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## **South West England (Bauer) approved area**

Request to add Plymouth licence

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**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 the addition of the Plymouth licence to the bespoke approved area of South West England (Bauer).

The revised South West England (Bauer) approved area now comprises the following 12 licences: Bath; Bridgwater & West Somerset; Bristol (two licences); Cheltenham; Cornwall; Plymouth; Swindon; Torbay; Warminster; Weston-super-Mare; and; Yeovil.

## 2. The approved area request

2.1 In September 2020, Ofcom received a request from Bauer Radio to add the Plymouth licence to the South West England (Bauer) approved area, 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 Radio:

- Bath (Greatest Hits Radio)
- Bridgwater & West Somerset (Greatest Hits Radio)
- Bristol (Sam FM)
- Bristol (Greatest Hits Radio)
- Cheltenham (Greatest Hits Radio)
- Cornwall (Pirate FM)
- Plymouth (Greatest Hits Radio)
- Swindon (Greatest Hits Radio)
- Torbay (Greatest Hits Radio)
- Warminster (Greatest Hits Radio)
- Weston-super-Mare (Greatest Hits Radio)
- Yeovil (Greatest Hits Radio)

2.2 In its request, Bauer Radio provided reasons why it believed it would be appropriate for the Plymouth licence to form part of the South West England (Bauer) approved area, based on the affinities between the station areas concerned.

2.3 Ofcom's preliminary view of Bauer Radio's request, as set out in our consultation, was that we were minded to approve the request. This was based on the following rationale:

- 10 out of the 11 local licences comprising the South West England (Bauer) approved area were previously in Ofcom's West of England approved area, which is the approved area that the Plymouth licence currently sits in. This means that Ofcom, in our 2018 statement on localness on commercial radio, previously recognised the geographical and cultural affinities between the areas served by these licences.
- We accept Bauer Radio's argument that there are some common listener affinities between these 10 licences and the Cheltenham licence (which was formerly part of Ofcom's 'Central' approved area).
- We also noted the exclusion from the South West England (Bauer) approved area of a number of local licences owned by Bauer Radio in Hampshire and Dorset which were previously in Ofcom's West of England approved area. This means that the bespoke approved area of which the Plymouth licence is proposed to be part of is smaller than Ofcom's West of England approved area.

## 3. Assessment and decision

### Consultation responses

- 3.1 In our consultation published on 09 December 2020, 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 one response to the consultation, from Josh Thomas, who was in favour of the change sought by Bauer Radio. This was on the basis that “all Licenses [sic] are within the South West Approved Area for the Local Output that GHR Provides to those existing areas.”

### Analysis and conclusion

- 3.3 In the absence of any consultation responses disagreeing with the preliminary view we set out in the consultation, we have agreed Bauer Radio’s request.
- 3.4 Now that the addition of the Plymouth licence to the South West England (Bauer) approved area has been approved by Ofcom, Bauer Radio will be able to request a Format change to provide the locally-made programming for the Plymouth licence from studios located anywhere within the South West England (Bauer) approved area.
- 3.5 In accordance with our published policy, Ofcom also would be likely to give consent to any request from the Plymouth licensee to share local programming with other stations in this approved area, provided we are satisfied that the station will continue to meet its obligations to provide local material.