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## **JACK3 Chill (Oxford)**

Request to change Format

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**CONSULTATION:**

Publication Date: 3 October 2022

Closing Date for Responses: 31 October 2022

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# 1. Overview

A commercial radio station's Format sets out the type of broadcast output it is required to deliver and forms a part of its licence. Formats may include requirements relating to a station's music output, news provision, other types of speech content, its target audience, the volume and origin of locally-made programmes, and any programme sharing arrangements; taken together, these elements encapsulate the nature and overall character of a licensed service.

When a request to change a Format constitutes a significant departure from the character of service, the request is subject to consultation. This document outlines the request received from Jack Media Oxfordshire Limited ('Jack Media') with regard to its local radio broadcasting licence for Oxford, which broadcasts as 'JACK3 Chill', and Ofcom's preliminary view on the request to change the character of service.

## What we are proposing – in brief

Jack Media intends to put the JACK2 Hits station, which is currently only available on DAB, on FM and make JACK3 Chill, currently on FM and DAB, available on digital platforms only. It therefore wishes to change the 'Character of Service' of the Oxford FM licence from:

*"A music-intensive station playing an eclectic mix of easy Hits for the over 50's with local news, sport and information." (JACK3 Chill)*

to:

*"A rhythmic-led music station playing current Hits and the best Hits from the past 20 years with local news, sport and information for the 15-29 audience in Oxfordshire." (JACK2 Hits)*

We have taken a preliminary view on the request and are minded to grant it. However, we are seeking views on the request before we make a decision. The consultation closes at **5pm on 31 October 2022**.

## 2. Details and background information

- 2.1 The licence for each local analogue commercial radio service contains a 'Format' which describes the type of programme service the licensee is required to provide. Part of that Format is a description of the 'Character of Service' of the station.
- 2.2 Licensees can make requests to Ofcom to change their Character of Service ('Format change requests') in accordance with their licence conditions and relevant statutory provisions. These are described below.

- 2.3 Jack Media has submitted the following Format change request to Ofcom to change the 'Character of Service' of the Oxford licence from:

*"A music-intensive station playing an eclectic mix of easy Hits for the over 50's with local news, sport and information."*

to:

*"A rhythmic-led music station playing current Hits and the best Hits from the past 20 years with local news, sport and information for the 15-29 audience in Oxfordshire."*

- 2.4 The licence-holder has proposed further changes to the Format, which we summarise in the table below.

	<b>Current format</b>	<b>Proposed new format</b>
Locally made hours	At least 10 hours a day during daytime weekdays (must include breakfast).  At least 4 hours daytime Saturdays and Sundays.	A minimum of 3 hours of locally-made programming between 6am and 7pm weekdays.
Local news	At least hourly during peak-times. At other times UK-wide, national and international news should feature.	At least hourly 6am – 7pm on weekdays.

### Licence conditions and statutory framework

- 2.5 Conditions included in the licence pursuant to section 106(1A) of the Broadcasting Act 1990 (as amended) (the 'Act'), provide that Ofcom may consent to a change of a Format (a departure from the character of the licensed service) only where we are satisfied that at least one of the following five statutory criteria is met:

- a) that the departure would not substantially alter the character of the service;<sup>1</sup>

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<sup>1</sup> The legislation requires Ofcom to have regard to the selection of spoken material and music in programmes when determining what the character of the service in question is.

- b) that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons living in the area or locality for which the service is licensed to be provided;
- c) that, in the case of a local licence, the departure would be conducive to the maintenance or promotion of fair and effective competition in the area or locality; or
- d) that, in the case of a local licence, there is evidence that, amongst persons living in that area or locality, there is a significant demand for, or significant support for, the change that would result from the departure; or
- e) that, in the case of a local licence (i) the departure would result from programmes included in the licensed service ceasing to be made at premises in the area or locality for which the service is provided, but (ii) those programmes would continue to be made wholly or partly at premises within the approved area as defined in section 314 of the Communications Act 2003 (local content and character of services).

