



Real Radio
South Wales and North
and mid Wales
Request to change Format

Consultation

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Section 1

Summary

- 1.1 Ofcom has received two requests from GMG Radio to change the Format of Real Radio (South Wales) and Real Radio (North and mid Wales). One station is currently targeting a South Wales audience aged between 25-54. It is currently required to broadcast Adult Contemporary music treating speech, regional information and listener interactivity as important ingredients and running 24-hour news. The target demographic would remain the same, as too the listener interactivity. The amount of news provision would remain unchanged.
- 1.2 This request comes as part of an additional request, to merge the programming with GMG's Real Radio North and mid Wales regional station, not yet on air. The proposal is to provide a single pan-Wales radio service.
- 1.3 As shown below, the Character of Service for each radio station requests a change from a provision of 'regional information' to a provision of 'information about Wales'. As a result we are treating this as a single consultation exercise.

Current Character of Service of Real Radio South Wales

A FULL SERVICE ADULT CONTEMPORARY MUSIC STATION FOR SOUTH WALES, TARGETING PRIMARILY 25-54 YEAR-OLDS, TREATING SPEECH, REGIONAL INFORMATION AND LISTENER INTERACTIVITY AS IMPORTANT INGREDIENTS, AND RUNNING 24-HOUR NEWS.

Proposed Character of Service of Real Radio North and mid Wales Region

A FULL SERVICE ADULT CONTEMPORARY MUSIC STATION FOR NORTH AND MID WALES, TARGETING PRIMARILY 25-54 YEAR-OLDS, TREATING SPEECH, REGIONAL INFORMATION AND LISTENER INTERACTIVITY AS IMPORTANT INGREDIENTS, AND RUNNING 24-HOUR NEWS

Proposed Character of Service Real Radio South Wales

A FULL SERVICE ADULT CONTEMPORARY MUSIC STATION FOR SOUTH WALES, TARGETING PRIMARILY 25-54 YEAR-OLDS, TREATING SPEECH, INFORMATION ABOUT WALES AND LISTENER INTERACTIVITY AS IMPORTANT INGREDIENTS, AND RUNNING 24-HOUR NEWS.

Proposed Revised Character of Service of Real Radio North and mid Wales Region

A FULL SERVICE ADULT CONTEMPORARY MUSIC STATION FOR NORTH AND MID WALES, TARGETING PRIMARILY 25-54 YEAR-OLDS, TREATING SPEECH, INFORMATION ABOUT WALES AND LISTENER INTERACTIVITY AS IMPORTANT INGREDIENTS, AND RUNNING 24-HOUR NEWS

- 1.4 Ofcom has published guidelines with regard to criteria that will be considered when stations request a change of Format.

- 1.5 Ofcom must consider the requests by Real Radio (Wales) and Real Radio (North and mid Wales) to change its Format against the statutory criteria set out in the legislation below, and the consultation question, at Annex 4, reflects that.

Ofcom has the ability to consent to such changes under conditions included in the (n) licence, in accordance with Sections 106 (1A) of the Broadcasting Act 1990 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.

- 1.6 If a station wants to make changes that will substantially alter the character of its service, Ofcom consults publicly before coming to a decision. In this case the request could, if granted, substantially alter the character of the station's service.
- 1.7 In this case, as the wording of the Character of Service would change, in line with previous Format changes Ofcom regards the change as substantial and so is consulting on the requested change.
- 1.8 Also in this case the issue centres on the requested change to provide regional information and replace it with information about Wales. GMG are also requesting to provide local news bulletins at least hourly during weekday daytimes and peak time at weekends in return for at least 7 hours a day locally made programmes and at least 4 hours daytime at weekends.
- 1.9 As Ofcom believes that criterion (a) above is not satisfied, 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.
- 1.10 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 in Annex 7.
- 1.11 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.
- 1.12 Annex 5 contains the two Format change requests, in which an argument is made that the output would still be broadly similar and so the criteria (b) is satisfied.

