

Key Commitments change request form

Community radio station name:	Black Diamond FM
Licence number:	CR000081WT/5
Licensee (company name):	Midlothian Community Media Association
Contact name:	Christopher Mackrell
Date of request:	11/08/2026

Details of requested change(s) to Key Commitments

A community radio operator may apply to Ofcom to have the station's Key Commitments amended.

Please complete the table overleaf by including your current Commitment in the left hand column and your proposed revised Commitment in the centre column. In the right hand column please give a brief explanation as to why you wish to make each change.

We also require you to complete a second table which asks you to explain your proposed changes with reference to the statutory framework.

If you do not provide an explanation for your proposed changes and a completed comparison table, Ofcom cannot consider a Key Commitments change.

Please complete this form and return it to: broadcast.licensing@ofcom.org.uk

Existing Commitment (as in your published Key Commitments) Please only include one commitment change per row, and add more rows as necessary into the table.	Proposed revised/new Key Commitment	Reason for proposed change
Black Diamond FM is for the residents of the rural areas and small towns within East and Central Midlothian, with a particular focus on youth and disadvantaged communities. It is rooted in the local community and provides Midlothian-focused educational and entertainment programming which supports community interests and reflects the cultural and linguistic diversity of Midlothian	Black Diamond FM is for the residents of the rural areas and small towns within East and Central Midlothian, including youth and disadvantaged communities. It is rooted in the local community and provides Midlothian-focused educational and entertainment programming which supports community interests and reflects the cultural and linguistic diversity of Midlothian.	The proposed change clarifies the description of the service to better reflect its inclusive community focus within the existing licensed area. The service continues to support young people and disadvantaged members of the community, while also serving residents of all ages and backgrounds across East and Central Midlothian through its programming, participation opportunities and off-air activity. The amendment confirms that the station serves the whole community and does not represent a change in character, social gain delivery, accountability arrangements, or access to participation. The service remains rooted in the local community.

Statutory requirements

Under section 106(1A)(a)-(f) of the Broadcasting Act 1990 (as amended and modified¹) Ofcom must be satisfied that your proposed changes **meet at least one of the criteria referred to below**.

Please indicate which of these criteria you believe your proposed changes satisfy by deleting YES or NO as applicable and provide an explanation for why you consider a particular criterion is met in the relevant box. You should note that even if Ofcom is of the opinion that your explanation of your proposed changes meets one or more of these criteria, there may still be reasons why Ofcom is unable to consent to the change. When explaining your proposed changes, it is not enough to state that you believe one of the criteria is met. You must also demonstrate *why* you consider that at least one of these criteria is met.

In particular, if Ofcom is not satisfied that the changes would not substantially alter the character of the service (criterion (a) below), Ofcom cannot consent to the change without consulting on your proposals.² If this is the case, we will contact you to confirm that you are happy for us to consult on your proposed changes, and whether you wish to make any changes to your request in light of the need to make it public.

As part of our consideration of your request to make changes to your Key Commitments, we require applicants to provide an explanation for **at least one** of the criteria below.

(a) In your judgement would the proposed changes substantially alter the character of the service?	<u>NO</u> (Please explain why below)
The service will continue to be a locally focused community radio station serving the same geographic area, delivering the same mix of Midlothian-focused programming and social gain activities. The amendment refines the description of the target community by removing a specific demographic focus but does not change the target community, output style, participation opportunities or community accountability mechanisms.	
(b) Do you consider that the proposed changes would narrow the range of programmes available by way of relevant independent radio services to persons comprising the relevant community?	<u>NO</u> (Please explain why below)
The proposed change does not narrow the range of programmes available to the relevant community. The service will continue to provide Midlothian-focused educational and entertainment programming, facilitate discussion and expression of opinion, deliver training opportunities, and strengthen community links as set out in its key commitments. The amendment clarifies the description of the target community but does not reduce programming diversity, remove any types of content, or limit access or participation.	
(c) Do you believe that there is evidence that, amongst persons comprising that community, there is a significant demand for, or significant support for, the changes that you have proposed?	<u>YES</u> (Please explain why below)

¹ As amended by sections 312 and 313 of the Communications Act 2003 and modified by the Community Radio Order 2004.