2.6 Under section 106ZA of the Act, Ofcom is required to hold a public consultation on a proposed Format change unless criterion (a) or (e) is satisfied.

2.7 In relation to criterion (b), national and regional analogue commercial services, local DAB services and BBC services do not fall within the definition of ‘relevant independent radio services’ (by virtue of section 106(7) of the Act). Accordingly, only local analogue commercial and community radio services are taken into account in considering whether the Format change requested would narrow the range of programmes available.

2.8 The legislation leaves the decision as to whether to permit a change, even if one of the above statutory criteria is satisfied, to Ofcom’s discretion. There may be reasons (depending on the particular circumstances of the case) why Ofcom may not consent to the proposed change, notwithstanding that one of the statutory criteria is met. We have set out on our website, [factors we use to help us judge whether a request of this kind should be approved](#). We also take account of our general statutory duties, including:

- a) our principal duty to further the interests of citizens and consumers;
- b) our duty to secure the availability throughout the UK of a wide range of television and radio services which (taken as a whole) are both of high quality and calculated to appeal to a variety of tastes and interests (including specifically a range and diversity of local radio services), as well as the maintenance of a sufficient plurality of providers of different services; and
- c) our duty to have regard to the different interests of persons in the different parts of the UK, of the different ethnic communities within it and of persons living in rural and in urban areas.

## 3. Consideration of the request and Ofcom's preliminary view

3.1 Annex 5 contains Jack Media's Format change request.

### Changes to hours of locally made programming

- 3.2 Ofcom has approved these parts of the request, for the following reasons. Firstly, we are satisfied in relation to section 106(1A)(a) of the Act, that the reduction in the number of locally-made hours would not, by itself, and without any additional changes to the Format being approved by Ofcom, substantially alter the character of the service provided by the licensee. This is because the proposed new amount of locally-made programming is consistent with our localness guidelines, and in addition because we would continue to expect the programme service broadcast under the licence to provide a local service that includes, as well as the level of news specified in the Format, sufficient other local material to deliver the character of service.
- 3.3 Secondly, as we stated when amending our localness guidelines in 2018, Ofcom is likely to regard Format change requests which reduce locally made programming hours but which remain consistent with our published localness guidelines as not substantially altering the character of the service.<sup>2</sup> We are therefore not seeking views on this aspect of Jack Media's request.

### Changes to the 'Character of Service'

- 3.4 The proposed change to the 'Character of Service' part of the Format of the licence owned by Jack Media is the subject of this consultation. It has been made on the basis that criterion (b) of section 106(1A) of the Act is met: that the proposed change would not narrow the range of programmes available by way of relevant independent radio services to persons living in the relevant licence area.
- 3.5 For the reasons that follow, we are minded to grant Jack Media's request. We are seeking respondents' comments on our preliminary view.

### Preliminary view

- 3.6 In Ofcom's preliminary view, the change to the 'Character of Service' requested by Jack Media would significantly affect the nature of the station's programming and target audience, which would necessitate a substantial alteration of the service's existing published Character of Service. On that basis, we do not consider that criterion (a) in section 106(1A) is met.

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<sup>2</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)

