



GCAP MEDIA RESPONSE TO GREEN PAPER ON BBC CHARTER REVIEW

Introduction

GCap Media PLC launched on 9 May 2005, formed by a merger of Capital Radio PLC and GWR Group PLC. GCap Media is the UK's largest commercial radio company: it owns one national and 55 local radio stations. In DAB digital radio, it operates 100 digital radio stations and owns or has an interest in 28 digital radio multiplexes, including a controlling shareholding in the UK's only national commercial digital radio multiplex, Digital One. GCap Media reaches approximately 17 million listeners, representing 35 per cent of the UK commercial radio audience.

We strongly support the response to the Green Paper submitted by the Commercial Radio Companies Association and would endorse its content. This response by GCap Media supplements CRCA's, and concentrates on those issues of particular importance to our business.

1 Executive Summary

1.1 We welcome the introduction of the BBC Trust as the dedicated regulator of the BBC. However, we believe that the Trust requires a broader range of powers, clarification of aspects of its remit, and improvements to its own and the BBC's governance processes in order to be able to act as an effective – and trusted – regulator and overseer of the BBC.

1.2 Powers

1.2.1 The BBC Trust should be empowered to undertake – or direct the undertaking of – market impact assessments not only when the BBC proposes new, or material changes to existing services, but also on a regular, perhaps 5-yearly, basis.

1.2.2 The BBC Trust should be given the same range of *ex ante* competition powers as Ofcom has under section 316 of the Communications Act 2003, and to be able to apply remedies if it identifies actual or potential behaviour which is detrimental to fair and effective competition.

1.2.3 The BBC Trust should have the power to review the application by the BBC of its Fair Trading Commitments, and to deal with complaints about the handling of those commitments, before a full hearing.

1.3 Remit

1.3.1 The Trust must set clear, measurable targets for BBC radio services to establish and protect their differentiation from commercial services. This will not only

provide clarity and predictability for commercial radio, but ensure the broadening of choice for listeners.

1.3.2 To protect the BBC's editorial influence, the Trust should specifically be mandated to retain political independence and impartiality

1.4 Governance

1.4.1 Clear criteria for evaluating net public value should be set by the Trust, following consultation, and published.

1.4.2 There must be an appeals mechanism from decisions taken by the Trust which are a determination of rights – of either the BBC or of third parties. This particularly applies to decisions with economic impact. We believe the Competition Appeals Tribunal, as an existing specialist tribunal with experience in balancing public and economic interests, is the appropriate appeals body.

1.4.3 To improve public trust in the BBC, the National Audit Office should be empowered to initiate value-for-money investigations on its own account, and to publish its reports themselves.

1.4.4 The BBC's accounts should be contain the same degree of detail as accounts filed at Companies House, They should be presented in a manner requested by the Trust, and should be published.

1.4.5 The National Audit Office should undertake the audit of the BBC's accounts. This would not risk editorial influence over the BBC by Parliament, as the PAC acts in an executive, not a legislative function.

2 Market impact

2.1 *“The point is not that Xfm – or any other commercial station – should be protected from competition, it is that it should not face direct editorial competition from a publicly funded station whose budgets are significantly greater because it does not face the same requirement to deliver a commercial return. It is the most vivid illustration of the challenge the BBC faces in demonstrating that it can exercise its prerogative to improve and develop its services while ensuring they retain the distinctiveness from commercial services which justifies their impact on the market.”¹*

2.2 It is not in doubt that the BBC has an economic impact on the private broadcasting sector. The Green Paper acknowledges this by recommending that market impact assessments are undertaken (by Ofcom) before new services, or significant changes to existing services are introduced. We welcome this proposal, but

¹ Tim Gardam, Independent Review of the BBC's Digital Radio Services, Oct. 2004

are concerned that the “net public value test” to be undertaken by the BBC Trust demonstrates weaknesses in governance procedures, is opaque and not open to independent scrutiny.

2.3 There is a fundamental flaw in the governance of the process for consideration of new/changed services in that it is the Trust which must take an initial view of the intrinsic public interest of proposals put to it by the BBC management. It is only if the Trust considers a proposal to have merit that Ofcom will be asked to assess its market impact. Yet it is the Trust which makes the ultimate judgement of the net public value, having originally determined that the proposal was worthy of consideration. While we are hopeful that the Trustees will be able to divorce their original assessment from their final judgement, we believe there are various steps which can be taken to improve the transparency and procedural soundness of the process.

2.4 First, the Trust should set and publish clear criteria which it will follow when making determinations for ‘net public value’. Second, there must be an appeals mechanism from the Trust’s decision.

2.5 The market impact assessments undertaken by Ofcom will, in themselves, need to balance public interest and economic considerations. It would be wrong to think of an impact assessment as only measuring commercial effects; impact assessments take an overview of social, cultural and pro-competitive consequences, as well as any negative business impacts. It is therefore difficult to foresee circumstances in which the Trust would override Ofcom’s analysis, which in itself must take account of ‘public value’ when assessing impact. However, to ensure a fair, transparent and consistent process, and one which provides sufficient predictability for both the BBC and the private sector, the Trust must consider and be obliged to set and publish its policy on how Ofcom’s assessment will be balanced against other considerations, and what those other considerations might be.

2.6 Nonetheless, the Trust will be taking decisions which will have a significant impact on both the BBC and on the private sector. Both should have access to an independent appeals body, as required by Art 6 of the ECHR, to ensure the availability of fair judicial overview of such decisions. We discuss the recommended mechanism for appeal in paragraph 3.5 below.

2.7 There is one specific matter which must be teased out and aired as part of the Charter Review process. That is the often-voiced assumption that the BBC is obliged to provide access to its content on all available platforms. In fact the current Charter and Agreement impose no such “universal service obligation”. Therefore, while there may indeed be a public benefit in making BBC content available widely, there should be no *prima facie* assumption that the BBC is under a legal obligation to do so. Yet, the BBC continues to supply content on new technologies and delivery mechanisms without due regard for the potential effects on the private sector.

2.8 While we applaud the BBC's investment in R&D, we are deeply concerned about its ability to pilot and launch services on new technologies without a prior consideration of the likely market impact. A current example is podcasting.

2.9 Downloadable MP3 files ("podcasts") are a growing phenomenon which is beginning to attract commercial revenue. A leading exponent, Adam Curry, claims podcasting

"is totally going to kill the business model of radio."² He and other podcasters are now attracting advertising and sponsorship revenue.³ On 2 May, The Guardian reported a new business venture, Podshows.com, the first commercial podcasting company, launched by three well-known former radio DJ's offering a wide range of music shows from an Official Top 40 to Paul Gambaccini's The Jazz 40.⁴

2.10 At about the same time, the BBC reported⁵ on 15 April that it was extending its podcasting trial of an initial three programmes to an additional 20 programmes. The first three programmes were downloaded some 270,000 times in the initial 4 month period. Given the fledgling podcasting industries beginning to emerge, we are deeply concerned about the potential anti-competitive effects of the BBC's unrestricted diversification into podcasting without prior analysis of its likely market impact.

2.11 As well as undertaking market impact assessments before the introduction of new or significantly changed services, Ofcom should also be invited to undertake impact assessments on a regular, on-going basis, ideally to coincide with its 5-yearly PSB reviews. There are numerous existing BBC practices which have a significant economic impact on the commercial radio sector which would benefit from examination to determine whether their impact is anti-competitive.

2.12 Service Licences

2.12.1 *"The BBC digital radio services should, in the service licences issued by the BBC Governors, have measurable targets similar to those set out in format agreements authorised by the Radio Authority (now Ofcom) to commercial radio stations. The BBC licences should be drawn up with reference in part to their competitor commercial stations. This will allow clear points of measurable differentiation to be established.*

Targets for the broadcast of speech, currently expressed solely in broad percentage terms, should also express more accurately the editorial range and ambitions of the programmes.

² <http://news.bbc.co.uk/1/hi/technology/4371555.stm> 25 March 2005

³ <http://www.pheedo.info/archives/000252.html> 22 March 2005

⁴ <http://media.guardian.co.uk/mediaguardian/story/0,7558,1474510,00.html>

⁵ <http://news.bbc.co.uk/1/hi/technology/4447557.stm>

The position of the BBC within the wider radio market should be subject to quinquennial review by the BBC Governors and by Ofcom alongside the overall review of public service broadcasting.”⁶

2.12.3 “To retain a distinctive role, the BBC needs to have a more closely defined set of purposes that can be understood by the Corporation, by commercial rivals and the public.”⁷ The underlying public policy objective of the licensing regime for commercial radio, as set out in the Broadcasting Acts, has been to ensure a broad range of choice for listeners throughout the country. It is somewhat ironic that the BBC, as the single largest player in the radio market, has not been obliged to ensure that its programming, too, serves to broaden choice. We are pleased that the Green Paper makes clear that the BBC Trust is henceforth to ensure that the BBC’s output is distinctive, and to agree service contracts for each BBC service to see that this is the case. The BBC is an integral part of the overall broadcasting ecology, not a separate part, and its output must be understood as a part of the mix. As the only public service radio broadcaster, and with guaranteed funding, there is no excuse for the BBC to replicate the programming of the commercial radio sector; it must be distinctive.

2.12.4 Although the BBC does not compete with independent radio for advertising revenue, it does compete for audiences. And as audience size is the currency upon which advertising is bought, any increase in BBC audience will have an adverse effect on commercial radio’s revenue. This effect is stronger in the radio sector than in television as there is greater substitutability for local radio advertising; local press offers a real alternative to advertisers. As a result, direct competition by BBC radio for commercial radio’s audiences and revenue sources has real, depressive consequences.

2.12.5 It is therefore impossible to divorce the content of BBC radio services from considerations of market impact. While GCap would not argue that BBC radio should only provide what the commercial sector cannot, we do believe the BBC could use its resources much more productively to broaden listener choice. This is not happening now. To demonstrate the current lack of distinctiveness, we compare the BBC’s existing programme promises with GCap stations’ output.

2.12.6 Annex 1 sets out BBC Radio’s statements of programme policy for 2005/6 for each of Radio 1, Radio 2, 6 Music and 1Xtra, annotated in bold italics with references to output from GCap Media stations. What is clear is that, on its analogue stations, the BBC is seeking ratings by day and reputation by night. Its digital radio stations have not only ignored Tim Gardam’s recommendations to ensure their distinctiveness, but are moving *towards*, rather than away from the mainstream.

2.13 Radio 1

2.13.1 A key priority for Radio 1 is to “ensure it remains distinct from commercial radio”, yet our analysis questions the extent to which Radio 1 can claim now to be

⁶ Tim Gardam, *ibid*.

⁷ Paragraph 1.9 “A strong BBC, independent of government”

distinct: its specialist shows are all off-peak (as is the case on commercial stations); 45% of its mainstream output will be 'new' compared to Xfm's 65%; 40% will be from UK acts compared to Xfm's 65%; it will broadcast around 95 major live events compared to Xfm's 90 live concert performances, and; it will broadcast over 250 new sessions compared to Xfm's 350. The public service value of 'Newsbeat' is often cited as a rationale for attracting audiences through populist programming. Yet Newsbeat consists mostly of entertainment-based 'news' and is only 15 minutes long. All GCap Media stations broadcast regular news across the day; Century stations provide a 30 minute news programme during drivetime.

2.13.2 It is quite clear that the management of Radio 1 intends for it to be a populist, rather than a distinctive service, as the following extracts from an interview with Andy Parfitt demonstrate:

"Parfitt says that the problem with Radio 1 was that, having divested itself of the Smashie and Nicey image in the early 1990s, it had gone too far the other way in attempting to be at the musical cutting edge. "The 15-24s were saying 'You're too cool for school, you're a bit of an exclusive club that we find difficult to join'. Even core listeners who were in the Radio 1 bubble were saying the same thing," he says.

"Parfitt hatched a plan to make the station more accessible, "to really broaden the station, warm it up a little".

"...The Sparkler research found there are three groups of listeners among the 15-24-year-old audience. The majority, according to Parfitt, are the "contended grouping" who might go to a Robbie Williams show but don't buy music magazines. The second group, "Radio 1 heartland", are active gig goers and downloaders, and then there are the "scenesters" who are making music themselves or are DJs.

