



**STAR RADIO**  
**(Bristol)**  
Request to change Format

Consultation

Publication date: 20 October 2010

Closing date for responses: 17 November 2010

# Contents

Section		Page
1	Summary	2
2	Background	4

Annex		Page
1	Responding to this consultation	5
2	Ofcom's consultation principles	7
3	Consultation response cover sheet	8
4	Consultation question	10
5	Request to change the Format of Star Radio (Bristol)	11
6	Star Radio (Bristol)'s existing Format	14
7	Commercial and community radio stations operating in Bristol	15

## Section 1

# Summary

- 1.1 Ofcom has received a request from Celador Radio Broadcasting Ltd to change the Format of Star Radio (Bristol). The existing Format requires the station to be a “soulful” Adult Contemporary (‘AC’) service which, additionally, must involve local multicultural communities through specific programming. It targets a Bristol audience aged between 30 and 50. Celador, Star Radio’s new owners, wish to replace the existing Format with one that will require the licensee to provide an Easy Listening service for listeners aged over 40. The Format change being sought also involves the removal of the requirements to provide specific programming for the area’s multicultural communities.

### Current Character of Service

**A SOULFUL, ADULT CONTEMPORARY MUSIC BASED SERVICE, AIMED PRIMARILY AT 30 TO 50 YEAR-OLD BRISTOLIANS WITH LOCAL NEWS AND INFORMATION, WHICH ALSO DIRECTLY INVOLVES THE MULTICULTURAL COMMUNITIES THROUGH SPECIFIC PROGRAMMING.**

### Proposed Character of Service

**AN EASY LISTENING MUSIC-BASED SERVICE WITH LOCAL NEWS AND INFORMATION FOR LISTENERS AGED 40+ IN BRISTOL AND THE SURROUNDING AREA.**

- 1.2 Ofcom has published guidelines with regard to criteria that will be considered when stations request a change of Format. These are available at: <http://stakeholders.ofcom.org.uk/broadcasting/radio/formats-content/changes/>
- 1.3 Ofcom must consider the request by Star Radio (Bristol) to change its Format against the statutory criteria set out in the legislation below, and the consultation question, at Annex 4, reflects this.

*Ofcom has the ability to consent to such changes under conditions included in Star Radio (Bristol)’s licence, in accordance with Sections 106 (1A) of the Broadcasting Act 199, if it is satisfied that at least one of the following criteria is satisfied:*

*(a) The departure would not substantially alter the character of the service*

*(b) The change would not narrow the range of programmes available in the area by way of relevant independent radio services*

*(c) The change would be conducive to the maintenance or promotion of fair and effective competition or*

*(d) There is evidence that, amongst persons living in the affected areas, there is a significant demand for, or significant support for, the change*

*(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)).*

- 1.4 As Ofcom believes that criterion (a) above is not satisfied, and that criterion (e) is not relevant to this particular request, the changes can only be approved if one of criteria (b) to (d) is satisfied. In these circumstances Ofcom is required to carry out a public consultation.
- 1.5 The proposed changes to the Character of Service are a change in music remit (from “soulful” Adult Contemporary to Easy Listening); a change in target demographic (from 30-50 year-olds to over-40s); and the removal of the requirement to provide programming which directly involves the area’s multicultural communities.
- 1.6 In particular, when considering whether criterion (b) is satisfied (*the change would not narrow the range of programmes available in the area by way of relevant independent radio services*), neither local DAB services nor BBC services ‘count’ as relevant independent radio services. The relevant independent radio services are those local analogue commercial and community stations which operate in the region, which are listed at Annex 7.
- 1.7 Ofcom, therefore, seeks views on the requests, having particular regard to the Broadcasting Act 1990 Section 106 (1A) (b) (c) and/or (d), as set out above.
- 1.8 Annex 5 contains the Format change request, in which an argument is made that the output would still be distinctive within the Bristol market and that criteria (b) is therefore satisfied.