- 3.7 Ofcom is therefore consulting on the 'Character of Service' change request in accordance with section 106ZA, specifically whether it satisfies statutory criterion (b) (although we welcome views in relation to the other statutory criteria too).
- 3.8 For the purpose of considering whether we think that criterion (b) could be satisfied, we have taken into account the Formats and Key Commitments of all the other analogue (i.e. AM or FM) local and community radio services broadcasting within all of, or to a significant part of, the Oxford licence area served by JACK3 Chill.
- 3.9 The Oxford licence area is served by two other local commercial analogue radio stations in addition to JACK3 Chill. These are Heart (Oxford & Banbury), which has the following Character of Service: *"A locally orientated mainstream popular music and information station for under 44s in the Oxford and Banbury area"* and JACK FM (Oxford & South Oxfordshire), the Character of Service for which is: *"A music-intensive station playing a variety of pop-rock and classic rock for over-35s in Oxford and South Oxfordshire, with frequent but concise news and information."*
- 3.10 Part of the Oxford licence area is served by community radio station First FM, which has the following Character of Service: *"A community-led local service run by the residents of the area, providing a direct voice to the target community."*
- 3.11 The complete Format and Key Commitments for each of the stations listed above is at Annex 6.
- 3.12 Based on our analysis of the Format and Key Commitment requirements of the radio stations listed above, it appears to us that the changes sought by Jack Media would not narrow the range of programmes available to listeners in the Oxford licence area, and therefore we are satisfied on a preliminary basis in relation to statutory criterion (b). While a distinctive service in the market is being removed (i.e. a music-intensive station playing an eclectic mix of easy Hits for the over 50's with local news, sport and information), our preliminary view is that it will be replaced by a service that will, in a different way, be distinctive from the other local analogue and community stations available in the licence area (i.e. by providing a rhythmic-led music station playing current hits and the best hits from the past 20 years with local news, sport and information for the 15 – 29 audience in Oxfordshire).
- 3.13 While there is conceivable overlap in terms of intended audience between the new JACK2 Hits Format (catering for the 15 – 29 audience) and the Heart Format (catering for under 44s), the required music content for the two services should remain distinctive. Heart's Format requires "mainstream popular music" and we would expect this to be broader than the type of music required by the new JACK2 Hits "rhythmic-led" Format. Furthermore, the proposed new JACK2 Hits Format will target a definitively younger age group (i.e. listeners aged 15 – 29) than Heart. Additionally, no local station in the licence area presently offers a specifically rhythmic-led service.
- 3.14 The Format change legislation leaves to Ofcom's judgement the decision as to whether to permit a change, even if one of the statutory criteria is satisfied (as is the case here, in our preliminary view). We do not consider, on a preliminary basis and subject to any responses we receive to the consultation, that there are any policy reasons for us not to approve this request. Although this change in effect represents a reversal of the change Ofcom approved

to the Format in the Oxford licence in February 2020<sup>3</sup>, we recognise that in a dynamic media environment licensees need to adapt to audiences changing over time (noting that this consultation represents the opportunity for listeners in Oxford to express their view on the proposed change). It is also clear that this request does not amount to ‘Format creep’, given the substantial nature of the proposed change. We will give full consideration to the views of listeners and stakeholders in response to this consultation.

## **Preliminary conclusion**

- 3.15 Accordingly, having reached the preliminary view that the requested change to the ‘Character of Service’ would not narrow the range of programmes by way of relevant independent radio services to persons living in the Oxford licence area, and that there are no policy reasons for refusing the request, we are minded to consent to Jack Media’s request subject to the outcome of this consultation.

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<sup>3</sup> [https://www.ofcom.org.uk/data/assets/pdf\\_file/0023/190742/statement-jackfm2.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0023/190742/statement-jackfm2.pdf)