Section 2

Background

- 2.1 Real Radio (South Wales) was originally licensed in 2000 by the Radio Authority as a regional station serving listeners in South Wales.
- 2.2 The licence for Real Radio (North and mid Wales) was awarded to GMG by Ofcom in 2008. It has not yet commenced broadcasting.
- 2.3 On award, Ofcom's Radio Licensing Committee noted: the station has adopted Ofcom's guideline minima for locally-produced programming of 10 hours per day (weekdays) and four hours per day at weekends. Outside of these locally-made hours, the majority of programming on the new station must be sourced from Real Radio South Wales (thereby creating a pan-Wales service during these hours) and cannot be shared with other GMG-owned stations, although the Format does allow for "some relevant GMG networked programmes."
- 2.4 The Digital Economy Act has made changes in the way Ofcom regulates local radio and under the new provisions, a radio operator will be allowed to share programmes. For services in the nations, as in this case – Wales; elements of the shared service broadcast must be produced from within that home nation (Wales).
- 2.5 Ofcom's policy on localness is set out in our Statement on commercial radio localness regulation, 15 April 2010. In it we said: Due to the specific needs of the nations, regional stations in Scotland and Wales should have to retain their specific nation focus for a certain number of hours a day in line with the localness guidelines for local stations. In Wales, the regional stations for North and mid-Wales and for South Wales may request to stop providing separate local programming for each region, provided they commit to providing an all-Wales version of the service on local or regional DAB multiplexes in every part of Wales where they exist.
- 2.6 GMG proposes to unify the South and North & mid Wales operations to provide Real Radio Wales, a pan-Wales service. Real Radio is proposing to change the requirement for regional information and replace it with information about Wales.
- 2.7 GMG Radio – Real Radio are committing to provide local news bulletins at least hourly during weekday daytimes and peak time at weekends in return for at least 7 hours a day locally made programmes, instead of 10 and at least 4 hours daytime at weekends. The Digital Economy Act allows Ofcom to accept this proposal.
- 2.8 Real Radio maintains that the "proposal is designed to allow the service to widen its geographic coverage to encompass most of Wales".
- 2.9 GMG Radio suggest that the requirement to commit to providing an all-Wales version of the service on local and regional DAB multiplexes in every part of Wales where they exist, has been met. They currently broadcast via MXR to audiences in the Severn Estuary and South Wales. GMG have also submitted a formal Heads of Agreement reached with MuxCo for DAB digital carriage on the North East Wales and Cheshire multiplex.

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 16 July 2010**.
- A1.2 Ofcom strongly prefers to receive responses using the online web form at <http://www.ofcom.org.uk/consult/condocs/realradio/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: paul.boon@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:
- Real Radio (Wales) consultation
F.A.O. Paul Boon
Senior Radio Executive
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, 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

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 . 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

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.
- 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/.
- 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: Real Radio (Wales) Consultation

To (Ofcom contact): Paul Boon

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

One Question

A4.1

Q 1. Should Real Radio (South Wales) and Real Radio (North and mid Wales) be permitted to make its proposed changes to the stations, with particular regard to the statutory criteria as set out in the summary? (The Broadcasting Act 1990 Section 106 (1A) (b) and (d) relating to Format changes).

Annex 5

GMG Radio's request for the change of Format to Real Radio (South Wales)



Format Change Request Form OfW 332

Analogue Commercial Radio Licence: Format Change Request Form

Station Name:	Real Radio south Wales
Licensed area and licence number:	South Wales Region AL261-1
Licensee:	GMG Radio Holdings Limited
Contact name:	Jeff Stephenson

Details of requested change(s) to Format

Character of Service <i>Complete this section if you are requesting a change to this part of your Format</i>	Existing Character of Service:
	A FULL SERVICE ADULT CONTEMPORARY MUSIC STATION FOR SOUTH WALES, TARGETING PRIMARILY 25-54 YEAR-OLDS, TREATING SPEECH, REGIONAL INFORMATION AND LISTENER INTERACTIVITY AS IMPORTANT INGREDIENTS, AND RUNNING 24-HOUR NEWS.
	Proposed new Character of Service:
	A FULL SERVICE ADULT CONTEMPORARY MUSIC STATION FOR SOUTH WALES, TARGETING PRIMARILY 25-54 YEAR-OLDS, TREATING SPEECH, INFORMATION ABOUT WALES AND LISTENER INTERACTIVITY AS IMPORTANT INGREDIENTS, AND RUNNING 24-HOUR NEWS.

