

Key Commitments change request form

Community radio station name:	Bro Radio
Licence number:	CR000122
Licensee (company name):	Vale of Glamorgan Broadcasting CIC
Contact name:	Nathan Spackman
Date of request:	19/01/2023

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
The service provides original output for a minimum of 84 hours a week.	The service provides original output for a minimum of 70 hours per week.	Due to a reliance on volunteers, during some weeks it can be challenging to reach the current required hours as part of our key commitments.
The service provides locally-produced output for a minimum of 91 hours a week.	The service provides locally produced output for a minimum of 77 hours per week.	Due to a reliance on volunteers, during some weeks it can be challenging to reach the current required hours as part of our key commitments. The radio station has on occasion had to rely on volunteers, whom have strong links to our broadcast area, but do not live within the Vale of Glamorgan. In addition, the age of some volunteers and the reduction of public transport provision following the pandemic makes it more difficult for them to attend the studio, coupled with a proposed reduction in studio opening times due to soaring energy costs, making it cheaper, safe and more convenient at off peak times, to produce shows from home. Some of our

		<p>presenter live just outside of our core area, though, so their shows from home don't qualify as local content. his reduction will allow us to continue to provide locally relevant content, but utilise presenters broadcasting from outside of our coverage area.</p>
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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?	YES/NO (Please explain why below)
No. The character of service will remain the same, but will allow for more flexibility in the locations in which presenters broadcast from.	
(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?	YES/NO (Please explain why below)
No. The range of programmes available will remain to the same quality and consistency as what is currently broadcast.	
(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?	YES/NO (Please explain why below)
Yes. This has been discussed within the Bro Radio team, as a solution to make the organisation more viable and be able to give volunteers more flexibility, during the challenging cost of living crisis.	
(d) Do you consider that your proposed changes would be prejudicial to the access by members of that community to the	YES/NO (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.

facilities used for the provision of the service and for training in the use of those facilities?	
<p>No. Bro Radio continues to work to provide opportunities for local people to access training and volunteering opportunities locally, despite the reduction in local hours. Our new weekly Radio Club for 12 – 18 year olds runs each Tuesday in Llantwit Major and is funded until the end of the 2024 school year.</p>	
(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?	<p>YES/NO (Please explain why below)</p>
<p>No. Bro Radio continues to operate training projects, youth clubs and volunteering placements that benefit the local community.</p>	

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

Data Protection

We require the information requested in this form in order to carry out our licensing duties under the Broadcasting Act 1990, Broadcasting Act 1996 and Communications Act 2003. Please see Ofcom's [General Privacy Statement](https://www.ofcom.org.uk/about-ofcom/foi-dp/general-privacy-statement) (<https://www.ofcom.org.uk/about-ofcom/foi-dp/general-privacy-statement>) for further information about how Ofcom handles your personal information and your corresponding rights.

Amended May 2018

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 2004, and further modified by the Community Radio (Amendment) Orders 2010 and 2015) i.e. that the changes would not substantially alter the character of the service, and for the policy reasons given below.

The Licensee is requesting to reduce its Key Commitment on original output from a minimum requirement of 84 hours per day to 70 hours per week, a reduction of around 20% of its original output requirement. The Licensee is also requesting to reduce its requirement for locally-produced content from 91 hours per week to 77 hours per week, a reduction of roughly 15%. In requesting these changes, the Licensee has referred to the fact that it relies on volunteers, and that this can make it difficult at times to meet their current commitments. The Licensee has also referenced a plan to reduce its studio opening hours due to rising energy costs, and would instead utilise remote broadcasting technology to provide some of their content from outside the local area.

Ofcom is satisfied that these changes will not substantially alter the nature of the character of the programme service provided by Bro Radio, and the changes will not impact on the Licensee's ability to deliver the on-air service and its off-air social gain commitments, given that the Licensee has confirmed that a reduction in its studio hours will not prevent it from carrying out training programmes for new volunteers and young people. The request is to make modest reductions in original output and locally-produced output provision, and will provide the Licensee with more flexibility in the scheduling of its shows. It will also allow the Licensee to exercise more flexibility in how its volunteers broadcast on the service, in a way which is likely to improve its ability to recruit and retain volunteer presenters. In terms of our policy criteria, Ofcom is satisfied that the changes will not affect the station's ability to meet the community radio 'characteristics of service' set out in the legislation. We therefore decided to exercise our discretion to approve these changes.

March 2023