# A1. Responding to this consultation

## How to respond

- A1.1 Ofcom would like to receive views and comments on the issues raised in this document, by **5pm on 31 October 2022**.
- A1.2 You can [download a response form](#) from the Ofcom website. You can return this by email or post to the address provided in the response form.
- A1.3 If your response is a large file, or has supporting charts, tables or other data, please email it to [alastair.goff@ofcom.org.uk](mailto:alastair.goff@ofcom.org.uk), as an attachment in Microsoft Word format, together with the [cover sheet \(https://www.ofcom.org.uk/consultations-and-statements/consultation-response-coversheet\)](https://www.ofcom.org.uk/consultations-and-statements/consultation-response-coversheet).
- A1.4 Responses may alternatively be posted to the address below, marked with the title of the consultation:  
Alastair Goff  
Ofcom  
Riverside House  
2A Southwark Bridge Road  
London SE1 9HA
- A1.5 We welcome responses in formats other than print, for example an audio recording or a British Sign Language video. To respond in BSL:
- Send us a recording of you signing your response. This should be no longer than 5 minutes. Suitable file formats are DVDs, wmv or QuickTime files. Or,
  - Upload a video of you signing your response directly to YouTube (or another hosting site) and send us the link.
- A1.6 We will publish a transcript of any audio or video responses we receive (unless your response is confidential).
- A1.7 We do not need a paper copy of your response as well as an electronic version. We will acknowledge receipt if your response is submitted via the online web form, but not otherwise.
- A1.8 You do not have to answer all the questions in the consultation if you do not have a view; a short response on just one point is fine. We also welcome joint responses.
- A1.9 It would be helpful if your response could include direct answers to the questions asked in the consultation document. The questions are listed at Annex 4. It would also help if you could explain why you hold your views, and what you think the effect of Ofcom's proposals would be.
- A1.10 If you want to discuss the issues and questions raised in this consultation, please contact Alastair Goff at [alastair.goff@ofcom.org.uk](mailto:alastair.goff@ofcom.org.uk).

## Confidentiality

- A1.11 Consultations are more effective if we publish the responses before the consultation period closes. In particular, this can help people and organisations with limited resources or familiarity with the issues to respond in a more informed way. So, in the interests of transparency and good regulatory practice, and because we believe it is important that everyone who is interested in an issue can see other respondents' views, we usually publish all responses on <https://www.ofcom.org.uk/> as soon as we receive them.
- A1.12 If you think your response should be kept confidential, please specify which part(s) this applies to, and explain why. Please send any confidential sections as a separate annex. If you want your name, address, other contact details or job title to remain confidential, please provide them only in the cover sheet, so that we don't have to edit your response.
- A1.13 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and try to respect it. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A1.14 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's intellectual property rights are explained further in our [Terms of Use](#).

## Next steps

- A1.15 Following this consultation period, Ofcom plans to publish a statement in September.
- A1.16 If you wish, you can [register to receive mail updates](#) alerting you to new Ofcom publications.

## Ofcom's consultation processes

- A1.17 Ofcom aims to make responding to a consultation as easy as possible. For more information, please see our consultation principles in Annex 2.
- A1.18 If you have any comments or suggestions on how we manage our consultations, please email us at [consult@ofcom.org.uk](mailto:consult@ofcom.org.uk). We particularly welcome ideas on how Ofcom could more effectively seek the views of groups or individuals, such as small businesses and residential consumers, who are less likely to give their opinions through a formal consultation.
- A1.19 If you would like to discuss these issues, or Ofcom's consultation processes more generally, please contact the corporation secretary:

Corporation Secretary  
Ofcom  
Riverside House  
2a Southwark Bridge Road  
London SE1 9HA  
Email: [corporationsecretary@ofcom.org.uk](mailto:corporationsecretary@ofcom.org.uk)

## A2. Ofcom's consultation principles

### Ofcom has seven principles that it follows for every public written consultation:

#### Before the consultation

A2.1 Wherever possible, we will hold informal talks with people and organisations before announcing a big consultation, to find out whether we are thinking along the right lines. If we do not have enough time to do this, we will hold an open meeting to explain our proposals, shortly after announcing the consultation.

#### During the consultation

A2.2 We will be clear about whom we are consulting, why, on what questions and for how long.

A2.3 We will make the consultation document as short and simple as possible, with a summary of no more than two pages. We will try to make it as easy as possible for people to give us a written response. If the consultation is complicated, we may provide a short Plain English / Cymraeg Clir guide, to help smaller organisations or individuals who would not otherwise be able to spare the time to share their views.

A2.4 We will consult for up to ten weeks, depending on the potential impact of our proposals.

A2.5 A person within Ofcom will be in charge of making sure we follow our own guidelines and aim to reach the largest possible number of people and organisations who may be interested in the outcome of our decisions. Ofcom's Consultation Champion is the main person to contact if you have views on the way we run our consultations.