## Section 2

# Background

- 2.1 Star Radio (Bristol) was originally licensed, as Kute FM, by the Radio Authority in 1999 as a small-scale local commercial station for Bristol (its Measured Coverage Area is currently 339,235). The station majored on soul and soft rock, with a significant (30%) daytime speech content, and was committed to providing specialist programming for Bristol's multicultural communities (in particular, the city's Afro-Caribbean community).
- 2.2 In the event, the station was launched in November 1999 as The Eagle, and soon changed its name again, to Star FM (subsequently Star Radio). Various Format changes over the years have removed the minimum speech and soft rock requirements, although the commitment to providing specialist programming for the city's multicultural communities has remained. Currently, this programming is aired on Sunday mornings.
- 2.3 As part of the same transaction earlier this year, Star's new owners, Celador Radio, also acquired the other 'Bristol-only' commercial station, Jack FM. This station has an Adult Alternative format and targets 35-59 year-olds, with a male bias. Listeners in Bristol can also receive Heart (formerly GWR FM), a contemporary chart hits station for under-44s, Gold (broadcasting 'classic hits' on the AM band), and dance/urban music station Kiss 101. Heart and Gold serve a wider geographical area which also includes the city of Bath, while Kiss is a large-scale regional service for the Severn Estuary area, which includes much of South Wales as well as the Bristol and Bath area.
- 2.4 Two community radio stations are on-air in Bristol. They are Bristol Community FM (serving Bristol's various different communities) and Ujima Radio (broadcasting to Bristol's BME communities, with an urban music policy).
- 2.5 New owner Celador Radio proposes to change Star Radio's music policy from "soulful" Adult Contemporary to Easy Listening. In doing so, it is also aiming to target a slightly older audience of adults aged over 40 (this compares with the existing 30-50 year-old target demographic specified by the current Format). Celador is also seeking to remove the obligations, previously described, to provide multicultural programming.

## Annex 1

# Responding to this consultation

## How to respond

- A1.1 Ofcom invites written views and comments on the issues raised in this document, to be made **by 5pm on 17 November 2010**.
- A1.2 Ofcom strongly prefers to receive responses using the online web form at <https://stakeholders.ofcom.org.uk/consultations/star-radio/howtorespond/form>, as this helps us to process the responses quickly and efficiently. We would also be grateful if you could assist us by completing a response cover sheet (see Annex 3), to indicate whether or not there are confidentiality issues. This response coversheet is incorporated into the online web form questionnaire.
- A1.3 For larger consultation responses – particularly those with supporting charts, tables or other data – please email: [jon.heasman@ofcom.org.uk](mailto:jon.heasman@ofcom.org.uk), attaching your response in Microsoft Word format, together with a consultation response coversheet.
- A1.4 Responses may alternatively be posted or faxed to the address below:
- Star Radio (Bristol) consultation  
F.A.O. Jon Heasman  
Manager, Commercial Radio Licensing  
Ofcom  
Riverside House  
2A Southwark Bridge Road  
London SE1 9HA
- Fax: 020 7981 3850
- A1.5 Note that we do not need a hard copy in addition to an electronic version. Ofcom will acknowledge receipt of responses if they are submitted using the online web form but not otherwise.
- A1.6 It would be helpful if your response could include direct answers to the question asked in this document, which are listed together at Annex 4. It would also help if you can explain why you hold your views and how the proposals would impact on you.

## Further information

- A1.7 If you want to discuss the issues and questions raised in this consultation, or need advice on the appropriate form of response, please contact Jon Heasman on 020 7783 4509.

## Confidentiality

- A1.8 We believe it is important for everyone interested in an issue to see the views expressed by consultation respondents. We will therefore usually publish all responses on our website, [www.ofcom.org.uk](http://www.ofcom.org.uk), ideally on receipt. If you think your response should be kept confidential, can you please specify what part or whether

all of your response should be kept confidential, and specify why. Please also place such parts in a separate annex.

