heart)
  - South Hams (Heart)
  - Swindon & West Wiltshire (Heart)
  - Taunton & Yeovil (Heart)
- 2.12 A map of the South West and West Country approved area, as proposed by Global Radio, which combines parts of the Ofcom West of England approved area with parts of the Ofcom Central (England) approved area, is at Annex 3.
- 2.13 In its request, Global Radio provided a number of reasons why it believes the South West & West Country approved area would be appropriate in relation to each of the nine licences, based on consistency with Ofcom’s approved area policy, considerations of distances between stations and the affinities between the station areas.
- 2.14 Ofcom’s preliminary view of Global Radio’s request was that we were minded to approve the South West & West Country area for the nine local FM licences listed above.
- 2.15 Our preliminary view was based upon the following:
- While the Gloucester & Cheltenham licence was included in the new Ofcom ‘Central’ approved area, on the basis that it was previously in our ‘South West Midlands’ approved area, we accepted Global Radio’s observation that Gloucestershire enjoys stronger cultural links with Bristol and the rest of the west country than it does with Birmingham and the Midlands.
  - Travel times by road between Gloucester and Bristol are shorter than between Gloucester and Birmingham.
  - Bristol was historically part of the county of Gloucestershire, and South Gloucestershire was, along with Bristol, formerly part of the county of Avon between 1974 and 1996.
  - We accepted Global Radio’s observation that in sporting terms, Gloucestershire has a strong rugby tradition which it shares with a number of other towns and cities in the west of England, whereas the Midlands has a football tradition.
  - We noted that stations located in Ofcom’s former ‘Solent’ approved area have been excluded from Global Radio’s South West & West Country approved area, meaning the new approved area is smaller in population terms than Ofcom’s West of England approved area.

## 3. Assessment and decision

### Consultation responses

- 3.1 In our consultations published on 15 January 2019 we asked whether, for the purposes of where locally-made programming may come from, Ofcom should approve the three new areas proposed by Global Radio.
- 3.2 We received seven responses to the consultations, one of which commented on the general principles behind the requests, with the remainder specific to each consultation (albeit that those respondents, in most cases, also made some more generalised comments about Ofcom's regulation of local commercial radio).

### Anglia approved area

- 3.3 Greg Butler, a director of Cambridge 105 Radio, a community radio station which broadcasts to Cambridge, thought that "the whole concept is ridiculous." He added that "Nobody I know thinks that Heart is a local station anymore anyway, and anyway the local content rules for commercial licences are now so lax they are not worth having."
- 3.4 Martyn Wilson, a resident of Hemel Hempstead and a listener to the Heart 'Four Counties' service said that he would not want local programmes on this station to be covering such a large area that would include places such as Brighton and Maidstone, and felt that "news and events from an area covering the east of England would be more relevant to me."

### Meridian approved area

- 3.5 One respondent, who wished to remain anonymous, observed that "when local radio first started in the UK that is exactly what it was and it was accessible and interested in its locality. Now it is very difficult to distinguish a local station from a national one." The respondent added that "allowing this Meridian idea will only be a step away from them [local stations] being a national service."
- 3.6 Patrick Heeley said that the area proposed by Global Radio "makes no sense in terms of either a 'region' or localness. Towns which sit within an hour's commute to London (Crawley, Reigate, Horsham, Brighton) cannot reasonably be expected to relate to news or features from Dorset. Likewise, residents of Banbury, Bournemouth or Southampton will not consider a news item from Sittingbourne to have any relevance to them."

### South West & West Country approved area

- 3.7 A respondent to this consultation expressed disappointment that, under the plans, programming for Cornwall would be permitted to come from Bristol, which he said was the equivalent of local programmes for a London radio service being made in Hull. He added that, since 2009, when local ITV programming for Cornwall has been coming from Bristol,

“if anything major happens in the [Cornwall] region, it feels as if the contractor is paying lip service to the area.”

- 3.8 A radio listener in the Exeter area was “surprised that Ofcom is even considering allowing Global Radio to use such a huge area...an area that is actually two regions (maybe 3, as Gloucester and Cheltenham used to get Central programmes. The bulk of the region is served by two ITV regions: south west, and west. That is the minimum that should be allowed in this process.” The respondent added that “There is little shared interest between Gloucester/Bristol and the Exeter/Plymouth and Cornwall area.”