A2.6 If we are not able to follow any of these seven principles, we will explain why.

#### After the consultation

A2.7 We think it is important that everyone who is interested in an issue can see other people's views, so we usually publish all the responses on our website as soon as we receive them. After the consultation we will make our decisions and publish a statement explaining what we are going to do, and why, showing how respondents' views helped to shape these decisions.

# A3. Consultation coversheet

## BASIC DETAILS

Consultation title: JACK3 Chill consultation

To (Ofcom contact): Alastair Goff

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

## CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing

Name/contact details/job title

Whole response

Organisation

Part of the response

If there is no separate annex, which parts? \_\_\_\_\_

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If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

## DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)

## A4. Consultation questions

- A4.1 Ofcom is seeking views on this Format change request. Ofcom may consent to a departure from the character of the licensed services if Ofcom is satisfied that at least one of the criteria in Section 106 (1A) of the Broadcasting Act 1990 (as amended) is satisfied in relation to each request. These criteria are set out on page one of this consultation document.
- A4.2 In light of the considerations set out in Section 3 of this document, we are minded to consent to a departure from the character of the licence on the basis that criterion (b) in Section 106(1A) of the Broadcasting Act 1990 (as amended) is satisfied in respect of the Format change request, and that there are no policy grounds on which to refuse the request.

### **Question 1:**

Respondents are invited to comment on whether they agree with Ofcom's preliminary view and to frame their views and responses with reference to, or in the context of, the statutory criteria in section 106(1A) of the Broadcasting Act 1990 (as amended).

## A5. Format change request

<b>Date of request:</b>	23 <sup>rd</sup> June 2022 (resubmitted on 7 <sup>th</sup> September 2022)
<b>Station Name:</b>	JACK3 Chill
<b>Licensed area and licence number:</b>	Oxford – AL193
<b>Licensee:</b>	JACK Media Oxfordshire Ltd.
<b>Contact name:</b>	Steve Simms

### Details of requested change(s) to Format

<b>Character of Service</b>  <i>Complete this section if you are requesting a change to this part of your Format</i>	<b>Existing Character of Service:</b>  A music-intensive station playing an eclectic mix of easy Hits for the over 50's with local news, sport and information.
	<b>Proposed new Character of Service:</b>  A rhythmic-led music station playing current Hits and the best Hits from the past 20 years with local news, sport and information for the 15-29 audience in Oxfordshire.
<b>Programme sharing and/or co-location arrangements</b>  <i>Complete this section if you are requesting a change to this part of your Format</i>	<b>Current arrangements:</b>
	<b>Proposed new arrangements:</b>
<b>Locally-made hours and/or local news bulletins</b>  <i>Complete this section if you are requesting a change to this part of your Format</i>	<b>Current Obligations</b>  <b>Locally-made hours:</b>  At least 10 hours a day during daytime weekdays (must include breakfast).

	<p>At least 4 hours daytime Saturdays and Sundays.</p> <p><b>Local News:</b></p> <p>At least hourly during peak-times. At other times UK-wide, national and international news should feature.</p>
	<p><b>Proposed new obligations:</b></p> <p><b>Locally-made hours:</b></p> <p>A minimum of 3 hours of locally-made programming between 6 am and 7pm weekdays.</p> <p><b>Local News:</b></p> <p>At least hourly 6am – 7pm on weekdays</p>

The holder of an analogue local commercial radio licence may apply to Ofcom to have the station's Format amended. Any application should be made using the layout shown on this form, and should be in accordance with Ofcom's published procedures for Format changes.<sup>4</sup>

Under section 106(1A) of the Broadcasting Act 1990 (as amended), Ofcom may consent to a change of a Format only if it is satisfied that *at least* one of the following five statutory criteria is satisfied:

- (a) *that the departure would not substantially alter the character of the service;*
- (b) *that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons living the area or locality for which the service is licensed to be provided;*
- (c) *that the departure would be conducive to the maintenance or promotion of fair and effective competition*
- (d) *that there is evidence that, amongst persons living in that area or locality, there is a significant demand for, or significant support for, the change that would result from the departure; or*
- (e) *that (i) the departure would result from programmes included in the licensed service ceasing to be made at premises in the area or locality for which the service is provided, but (ii) those programmes would continue to be made wholly or partly at premises within the approved area (as defined in section 314 of the Communications Act 2003 (local content and character of services)).*

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<sup>4</sup> Available at [https://www.ofcom.org.uk/data/assets/pdf\\_file/0024/87405/The-regulation-of-Format-changes.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0024/87405/The-regulation-of-Format-changes.pdf)

Only one of these five criteria need be satisfied in order for Ofcom to consent to the proposed change. However, even if Ofcom is of the opinion that the proposed change satisfies one or more of the statutory criteria, there may be reasons (depending on the particular circumstances of the case) why Ofcom may not consent to the proposed change. The additional criteria to which Ofcom will have regard when exercising this discretion can be found on our website.<sup>5</sup>

Applicants should note that, under section 106ZA of the same Act (as amended), a proposed change that *does not* satisfy the first or last of these criteria (i.e. a change that Ofcom considers *would* or *could* substantially alter the character of the service, or does not relate to the origin of locally-made programmes) must, if it is to be considered further under any of the other three criteria, be consulted upon.

In the event that Ofcom receives a request for Format change and considers that criterion (a) or (e) is *not* satisfied, it will seek confirmation from the applicant as to whether it wishes to proceed with the request (and, if so, whether it wishes to amend or replace its submission in light of the necessity to make it public).

**Please set out the statutory criterion, or criteria, set out in section 106(1A) of the Broadcasting Act 1990 that you believe is/are satisfied in relation to this Format change request, and the reasons for this.**

- (b) that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons living the area or locality for which the service is licensed to be provided.

**Please provide any additional information and/or evidence in support of the proposed change(s) below. In particular, the applicant may wish to outline how they see that the proposed change fits within Ofcom's published Format change request policy<sup>6</sup> and also Ofcom's Localness guidance, which includes our co-location and programme sharing policy.<sup>7</sup>**

**Background:**

In February 2022 our 'sister company' Jack Media National went into administration resulting in the closure of its three Union JACK national DAB stations. While the three local JACK services owned by Jack Media Oxfordshire continue to operate we have taken the opportunity to re-evaluate the business with a view to maintaining commercial viability and the necessity to forge sustainability as one of the last remaining local commercial radio companies.

We are about to introduce a new on-air schedule and station sound in order to 'refresh' the main JACKfm, and we will be looking to make similar changes to our other two services, JACK2 Hits and JACK3 Chill, in the coming months.

We are proposing to put JACK2 Hits back on FM while JACK3 Chill will continue to target its current audience on digital platforms only.

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<sup>5</sup> At [https://www.ofcom.org.uk/data/assets/pdf\\_file/0024/87405/The-regulation-of-Format-changes.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0024/87405/The-regulation-of-Format-changes.pdf)

<sup>6</sup> Available at [https://www.ofcom.org.uk/data/assets/pdf\\_file/0024/87405/The-regulation-of-Format-changes.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0024/87405/The-regulation-of-Format-changes.pdf)

<sup>7</sup> Available at <http://stakeholders.ofcom.org.uk/broadcasting/radio/localness/>

This move is a reversal of a previous format change which came into being in April 2020, shortly after the start of the first Covid lockdown.

Listening figures for JACK3 Chill have been disappointing. While not helped by the curtailing of Rajar because of the pandemic, its half-yearly survey period is now clear of the Covid break and is providing a clearer picture. The station remains 'stuck' on 10,000 listeners a week while JACK2 Hits, now broadcasting only on DAB and online, is achieving double that audience.