"If Parfitt is to get back to the 10 million audience figure (by which the station's success is often judged by media commentators) he knows he has to connect "probably more to the first group than the last one". The station now has a "far more sophisticated understanding" of the audience that is being targeted and producers have been made fully aware of this strategy.

"Unless Radio 1 peppers the new British music that it is the station's remit to provide with popular anthems and an inclusive presenting style, the "contended" listeners will head off to hit radio formats such as Capital, Magic, Galaxy and Heart."⁸

2.13.3 And indeed our examination of the musical overlaps with GCap stations demonstrate that, notwithstanding the "peppering" of output with new British music, 74% of Radio 1 songs which are played more than once a week during peaktime are also played on at least one of GCap's stations 95.8 Capital FM, Xfm and Beat 106.⁹

2.14 Radio 2

2.14.1 The overlap between Radio 2 and the same three stations on the same basis as above is 73%. While we would agree that Radio 2 presents a wider range of specialist music programmes than any of GCap's stations, these niche programmes are all broadcast in the evenings and overnight, when radio listening is at its lowest. To

⁸ Independent 16 May 2005

⁹ See Annex 2 for Overlaps

provide a truly public service, and choice for licence fee payers, we contend that BBC radio should be providing specialist output during daytime.

2.15 BBC 6 Music

2.15.1 Notwithstanding the recent review of BBC digital radio services by Tim Gardam for the DCMS, we note that 6 Music's programme promise for 2005/6 has not taken on board Mr Gardam's recommendations. 6 Music promises that "at least half of the music played will be more than four years old". However, 6 Music's remit has as its primary definition that it plays music from the 1970s to the 1990s. Tim Gardam pointed out in his Review that they were underperforming in this regard, as it represented only half its music output, resulting in a more contemporary focus than originally anticipated. Nonetheless, by setting out its musical range in terms of the last four years, the BBC will gradually bring its output into the 2000s, rather than keeping (at least) half of its output firmly in the decades 1970s to 1990s. This demonstrates the very real need for proper external regulation of the BBC; the current arrangement of self-regulated programme promises allows the BBC to deviate from agreed parameters without restriction or sanction.

2.16 1Xtra

2.16.1 Similarly, 1Xtra's programme promise has not taken on board Tim Gardam's recommendations:

- *to set targets for British acts being played and for new and UK music in primetime.* The targets which have been set represent either no change or a **reduction** from last year's output. Last year 53% of 1Xtra's music output was from the UK. This year, 1Xtra commits to only 40%, representing a significant decrease. As the level of UK music is a material differentiator from Choice FM, this will reduce 1Xtra's distinctiveness, which Tim Gardam's research already demonstrated was perceived to be low.
- *To consider new speech formats throughout the schedule, and to increase the amount and impact of social action programming.* This has not been done, with no changes or additions proposed from last year.
- *To consider how better to serve the UK's under-served black communities, particularly the elderly.* Again, there is nothing in the programme promise which addresses this recommendation.

2.16.2 All of these comments on existing BBC radio services serve to demonstrate the need for effective external regulation of BBC radio programming, not only to ensure that BBC radio delivers its public purposes, but also to ensure proper evaluation of the BBC's competitive impact on the wider radio sector.

2.16.3 There are many other examples of how the BBC's behaviour impacts negatively on the commercial sector in a clearly anti-competitive manner. A few are:

2.17 Cross-promotion

2.17.1 The CRCA has previously raised the issue of the value of cross-promotion of BBC services, amounting to valuable free advertising which is not made available to the commercial television or radio sectors. The counter-argument always given by the BBC is that it is incumbent upon it to let licence fee payers know what is available. Yet we note that BBC promotion (both on-air and in off-air marketing campaigns) is invariably of popular, peak-time programming. We believe a proper assessment of the value of the BBC's cross-promotion should be undertaken, and its impact on the commercial broadcasting industry. Additionally, targets should be considered for the promotion of niche, rather than populist programming.

2.18 Sponsorship

2.18.1 While BBC coverage of bona fide events (i.e. events which would happen irregardless of broadcast coverage) which happen to be event-sponsored is, we believe, reasonable, we are concerned about the increasing amount of exposure the BBC gives to event sponsors. This is not accidental: the BBC enters into agreements with rights holders to guarantee a fixed number of mentions and/or visual branding shots of sponsors. There is enormous commercial value in sponsor coverage, which should be properly accounted for. In the commercial sector, this value would be taken into account in the negotiations for the broadcast coverage, as it represents advertising exposure for the sponsor. If the BBC is also valuing sponsor exposure in this way, then it is effectively selling airtime, which is not permitted by its Charter. If it is not off-setting the value of commercial exposure against the cost of events rights, then – by agreeing to a set number of sponsor mentions – it is giving away advertising for free, which has a seriously detrimental effect on the value of advertising to the commercial sector.

2.18.2 As well as entering into agreements for sponsor exposure of bona fide events, the BBC is increasingly entering into sponsorship agreements for events which are not bona fide, that is, events created by the BBC for broadcast coverage. Two examples are the BBC's Proms concerts and Radio 1's One Big Sunday.

2.18.3 In previous years Proms in the Park in London, Belfast, Glasgow, Swansea and Manchester, together with Family Proms in the Park (which is broadcast on CBBC), have been sponsored by Renault.¹⁰ This year's sponsor is Lloyds TSB.

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http://www.carpages.co.uk/renault/renault_sponsor_2004_bbc_proms_in_the_park_04_09_04.asp?switched=on&echo=543046582 Before sponsoring BBC Proms in the Park, Renault sponsored concerts on Classic FM. They cut out their Classic FM sponsorship when they started sponsorship of the Proms, demonstrating a clear competitive effect of the BBC's behaviour.

Radio 1's One Big Breakfast is sponsored by Vodafone.¹¹ All of these are concerts created for the purpose of broadcast; they would not happen without broadcast. It is therefore deeply questionable why they are sponsored at all, and indeed why the BBC seeks sponsorship revenue for BBC events, which are meant to be funded from licence fee funding.

2.19 Concert promotion

2.19.1 Promotion of concerts is a revenue stream for the commercial radio sector. Typically, concert promoters will pay a radio station to promote a concert on-air, arrange radio station branding at the event, and provide a number of free tickets and merchandise as competition prizes for listeners. Occasionally, when the artist is particularly big, instead of paying for promotion, a contra deal will be negotiated, with the value of the broadcast rights and on-site branding off-set against the airtime promotional value.

2.19.2 The BBC, too, promotes concerts, from T in the Park to the forthcoming REM/Zutons concert in Hyde Park (sponsored by Radio 2). Leaving aside the questionable public service benefits of the BBC promoting concerts by ultra popular bands such as REM, the BBC is entering into a commercial relationship, although no money may be changing hands; they effectively barter the price of broadcast rights and the cost of adding their logo to advertising posters for airtime promotion. In other words, the BBC, like commercial radio, gains commercial value from selling their airtime, which unlike commercial radio, they are not permitted to do. This has a clear competitive effect on the commercial sector both by lowering potential advertising revenue by removing it from the market altogether, and by lowering the commercial value of concert promotions (as the BBC can compete by offering free promotion as against commercial rates charged by independent radio).

2.20 Film promotions

2.20.1 A similar area where the BBC's behaviour has a negative competitive impact is in film promotion. For many years Capital radio (as well as other commercial radio companies) have been running a Film of the Month promotion. This feature is essentially a paid-for promotion where a film is featured and tickets and other material given away as competition prizes. Radio 1 has since started doing Film of the Month, which is essentially the same deal as on commercial services but instead of a cash payment to the BBC, the film promoter offers 'free' branding of the BBC on film posters, tickets, merchandise etc. This commercial contra arrangement is not properly accounted for in the BBC's marketing accounts, nor is it permitted under the terms of

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http://www.bbc.co.uk/pressoffice/pressreleases/stories/2003/07_july/04/kelly_rowland.shtml For photos of the event, with clear Vodafone signage, see <http://www.terryburton.co.uk/onebigunday/index.html>

the Charter. It clearly distorts the commercial market. Furthermore, it is difficult to understand the public service rationale for Radio 1 promoting, say, "Star Wars", giving away free tickets to the film's recent premiere over a whole week

2.21 Exclusive tracks

2.21.1 Radio 1 increasingly seeks from record companies exclusive pre-release plays of major singles from significant artists. This suits Radio 1 as it can advertise the fact that it will be the first station to play the next single from artists such as Oasis, Jamiroquai and Charlotte Church, thus attracting more listeners. However, it does not suit record companies, listeners, or the BBC's commercial rivals. Clearly the commercial stations do not want to appear to their listeners to be lagging behind the BBC. And listeners want to be able to hear the latest music on all their favourite stations. But it is also not in the interest of record companies to enter into exclusive deals with mainstream or popular artists; sales are maximised by a single launch across all stations simultaneously. So why do record companies agree to the exclusive launches? We are told it is because the BBC exerts pressure on them such that if they do not agree, they risk the single not being included on Radio 1's playlist.

2.21.2 Radio 1 seeks to perpetuate this practice by including in its programme promise that at least 45% of its mainstream music output will be 'new' (pre-release or less than one month since release). This acts as a self-justifying means for distorting the market – against the interests of listeners, and both the recording and commercial radio industries.

2.21.3 Xfm is a niche alternative music station working under a licence format to play new music. Over the past 12 months the following tracks from the Xfm genre were all exclusively released on Radio 1, to the material detriment of Xfm and its listeners:

The White Stripes - Blue Orchid
Coldplay - Speed Of Sound
Foo Fighters - Best Of You
Razorlight - Somewhere Else
Gorillaz - Feel Good Inc
The Coral - In The Morning
Weezer - Beverley Hills
Hot Hot Heat - Goodnight Goodnight
Doves - Black & White Town
Athlete - Wires
Royksopp - Only This Moment
Green Day - American Idiot
Babyshambles - Killamangiro
The Libertines - Can't Stand Me Now
Garbage - Why Do You Love Me
The Ordinary Boys - Boys Will Be Boys
Ash - Orpheus
Beck - E-Pro
Graham Coxon - Freakin' Out
Queens Of The Stone Age - Little Sister

2.21.4 We strongly recommend an investigation into the arrangements for exclusive plays by the BBC on major singles; we believe the practice is anti-competitive by its very nature and fear that the BBC uses its market dominance to enforce the practice.

2.22 Rights – national exclusivity

2.22.1 We are at a loss to understand how negotiating exclusive rights is necessarily a public service. The BBC regularly insists on exclusivity of all rights, without permitting any unbundling, even though the BBC itself will not make use of the entire potential package. Examples are the broadcast of the Glastonbury and Reading Festivals. Although the BBC will broadcast these on its national radio services only, it will not allow rights holders separately to sell local radio rights. For such significant musical events there is no justification for preventing local radio stations – including niche music stations like Xfm – to carry some material. This is particularly so when events such as Glastonbury carry many performers simultaneously on different stages; even if the BBC broadcasts main stage events, there is no public service reason why secondary events should not be broadcast by commercial stations. As things stand, we are not even allowed to report from the site.

2.22.2 We believe an examination into this practice should consider the commercial and consumer benefits of ensuring proper unbundling of rights.

2.23 Rights – bi-media leverage

2.23.1 In addition to requiring exclusivity, the BBC has been known to leverage its strength and power to prevent rights holders from selling radio rights separately to television. This happened in 2004 when the Somerset House Ice Rink was offered a BBC television/radio/online deal on the condition of exclusivity across all platforms. As a result, Capital FM lost its involvement with Somerset House. Similarly, after a long, mutually beneficial arrangement with the London Marathon whereby 98.6 Capital FM broadcast from the Marathon in exchange for a number of running places for our charity, Help a London Child, the London Marathon cut off our access. The reason cited was that the BBC had offered the Marathon a television deal on the express condition that radio rights were given to BBC London, specifically excluding Capital.

2.23.2 Notwithstanding the serious loss of fundraising for Help a London Child, we consider the ability of the BBC to leverage rights across broadcast platforms to be anti-competitive.