<p>Programme sharing and/or co-location arrangements <i>Complete this section if you are requesting a change to this part of your Format</i></p>	<p>Current arrangements: There are no current arrangements on co-location and networked programming is compliant with standard procedures and only broadcast outside of the licence's locally made-hours requirements as stated in the current obligations section below.</p> <p>Proposed new arrangements:</p> <p>Co-location Real Radio south Wales and Real Radio North and Mid Wales will be co-located within the current Ty Nant studios near Cardiff or any other location in Wales.</p> <p>Programme sharing The majority of programme sharing for the service outside of the locally-made hours from Wales as stated in the revision below will be appropriate and relevant Real Radio or GMG Radio networked programmes. There may also be some split programming with the Real Radio in North and Mid Wales service when warranted.</p>								
<p>Locally-made hours and/or local news bulletins <i>Complete this section if you are requesting a change to this part of your Format</i></p>	<p>Current obligations:</p> <table border="1"> <tr> <td>Locally-made hours</td> <td>At least 10 hours a day during daytime weekdays (must include breakfast). At least 4 hours daytime Saturdays and Sundays.</td> </tr> <tr> <td>Local news bulletins</td> <td>At least hourly at peak time weekdays and weekends. Outside peak, UK-wide, nations and international news should feature.</td> </tr> </table> <p>Proposed new obligations:</p> <table border="1"> <tr> <td>Locally-made hours</td> <td>At least 7 hours a day during daytime weekdays (must include breakfast). At least 4 hours daytime Saturdays and Sundays.</td> </tr> <tr> <td>Local news bulletins</td> <td>At least hourly during daytime weekdays and peak time weekends. Outside peak, UK-wide, nations and international news should feature.</td> </tr> </table>	Locally-made hours	At least 10 hours a day during daytime weekdays (must include breakfast). At least 4 hours daytime Saturdays and Sundays.	Local news bulletins	At least hourly at peak time weekdays and weekends. Outside peak, UK-wide, nations and international news should feature.	Locally-made hours	At least 7 hours a day during daytime weekdays (must include breakfast). At least 4 hours daytime Saturdays and Sundays.	Local news bulletins	At least hourly during daytime weekdays and peak time weekends. Outside peak, UK-wide, nations and international news should feature.
Locally-made hours	At least 10 hours a day during daytime weekdays (must include breakfast). At least 4 hours daytime Saturdays and Sundays.								
Local news bulletins	At least hourly at peak time weekdays and weekends. Outside peak, UK-wide, nations and international news should feature.								
Locally-made hours	At least 7 hours a day during daytime weekdays (must include breakfast). At least 4 hours daytime Saturdays and Sundays.								
Local news bulletins	At least hourly during daytime weekdays and peak time weekends. Outside peak, UK-wide, nations and international news should feature.								

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/changeregs/).

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/changeregs/

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:

Section 106(a) relevance...

The overall character of the service and style of programming which will be provided to listeners in south Wales will not change substantially as the proposition is designed to allow

the service to widen geographical coverage to encompass all or most of Wales. Locally made hours (within Wales) for seven hours in daytime weekdays including breakfast and four hours at peak time weekends together with additional weekday daytime local news bulletins are compliant to the requirements contained within Ofcom's localness statement.

This widening of coverage and adaptation to a more nationwide outlook in terms of information and news about Wales on both analogue and digital is not seen by GMG Radio nor should be regarded by Ofcom or the majority of listeners to this new service as a significant change or indeed substantially alter the overall character of the radio service anticipated for south Wales.