Therefore we believe it makes commercial sense to move JACK2 Hits back on to FM.

*(Further Rajar analysis is available in a separate confidential appendix).*

### **The Local Market:**

Oxford is not a typical radio market.

There are three FM local commercial stations – JACKfm, JACK3 Chill and Heart – as well as a community station, First FM.

When Fox FM (now Heart) launched in 1989 it was one of the first ILR stations to do so only on FM so there is no corresponding 'heritage' AM service here. There is also no regional FM station.

With no local commercial services providing a CHR format on FM this gives JACK2 Hits the chance to 'own' that target audience. Although First FM targets a mainly young audience their evening schedule consists of music from the 1970s to the 2000s aimed at an older audience.

### **Positioning:**

We have looked at JACK2 Hits' music position within the Oxford market.

Although there is some crossover between JACK2 Hits and Heart, those songs are mainly older and on different rotation patterns.

First FM plays current Hits on much higher rotation than JACK2 Hits.

As a community station First FM is not in Rajar so we have no indication of how they are performing in the market.

66% of the 100 most-played songs on JACK2 Hits in May 2022 were unique to the station. Four songs in the top 10 were unique. (Source: radiomonitor.com)

Heart's most-played song, 'Stay' by The Kid Laroi and Justin Bieber got 197 plays, as well as 258 on First FM, but only 29 on JACK2 Hits.

First FM's most-played song 'House on Fire' by Mimi Webb was played 331 times by them in May 2022, but only 62 on JACK2 Hits and 5 on Heart.

There are many other examples of the differences between the amount of airplay given to songs on each station.

In a typical day picked at random (23<sup>rd</sup> May 2022) the number of different songs played by each station was as follows:

<b>JACK2 Hits</b>	272
<b>Heart</b>	178
<b>First FM</b>	195

*(Our full monitoring spreadsheets are attached as a confidential appendix).*

**Audience:**

Although JACK2 Hits primarily targets a younger audience it also attracts older listeners.

We believe this is because the station has a connection with them either through the older songs played in the daily 'Throwback Hour' and sprinkled throughout the day, as well as samples and covers which are familiar to them. Also more relevant to JACK2 Hits are the songs that are charting because of TikTok. These are likely to bring together mothers and daughters and we are confident this is a greater opportunity for both audience and commercial growth.

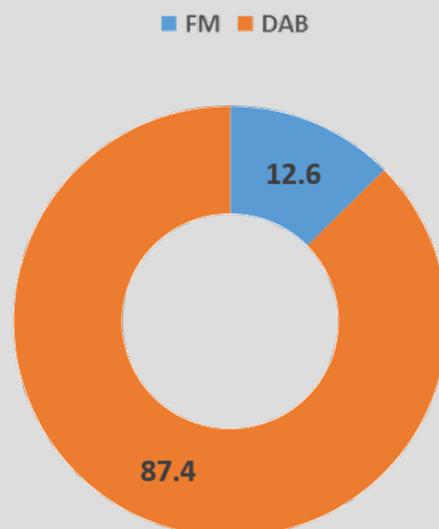
**Platforms:**

Having been through the process of 'swapping' frequencies before we are aware that some listeners may feel displaced.

Rajar currently shows that FM accounts for 40% of JACK3 Chill's reach and only 12.6% of its hours.

As a result we do not feel continuing on DAB-only would be likely to impact too heavily on the current audience.

**JACK3 Chill - % Total Hours by Platform - Rajar Q1/22**



## A6. Other commercial and community radio stations in the relevant licence area

The following is a list of other local analogue (i.e. AM and FM) services broadcasting within all of, or to a significant part of, the relevant licence area. Links are provided to their Formats (commercial stations) or Key Commitments (community stations).

### **Commercial radio stations**

[Heart \(Oxford & Banbury\)](#)

[JACK FM \(Oxford & South Oxfordshire\)](#)

### **Community radio stations**

[First FM \(Oxford\)](#)