2.24 Binding bi-media deals

2.24.1 Capital FM's breakfast presenter, Johnny Vaughan, had been tied into a binding bi-media contract with the BBC, despite the fact that he was only used by BBC television. He had to wait until the expiry of his BBC contract before he could work for commercial radio. We understand Mark Thomson has recently instructed his

staff not to tie talent into such bi-media deals. We are pleased to note that he has understood that such arrangements are anti-competitive.

2.25 Spectrum

2.25.1 Of the BBC's 32 local radio stations, 18 broadcast broadly, and some completely, the same programmes on both AM and FM frequencies. This is largely an historical anomaly stemming from a period when FM was 'new' and many radios only carried MW. Most BBC local stations are now also carried in DAB digital radio multiplexes, resulting in triplecasting – the same output occupying three separate pieces of spectrum. However as we enter the digital age, this duplication of broadcasting is a waste of a valuable public resource, particularly with the launch of the new Community Radio sector, which desperately seeks usable spectrum for its access services. We believe that by continuing to simulcast and unnecessarily hoard AM spectrum, the BBC is acting in an anti-competitive manner which will have a negative impact on emerging Community Radio initiatives.

2.25.2 The very fact of the BBC, as a publicly funded broadcaster entitled to over half UK radio broadcast analogue spectrum, including 4/5 of national FM provision, has an enormous market impact on the broadcast radio sector. But the commercial radio industry has grown up with competition; we do not seek to remove the BBC. We do however seek to ensure that there is parity of application of the principles of competition law as between the BBC and industry.

3 Ex Ante Competition Powers

3.1 We believe that all of these examples of behaviour by the BBC should be open to investigation by the BBC Trust and, if found to be anti-competitive, the Trust should be empowered to apply appropriate remedies and sanctions. To do this, the Trust should be given the same range of *ex ante* competition powers as Ofcom is able to apply under section 316 of the Communications Act 2003.

3.2 Section 316 of the Communications Act 2003 gives Ofcom the power to include such licence conditions as it considers appropriate for ensuring fair and effective competition in the provision of licensed services or of connected services. Ofcom can issue individual directions to licensees and/or apply a code for this purpose. We believe that equivalent powers should be given to the BBC Trust to ensure fair and effective competition of BBC services or connected services.

3.3 Under s.317(2), before exercising its *ex ante* competition powers, Ofcom must consider whether it would be more appropriate to proceed under the Competition Act 1998. We do not propose extending this requirement to the Trust, as both Ofcom and the OFT already have concurrent powers over the BBC under the Competition Act. It is widely accepted that the Competition Act would be difficult, if not impossible to apply in relation the BBC's public, as distinct from its commercial, services. This is because the provision of the BBC, for free, of a service that it is specifically empowered by its Charter to provide, and for which it receives licence-fee funding, is

unlikely in itself to constitute an abuse prohibited by the Competition Act. Therefore another legal mechanism must be found to investigate behaviour by the BBC which is likely to have a significant adverse effect on competition. That legal mechanism is the extension of *ex ante* Communications Act powers to the Trust.

3.4 We do not necessarily presume that the BBC has, or will act in an anti-competitive manner. But we strongly believe that the powers to investigate behaviour and to apply remedies ought to be available. Indeed, we cannot see any reason for denying the Trust the application of these powers. They are in fact a necessary consequence of market impact assessments; if an assessment identifies either current or future anti-competitive behaviour, the Trust will need the ability to apply graded remedies short of removing an existing service or utterly prohibiting a proposed new one.

3.5 Appeals mechanisms

3.5.1 The BBC Trust will be taking many decisions which will effect the commercial radio sector and which will amount to a determination of rights, particularly where those decisions could have a significant deleterious effect on business. Therefore it is incumbent on HMG to ensure there is a right of appeal from decisions taken by the Trust to an independent appeals tribunal, as required under Art 6 of the European Convention on Human Rights. We are surprised that this is not referred to in the Green Paper, as the lack of an appeals mechanism represents a significant lacuna in the proposed new arrangements for BBC governance and regulation. The right of appeal is not only for the benefit of third parties, but also for the BBC itself, which also must have a right of appeal in certain circumstances from decisions taken by its regulator. A failure to provide for a proper appeals mechanism now, as part of this Charter Review, would inevitably lead to the need for messy, rushed arrangements being put in place as and when the Courts – inevitably – determine that the rights of the BBC and third parties are not being served. While a new BBC Trust Appeals Tribunal could be set up, we recommend that the Competition Appeals Tribunal ought to be given this role, as an existing specialist tribunal which has proven expertise in balancing public interest and economic arguments.

3.6 National Audit Office value for money

3.6.1 Presently, the National Audit Office is able to undertake value-for-money investigations into the BBC only at the invitation of the Governors. This restriction leads to understandable mistrust of the BBC; if it *is* providing value to licence fee payers, then it should have nothing to hide. The NAO ought to have the power to initiate investigations on its own account, and to publish its reports themselves. This power will be vital to collect the necessary data to input into both market impact assessments and examinations of the BBC's application of its fair trading guidelines (see paragraph 4.7 below).

4 Fair Trading Commitments

4.1 The BBC's Fair Trading Commitments seek to apply the principles set out in the Competition Act on the BBC's internal arrangements between its commercially and publicly funded services. However, there is no external accountability – and the financial arrangements remain opaque.

4.2 Public service resources must be supplied to BBC commercial services at 'fair prices'. However, the definition of 'fair prices' is based on incremental costs, plus an additional amount which "should normally reflect a reasonable contribution to the relevant overheads incurred by the division and to the long term replacement cost of any shared assets". There is no provision for pricing based on *actual* underlying costs. While the prices "should not normally be significantly out of line with the market context", the basis for pricing will inevitably allow the BBC's commercial services to undercut market competitors.

4.3 The rules for pricing by the BBC's commercial subsidiaries refer to the need for consistency with market prices, but the flexibility allowed does not avail itself to rigorous external scrutiny. If the underlying cost base is significantly lower than that enjoyed by commercial rivals, there is no way of competing with BBC services.

4.4 An example where the Fair Trading Commitments do not work to prevent an unfair advantage being given to a BBC service through the use of BBC public resources in the BBC World Service Trust ("WST"). The WST is a charity which works in the highly competitive environment of international media development and training. As such it competes against other similar charitable organisations and NGOs. Where it has an undoubted competitive advantage is that it – unlike its competitors – is able to call upon the full range of BBC resources and personnel to support its projects:

"What makes you different?"

The unique strengths of the Trust derive from our ability to draw upon the extensive experience and expertise of the BBC"¹²

4.5 As one of the BBC's two corporate charities, the BBC donates resources to the WST. However, the BBC does not donate its resources to the WST's competitors, resulting in a clear competitive advantage to the WST which can thus undercut others when tendering for media development projects.

4.6 There is no external trust in the Fair Trading Commitments: there is no other regulated body that enjoys the right to draft its own regulatory rules. There must be full, open consultation not only on the high level Commitments, but on the detailed guidelines for applying those commitments. Compliance with those guidelines should be documented and open to external scrutiny by the Trust, which should review them

¹² FAQs http://www.bbc.co.uk/worldservice/trust/aboutthetrust/story/2003/09/030903_faqs.shtml

annually, taking advice from Ofcom and the NAO as needed. The Trust should also take responsibility for the handling of complaints against the BBC's application of the fair trading guidelines. Complainants should be entitled to full hearings.

4.7 We have stated elsewhere that the National Audit Office should have the right to undertake value for money audits on their own instigation. This is particularly important in the terms of ensuring that the BBC's intellectual property rights are properly valued and applied under the fair trading regime, including the opening up of the right for third parties to bid for the BBC's IPRs on a fair, reasonable and non-discriminatory basis.

5 BBC Accounts

5.1 There is one other 'tool' which must be added to the Trust's 'tool chest' in order to ensure that proper market impact assessments, application of *ex ante* competition rules and an accountable application of the BBC's Fair Trading Commitments can be done. That is an obligation on the BBC to present its accounts in a consistent, transparent manner with sufficient detailed granularity to allow for external testing and challenge. The accounts should contain the same degree of detail as accounts filed in Companies House. There should be clear separate accounts for the BBC's public services and its commercial businesses so that a third party could reasonably follow the flow of funds between the two, and see how the licence fee is being spent. And the Trust should have the power to ask the BBC to present its accounts as the Trust wishes.

5.2 Unless there are clear grounds of commercial sensitivity, the BBC's accounts should be published. We are of the view that, ideally, the National Audit Office should be the auditors of the BBC. Concerns have been expressed elsewhere that as the NAO is accountable to Parliament through the Parliamentary Accounts Committee, somehow the BBC's editorial independence could be compromised. We cannot see how this could be; this misunderstands the nature of the PAC and Parliament in this regard. The NAO is accountable to Parliament in its executive capacity, but not in its legislative capacity.

5.3 There is actually a greater danger in the Trust interfering with the BBC's editorial agenda and independence through its direct oversight and approval of the BBC's accounts. We recommend that the Trust is specifically mandated to retain political independence and impartiality to reduce any such risk.

ANNOTATED BBC RADIO PROGRAMME POLICIES

BBC RADIO 1 PROGRAMME POLICY 2005/6

BBC RADIO 1 offers an exciting, high-quality service for young audiences. It plays the best new music and delivers a comprehensive range of live studio sessions, concerts and festival broadcasts. The network covers all the significant youth music genres with a wide-ranging playlist and a diverse team of specialist DJs. It also delivers tailored speech output – including news, documentaries and advice campaigns, with integrated online and interactive services.

BBC Radio 1 is available on 97–99FM, DAB digital radio, digital satellite (channel 851), digital cable (channel 401, 858 or 901), Freeview (channel 70), and online at bbc.co.uk/radio1

Key priorities for the coming year

In 2005/2006, Radio 1 will:

- continue developing the re-energised mainstream and specialist schedules which were introduced during 2004, placing increased emphasis on creative programme content
- extend the range and diversity of live events broadcast to reach a wider cross-section of listeners
- ensure it remains distinct from commercial radio – in particular by giving extensive support to new and UK artists, featuring live music across the output and placing news and social action campaigns at the heart of the daytime schedule ***This does not necessarily make R1 distinct: Xfm also gives extensive support to new and UK artists, also featuring live music across its output. News broadcasts go out throughout daytime on all GCap FM stations, with many, such as Choice and Century, featuring a range of high-profile social action campaigns as part of the core schedule.***

Democratic value

Radio 1 offers a more comprehensive news service than commercial stations which target a similar audience. ***What is the evidence for this? Newsbeat – their flagship programme – is 15mins long. Our Century stations provide daily 30 minute news programmes during drivetime, as well as news bulletins throughout the day*** Our dedicated news team will provide a tailor-made service, delivering BBC news in an appropriate tone and language for young listeners. ***We do this, too, dedicated to each of our stations.***

The flagship Newsbeat programmes will continue at the heart of the daytime schedule, supplemented by regular news and sports bulletins and a dedicated section online. Newsbeat will aim to set the news agenda for our listeners by focusing on issues of particular relevance to them. It will deliver coverage of national and international issues to a youth audience – including many potential first-time voters – who consume little news elsewhere, and look to encourage listeners who tune in primarily for music to explore a broad range of subjects. ***By comparison, GCap stations provide the following:***

Century NE and NW provide a 30 minute news show every night.

Classic FM runs a 30 minute news programme every night.

Trent and Beacon do 10 mins. shows at breakfast and drivetime.

Ocean - 7 mins. at drivetime...

Providing 15 minutes of news every day is neither distinctive, nor an appropriate rationale for playing populist contemporary music available on other – commercial stations (which also carry substantial news).

Our specific commitment:

- we will broadcast at least 310 hours of news, sport and current ***The figure for Century 105.4 is 647 hours.***

Cultural and creative value

Radio 1's commitment to new music is fundamental to the station's purpose. We will continue to play a vital role for UK music makers, acting as a major supporter of creativity and showcasing new artists and styles of music. ***Xfm does this. In 2004 over 500 unsigned acts were showcased.***

Daytime programmes will offer a mix of music, news, entertainment and features, presented by engaging DJs. ***But there is no commitment to playing new music during daytime. In***

ANNOTATED BBC RADIO PROGRAMME POLICIES

fact, Radio 1 reserves new music for specialist 'off-peak' programming. Daytime on Radio 1 is a standard mix of chart, with some gold and recurrent music. A mix which is typical of the commercial sector. see *Overlaps* in Annex 2.