- A1.9 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and will try to respect this. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A1.10 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's approach on intellectual property rights is explained further on its website at <http://www.ofcom.org.uk/about/accoun/disclaimer/>

## Next steps

- A1.11 Following the end of the consultation period, Ofcom intends to publish a statement.
- A1.12 Please note that you can register to receive free mail Updates alerting you to the publications of relevant Ofcom documents. For more details please see: [http://www.ofcom.org.uk/static/subscribe/select\\_list.htm](http://www.ofcom.org.uk/static/subscribe/select_list.htm)

## Ofcom's consultation processes

- A1.13 Ofcom seeks to ensure that responding to a consultation is as easy as possible. For more information please see our consultation principles in Annex 2.
- A1.14 If you have any comments or suggestions on how Ofcom conducts its consultations, please call our consultation helpdesk on 020 7981 3003 or e-mail us at [consult@ofcom.org.uk](mailto:consult@ofcom.org.uk) . We would particularly welcome thoughts on how Ofcom could more effectively seek the views of those groups or individuals, such as small businesses or particular types of residential consumers, who are less likely to give their opinions through a formal consultation.
- A1.15 If you would like to discuss these issues or Ofcom's consultation processes more generally you can alternatively contact Vicki Nash, Director Scotland, who is Ofcom's consultation champion:

Vicki Nash  
Ofcom  
Sutherland House  
149 St. Vincent Street  
Glasgow G2 5NW

Tel: 0141 229 7401  
Fax: 0141 229 7433

Email [vicki.nash@ofcom.org.uk](mailto:vicki.nash@ofcom.org.uk)

## Annex 2

# Ofcom's consultation principles

A2.1 Ofcom has published the following seven principles that it will follow for each public written consultation:

### Before the consultation

A2.2 Where possible, we will hold informal talks with people and organisations before announcing a big consultation to find out whether we are thinking in the right direction. 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

A2.3 We will be clear about who we are consulting, why, on what questions and for how long.

A2.4 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 to give us a written response. If the consultation is complicated, we may provide a shortened Plain English Guide for smaller organisations or individuals who would otherwise not be able to spare the time to share their views.

A2.5 We will consult for up to 10 weeks depending on the potential impact of our proposals.

A2.6 A person within Ofcom will be in charge of making sure we follow our own guidelines and reach out to the largest number of people and organisations interested in the outcome of our decisions. Ofcom's 'Consultation Champion' will also be the main person to contact with views on the way we run our consultations.

A2.7 If we are not able to follow one of these principles, we will explain why.

### After the consultation

A2.8 We think it is important for everyone interested in an issue to see the views of others during a consultation. We would usually publish all the responses we have received on our website. In our statement, we will give reasons for our decisions and will give an account of how the views of those concerned helped shape those decisions.

## Annex 3

# Consultation response cover sheet

- A3.1 In the interests of transparency and good regulatory practice, we will publish all consultation responses in full on our website, [www.ofcom.org.uk](http://www.ofcom.org.uk).
- A3.2 We have produced a coversheet for responses (see below) and would be very grateful if you could send one with your response (this is incorporated into the online web form if you respond in this way). This will speed up our processing of responses, and help to maintain confidentiality where appropriate.
- A3.3 The quality of consultation can be enhanced by publishing responses before the consultation period closes. In particular, this can help those individuals and organisations with limited resources or familiarity with the issues to respond in a more informed way. Therefore Ofcom would encourage respondents to complete their coversheet in a way that allows Ofcom to publish their responses upon receipt, rather than waiting until the consultation period has ended.
- A3.4 We strongly prefer to receive responses via the online web form which incorporates the coversheet. If you are responding via email, post or fax you can download an electronic copy of this coversheet in Word or RTF format from the ‘Consultations’ section of our website at [www.ofcom.org.uk/consult/](http://www.ofcom.org.uk/consult/).
- A3.5 Please put any parts of your response you consider should be kept confidential in a separate annex to your response and include your reasons why this part of your response should not be published. This can include information such as your personal background and experience. If you want your name, address, other contact details, or job title to remain confidential, please provide them in your cover sheet only, so that we don’t have to edit your response.