The combination of two commercial radio services which incorporates the existing Real Radio in south Wales together with its new sister station in the north and mid regions on separate broadcast licences will allow for the creation in part of a national commercial radio station for most of Wales but with the retained ability to adapt for any eventuality with split programming between the two licences when warranted.

Section 106 (b), (c) and (d) relevance...

Real Radio in the south and in north and mid Wales and will commit to offering a national radio service for Wales on available DAB multiplexes throughout the nation by the end of this year and also separately on FM via the two analogue licences in the early part of 2011. The range of programmes will not be narrowed and listeners in each of the regional transmission areas will hear the same programmes from and for Wales with enhanced news coverage, travel news, weather, sport and other features to provide both a local and national feel to its content reflecting the slightly revised character of the service to listeners .

Separate analogue licences with shared programming will also enable the station to offer split south-west and north-mid Wales's programming on analogue and DAB when warranted.

The proposed amendment to locally-made hours content with additional local news bulletin commitments for south Wales will not alter the overall character of service and format and it is not envisaged that the departure will dilute demand or impact negatively on existing listeners.

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), And also Ofcom's Localness guidance, which includes our co-location and programme sharing policy (www.ofcom.org.uk/radio/ifi/rbl/car/localness)

On both analogue and digital, Real Radio will clearly remain a Wales based and Welsh focused radio service with a broad commitment to news and topical information for listeners in Wales which will continue to ensure its distinctiveness from any other commercial radio service in the region.

Co-location and programme sharing with north and mid Wales provides the axis to enable a fully co-ordinated, sustainable business module with sufficient freedom and desire to deliver a full radio service to listeners in Wales as expected by them and delivered previously and continuously by Real Radio in south Wales since launch from Cardiff nearly ten years ago.

The new Digital Economy Bill now makes the opportunity of nationwide radio for most of Wales a real possibility for listeners and feasible for Real Radio as a business in both of the licensed areas.

The service(s) will broadcast with shared programming throughout Wales on analogue and DAB. In anticipation of Ofcom approval to this request, GMG Radio has consulted with MuxCo and a formal Heads of Terms agreement offer for digital carriage on to the Mid Wales and Cheshire multiplex for the provision of the service will be activated on approval. It is also anticipated that the new service will continue as current on a UK-wide basis on the Sky Digital platform.

We therefore request Ofcom's formal approval in order to proceed with our plan.

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.

GMG Radio's request for the change of Format to Real Radio (North and mid Wales)



Format Change Request Form OfW 332

Analogue Commercial Radio Licence: Format Change Request Form

Station Name:	Real Radio
Licensed area and licence number:	North and Mid Wales Region AL number not issued
Licensee:	GMG Radio Holdings Limited
Contact name:	Jeff Stephenson

Details of requested change(s) to Format

Character of Service <i>Complete this section if you are requesting a change to this part of your Format</i>	Existing Character of Service:
	A FULL SERVICE ADULT CONTEMPORARY MUSIC STATION FOR NORTH AND MID WALES, TARGETING PRIMARILY 25-54 YEAR-OLDS, TREATING SPEECH, REGIONAL INFORMATION AND LISTENER INTERACTIVITY AS IMPORTANT INGREDIENTS, AND RUNNING 24-HOUR NEWS
	Proposed new Character of Service:
	A FULL SERVICE ADULT CONTEMPORARY MUSIC STATION FOR NORTH AND MID WALES, TARGETING PRIMARILY 25-54 YEAR-OLDS, TREATING SPEECH, INFORMATION ABOUT WALES AND LISTENER INTERACTIVITY AS IMPORTANT INGREDIENTS, AND RUNNING 24-HOUR NEWS