An extensive playlist will ensure we offer listeners the chance to hear new tracks and new performers for the first time. **The playing of new tracks is down to the BBC's exclusivity deals, which are anti-competitive and not in the public interest.** We will give strong support to new UK talent and lead the way in breaking the best new music to the widest possible young audience. **As does Xfm.**

Our portfolio of leading specialist DJs, covering all relevant youth genres, will support the development of acts at the cutting edge of music and champion the best of their respective areas to daytime programmes. **As does Xfm. While we applaud R1's portfolio of specialist shows, most are tucked away overnight.**

Live music is a key distinctive element and will feature heavily throughout the schedule, with studio sessions from the newest bands as important as concerts from established artists. **Xfm also features live music, albeit without public funding to support it.** Radio 1's own events such as One Big Weekend will be complemented by coverage from major festivals such as Glastonbury, Reading/Leeds and Scotland's T in the Park. Dance coverage will be developed to cover a more diverse range of events including The Big Chill and Global Gathering. **We broadcast Party in the Park. We would cover Glastonbury, Reading and other festivals if the BBC didn't insist on exclusive rights. Radio 1 does not even allow Xfm on site to report from Glastonbury.**

For new music makers looking to start their career, bbc.co.uk/onemusic will offer advice on how to enter the industry and give young artists the opportunity to have their work reviewed by established experts. Unsigned bands submitting demos to the site will also have the chance to gain wider exposure through OneMusic's on-air presence. **We run initiatives for new bands on several of our stations, such as Red Dragon, Xfm Unsigned and Choice UK Cuts. Xfm's Rock School – promoting school bands – won this year's Sony Award for competition of the year.**

The Oneclick strand of programmes will give exposure to culturally relevant areas including films and the arts. These shows provide a wider and richer mix for listeners and are designed for an increasingly digital age, accessible to listeners at any time through the BBC Radio Player. **These are scheduled at 3.00am so are hardly accessible to the general audience; they are primarily designed for download. There are competition concerns about the BBC's increasing use of download of free material.**

Our specific commitments are that:

at least 40% of the schedule will be devoted to specialist music or speech-based programmes **But what proportion are broadcast during peak? The BBC should set itself targets for specialist and speech-based programming at times when licence fee payers are available to listen.**

in mainstream output at least 45% of the music will be 'new' (pre-release or less than one month since release), and at least 40% will be from UK acts. **The definition of 'new' being related to 'pre-release' distorts this figure. The BBC's playing of pre-release tracks distorts the market and is not in the interests of licence fee payers or the recording industry. By setting itself such a target, it is seeking to self-perpetuate and justify an anti-competitive practice. The figures also say nothing about rotation: the 45% could be satisfied by a high rotation of "new" tracks by Beyonce and Britney Spears, in no way distinguishing Radio 1 from the commercial sector. Nonetheless, using the BBC's definition, Xfm's current playlist during daytime is 65% 'new', with 65% made up of UK artists.**

we will broadcast from around 25 major live events and festivals in the UK and abroad. **In 2004 Xfm broadcast over 90 live concert performances.**

in addition to festival and concert performances from headline acts, we will broadcast over 250 new sessions and Live Lounge performances **In 2004 Xfm broadcast over 350 live sessions and over 40 club nights.**

ANNOTATED BBC RADIO PROGRAMME POLICIES

Educational value

Our strong connection with young audiences enables us, through programmes like Sunday Surgery, to address a range of issues facing young people in an appropriate way. Listeners can share experiences as well as getting information and advice. **Capital FM broadcasts the comparable Jezza's Capital Confessions.**

The One Life team will be responsible for social action output online, offering continuous advice on a range of personal, health and other concerns. **This is off air.** On air, there will be a series of campaigns within daytime throughout the year. The exam results and Beat Bullying campaigns will return and we will feature a major campaign aiming to increase awareness of issues relating to safe sex. **All of our stations run regular on-air social action campaigns targeting their local audiences.**

Documentaries will provide in-depth examinations of everything from new music styles to topical lifestyle and political issues affecting young adults.

Across the network, music will be scheduled in a way that builds listeners' musical repertoires and introduces them to new, sometimes challenging artists. **Xfm exists to introduce listeners to new music.**

bbc.co.uk/radio1 offers the audience a comprehensive interactive service, supplying additional information on programmes and events, music news and special features. In 2005/2006 it will actively encourage media literacy, introducing easy-to-use guides to downloading, new technology and emerging platforms. **Our off-air tie ins include measures like Revision Line – available through our websites.**

Our specific commitment:

- we will commission at least 40 new documentaries in 2005/2006

Social and community value

Radio 1 aims to unite young listeners from different communities, both geographical and musical, allowing them to join together around musical and other cultural events.

Live events help Radio 1 connect with its audience and will reflect the wide range of music-making by UK artists. The network's own events will often focus on areas underserved by commercial promoters.

Online we will continue to provide a forum for our audience to meet and discuss areas of common interest.

Regular opt-out programmes in Scotland, Wales and Northern Ireland will continue, fostering grassroots relationships within those communities and acting as a formal conduit for developing local talent and exposing it to a wider audience.

Our specific commitment:

- we will broadcast around 200 hours of opt-out programming from Scotland, Wales and Northern Ireland

Global value

Radio 1 will continue to place an emphasis on supporting UK artists and act as their ambassador to the rest of the world. We will build on our relationships with overseas radio stations, aiming to increase the profile of UK music as a result.

We will broadcast live from a number of international music events in 2005/2006, for the first time covering Serbia's Exit festival and Skolbeats, Latin America's biggest festival. We will also return to Sonar in Barcelona, allowing us to showcase experimental artists from around the world who rarely visit the UK.

In addition, Radio 1 will continue to bring the best and most exciting contemporary global music to the attention of UK audiences. **Xfm broadcasts a regular show in conjunction with a NYC station, KROQ, specially designed to showcase new UK acts to the US. We provide programming for Holiday FM in Spain, and broadcast in Bahrain. We also broadcast all of our stations worldwide on the internet**

ANNOTATED BBC RADIO PROGRAMME POLICIES

BBC RADIO 2 PROGRAMME POLICY 2005/6

BBC RADIO 2 brings listeners a broad range of popular and specialist music with particular support for new and established British artists; live music, through concerts and studio sessions; and songwriting. The network also offers news, current affairs, documentaries, comedy, readings, religious output and social action, designed to appeal to a broad audience.

BBC Radio 2 is available on 88–91 FM, DAB digital radio, digital satellite (channel 852), digital cable (channel 402, 860 or 902), Freeview (channel 72) and online at bbc.co.uk/radio2

Key priorities for the coming year

In 2005/2006, Radio 2 will focus on:

- developing live music output to consolidate our support for musical life in the UK
- aiming to attract a more diverse audience to our programmes through our choice of topics, contributors and interviewees
- continuing to support British music, musical theatre and new songwriters through a range of initiatives and partnerships, for example with the British Academy of Composers and Songwriters
- developing programmes launched in the last year, which include Elaine Paige, Lulu, The Green Room with Mariella Frostrup and Dermot O'Leary's Saturday Club

Democratic value

News and current affairs aimed at a mass audience are a key part of Radio 2's mix.

The Jeremy Vine Show will continue to serve the daytime audience with an accessible mix of stories, interviews and phone-ins, while developing its interactive elements further.

Johnnie Walker's drivetime show will continue to feature a daily business news slot, analysing business issues and making them accessible to a mainstream audience.

Our specific commitment is:

- to broadcast over 800 hours of news and current affairs programming, including hourly news bulletins ***While this is more than currently offered on commercial radio music services, it is not a significant amount more; for example, Century 105.4, a regional station in the Northwest of England, broadcasts nearly 650 hours of news, sports and current affairs.***

Cultural and creative value

Radio 2's range of musical genres is unrivalled.

We will continue to include big band, light classical, brass band, reggae, organ music, jazz, soul, folk, country, blues and sacred music. Our schedules will be built around regular strands, presented by credible experts who can also communicate with listeners who have no specialist knowledge.

Specialist programmes will reflect live performances by UK and world-renowned performers, allowing people to hear music from these gatherings wherever they are. They will include Big Band Special, Bob Harris Country, the Paul Jones blues show and the BBC Jazz Awards.

Live music is central to the schedule. Live and Exclusive concerts, coverage of major music events in the UK and live music sessions within mainstream programmes and specialist strands will all showcase established artists and new talent.

Key events covered will include the Cambridge Folk Festival and Guilfest.

Mica Paris will return with the Soul Solutions series, continuing her support for British soul performers.

Radio 2 will work closely with the British Academy of Composers and Songwriters, particularly around the Ivor Novello Awards, to ensure that the art of songwriting is given substantial on-air support. We will carry coverage of the Ivors and broadcast a series of programmes which profile the great songwriters of the last five decades in support of the 50th anniversary of the awards.

We will continue to support new talent through initiatives like the Young Folk Award, Young Brass Soloist and Young Chorister of the Year.

We will commission several new 'radio ballads' – personal testimonies on issues affecting life in contemporary Britain – illustrated with original songs and written using local language and

ANNOTATED BBC RADIO PROGRAMME POLICIES

dialects.

In comedy, we will commission original programmes and develop new formats, building on the success of innovative series like Radio Rivron with Rowland Rivron and Clive Anderson's Chatroom.

Documentaries on Saturday and Tuesday evenings will reflect and explain popular culture. Some documentaries will be commissioned at short notice to reflect topical stories.

Our specific commitments are:

- to broadcast the broadest range of music in the UK, with over 1,100 hours of specialist music programmes
- to broadcast over 60 hours of musical theatre and film music
- to carry over 100 hours of arts programming
- to broadcast several new 'radio ballads' reflecting contemporary life in the UK
- to commission new musical arrangements from leading arranging talent for use within Friday Night is Music Night, Big Band Special and Listen to the Band

Unless this output is broadcast during peak times, Radio 2 will not be a distinctive station as compared to a wide range of commercial radio stations. At the moment, a significant portion of Radio 2's daytime music output overlaps with commercial radio's : for example approximately 40% of tracks played more than once a week on Radio 2 are also played on Capital FM in London, and on Beat 106 in Scotland.

Educational value

Learning campaigns and other initiatives will help listeners of all ages to engage practically with the modern world and its challenges.

Among the campaigns scheduled for 2005/2006 is Life 2 Live, helping listeners to lead more fulfilled lives, which will involve more than 30 hours of programming. Student Essentials will be targeted at students and their parents in August following exam results.

Sold on Song, Radio 2's music learning initiative, will continue to connect with aspiring songwriters and those interested in the art of songwriting via programming initiatives with established songwriters, local events and music masterclasses. bbc.co.uk/soldonsong will be an important online resource supporting this.

Social and community value

Social action is a core element in Radio 2's speech programming.

bbc.co.uk/radio2 is now an integral part of the network, and we will continue to drive interactivity across our programmes, encouraging contributions from listeners via a range of digital platforms, including email, text messaging, online voting and comments systems. We will also re-focus our message board to deliver a more positive environment in which listeners can debate issues around music and programmes, and programme makers can become involved.

We will continue to build the popularity of the BBC Radio Player, encouraging on-demand listening and therefore extending value from our investment in Radio 2 programming.

Radio 2 will remain the primary radio broadcast partner for BBC Children in Need and the Eurovision Song Contest 2005, with major online support for both. ***Capital FM supports its own children's charity, Help A London Child, with local versions supported by stations throughout the FM network.***

Increased external web linking and collaboration with third-party websites is also a priority, in particular those related to Radio 2's events, social action campaigns and programming initiatives.

A week of programmes concentrating on religious topics will explore issues of faith from a broad range of religions and cultures.

Our specific commitments are:

- to broadcast a schedule which is around one-third speech output
- to broadcast over 170 hours of religious output covering the broad range of faiths

GCap's regional stations, Century, all are obliged to provide at least 30% speech output. To ensure a distinctive sound, as compared to commercial radio, R2's

ANNOTATED BBC RADIO PROGRAMME POLICIES

commitments must refer to the day parts when radio listening is heaviest, and not be concentrated in off-peak hours.

