

# Section 355 Review of Output

## Jack FM (Oxford & South Oxfordshire)

---

### 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.

In September 2023, the local commercial FM licence for Oxford & South Oxfordshire, broadcasting as 'Jack FM,' was transferred from Jack Media Oxfordshire Limited to Bauer Media Audio Limited acting as a general partner for Bauer Media Audio LP ('Bauer').

Ofcom has now carried out its review under section 355 in relation to the Oxford & South Oxfordshire licence. In doing so, we have reviewed the output provided under the licence in the three months prior to the change of control taking place, and considered information provided by Bauer with regard to the programming of the service now provided under the licence.

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

The Character of Service of the Oxford & South Oxfordshire licence was:

**A MUSIC INTENSIVE STATION PLAYING A VARIETY OF POP/ROCK AND CLASSIC ROCK FOR OVER-35s IN THE OXFORD AND SOUTH OXFORDSHIRE AREA, WITH FREQUENT BUT CONCISE NEWS AND INFORMATION.**

All programming was locally-made at Jack FM's studios in Oxford. The station therefore greatly exceeded the minimum hours of locally-made programming that was specified in its Format (ten hours per day during weekday daytimes, and four hours during daytime on weekend days). There were no programme sharing or co-location arrangements in place.

Jack FM's Format required local news to be broadcast at least hourly at peak time, defined by Ofcom as being weekday breakfast and afternoon drivetime, and weekend late breakfast. The station exceeded this requirement on weekdays by broadcasting hourly bulletins including local news between 6am and 7pm on weekdays, and between 9am and 1pm on weekend days. In addition to the two-minute news bulletins at these times, there were also 20-second sport and 20-second weather bulletins following the news. At weekday breakfast (6-10am) there were also news and sport headlines broadcast on the half-hour.

On weekdays, travel news was provided four times hourly 6am to 10am; twice an hour between 10am and 4pm; and three times per hour between 4pm and 7pm. At the weekends, travel news aired twice an hour between 8am and 1pm. A 'what's on' guide, 'JACKtivities', was broadcast hourly on weekdays between 10am and midnight, and from 6am to 6pm at the weekend.

Specialist or themed programmes broadcast by Jack FM prior to the change of control included 'Pub Classics' (jukebox hits); 'Jack Chilled'; and 'Union Jack' (tracks from British artists). On Saturdays 'The Scoop with Andrea Fox' (9am – 12pm) was a weekly what's on themed show featuring interviews with representatives of local venues and charities, as well as more in-depth interviews about the biggest local news stories of the week, and celebrity guests performing in the area. Sundays 9am-12pm ('The Morning After with Selfy') featured reports and discussions with the managers and fans of Oxfordshire's sports teams.

## The new owners' changes

Bauer has rebranded Jack FM and has integrated it into its 'Greatest Hits Radio' network. Following a Format Change Request to Ofcom, which was approved on the basis that the proposals were consistent with Ofcom's published localness guidance, Bauer has reduced the amount of locally-made programming to three hours per day on weekdays (and none on weekend days). The station's locally-made programming hours are shared with other 'Greatest Hits Radio' stations owned by Bauer in the 'Bauer South of England' approved area.

As previously, bulletins containing local news relevant to the Oxford & South Oxfordshire licence area are broadcast hourly throughout daytime on weekdays, and at weekend breakfast. They are sourced by two Oxford-based journalists. Hourly local weather reports and peak-time traffic bulletins also form part of the station's output.

Specialist or themed programming on Greatest Hits Radio includes, on weekends, an album chart show, a soul, funk and disco show ('Rhythm of the Night') and a US chart show ('America's Greatest Hits').

## Recommended variations to the licence

Based on our assessment of the station's output in the three months prior to the change of control, and the new owner's changes, it does not appear to us that the change of control of the Oxford & South Oxfordshire licence was prejudicial to any of the following three matters:

- 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.

In particular, we do not consider that Jack FM 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 any of these matters.

Therefore, we are not proposing any variations to the licence under section 356.

*February 2024*