## Cover sheet for response to an Ofcom consultation

### BASIC DETAILS

Consultation title: Star Radio (Bristol) Consultation

To (Ofcom contact): Jon Heasman

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	<input type="checkbox"/>	Name/contact details/job title	<input type="checkbox"/>
Whole response	<input type="checkbox"/>	Organisation	<input type="checkbox"/>
Part of the response	<input type="checkbox"/>	If there is no separate annex, which parts?	<input type="checkbox"/>

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)

## Annex 4

# Consultation question

A4.1

*Q1. Should Star Radio (Bristol) be permitted to make its proposed changes to the station, with particular regard to the statutory criteria as set out in the summary?*

Annex 5

# Request to change the Format of Star Radio (Bristol)



## Analogue Commercial Radio Licence: Format Change Request Form

<b>Station Name:</b>	Star Radio (Bristol)
<b>Licensed area and licence number:</b>	All the City of Bristol, parts of Kingswood and South Gloucestershire area. AL 247-1
<b>Licensee:</b>	Celador Radio Broadcasting
<b>Contact name:</b>	Paul Smith

### 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 soulful, adult contemporary music based service, aimed primarily 30 to 50 year old Bristolians with local news and information, which also directly involves the multicultural communities through specific programming.
	<b>Proposed new Character of Service:</b>  An easy listening music based service with local news and information for listeners aged 40+ in Bristol and the surrounding area.
<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>Proposed new obligations:</b>

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 (available on our website at [www.ofcom.org.uk/radio/ifi/rbl/formats/formats/fc/changereqs/](http://www.ofcom.org.uk/radio/ifi/rbl/formats/formats/fc/changereqs/)).

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 in 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)).*

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 at: [www.ofcom.org.uk/radio/ifi/rbl/formats/formats/fc/changereqs/](http://www.ofcom.org.uk/radio/ifi/rbl/formats/formats/fc/changereqs/)

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:**

**The change to the proposed Star Radio service would satisfy the criteria set out in section 106(1A) of the Broadcasting Act as follows:**

The proposed change of format would satisfy criterion (b) in that it would not narrow the range of programmes available by way of independent radio services. Rather, it will broaden them because the younger sector of Bristol's community is much better served by commercial radio than the more mature listeners who, unless the new Star Radio service is introduced, will continue to be disenfranchised. By way of example, Kiss focuses its attention on 'under 30s' while Heart concentrates on those 'under 44'. Jack claims to target '35-59 year olds' but in practice its audience is very much younger and does not really extend beyond 44 year olds. Gold is targeted at '35-59 year olds' but its music is selected by 'past era' rather than mood. The proposed new Star Radio would play music from the fifties to current releases and the sound of the station would generally be softer and sweeter than Gold. In any event, Gold is now, to all intents and purposes a national station and certainly has no local content.

The request to remove any specific multicultural programming obligations from the licence, takes into account the relatively recent establishment and presence of Bristol Community FM 93.2 (Bristol) and Ujima Radio 98.0 (Bristol) and the significant amount of high quality programming, both speech and music, that these two stations successfully provide to the ethnic communities in and around Bristol.

**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 ([www.ofcom.org.uk/radio/ifi/rbl/formats/fc/changereqs](http://www.ofcom.org.uk/radio/ifi/rbl/formats/fc/changereqs)), and also Ofcom's Localness guidance, which includes our co-location and programme sharing policy ([www.ofcom.org.uk/radio/ifi/rbl/car/localness](http://www.ofcom.org.uk/radio/ifi/rbl/car/localness)).**

#### Notes

# Ofcom may approve a change under any of criteria (b) to (d) without consultation, or after a consultation of less than 28 days, if Ofcom considers that to hold a consultation at all, or for 28 days or more, would result in a delay that would be likely to prejudice the interests of the licensee. Ofcom may also remove for the purposes of consultation any confidential information submitted by the licensee.

