

Format Change Request Form OfW 332

Station Name:	Spectrum Radio 558am
Name of Person Proposing Format Change:	Toby Aldrich
Outline Format Change(s) Proposals:	That the restriction which limits us to broadcasting eight hours a day to the so-called 'Asian' community be extended to a maximum of twelve hours a day, such programming always to be in a variety of languages. In return we will further increase diversity in our output by increasing our requirement to serve a minimum of six communities, to eight.

Operators of analogue local radio licences may apply to Ofcom to have the station's Format amended. Any application should be made using this form, and should be in accordance with Ofcom's published procedures for Format changes (available on our website).

Under section 106(1A) of the Broadcasting Act 1990 (as amended*), Ofcom may consent to the change only if it is satisfied that *at least* one of the following four 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, in the case of a local licence, the departure would be conducive to the maintenance or promotion of fair and effective competition; 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.*

Applicants should note, however, that under section 106ZA of the same Act (as amended*), a proposed change that *does not* satisfy the first of these criteria (i.e. a change that Ofcom considers *would* substantially alter the character of the service) cannot normally be approved without prior public consultation[#].

In the event that Ofcom receives a request for Format change and considers that criterion (a) 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 present your submission in the following manner:

Section 106(a) relevance...

Our proposed format change will not substantially alter the character of the service. Spectrum Radio will indeed remain a “special speech, news and music station aimed at ethnic minority communities in London”. We continue to *greatly exceed* the minimum diversity levels specified in our format and currently provide a valuable platform to over twenty different minority communities in London. By increasing the minimum number of communities to be served by us, and by maintaining our Asian programming in a variety of languages, Spectrum’s diversity and range is guaranteed.

Section 106 (b),

We understand that Ofcom maybe may be concerned that by granting the slight increase in our ‘Asian Hours’ this would in turn narrow the range of other programmes broadcast on Spectrum. As outlined above, we are actually proposing an increase in our required range of programmes, and we are committed to diversity whether within our Asian programming or not.

We believe that the change to our existing format will not narrow the range of programmes available to persons living in the area. In fact the contrary is true in so much as we propose a broadening of our so-called ‘Asian hours’ (in a variety of languages) and thereby offering greater choice to listeners. It is important to point out that Spectrum sees little merit in directly competing with larger and more popular stations – it tends to ‘plug the gaps’. Furthermore, the concept of ‘Asian’ programming is flawed, in that, while it is understood that it refers to programming aimed at people from the sub-continent and surrounds, the ethnic, linguistic and regional variety within that area is such that there are large omissions from the UK broadcasting arena. There is no good reason why programming in, say, Tamil, should preclude programming in Bangla, Farsi or Pashto.

Section 106 (c)

This is indeed the case. By slightly extending our Asian output we are not substantially changing what we all ready do. Other Asian stations will not be affected by this slight increase which will change the amount of Asian output in the capital by around 2% – 3%

Section 106 (d)

While Spectrum has chosen not to use this clause as the justification for its format change, it is axiomatic that we would only programme 12 hours of Asian output if there were demand for it.

Any additional information and/or evidence in support of proposed change(s).

This application is made with the intention of supporting Spectrum's continued viability, to make sure it can sustain real diversity and quality in its output.

Ofcom has acknowledged that AM stations require co-operation and helpful intervention to ensure their success. This is no more important than in the case of Spectrum, which provides a vital social function to under-represented minorities in the London area.

Spectrum has shown that it has been able to deliver sustainable diversity in its output, by working closely with the Radio Authority, and now Ofcom.

In looking at the future, we see that the advent of digital channels, access radio and the Internet has further fragmented what is for us an already fragmented audience.

For us to be in a position to compete, we need to be able to broadcast commercially viable programming to support the less recognised output which otherwise wouldn't find a voice in London. We have hitherto found that our Asian programming produces greater returns, hence this submission.

Over the past sixteen years under The Radio Authority and latterly Ofcom, Spectrum has had to endure a steady erosion of its core audiences.

Since the inception of the radio station in 1990 other services have been launched in direct competition to Spectrum which have diluted our audience and revenue streams. Spectrum has seen launched (among others) the following radio stations all of which directly affect our output, listening figures and revenue.

- London Turkish Radio
- London Greek Radio
- Club Asia
- Kismat Radio
- Desi Radio
- Sound Radio
- Punjab Radio
- Yaar Radio

Further, the following stations are to be shortly launched within our TSA which will continue to undermine our core business –

- Irish FM

- Radio Umma
- Voice of Africa
- Westside Radio.

We support all these radio stations and can understand the need for them. However, they do nonetheless directly affect our business.

Spectrum's request for a format change is anticipatory. It needs to look forward to the changes in the broadcasting arena, and to be able to survive those changes. It is our view that we can do this without disenfranchising our core audiences, and without substantially or controversially changing our format.

Notes

* As amended by sections 312 and 313 of the Communications Act 2003

Ofcom may approve a change under criterion (a) without consultation only *in extremis*. While Ofcom will always respect the right of stakeholders to apply for a Format change in confidence, it is highly unlikely that commercial confidentiality will in itself be considered adequate grounds to approve a change under (a) without consultation.