Global value

This year we will broadcast an assortment of documentaries which explore foreign culture and music. These will include Michael Nicholson's personal history of the Vietnam War, A Vietnam Notebook, to mark the 30th anniversary of the fall of Saigon, and a season of programmes as part of the BBC's Africa Season.

To complement 1Xtra's coverage of the Notting Hill Carnival in August, Radio 2 will present a two-part series exploring one of the oldest musical genres in the western hemisphere, the calypso.

These programmes will bring a broad range of international music, history and culture to a UK audience.

We will also cover key overseas music events including South by Southwest – which is used to promote British music in America – and the Country Music Association Awards.

ANNOTATED BBC RADIO PROGRAMME POLICIES

BBC 6 MUSIC PROGRAMME PROMISE 2005/6

BBC 6 MUSIC engages with lovers of popular music, offering them current releases outside the mainstream, new concert and session tracks and music from the BBC Sound Archive. We concentrate on music and artists that are not well supported by other radio stations, and are committed to providing context for the music we play, through music news, documentaries, debate and stimulating interactive content.

BBC 6 Music is available on DAB digital radio, digital satellite (channel 870), digital cable (channel 865 or 909), Freeview (channel 77) and online at bbc.co.uk/6music

Key priorities for the coming year

In 2005/2006 our focus will be on:

- increasing awareness in order to extend reach of the service
- generating impact by giving greater exposure to artists who get limited airplay elsewhere
- further development of the daytime schedule

Cultural and creative value

6 Music will continue to reflect the evolution of popular music through extensive use of the BBC archive and a database of more than 3,000 tracks.

Concerts and sessions from the last 40 years will be showcased. Core artist theme days will feature archive recordings alongside artists' current releases.

We will continue to champion the development of new music through an eclectic playlist of releases and by engaging new and less familiar artists for studio recordings.

We will collate and broadcast the 6 Music Chart in conjunction with The Official UK Charts Company focusing on new acts who have not yet had a top 40 album. Roundtable will give our listeners an informed preview and debate about the most significant new releases each week.

Live music will remain at the heart of our programming, including festival coverage throughout the summer.

Our specific commitments:

- we will broadcast over 400 hours of archive concert performances
- 15% of our music will be concert tracks and sessions from the BBC's music archive ***We are disappointed that the BBC isn't make more use of its extensive musical archive.***
- at least half of the music played will be more than four years old ***6 Music's remit has as its primary definition that it plays music from the 1970s to the 1990s. Tim Gardam pointed out in his Independent Review of the BBC's Digital Radio Services that they were underperforming in this regard, as it represented only half its music output, resulting in a more contemporary focus than originally anticipated. Nonetheless, by setting out its musical range in this way, the BBC will gradually be bringing its output increasingly into the 2000s, rather than keeping (at least) half of its output firmly in the decades 1970s to 1990s.***
- we will broadcast over 275 new sessions ***Xfm is on course to match last year's volumes of just over 400 Live band sessions recorded in our dedicated session studio***

Educational value

6 Music provides hourly music news bulletins during most of the day on weekdays. More in-depth coverage is offered in the hour-long show The Music Week. ***Xfm presents Music News in all of its broadcast hours informally as general content. In addition formal music news bulletins occur during the news across Breakfast and Drive. A daily in-depth round up of Music News happens each night in Music Response (7-9pm)***

We aim to extend understanding of popular music, and our programmes will continue to examine the cultural development of music, supported by online information and on-demand recordings. We will rebroadcast documentaries from the BBC archive, while commissioning new insights into current musical issues.

Speech will also be an important element of the weekday breakfast show, with an interview each day on an aspect of popular culture.

Our specific commitment:

- we will feature over 550 hours of rebroadcast and newly commissioned documentaries and essays

ANNOTATED BBC RADIO PROGRAMME POLICIES

Social and community value

6 Music brings together musical communities of interest from across the UK and beyond, providing a forum for debate and offering listeners involvement on air and online. Message board users will be encouraged to debate music strands and programme content.

We will aim to reflect the whole UK by providing daytime broadcasts from a different location each month. Lamacq in the City events around the country will put new and emerging artists on the same concert bill as contemporary artists.

Social action will focus on campaigns which give audiences practical opportunities for personal development.

Our specific commitment:

□ 6 Music will mount three social action campaigns, with supporting online resource material ***Xfm has worked closely with charities including Shelter and Oxfam using our big station events as a way of raising money. Events like Winter Wonderland (once a year in December) and Big Night Out (twice a year April/August) benefit by working alongside Charities to deliver the Events as cheaply as possible (bands don't get paid etc) That helps us keep the ticket price reasonable whilst still achieving a healthy donation for the charity from the profit of the Event. Xfm also took part in UK Radio Aid. We are currently working with Bernados to find an Xfm way to get involved in their current campaign.***

ANNOTATED BBC RADIO PROGRAMME POLICIES

BBC 1XTRA PROGRAMME POLICY 2005/6

1XTRA plays the best in contemporary black music, with a strong emphasis on delivering high-quality live music and supporting new British artists. 1Xtra also brings listeners a bespoke news service, regular discussion programmes and specially commissioned documentaries, plus information and advice relevant to the young target audience, particularly – although not exclusively – those from ethnic minorities.

1Xtra is available on DAB digital radio, digital satellite (channel 887), digital cable (channels 859 or 907), Freeview (channel 71), and online at bbc.co.uk/1xtra

Key priorities for the coming year

1Xtra will play the full range of contemporary black music genres, while increasing its commitment to new music and delivering impact by providing a broad spectrum of live music from across the UK.

The station will also continue to focus on:

- delivering wider impact by engaging our audience in debate around current affairs and other issues that affect their lives
- connecting audiences through thriving online communities

In light of the recommendations made by Tim Gardam in his independent review of the BBC's digital radio services, extra emphasis will be put on enhancing the depth and range of speech throughout the schedule, particularly during the weekday breakfast show. ***But this will still be significantly less than the speech provided by Choice FM, which is – in accordance with its format – up to 30% of output.***

Cultural and creative value

Our schedule offers a music mix designed to authentically reflect modern black music culture. We will continually seek out the latest forms of black music and deliver them to a wider audience.

Our specific commitments:

- all relevant black music genres will feature in daytime programming ***Choice currently offers R&B, Hip Hop, rap, reggae, dancehall, gospel, UK garage, and UK cuts and classic R&B***
- the evening schedule will focus on single-genre programmes presented by the leading DJs in their field ***Choice has the following single-genre specialist programmes: 3 hours/week of gospel, 6 hours/week of rap, 4.5 hours/week of UK cuts music, 2 hours/week of Soca, 17 hours/week of reggae, 3 hours/week of UK garage/cutting-edge music and 6 hours/week of live mixed shows featuring music from across the urban music spectrum***

1Xtra will continue to support new musical talent, particularly from the UK. In 2005/2006, we will increase our commitment to new music.

Our specific commitments:

- at least 70% of the music played will be new (pre-release or less than one month since release) ***This is no change from previously.***
- at least 40% of the music played will be from the UK ***This is a significant decrease from last year, when it was 53%. Reducing the amount of UK music will decrease 1Xtra's differentiation from Choice.***

We will also continue our commitment to finding the next generation of music presenters through the weekly programme X-Tra Talent, which is dedicated to providing an outlet for new presenter talent.

Live music will continue to be key and we will broadcast events from venues across the UK, as well as exploring the black music scene abroad through coverage of events such as the Trinidad Carnival and Puerto Rico's Mix Show Power Summit.

ANNOTATED BBC RADIO PROGRAMME POLICIES

Our specific commitments:

□ 1Xtra will broadcast at least 50 live music events during 2005/2006 ***Choice FM broadcasts from live events such as the Notting Hill Carnival, the Afro Caribbean Leukaemia Trust charity events, the London youth games and Choice Club events such as Fresh. Overall Choice does around 20 to 30 live events a year.***

□ we will broadcast a series of events to support the BBC's Africa Season ***Is this in addition to the 50 live music events, or part of that figure?***

Democratic value

1Xtra offers a tailor-made BBC news service through its hourly TX bulletins and the two-hour weekday TX Unlimited, which provides coverage and analysis of national and international issues to an audience who may consume little news elsewhere. The station also commissions documentaries providing commentary and prompting debate, which in 2005/2006 will include a season of programmes examining the country's sexual health and an in-depth look at how African culture has influenced the UK.

We will also look beyond the boundaries of TX Unlimited in order to develop increased speech opportunities around the rest of the schedule. ***Tim Gardam specifically recommended that 1Xtra's speech elements be spread throughout the schedule, and not concentrated on TX. Yet, no commitments are made in this regard whatsoever, thus reducing 1Xtra's democratic value.***

Our specific commitments:

□ around 10% of the station's output will be dedicated to news, documentaries and social action programming with approximately 20% of the overall output consisting of speech ***This is no change. It is significantly less than Choice's, particularly with regard to social action programming.***

The main differentiator between 1Xtra and Choice has to do with music: 1Xtra plays significantly more new and UK music, but this programme promise reduces the BBC's commitments. Furthermore, the BBC has done nothing to demonstrate it has taken on board Tim Gardam's recommendations in his Independent Review of the BBC's Digital Radio Services:

- ***to set targets for British acts being played (presumably the target should not be a reduced target!), and for new and UK music in primetime. No such targets are set.***
- ***To consider new speech formats throughout the schedule, and to increase the amount and impact of social action programming. This has not been done.***
- ***To consider how better to serve the UK's under-served black communities, particularly the elderly. There is no proposed programming to serve these groups.***

Social and community value

1Xtra provides a national focal point for fans of black music throughout the UK, bringing together different audience groups through a shared passion for music.

We will develop increased interaction via bbc.co.uk/1xtra and provide exclusive online content to give further depth and range to our programming.

1Xtra will continue to provide a unique range of music genres, giving many music fans a shared listening experience for the first time, through programmes such as Vibrations for fans of street gospel and Panjabi Hit Squad for the latest Asian fusion sounds.

ANNEX 2
TABLE OF MUSIC OVERLAPS

SUMMARY

Overlap BBC Radio 1 & 95.8 Capital FM/ Xfm and Beat 106 (18th, 19th, 20th, 21st,22nd, April 2005) 0600-1800					
		Radio 1	95.8	Xfm	Beat
TOTAL	Counts Total	236	64	49	72
	% Overlap		27%	21%	31%
>1 PLAY ON RADIO 1	Counts > 1 Play	97	38	30	51
	% Overlap		39%	31%	53%

Overlap BBC Radio 2 & 95.8 Capital FM/ Xfm and Beat 106 (18th, 19th, 20th, 21st,22nd, April 2005) 0600-1800					
		Radio 2	95.8	Xfm	Beat
TOTAL	Counts Total	177	29	12	16
	% Overlap		16%	7%	9%
>1 PLAY ON RADIO 2	Counts > 1 Play	26	11	7	11
	% Overlap		42%	27%	42%

Overlap 6 Music & 95.8 Capital FM/ Xfm and Beat 106 (27th, 28th, 29th April and 2nd,3rd May 2005) 0700-1900					
		6 Music	95.8	Xfm	Beat
TOTAL	Counts Total	345	5	28	21
	% Overlap		1%	8%	6%
>1 PLAY ON 6 MUSIC	Counts > 1 Play	49	4	21	15
	% Overlap		8%	43%	31%

Overlap 1Xtra & Choice FM (11th, 12th, 13th, 16th and 17th May 2005) 0600-1800			
		1xtra	Choice
TOTAL	Counts Total	71	41
	% Overlap		58%
>1 PLAY ON RADIO 1Xtra	Counts > 1 Play	26	20
	% Overlap		77%