Version 6 – amended April 2010

## Annex 6

# Star Radio (Bristol)'s existing Format

## STAR RADIO (Bristol)

### Character of Service

**A SOULFUL, ADULT CONTEMPORARY MUSIC BASED SERVICE, AIMED PRIMARILY AT 30 TO 50 YEAR-OLD BRISTOLIANS WITH LOCAL NEWS AND INFORMATION, WHICH ALSO DIRECTLY INVOLVES THE MULTICULTURAL COMMUNITIES THROUGH SPECIFIC PROGRAMMING.**

<b>Licensed area</b>	All the City of Bristol, parts of Kingswood and South Gloucestershire area (as in Ofcom advertisement)
<b>Frequency</b>	107.2 MHz
<b>Service duration</b>	24 hours
<b>Locally-made hours</b>	At least 10 hours a day during daytime weekdays (must include breakfast). At least 4 hours daytime Saturdays and Sundays.
<b>Local news bulletins</b>	At least hourly at peaktime weekdays and weekends. Outside peak, UK-wide, nations and international news should feature.

### Shared arrangements (if applicable)

<b>Co-location</b>	No Arrangements
<b>Programme sharing</b>	No Arrangements

### Definitions

Speech / Music	Excludes advertising, programme/promotional trails & sponsor credits
Peaktime	Weekday breakfast and drivetime, and weekend late breakfast
Daytime	0600 to 1900 weekday and weekend
Locally-made	Production and presentation from within the licensed area

**MCA population : 339,235  
AL 247-1**

**Licence number :**

### Notes

This Format should be read in conjunction with Ofcom's published Localness Guidelines as updated with additional text from "The Future of Radio : The Next Phase" (2007) **AGREED MARCH 2008**

## Annex 7

# Commercial and community radio stations operating in Bristol

## Commercial radio services

### Gold (Bristol & Bath)

A CLASSIC POP HITS STATION TARGETED PRIMARILY AT 35-54 YEAR-OLDS IN THE BRISTOL & BATH AREA.

<http://www.ofcom.org.uk/static/radiolicensing/amfm/al015-2.htm>

### Heart (Bristol & Bath)

A LOCALLY-ORIENTED CONTEMPORARY AND CHART MUSIC AND INFORMATION STATION FOR UNDER 44s IN THE BRISTOL AND BATH AREA.

<http://www.ofcom.org.uk/static/radiolicensing/amfm/al016-2.htm>

### Jack FM (Bristol)

AN ADULT ALTERNATIVE STATION PLAYING ADULT-ORIENTED ALBUM TRACKS\*, CLASSIC ROCK AND PREDOMINANTLY NON-CONTEMPORARY POP/ROCK HITS, WITH PARTICULAR APPEAL FOR 35-59 YEAR-OLDS, WITH 24-HOUR NEWS.

*\* Album tracks which become UK Top 20 singles, or UK Top 20 singles subsequently appearing on albums would not qualify.*

<http://www.ofcom.org.uk/static/radiolicensing/amfm/al320-1.htm>

### Kiss 101 (Severn Estuary)

A RHYTHMIC-BASED MUSIC-LED SERVICE FOR PRIMARILY UNDER-30s IN THE SEVERN ESTUARY AREA, SUPPLEMENTED WITH NEWS, INFORMATION AND ENTERTAINMENT. IDENTIFIABLE SPECIALIST MUSIC FEATURES FOR AT LEAST 36 HOURS A WEEK.

<http://www.ofcom.org.uk/static/radiolicensing/amfm/al167-1.htm>

## Community radio services

### Bristol Community FM (Bristol)

<http://www.ofcom.org.uk/static/radiolicensing/Community/cr078.htm>

### Ujima Radio (Bristol)

<http://www.ofcom.org.uk/static/radiolicensing/Community/cr116.htm>