## General response

- 3.9 Simon Hockenhull commented on all three consultations. He felt that the larger commercial radio operators such as Global Radio want to drop local coverage and move towards becoming larger regional stations, and then eventually just one national network. He said that Ofcom ought to “take a firm stand with these big commercial operators to provide the current level of programming and actually provide more in the way of locally produced programmes and to provide training, support and encouragement to local people who want a career in broadcasting.”

## Analysis and conclusion

- 3.10 With regard to the proposed **Anglia approved area**, we noted Martyn Wilson’s endorsement of Global Radio’s argument that it was more logical that its stations covering Northants, Herts, Beds & Bucks should be part of Global Radio’s eastern, rather than southern, cluster of radio stations, and that this more closely matches the ITV regions. On reflection and on balance, we accept the logic of this, while remaining conscious of our original thinking that, culturally and economically, the population of the ‘Home Counties’ generally tends to look more towards London than to the significant population centres in the east of England such as Norwich, Ipswich and Colchester.
- 3.11 Similarly, in assessing Global Radio’s proposed **Meridian approved area**, we understand the observation that commuter towns south of London such as Crawley and Reigate may have relatively little in common with rural areas of Dorset and coastal cities such as Southampton and Bournemouth. However, the Meridian approved area that Global Radio proposed is smaller than either the Ofcom approved areas for the south or the west of England, and more closely replicates the ITV regions.
- 3.12 With regard to Global Radio’s proposed **South West & Westcountry approved area**, we noted that following the new approved areas we announced in our October 2018 Statement it is already permissible, subject to a Format change request being approved, for local programming on Heart Cornwall to broadcast from studios in Bristol. Therefore, this is not something that Global Radio’s proposal will change, although it is worth noting that Global Radio’s South West & Westcountry approved area, while gaining parts of

Gloucestershire, is considerably smaller than Ofcom's west of England approved area because it does not include the Solent and Dorset areas.

- 3.13 Underpinning many of the responses to the consultation was the view that there is a direct correlation between the geographical scope of an approved area and the localness of the local material provided on any single station within that approved area. However, under the regulatory regime all local stations with a requirement to deliver a service with local character will still be required to broadcast local material relevant to their particular licensed coverage area, regardless of where their studio is based.
- 3.14 Where specified in a station's Format, which is part of its licence, the localness requirement is an enforceable licence condition. In our localness guidelines, which we revised in our October 2018 statement, we have clarified our expectations regarding the amount of local material that a local station should deliver. In particular, the previous localness guidelines stated that local material need only be provided during the hours when programmes were locally-made. The new guidelines states that "any station whose character of service requires it to provide a local service should include, as well as the level of local news specified in its Format, sufficient other local material consistent with these guidelines to deliver the required character of service".
- 3.15 The localness guidelines also set out what we take the provision of local material to mean. It includes confidence that matters of local importance, relevance or interest to the target audience in the area will be broadcast; the inclusion of content drawn from the station's licensed area; and the broadcast of programming of specific local relevance which offers an alternative to UK-wide services. The guidelines also state that we would expect local stations to be able to react appropriately at times of extreme weather conditions or significant local news.
- 3.16 To take some of the examples raised by the respondents to these three consultations, a news story about, say, levels of crime in Bristol would not 'count' as a local news story if it were broadcast on the Heart Cornwall licence on the basis that Bristol is in the same approved area. Similarly, on the Heart Crawley & Reigate licence, we would not expect to hear travel news bulletins that talk about traffic problems in the centre of Bournemouth (which we would, of course, expect to be covered by the Heart Bournemouth licence).
- 3.17 Having carefully considered the consultation responses, for all of the reasons stated above we have decided not to change our preliminary views that were set out in the consultations, and to authorise the three new approved areas requested by Global Radio.
- 3.18 Following this decision, we have now approved a number of Format change requests made by Global Radio which include co-location and programme sharing requests. This is in accordance with our published policy which states that we would be likely to approve any Format change requests we might receive relating to programme sharing where all the stations involved are located within the same approved area, provided we are satisfied that the stations involved will continue to meet their licence obligations to provide local material relevant to the listeners in their individual licence areas. On the basis that Global Radio is a substantial operator with significant resources, we have no reason to consider

that Global Radio would not be able to deliver the localness obligations specified in these licences.

3.19 The requests, and our reasons for approving them, can be viewed at:

<https://www.ofcom.org.uk/manage-your-licence/radio-broadcast-licensing/amend/format-changes-2019>

## A1. Map of Anglia approved area



## A2. Map of Meridian approved area



## A3. Map of South West & Westcountry approved area