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

Radio 1 and Capital Stations

		NO OF PLAYS 0600-1800 MON-FRI w/c 18.04.05			
OVERLAP RADIO 1 VS CAPITAL STATIONS		RADIO 1	Capital FM	Xfm	Beat
SONG TITLE	ARTIST				
I SEE GIRLS	STUDIO B	17			
SOMEWHERE					
EL	RAZORLIGHT	14		17	
JERK IT OUT	CAESARS	14		16	16
HALF LIGHT	ATHLETE	14	8	14	15
SO MUCH					
LOVE	FREELoadERS	13			
SPEED OF					
SOU	COLDPLAY	12	6	17	7
MUST GET					
OUT	MARoon 5	12	11		6
MOCKING BIRD	EMINEM	12			11
FEEL GOOD IN	GORILLAZ	12		10	3
SMILE LIKE Y	KILLERS, THE	11		14	12
SIGNS	SNOOP DOGG F	11	17		
LONELY	AKON	11	6		11
HATE IT OR L	GAME, THE FE	11			
CALIFORNIA	PHANTOM PLAN	11		12	23
YOU'RE SO RI	ROOSTER	10			
LYLA	OASIS	10		14	13
IN THE MORNI	CORAL, THE	10		9	25
IN MY ARMS	MYLO	10			6
I LIKE THE W	BODY ROCKERS	10	5		26
GIRL	DESTINY'S CH	10	12		9
SHIVER	IMBRUGLIA, N	8	14		9
LET ME LOVE	MARIO	8	15		
FEELING A MO	FEEDER	8		8	12
FALLING STAR	SUNSET STRIP	8			14
AGAIN	EVANS, FAITH	8	4		
OTHER SIDE O	TUNSTALL, KT	7			3
OH MY GOSH	BASEMENT JAX	7	12		14
DON'T PHUNK	BLACK EYED P	7	9		6
TUNED TO A D	DOGS	6			
SO MANY TIME	GADJO	6			
RICH GIRL	STEFANI, GWE	6	3		9
IF THERE'S A	LEMAR	6	4		
EVERYDAY I L	KAISER CHIEF	6		9	1
BELIEVE	CHEMICAL BRO	6			2
1, 2 STEP	CIARA FEAT.	6			3
OH MY GOD	KAISER CHIEF	5		9	12
FEELS JUST L	JAMIROQUAI	5	2		
DAKOTA	STEREOPHONIC	5		11	21
BEVERLY HILL	WEEZER	5		11	9
BEST OF YOU	FOO FIGHTERS	5		10	2
BANQUET	BLOC PARTY	5		16	
AN HONEST MI	BRAVERY, THE	5		11	25
YEAH	USHER FEAT.	4	6		1
CLUB FOOT	KASABIAN	4		4	

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

Radio 1 and Capital Stations

TIME TO GROW	LEMAR	3	7		
THEY	JEM	3	4		
SINGLE	BEDINGFIELD,	3	1		1
OWNER OF A L	GRAHAM, MAX	3			4
HOLLABACK GI	STEFANI, GWE	3			
GRAFFITI	MAXIMO PARK	3		1	
COMFORTABLY	SCISSOR SIST	3			
CAUGHT UP	USHER	3			
CAN'T GET YO	MINOGUE, KYL	3	3		4
BLACK HORSE	TUNSTALL, KT	3			
AVALON	JULIET	3			5
1 THING	AMERIE	3	13		1
WHAT YOU					
WAI	STEFANI, GWE	2	5		
VERTIGO	U 2	2	1	5	1
TRICK ME	KELIS	2	2		1
TILT YA HEAD	NELLY FEAT.	2			
TIED UP TOO	HARD-FI	2		7	
THESE WORDS	BEDINGFIELD,	2	2		
THE WEEKEND	GRAY, MICHAEL	2	1		
TAKE YOUR					
MA	SCISSOR SIST	2	4		1
SUPERSTAR	JAMELIA	2	3		4
SUPER DUPER					
SOMEBODY TO	STONE, JOSS	2	1		
	BOOGIE PIMPS	2			
SNOWDEN	DOVES	2		4	
SK8ER BOI	LAVIGNE, AVR	2	1		
ROCK DJ	WILLIAMS, RO	2	3		
OOH WEE	RONSON, MARK	2			
ON MY KNEES	411, THE	2			
NEVER EVER	ALL SAINTS	2			
MY BAND	D-12	2			
MILKSHAKE	KELIS	2			
LOVERS & FRI	LIL JON & TH	2			
LITTLE L	JAMIROQUAI	2			
LIFE FOR REN	DIDO	2			
LET'S GET IT	BLACK EYED P	2	1		1
LAURA	SCISSOR SIST	2	1	1	2
LAST NITE	STROKES, THE	2		1	1
IT'S MY LIFE	NO DOUBT	2	3	1	1
I					
UNDERSTAND	IDLEWILD	2		10	1
HEY YA!	OUTKAST	2	5		2
HEY BOY, HEY	CHEMICAL BRO	2			
GET LOW	LIL JON FEAT	2			
GANGSTER					
TRI	FATBOY SLIM	2			
GALVANIZE	CHEMICAL BRO	2			3
FILTHY/GORGE	SCISSOR SIST	2	8		3
DECENT DAYS	FUTUREHEADS,	2		6	
DANCE (WITH	LEMAR	2	1		
CRAZY IN LOV	BEYONCE	2	1		4
CAN'T STOP	RED HOT CHIL	2		1	1
BYOB (BRING	SYSTEM OF A	2			
ASHES	EMBRACE	2		5	2

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

Radio 1 and Capital Stations

AMERICAN IDI	GREEN DAY	2	2	1
ALL MY LIFE	FOO FIGHTERS	2		
YOU MAKE ME	USHER	1		
YOU HAD ME	STONE, JOSS	1		
YOU CAN DO I	ICE CUBE FEA	1		
YELLOW	COLDPLAY	1		
WORK	MORNING RUNN	1		
WHY	D.J. SAMMY	1		
WHERE'S YOUR	BASEMENT JAX	1		
WANNABE	SPICE GIRLS	1		
UNWRITTEN	BEDINGFIELD,	1		
TURN ME ON	LYTTLE, KEVI	1		
TUMBLE AND F	FEEDER	1		
TRY	FURTADO, NEL	1		
TRY AGAIN	AALIYAH	1		
TROUBLE	PINK	1		
TORN	IMBRUGLIA, N	1		
TIPSY	J-KWON	1		
TIMES LIKE T	FOO FIGHTERS	1		
THIS IS THE	KEANE	1		
THE ZEPHYR S	RED HOT CHIL	1		
THE SCIENTIS	COLDPLAY	1		
THE LOVE OF	MANIC STREET	1		
THE HAND THA	NINE INCH NA	1		
THANK YOU	JAMELIA	1		
TELL HER ABO	JOEL, BILLY	1		
TAKE ME OUT	FRANZ FERDIN	1		
SWITCH	SMITH, WILL	1		
SUNCHYME	DARIO G	1		
STUMBLE AND	RAZORLIGHT	1		
STRAIGHT FRO	DOOLALLY	1		
STILL D.R.E.	DR. DRE FEAT	1		
SOMETIMES				
YO	U 2	1		
SOMEBODY				
TOL	KILLERS, THE	1		
SO WHAT THE	WONDER, STEV	1		
SIT DOWN	JAMES	1		
SING	TRAVIS	1		
SHUT UP	BLACK EYED P	1		
SHOT YOU				
DOW	AUDIO BULLYS	1		
SHIVER	COLDPLAY	1		
SHINED ON ME	PRAISE CATS	1		
SET YOU FREE	N-TRANCE	1		
SEE IT IN A	JAMELIA	1		
SAY MY NAME	DESTINY'S CH	1		
ROMEO	BASEMENT JAX	1		
ROCKS	PRIMAL SCREA	1		
ROCK YOUR				
BO	TIMBERLAKE,	1		
RETREAT	RAKES, THE	1		
RENDEZ-VU	BASEMENT JAX	1		
READY TO GO	REPUBLICA	1		
REACH	S CLUB 7	1		
PUT 'EM HIGH	STONEBRIDGE	1		
PURE SHORES	ALL SAINTS	1		

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

Radio 1 and Capital Stations

PTS.OF.ATHRT	LINKIN PARK	1		
PROCESSED				
BE	KASABIAN	1		
POWERLESS				
(S	FURTADO, NEL	1		
PLUG IT IN	BASEMENT JAX	1		
PLEASE				
STAND	BRITISH SEA	1		
PICK A PART	STEREOPHONIC	1		
PARKLIFE	BLUR	1		
OUTSIDE	MICHAEL, GEO	1		
ONLY U	ASHANTI	1		
ONE STEP				
TOO	FAITHLESS FE	1		
NOTHIN'	N.O.R.E.	1		
MY MY MY	VAN HELDEN,	1		
MUNICH	EDITORS	1		
MR. BRIGHTSI	KILLERS, THE	1		
LOVE STORY (LAYO & BUSHW	1		
LOVE ME RIGH	ANGEL CITY F	1		
LOSE MY BREA	DESTINY'S CH	1		
LOSE				
CONTROL	ELLIOTT, MIS	1		
LONELINESS	TOMCRAFT	1		
LIKE I LOVE	TIMBERLAKE,	1		
LIKE GLUE	PAUL, SEAN	1		
LET ME BLOW	EVE FEAT. ST	1		
LAST TRAIN H	LOSTPROPHETS	1		
LAST SUMMER	LOSTPROPHETS	1		
KISS THE RAI	MYERS, BILLI	1		
KILLER	ADAMSKI	1		
KARMA				
POLICE	RADIOHEAD	1		
JUST A LITTL	LIBERTY X	1		
JUMP N' SHOU	BASEMENT JAX	1		
IT TAKES MOR	MS. DYNAMITE	1		
IS IT COS I'	MOUSSE T. FE	1		
IN THE END	LINKIN PARK	1		
IN MY PLACE	COLDPLAY	1		
IGNITION	KELLY, R.	1		
I TRY	KWELI, TALIB	1		
I OWE YOU NO	BROS	1		
I GET THE SW	YOUNG, WILL	1		
I BRUISE EAS	BEDINGFIELD,	1		
I BELIEVE IN	DARKNESS, TH	1		
HOPE THERE'S	ANTONY AND T	1		
HOLIDAY	GREEN DAY	1		
HOLE IN THE	SUGABABES	1		
HEY NOW				
(MEA	XZIBIT	1		
HEY MAMA	BLACK EYED P	1		
HEY MA	CAM'RON	1		
HELENA	MY CHEMICAL	1		
GROWING ON				
M	DARKNESS, TH	1		
GOODNIGHT				
GO	HOT HOT HEAT	1		
GOOD VIBRATI	BEACH BOYS,	1		
GOOD				
ENOUGH	DODGY	1		

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

Radio 1 and Capital Stations

GOD IS A DJ	PINK	1		
GIVING YOU U	MINOGUE, KYL	1		
GIRLS AND BO	GOOD CHARLOT	1		
GIMME THE LI	PAUL, SEAN	1		
GET BUSY	PAUL, SEAN	1		
FRONTIN'	WILLIAMS, PH	1		
FREE	ESTELLE	1		
FREAK LIKE M	SUGABABES	1		
FOR LOVERS	DOHERTY, PET	1		
FLASHDANCE	DEEP DISH	1		
FAMILY PORTR	PINK	1		
FALLIN'	KEYS, ALICIA	1		
DRY YOUR EYE	STREETS, THE	1		
DON'T LOOK B	LIBERTINES,	1		
DON'T LET ME	PINK	1		
DON'T GET AR	STEWART, ROD	1		
DON'T CALL M	MADISON AVEN	1		
DIRRTY	AGUILERA, CH	1		
DIP IT LOW	MILIAN, CHRI	1		
DIAMONDS	WEST, KANYE	1		
CUTT OFF	KASABIAN	1		
CRY ME A RIV	TIMBERLAKE,	1		
CHOCOLATE	SNOW PATROL	1		
CHASING RAIN CAUGHT OUT T	SHED SEVEN	1		
CAN'T STAND	KELIS	1		
BY THE WAY	LIBERTINES,	1		
BRING ME TO	RED HOT CHIL	1		
BREAKOUT	EVANESCENCE	1		
BIG MISTAKE	FOO FIGHTERS	1		
BEDSHAPED	IMBRUGLIA, N	1		
BABY I LOVE	KEANE	1		
AT NIGHT	LOPEZ, JENNI	1		
A LITTLE RES	SHAKEDOWN	1		
A LITTLE LES	WHEATUS	1		
7 NATION ARM	PRESLEY, ELV	1		
21 SECONDS	WHITE STRIPE	1		
(IS THIS THE	SO SOLID CRE	1		
	CHRISTIE, TO	1		