<p>Programme sharing and/or co-location arrangements <i>Complete this section if you are requesting a change to this part of your Format</i></p>	<p>Current arrangements:</p> <p>*There are no arrangements on co-location stipulated in the current Format page.</p> <p>*Additionally it currently states in the programme sharing section of the Format that the majority of networked programming for Wales will be shared with Real Radio in south Wales only outside of the locally-made hours stipulated with provisions also for some relevant GMG Radio networked programmes:</p> <p>“The majority of networked programming for Wales will be shared with Real Radio in South Wales only outside of the locally-made hours stated above with provisions also for some relevant GMG Radio networked programmes”.</p> <p>Real Radio in south Wales is not obliged to produce locally-made programming outside of those hours stipulated within its Format. Therefore the service chooses to deliver quality network programming outside of these hours and it is envisaged that this will also be shared with Real Radio North and Mid Wales.</p> <p>Proposed new arrangements:</p> <p>Co-location Real Radio North and Mid Wales will be co-located with Real Radio south Wales in Ty Nant studios near Cardiff or any other location in Wales.</p> <p>Programme sharing The majority of networked programming for the service and outside of the volume of the new locally-made hours for Wales as stipulated under the Digital Economy Act statement is indicated in the proposed new obligation section below.</p> <p>Networked programming for Real Radio North and Mid Wales will be shared with Real Radio in south Wales and content will include appropriate and relevant Real Radio or GMG Radio programmes. There may also be some split programming with Real Radio south Wales service when warranted.</p>

<p>Locally-made hours and/or local news bulletins</p> <p><i>Complete this section if you are requesting a change to this part of your Format</i></p>	Current obligations:	
	Locally-made hours	At least 10 hours a day during daytime weekdays (must include breakfast). At least 4 hours daytime Saturdays and Sundays.
	Local news bulletins	At least hourly at peak time weekdays and weekends. Outside peak, UK-wide, nations and international news should feature.
	Proposed new obligations:	
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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)).*

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/changeregs/

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:

Section 106(a) relevance...

The overall character of the service and style of programming to be provided to listeners in north and mid Wales will not change substantially as the proposition is designed to allow the service to widen geographical coverage to encompass all or most of Wales. This widening of coverage and adaptation to a more nationwide outlook in terms of information and news about Wales on both analogue and digital is not seen by GMG Radio nor should be regarded by Ofcom or the majority of listeners to this new service as a significant change or indeed substantially alter the overall character of the radio service anticipated for north and mid Wales.

The combination of two commercial radio services which incorporates the new Real Radio in the north and mid Wales together with its sister station in the south and west on separate licences will allow for the creation in part, of a national commercial radio station for most of Wales but with the retained ability to adapt for any eventuality when split programming between the two licences are warranted.

Section 106 (b), (c) and (d) relevance...

Real Radio in north and mid Wales and in the south will commit to offering a national radio service for Wales on available DAB multiplexes throughout the nation by the end of this year subject to technical clearance by the multiplex operator in this new digital transmission area. The service will launch separately on FM via the two current analogue licences in the early part of 2011. The range of programmes will not be narrowed and listeners in each of the regional transmission areas will hear the same programmes with enhanced news coverage, travel news, weather, sport and other features to provide both a local and national feel to its content which reflects the overall character of the service to listeners in Wales.

Separate analogue licences with shared programming will also enable the station to offer split north-mid and south-west Wales's programming on analogue and DAB when

warranted.

The proposed new Real Radio service for north and west Wales will retain the same overall character of service and format and it is not envisaged that the departure will dilute demand for the new station.

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), And also Ofcom's Localness guidance, which includes our co-location and programme sharing policy (www.ofcom.org.uk/radio/ifi/rbl/car/localness).

GMG Radio's successful application for the north and mid-Wales analogue licence included a great deal of research in to evidence of demand and support for a Real Radio style service in the region.

This also, not surprisingly, reflected a clear appetite amongst participants for perhaps a nationwide commercial radio service for Wales. Much of our programming plans for the application made proposals and commitments within the application offering reflections on these requirements although it was clearly understood that the challenge within the overall process of winning the licence was to provide a service for a particular geographical part of Wales as specified in the advertisement and consequently within our transmission plans.

On both analogue and digital Real Radio will be a clearly Wales based and Welsh focused radio service with a broad commitment to news and topical information for listeners in Wales and making it distinct from any other commercial radio service in the region.

