
Bauer Radio stations in the north of England

Request to create a new approved area

STATEMENT

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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 that are based 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.

Ofcom has approved an area for every local radio licence in the UK, to give stations more flexibility in their broadcasting arrangements. However, a licensee can ask Ofcom to approve a bespoke area, since the statutory framework allows for an approved area in relation to each local analogue service.

What we have decided

Following consultation, Ofcom has authorised a new approved area, 'Yorkshire & Lincolnshire (Bauer)', for the following 17 licences: Barnsley; Bassetlaw; Bradford & Huddersfield FM; Bridlington; Chesterfield; Doncaster; Grimsby; Harrogate; Humberside FM; Leeds FM; Lincoln; Northallerton; Rotherham; Scarborough; South Yorkshire FM; Wakefield, and; York.

Following this decision, we have also approved a Format change request for the Northallerton licence, currently broadcasting as 'Greatest Hits Radio', which will allow it to provide locally-made programming from anywhere within this new approved area, and to share this programming with the services provided under the other licences in the new approved area listed above.

2. The approved area request

- 2.1 In August 2020, Ofcom received a request from Bauer Radio ('Bauer') asking Ofcom to approve the creation of a new bespoke approved area, known as '**Yorkshire & Lincolnshire (Bauer)**' for the purposes of Section 314 of the Communications Act 2003. The proposed new approved area would incorporate the following FM local radio licences owned by Bauer:
- Barnsley (Greatest Hits Radio)
 - Bassetlaw (Greatest Hits Radio)
 - Bradford & Huddersfield (Pulse 1)
 - Bridlington (Greatest Hits Radio)
 - Chesterfield (Greatest Hits Radio)
 - Doncaster (Greatest Hits Radio)
 - Grimsby (Greatest Hits Radio)
 - Harrogate (Greatest Hits Radio)
 - Humberside (Viking FM)
 - Leeds (Greatest Hits Radio)
 - Lincoln (Lincs FM)
 - Northallerton (Greatest Hits Radio)
 - Rotherham (Greatest Hits Radio)
 - Scarborough (Greatest Hits Radio)
 - South Yorkshire (Hallam FM)
 - Wakefield (Greatest Hits Radio)
 - York (Greatest Hits Radio)
- 2.2 The proposed new approved area includes the Northallerton licence, currently part of the North East of England Ofcom approved area, in a new approved area alongside 16 other FM licences held by Bauer which are currently in the Yorkshire & Lincolnshire Ofcom approved area. In effect, the proposal seeks to add the Northallerton licence area to Ofcom's Yorkshire & Lincolnshire approved area.
- 2.3 In its request, Bauer Radio provided reasons why it believes its proposed new 'Yorkshire & Lincolnshire (Bauer)' area should be approved in relation to each of the 17 local licences concerned. This was based on Northallerton being the county town of North Yorkshire and the area having strong connections with York and the rest of Yorkshire. Along with the other Bauer stations in Yorkshire it is also in the government region of Yorkshire and the Humber.
- 2.4 Ofcom's preliminary view of Bauer Radio's request, as set out in our [consultation](#), was that we were minded to approve the 'Yorkshire & Lincolnshire (Bauer)' area for the 17 local FM licences listed above. Our preliminary view was based upon an acknowledgement there are some common listener affinities throughout the county of North Yorkshire, and that Northallerton is within the Yorkshire and the Humber local government area. We also noted our 2017 decision to permit the Northallerton licence to share local programming

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with Minster FM in York, which replaced the previous Format arrangement which permitted local programming hours broadcast under the Northallerton licence to be shared with the Durham and Darlington licences.

3. Assessment and decision

Consultation responses

- 3.1 In our consultation on Bauer’s request published on 25 September, we asked whether, for the purposes of where locally-made programming may come from, Ofcom should approve the new approved area requested by Bauer.
- 3.2 We received two responses to the consultation, one in favour of the proposal and one against it. J. Peter Wilson representing the Heart of the Nation Broadcasting Team supported the proposal. In responding to the consultation, he re-submitted a response he had made to Ofcom’s [Localness on commercial radio](#) consultation in 2018 in which he stated: “I am sure that residents of Northallerton and Thirsk as well as councillors and officers of North Yorkshire County Council, which has its County Hall in Northallerton will feel, although parts of Northallerton may receive their ITV local news from Newcastle upon Tyne rather than Leeds, that the local Northallerton/Thirsk FM commercial radio station operated by Minster FM clearly is within Yorkshire and not the North East of England.”
- 3.3 The respondent who was against the proposal wished to remain anonymous, but did not make any specific arguments as to why the Northallerton licence should not be permitted to co-locate and share local programme hours with Bauer’s other local radio stations in Yorkshire and Lincolnshire. Rather, the objection was a more general one to Bauer Radio’s strategy of rolling out a single brand, ‘Greatest Hits Radio’, on a large number of local commercial radio licences, a decision which the respondent claimed had “already destroyed many livelihood and audience [sic]”. The respondent felt that each of the 17 local licence areas concerned should be required to produce at least one locally-produced programme per day broadcast from within the licence area.

Analysis and conclusions

- 3.4 Having considered the consultation responses, we have decided not to change our preliminary view that we set out in the consultation. We acknowledge that the Northallerton licence’s inclusion in Ofcom’s North East of England approved area essentially stemmed from historical co-location and programming sharing arrangements when the licence formed part of ‘Star Radio North East’. We recognise that, on balance, it would appear more appropriate for the Northallerton licence to share local programming hours with local stations based elsewhere in Yorkshire, and in Lincolnshire, than with those based in the north east of England. With regard to the suggestion from the anonymous respondent that local commercial radio services should be required to produce at least one programme per day from within their licence area (rather than from a wider approved area), we consider this is not relevant to this specific request. However, we note that the statutory framework explicitly allows for locally-made programming to be provided from a

wider approved area, and that our approach to these requirements is set out in our localness guidelines¹.

- 3.5 Following this decision, we have also approved a [Format change request](#) from Bauer relating to the Northallerton licence which will allow it to provide its locally-made programming from anywhere within the 'Yorkshire & Lincolnshire (Bauer)' approved area, and to share this programming with any of the services provided under the licences which comprise the new approved area.

¹ <https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/radio-broadcasters/localness>