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

Radio2 and Capital Stations

		NO OF PLAYS 0600-1800 MON-FRI w/c 18.04.05			
		RADIO 2	Capital FM	Xfm	Beat
OVERLAP RADIO 2 VS CAPITAL STATIONS					
SOMEWHERE ELSE	RAZORLIGHT	11		17	18
IN THE MORNING	CORAL, THE	11		9	25
HALF LIGHT	ATHLETE	11	8	14	15
SO WHAT THE FUSS	WONDER, STEVIE	9			
MUST GET OUT	MAROON 5	8	11		6
OTHER SIDE O	TUNSTALL, KT	7			3
GIRL	DESTINY'S CH	7	12		9
I LOVE THIS	GRIFFITH, NA	6			
I ATE UP THE	DR. JOHN	6			
DEVILS AND D	SPRINGSTEEN,	6			
THE GAME IS WON	SILVAS, LUCIE	5	8		
SPEED OF SOU	COLDPLAY	5	6	17	7
REFUGEES	TEARS	5		5	
LONELY NO MO	THOMAS, ROB	5	7		
ONE BY ONE	EDWARDS, STE	4			
EVERYMAN	WIREDAISIES	4			
OWNER OF A L	GRAHAM, MAX	3			4
LET ME LOVE	MARIO	3	15		
WHY DOES IT	TRAVIS	2			1
THESE WORDS	BEDINGFIELD,	2	2		
SHIVER	IMBRUGLIA, N	2	14		9
PLAY THE HIT	HAL	2		8	
MAKE ME SMILE (COME UP AND SEE	HARLEY, STEVE & COCKNEY REBEL	2			
KEEP THIS FI	KNIGHT, BEVE	2	10		
I UNDERSTAND	IDLEWILD	2		10	1
I BRUISE EAS	BEDINGFIELD,	2	12		
YOU'VE GOT A FRIEND	TAYLOR, JAMES	1			
YOUNG AT HEA	BLUEBELLS, T	1			
YOU TO ME ARE EVERYTHING	REAL THING, THE	1			
YOU REALLY G	KINKS, THE	1			
YOU CAN'T HURRY LOVE	COLLINS, PHIL	1			
WOODSTOCK	MATTHEWS' SO	1			
WONDERS NEVE	MORCHEEBA	1			
WHO'S ZOOMIN	FRANKLIN, AR	1			
WHEN YOU WAL	FALTSKOG, AG	1			
WHEN A MAN L	SLEDGE, PERC	1			
WHAT HAPPENS	DURAN DURAN	1			
WAY DOWN	PRESLEY, ELVIS	1			
WALK LIKE A	ALL SEEING I	1			
WAKE ME UP B	WHAM!	1			
VOULEZ-VOUS	ABBA	1			
TURN IT ON AGAIN	GENESIS	1			
TOO SHY	KAJAGOOGOO	1			
TIME TO GROW	LEMAR	1			
THIS KISS	HILL, FAITH	1			
THIS BOY	BAXTER, TOM	1			

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

Radio2 and Capital Stations

THERE YOU'LL	HILL, FAITH	1		
THE WAY	BEDINGFIELD,	1		
THE POWER	SNAP!	1		
THE MOON & M	BAXTER, TOM	1		
THE LOOK OF	ABC	1		
THE GUITAR M	BREAD	1		
THE BOXER	SIMON & GARF	1		
THE BEST THI	VANDROSS, LU	1		
TENNESSEE WA	CASSIDY, EVA	1		
TELL HER ABO	JOEL, BILLY	1		
TEARDROPS	WOMACK AND WOMACK	1		
TEARDROP	MASSIVE ATTA	1		
TAKE YOUR MA	SCISSOR SIST	1		
SWEET LOVE	BAKER, ANITA	1		
SUPREME	WILLIAMS, ROBBIE	1		
STUCK ON YOU	RICHIE, LION	1		
STAYIN' ALIV	BEE GEES	1		
SOMETHING HA	COLLINS, PHI	1		
SOLSBURY HILL	GABRIEL, PETER	1		
SOAK UP THE	CROW, SHERYL	1		
SNOWDEN	DOVES	1		
SMOOTH	SANTANA FEAT	1		
SLEEPING SATELLITE	ARCHER, TASMIN	1		
SHOWER THE P	TAYLOR, JAME	1		
SHE BANGS	MARTIN, RICK	1		
SEPTEMBER	EARTH, WIND	1		
SEE IT IN A	JAMELIA	1		
SAY WHAT YOU WANT	TEXAS	1		
SAILING TO P	KNOPFLER, MA	1		
RUNNING UP THAT HILL	BUSH, KATE	1		
RIGHT BACK W	NIGHTINGALE,	1		
RIDERS ON TH	DOORS, THE	1		
RHYTHM OF TH	DE BARGE	1		
RETURN OF THE MACK	MORRISON, MARK	1		
PURE SHORES	ALL SAINTS	1		
PATIENCE	PALLOT, NERI	1		
PAPERBACK CLICHE	BLAISE, TARA	1		
OVER MY SHOU	MIKE & THE M	1		
ORDINARY WORLD	DURAN DURAN	1		
ONE NIGHT IN	HEAD, MURRAY	1		
ONE LOVE	BLUE	1		
ONE HORSE TOWN	THRILLS, THE	1		
NOVEMBER RAI	GUNS N' ROSE	1		
NOTORIOUS	DURAN DURAN	1		
NO REGRETS	WILLIAMS, RO	1		
NEVER GONNA	ASTLEY, RICK	1		
NEVER CAN SA	GAYNOR, GLOR	1		
MUSTANG SALL	PICKETT, WIL	1		
MODERN LOVE	BOWIE, DAVID	1		
MICKEY	BASIL, TONI	1		
MANIC MONDAY	BANGLES, THE	1		
LUCKY YOU	LIGHTNING SE	1		
LOVE ME FOR A REASON	BOYZONE	1		
LOVE AND AFF	ARMATRADING,	1		
LONG BLACK V	STRANGLERS,	1		
LITTLE BY LITTLE	OASIS	1		

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

Radio2 and Capital Stations

LINGER	CRANBERRIES,	1		
LIFTED	LIGHTHOUSE F	1		
LIFE FOR REN	DIDO	1		
LET'S SPEND	ROLLING STON	1		
LET'S GET IT	GAYE, MARVIN	1		
LET THE MUSI	WHITE, BARRY	1		
LAZY	X-PRESS 2 FEAT. BYRNE, DAVID	1		
LATE IN THE	SIMON, PAUL	1		
KIDS IN AMER	WILDE, KIM	1		
JUST A LITTL	LIBERTY X	1		
JERK IT OUT	CAESARS	1		
IT'S LIKE TH	CAREY, MARIA	1		
I'M WITH YOU	LAVIGNE, AVR	1		
I'M STILL STANDING	JOHN, ELTON	1		
IF I EVER LOSE MY FAITH IN YOU	STING	1		
I ONLY WANT TO BE WITH YOU	SPRINGFIELD, DUSTY	1		
I ONLY WANT	SPRINGFIELD,	1		
I HEARD IT T	GAYE, MARVIN	1		
I DON'T WANT	STEWART, ROD	1		
HOLLYWOOD	CHAMBERS, KA	1		
HOLLYWOOD NI	SEGER, BOB A	1		
HOLD YOU DOW	LOPEZ, JENNI	1		
HEY YA!	OUTKAST	1		
HEY MR. DJ	MORRISON, VA	1		
HEAVEN MUST	TAVARES	1		
HEART OF GLA	BLONDIE	1		
HAVE A NICE	STEREOPHONIC	1		
GREEN ONIONS	BOOKER T. &	1		
GOOD VIBRATI	BEACH BOYS,	1		
GOD ONLY KNO	BEACH BOYS,	1		
GIVE ME A LI	GABRIELLE	1		
GIRLS JUST W	LAUPER, CYND	1		
FUNKYTOWN	LIPPS INC.	1		
FRIDAY'S CHI	YOUNG, WILL	1		
FOLLOW YOU,	GENESIS	1		
FLY AWAY	KRAVITZ, LENNY	1		
FIELDS OF GOLD	CASSIDY, EVA	1		
FEVER	HERBERT, GWY	1		
FATHER FIGUR	MICHAEL, GEO	1		
EVERYDAY IS A WINDING ROAD	CROW, SHERYL	1		
EVERYDAY I L	KAISER CHIEF	1		
EASY LOVER	COLLINS, PHI	1		
DON'T YOU WANT ME	HUMAN LEAGUE, THE	1		
DON'T YOU (F	SIMPLE MINDS	1		
DON'T STOP	FLEETWOOD MAC	1		
DON'T SAY YO	ERASURE	1		
DON'T LET ME	ANIMALS	1		
DON'T CRY BA	PEYROUX, MAD	1		
DANCE THE NI	MAVERICKS, T	1		
CRUSH	PAIGE, JENNIFER	1		
CRAZY	SEAL	1		
COME BACK AND STAY	YOUNG, PAUL	1		
CAROLINA IN	TAYLOR, JAME	1		
CAN'T GET YOU OUT OF MY HEAD	MINOGUE, KYLIE	1		
CAN'T GET EN	WHITE, BARRY	1		
BIG SUR	THRILLS, THE	1		

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

Radio2 and Capital Stations

BEND AND BRE	KEANE	1		
BELIEVE	CHER	1		
BEAUTIFUL DAY	U 2	1		
BACK TO LIFE	SOUL II SOUL	1		
BABYLON	GRAY, DAVID	1		
ANYONE OF US	GATES, GARET	1		
ANGEL	SHAGGY FEAT. RAYVON	1		
ANGEL CITY	HELICOPTER G	1		
AMERICAN PIE	MADONNA	1		
AMAZING	MICHAEL, GEORGE	1		
ALL SHOOK UP	PRESLEY, ELV	1		
ALL RISE	BLUE	1		
ALL OR NOTHI	SMALL FACES,	1		
ALBATROSS	FLEETWOOD MAC	1		
AIN'T NOBODY	RUFUS & CHAKA KHAN	1		
AFTERMATH	R.E.M.	1		
A THOUSAND M	CARLTON, VAN	1		
A GOOD YEAR	COSTELLO, EL	1		
(IS THIS THE	CHRISTIE, TO	1		
(FEELS LIKE)	FICTION FACT	1		

