



Format Change Request Form OfW 332

Station Name:	North Norfolk Radio (North Norfolk)
Name of Person Proposing Format Change:	David Rees Group Brand Director Tindle Radio Ltd
Outline Format Change(s) Proposals:	Co Locate with Radio Norwich and Programme Sharing

Operators of analogue local radio licences 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).

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 the departure would be conducive to the maintenance or promotion of fair and effective competition; or*
- (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.*

Only one of these four 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 particularly circumstances of the case) why Ofcom may not consent to the proposed change.

In addition, applicants should note 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* or *could* substantially alter the character of the service) 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) 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 proposal is that North Norfolk Radio would co-locate at, and share programming with Radio Norwich except for breakfast programmes. We do not believe that this request would substantially alter the character of the service.

The output of North Norfolk Radio would remain the same, but its studios will move 20 miles into the Radio Norwich premises. No other changes will be made to the format or programming output of either service, with North Norfolk Radio retaining a separate breakfast show.

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

North Norfolk Radio will continue to broadcast a service to the North Norfolk area, so the range of local programmes available will not be affected. We believe the request, if granted by Ofcom, would have a significant positive impact on the viability of the station.

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

North Norfolk Radio editorially sits as a part of East Anglia, where we operate other services such as the highly successful Beach in Lowestoft & Great Yarmouth and the new Radio Norwich.

It is our intention to share resources at the Norwich site, however retaining a local focus on air.

The station is currently located on the Stody Estate, Holt, Norfolk. The output of North Norfolk Radio will remain the same keeping all of our local features including, Commercials, News, Sport, Weather, What's on, obs etc

However we would like the flexibility to co location. The stations are located in close proximity, and share similar environmental and geographic interests.

The North Norfolk Radio MCA is under 40,000 with Radio Norwich just at 290,000 MCA. Station formats and audience profiles are almost the same. Programme presentation style is very similar and both stations music has been the same for over 18 months.

Both stations are based in Norfolk.

Notes

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

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.

OFCOM NOTES ON REQUEST :

The request is not regarded as a substantial change to the character of service as it is believed the change perceived by listeners will not be great, and that their expectations will be met.

Therefore, under Section 106(1A) (a) of the Broadcasting Act 1990 Ofcom has discretion to agree the request taking into consideration the criteria laid out in our Format Change policy available at <http://www.ofcom.org.uk/radio/ifi/rbl/formats/formats/fc/changeregs/> and with regard to our localness guidelines <http://www.ofcom.org.uk/radio/ifi/rbl/car/localness/>.

We consider that its limited impact means the change in this case is compatible with relevant criteria in Ofcom's Format Change policy.

Ofcom's published criteria when considering programme-sharing and co-location requests centre on : the size of station ; the financial implications; distance between stations; and cultural affinity.

North Norfolk Radio is one of England's smallest stations (with an MCA of less than 38,000), and is precisely the sort of station that was front of mind when Ofcom's co-location and programme sharing guidelines were published.

It is also a small station that is clearly struggling in the present climate and already has affinities with its sister station in Norwich. They share geographical interests and relevant content, as well as identical music. The stations and MCAs are enough of a fit to conclude that the change would not bring about a substantial alteration to the character of service and that it would be reasonable to exercise our discretion to grant the request.

Nov 23 2009