Utilising Real Radio south Wales as the hub and operational model for a new radio service for north and mid Wales provides an exceptional yardstick when measuring and proving how not only cities, towns and communities can be engaged and united but also why there is undeniable evidence that this can now be expanded to encompass the whole Welsh nation.

We believe new radio audiences in north and mid Wales will appreciate the broadening of coverage which will be designed not to be over parochial to the transmission area but rather to share insight in to events and happenings throughout the whole or most of Wales. We believe listeners finding the service will be reassured of intent once they have tuned in and trialled the new Real Radio North and Mid Wales service.

Co-location and programme sharing provides the axis to enable a fully co-ordinated, sustainable business module with sufficient freedom and desire to deliver a full and distinctive radio service to listeners in Wales. We appreciate that this is expected by them and has been delivered previously and continuously by Real Radio since launch from Cardiff nearly ten years ago.

The new Digital Economy Bill now makes the opportunity of nationwide radio for most of Wales a real possibility for listeners and feasible for Real Radio as a business in both the licensed areas.

The service(s) will broadcast with shared programming throughout Wales on analogue and DAB via MXR as it does already in the south on Severn Estuary and south Wales. In anticipation of Ofcom

approval to this request, GMG Radio has also consulted with MuxCo and a formal Heads of Terms agreement offer for digital carriage on to the Mid Wales and Cheshire multiplex for the provision of the service will be activated on approval.

It is also anticipated that the service will continue as current on a UK-wide basis on SKY Digital.

We therefore request Ofcom's formal approval in order to proceed with the overall plan.

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.

Annex 6

COMMERCIAL RADIO STATION FORMAT



COMMERCIAL RADIO STATION FORMAT

REAL RADIO (Wales)

Character of Service

A FULL SERVICE ADULT CONTEMPORARY MUSIC STATION FOR SOUTH WALES, TARGETING PRIMARILY 25-54 YEAR-OLDS, TREATING SPEECH, REGIONAL INFORMATION AND LISTENER INTERACTIVITY AS IMPORTANT INGREDIENTS, AND RUNNING 24-HOUR NEWS

Licensed area	South Wales (as in Ofcom advertisement)
Frequency	105.4, 105.9, 106.0 MHz
Service duration	24 hours
Locally-made hours	At least 10 hours a day during daytime weekdays (must include breakfast). At least 4 hours daytime Saturdays and Sundays.
Local news bulletins	At least hourly at peaktime weekdays and weekends. Outside peak, UK-wide, nations and international news should feature.

Shared arrangements (if applicable)

Co-location	No Arrangements
Programme sharing	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: 1,237,568

Licence number: AL 261-1

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 Wales

Commercial Stations

- | | |
|------------------------------------|-------------------|
| • Red Dragon | Cardiff/Newport |
| • Gold | Cardiff/Newport |
| • 96.4 FM The Wave | Swansea |
| • Swansea Sound | Swansea |
| • Nation Radio | South Wales |
| • 102.1 Bay Radio | Swansea |
| • Bridge FM | Bridgend |
| • Kiss 101 | Severn Estuary |
| • Radio Carmarthenshire/Scarlet FM | Carmarthenshire |
| • Radio Pembrokeshire | Pembrokeshire |
| • Heart Anglesey & Gwynedd | Caernarfon |
| • Heart North Wales Coast | North Wales Coast |
| • Radio Maldwyn | Montgomeryshire |
| • Radio Ceredigion | Ceredigion |

Community Stations

- | | |
|-----------------|--------------------------|
| • GTFM | Pontypridd |
| • Afan FM | Port Talbot |
| • Calon FM | Wrexham, North Wales |
| • Radio Cardiff | Cardiff |
| • BRfm | Brynmaur, Blaenau Gwent |
| • Radio Tircoed | Tircoed Forest Village |
| • BRO Radio | Barry, Vale of Glamorgan |
| • Tudno FM | Llandudno, North Wales |
| • Point FM | Rhyl, North Wales |