² Ofcom may approve a change under any of criteria (b), (c), (d) and (e) 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.

Yes. Through ongoing engagement with volunteers, listeners and local community organisations, it is clear that the station serves and is supported by a broad cross-section of the community across East and Central Midlothian.

Feedback and participation patterns demonstrate that the station is valued by residents of all ages and backgrounds, not solely youth or disadvantaged groups.

(d) Do you consider that your proposed changes would be prejudicial to the access by members of that community to the facilities used for the provision of the service and for training in the use of those facilities?

NO
(Please explain why below)

No. The proposed amendment does not affect access to the station's facilities or training opportunities. Members of the community will continue to be able to participate in the operation and management of the service, and training opportunities will remain available as part of the station's social gain objectives.

The change is purely a clarification of the description of the target community and does not alter participation, access arrangements, or community involvement.

(e) Do you consider that the proposed changes would be prejudicial to the delivery of social gain resulting from the provision of the service provided under your licence?

NO
(Please explain why below)

The station will continue to facilitate discussion and the expression of opinion, provide education and training opportunities, and strengthen understanding and links within the community, as set out in its key commitments.

The change clarifies the inclusive nature of the target community but does not reduce or alter the station's social gain activities, participation opportunities, or accountability mechanisms.

Please set out below any additional information and/or evidence you wish to provide in support of your proposed changes.

In particular, you may wish to outline how you think your proposed change(s) fit(s) within Ofcom's [published guidance on changes to Key Commitments](https://www.ofcom.org.uk/data/assets/pdf_file/0017/31913/kc-changes-guidance.pdf) (https://www.ofcom.org.uk/data/assets/pdf_file/0017/31913/kc-changes-guidance.pdf).

The change does not conflict with the statutory characteristics of community radio services. Black Diamond FM will continue to operate for the benefit of its target community, deliver social gain, provide opportunities for community participation, and remain accountable to the community it serves. The amendment does not alter the station's social gain objectives, access and training arrangements, participation opportunities, accountability mechanisms, studio location, or overall programming character.

Ofcom notes on the request

The request was AGREED, because Ofcom was satisfied in relation to Section 106 (1A)(a) of the Broadcasting Act 1990 (as modified by the Community Radio Order 2025) i.e. that the change would not substantially alter the character of the service, and for the policy reasons given below.

The Licensee is requesting a change to the target community described in its character of service, from a service that is “for the residents of the rural areas and small towns within East and Central Midlothian, with a *particular focus on youth and disadvantaged communities*” to a service that is “for the residents of the rural areas and small towns within East and Central Midlothian, *including youth and disadvantaged communities*” (requested changes to wording highlighted in italics).

In requesting this change, the Licensee has stated that it wants to clarify the current ‘Description of character of service’ to better reflect the station’s inclusive community focus within the existing licensed area. It says the service will continue to support young people and disadvantaged members of the community, while also serving residents of all ages and backgrounds across East and Central Midlothian through its programming, participation opportunities and off-air activity.

We do recognise that the proposal removes a stronger prioritisation to focus its content on the youth and disadvantaged communities and amend the service from a general community service with a defined focus to one which serves the general community that includes the youth and disadvantaged communities. However, Black Diamond’s licence will still retain a clear commitment to serving the area’s youth and disadvantaged communities, but the revised wording would remove a potential ambiguity around the precise level of programming provision that may or may not constitute a “particular focus” on youth and disadvantaged communities. Additionally, Ofcom considers that, overall, the target community (i.e. residents of East and Central Midlothian) would continue to be served following this change, both on-air and through the social gain and participation objectives. Ofcom is therefore satisfied that this change has been requested primarily for the purposes of clarification and does not constitute a substantial change to the Licensee’s character of service.

In terms of our policy criteria, Ofcom is satisfied for the reasons set out above that the changes will not affect the station’s ability to meet the community radio ‘characteristics of service’ set out in the legislation, and there are no other policy criteria which would prevent us from implementing this change. We therefore decided to exercise our discretion to approve this change.

October 2026