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

BBC 6 Music and Capital stations

OVERLAP BBC 6 MUSIC VS CAPITAL STATIONS (27th, 28th, 29th April and 2nd 3rd May)					
Song	Artist	6M	CAP	XFM	BEAT
DEBASER	PIXIES	11			
BELIEVE	CHEMICAL BROTHERS	10			2
BALLOON MAKER	MIDLAKE	9			
DECENT DAYS AND NIGHTS	FUTUREHEADS	9		10	
EVERYDAY I LOVE YOU LESS AND LESS	KAISER CHIEFS	9		18	3
DEAD MAN	NITIN SAWHNEY	8			
IN THE MORNING	CORAL	8		9	19
C'MERE	INTERPOL	7			
FEEL GOOD IN	GORILLAZ	7		13	6
LOVE + PAIN	CLOU	7			
LOVE IS AN UNFAMILIAR NAME	DUKE SPIRIT	7			
MUNICH	EDITORS	7			
ODE TO L.A.	RAVEONETTES	7			
SMILE LIKE YOU MEAN IT	KILLERS	7		16	9
THE DEATH OF ALL THE ROMANCE	DEARS - 22	7			
FOREVER LOST	MAGIC NUMBERS	6		14	
HALF LIGHT	ATHLETE	6	7	16	11
I UNDERSTAND IT	IDLEWILD	6		11	5
LYLA	OASIS	6	1	14	10
SHINE IT ALL AROUND	ROBERT PLANT & THE STRANGE SENS	6			
SNOWDEN	DOVES	6		8	
TUNED TO A DIFFERENT STATION	DOGS	6		1	
CRABBUCKIT	K-OS	5			
FULL RANGE EARMUFF	MIX MASTER MIKE	5			
GOODNIGHT GOODNIGHT	HOT HOT HEAT	5		9	3
HEY MAN	EELS	5		1	
IN MY ARMS	MYLO	5			12
LAST TRAIN	MADISON STRAYS	5			
NEIGHBORHOOD #3	ARCADE FIRE	5			
REFUGEES	TEARS	5		6	
THE HAND THAT FEEDS	NINE INCH NAILS	5			
THE JUPE	DAVE DAVANI	5			
BANQUET	BLOC PARTY	4		9	
CATCH MY DISEASE	BEN LEE	4			
DEBBIE LOVES JOEY	HELEN LOVE	4			
SO WHAT THE FUSS	STEVIE WONDER	4	1		
SPEED OF SOUND	COLDPLAY	4	7	18	10
BLUE ORCHID	WHITE STRIPES	3		8	1
DANCE ME IN	SONS AND DAUGHTERS	3			
JERK IT OUT	CAESARS	3		18	11
LEAH	BRUCE SPRINGSTEEN	3			
SOMEWHERE ELSE	RAZORLIGHT	3		15	15
TIED UP TOO TIGHT	HARD-FI	3		10	
BEST OF YOU	FOO FIGHTERS	2		8	2
E TALKING	SOUL WAX	2			
E.M.I.	SEX PISTOLS	2			
HOLD YOUR BREATH	MORNING RUNNER	2			
SHEEP	HOUSEMARTINS	2			
VOODOO	CHUNGKING	2			
54	TOOTS AND THE MAYTALS	1			

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

BBC 6 Music and Capital stations

A FOREST	CURE	1		
A LITTLE SOUL	PULP	1		
A MESSAGE TO YOU RUDY	SPECIALS FEATURING RICO	1		
A NEW ENGLAND	KIRSTY MACCOLL	1		
ALL OR NOTHING	SMALL FACES	1		
AMERICAN GIRL	TOM PETTY AND THE HEARTBREAKERS	1		
AND YOUR BIRD CAN SING	THE BEATLES	1		
ANOTHER GIRL ANOTHER PLANET	ONLY ONES	1		
APACHE	SUGARHILL GANG	1		
AUTOBAHN 66	PRIMAL SCREAM	1		
AWARD TOUR	A TRIBE CALLED QUEST	1		
BABIES	PULP	1		
BABY I LOVE YOU	RAMONES	1		
BALL OF CONFUSION	TEMPTATIONS	1		
BANDAGES	HOT HOT HEAT	1		
BE MY BABY	RONETTES	1		
BEDSHAPED	KEANE	1		2
BIG TIME SENSUALITY	BJORK	1		
BIGMOUTH STRIKES AGAIN	SMITHS	1		
BIRDHOUSE IN YOUR SOUL	THEY MIGHT BE GIANTS	1		
BIRTHDAY	SUGARCUBES	1		
BITTER SWEET SYMPHONY	VERVE	1		1
BIZARRE LOVE TRIANGLE	NEW ORDER	1		
BLACK	NICK DRAKE	1		
BLACK DOG	LED ZEPPELIN	1		
BLANK GENERATION	RICHARD HELL AND THE VOIDOIDS	1		
BLUE MONDAY	NEW ORDER	1		
BRAND NEW FRIEND	LLOYD COLE AND THE COMMOTIONS	1		
CALIFORNIA SUN	RAMONES	1		
CAN U DIG IT	POP WILL EAT ITSELF	1		
CAN'T GET OUT OF BED	CHARLATANS	1		
CARRION	BRITISH SEA POWER	1		
CHANGES	SUGAR	1		
CHERRY BLOSSOM GIRL	AIR	1		
CHERUB ROCK	SMASHING PUMPKINS	1		
CISSY STRUT	METERS	1		
CITIES	TALKING HEADS	1		
CLIP: I LIKE TO EXPAND MY HORIZONS	CLERKS	1		
CLOUD NINE	TEMPTATIONS	1		
COFFEE & TV	BLUR	1		
COME OUT AND PLAY	OFFSPRING	1		
COME TO THIS	SLEEPY JACKSON	1		
COME TOGETHER	SPIRITUALIZED	1		
COMPLETE CONTROL	CLASH	1		
CROCODILE WALK	JOHN MAYALL'S BLUESBREAKERS	1		
DEADWEIGHT	BECK	1		
DEVILS AND DUST	BRUCE SPRINGSTEEN	1		
DISARM	SMASHING PUMPKINS	1		
DMC & AEROSMITH	RUN	1		
DON'T BELIEVE THE HYPE	PUBLIC ENEMY	1		
DON'T FALTER	MINT ROYALE & LAUREN LAVERNE	1		1

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

BBC 6 Music and Capital stations

DON'T LET ME DOWN GENTLY	WONDER STUFF	1			
DON'T PANIC	COLDPLAY	1			
DON'T RHYME NO MO'	FREE ASSOCIATION	1			
DOWNLINER	JESSE MALIN	1			
DUCHESS	STRANGLERS	1			
EIGHTIES	KILLING JOKE	1			
EISLEY VS. THE MOUNTAIN	MOS EISLEY	1			
EL CAMINOS IN THE WEST	GRANDDADDY	1			
EL PRESIDENT	DRUGSTORE AND THOM YORKE	1			
ENVY	ASH	1		1	
EVEN BETTER THAN THE REAL THING	U2	1			
EVERLONG	FOO FIGHTERS	1			
EVERY DAY SHOULD BE A HOLIDAY	DANDY WARHOLS	1			
EVERYBODY KNOWS	DIVINE COMEDY	1			
EVERYBODY'S HAPPY NOWADAYS	BUZZCOCKS	1			
EXPRESS YOURSELF	N.W.A.	1			
FACTORY	MARTHA WAINWRIGHT	1			
FAMILIAR FEELING	MOLOKO	1			
FEELIN'	LA'S	1			
FLAMING TORCH	ONLY ONES	1			
FOOLS GOLD	STONE ROSES	1			
FREAK SCENE	DINOSAUR JR	1			
FREE WORLD	KIRSTY MACCOLL	1			
FRIDAY I'M IN LOVE	CURE	1			
FUSE	FOLK IMPLOSION	1			
GANGSTER TRIPPIN	FATBOY SLIM	1			
GENO	DEXYS MIDNIGHT RUNNERS	1			
GET FREE	VINES	1			
GET ON THE GOOD FOOT	JAMES BROWN	1			
GIGANTIC	PIXIES	1			
GLORIA	PATTI SMITH	1			
GLORY BOX	PORTISHEAD	1			
GOD SAVE THE QUEEN	SEX PISTOLS	1			
HALF A WORLD AWAY	R.E.M.	1			
HAPPY JACK	WHO	1			
HAPPY WHEN IT RAINS	JESUS AND MARY CHAIN	1			
HARD TO HANDLE	OTIS REDDING	1			
HARRY'S WALL	LOUDON WAINWRIGHT III	1			
HEADACHE	FRANK BLACK	1			
HEAVEN	PSYCHEDELIC FURS	1			
HERON & BRIAN JACKSON	GIL SCOTT	1			
HEY JOE	JIMI HENDRIX	1			
HISTORY	VERVE	1			
HOLIDAY	GREEN DAY	1		2	12
HONG KONG GARDEN	SIOUXSIE AND THE BANSHEES	1			
HOOLIGAN	EMBRACE	1			
HUNTED BY A FREAK	MOGWAI	1			
I AM THE MOB	CATATONIA	1			
I CAN'T GET NEXT TO YOU	TEMPTATIONS	1			
I CAN'T STAND THE RAIN	ANN PEEBLES	1			
I CAN'T STAND UP	ELVIS COSTELLO	1			
I COULD NEVER TAKE THE PLACE OF YOUR MAN	PRINCE	1			
I FOUGHT THE LAW	BOBBY FULLER FOUR	1			

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

BBC 6 Music and Capital stations

I FOUND THAT ESSENCE RARE	GANG OF FOUR	1			
I HAVE SEEN	ZERO 7	1			
I WANNA BE ADORED	STONE ROSES	1			
I WISH	SKEE-LO	1			
I WON	SUNDAYS	1			
ICEBLINK LUCK	COCTEAU TWINS	1			
IF I COULD TALK I'D TELL YOU	LEMONHEADS	1			
I'M ALLOWED	BUFFALO TOM	1			
IN A RUT	RUTS	1			
IN BLOOM	NIRVANA	1			
INBETWEENER	SLEEPER	1			
INTO THE VALLEY	SKIDS	1			
IT'S A SHAME ABOUT RAY	LEMONHEADS	1			
IT'S MY LIFE	TALK TALK	1			
JOCKO HOMO	DEVO	1			
JUDY IS A PUNK	RAMONES	1			
JUS 1 KISS	BASEMENT JAXX	1			
JUST A DAY	FEEDER	1			
JUST LIKE A WOMAN	BOB DYLAN	1			
KEYS TO YOUR HEART	101'ERS	1			
KILLING IN THE NAME	RAGE AGAINST THE MACHINE	1			
KIMBERLY	PATTI SMITH	1			
KING KONG FROWN	DEPARTURE LOUNGE	1			
KING OF THE KERB	ECHOBELLY	1			
KING STITT	KING STITT	1			
KINKY AFRO	HAPPY MONDAYS	1			
KU KLUX KLAN	STEEL PULSE	1			
LAPDANCE	N.E.R.D.	1			
LEGAL MAN	BELLE & SEBASTIAN	1			
LITTLE ARITHMETICS	DEUS	1			
LITTLE FLUFFY CLOUDS	ORB	1			
LOOSE FIT	HAPPY MONDAYS	1			
LOVE HER MADLY	DOORS	1			
LOVE SICK	GANG STARR	1			
LOVE YOU MORE	BUZZCOCKS	1			
LULLABY	CURE	1			
M5	FALL	1			
MAGGIE'S FARM	BOB DYLAN	1			
MALIBU	HOLE	1			
MARBLEHEAD JOHNSON	BLUETONES	1			
MARIA'S BED	BRUCE SPRINGSTEEN	1			
MILE END	PULP	1			
MOTHER POPCORN	JAMES BROWN	1			
MY FAVOURITE KISS	FRANK BLACK	1			
MY FRIEND	GROOVE ARMADA	1			
MY TWO DAYS AS AN AMBULANCE DRIVER	FLAMING LIPS	1			
MY WAY OF GIVING	SMALL FACES	1			
MY WEAKNESS IS NONE OF YOUR BUSINES	EMBRACE	1			
NANCY BOY	PLACEBO	1			
NEW MISTAKE	JELLYFISH	1			
NEWBORN	ELBOW	1			
NOT EVEN THE RAIN	CHARLATANS	1			
OBLIVIOUS	AZTEC CAMERA	1			

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

BBC 6 Music and Capital stations

OH BONDAGE UP YOURS	X-RAY SPEX	1		
ONCE IN A LIFETIME	TALKING HEADS	1		
ONE BETTER DAY	MADNESS	1		
ONE DAY	JOHN MARTYN	1		
ONLY LOVE CAN BREAK YOUR HEART	SAINT ETIENNE	1		
OOH WEE	MARK RONSON, GHOSTFACE & NATE D	1		
OTHERSIDE	RED HOT CHILI PEPPERS	1		
OUT	BETA BAND	1		
OUTDOOR MINER	WIRE	1		
PACIFIC	808 STATE	1		
PARANOID ANDROID	RADIOHEAD	1		
PEACHES EN REGALIA	FRANK ZAPPA & MOTHERS OF INVENT	1		
PIN	YEAH YEAH YEAHS	1		
PLAN A	DANDY WARHOLS	1		
PULLING MUSSELS	SQUEEZE	1		
PUMP IT UP	ELVIS COSTELLO	1		
PURE MORNING	PLACEBO	1	1	
QUEER	GARBAGE	1		
RACE FOR THE PRIZE	FLAMING LIPS	1		
RADIATION VIBE	FOUNTAINS OF WAYNE	1		
RAT RACE	SPECIALS	1		
REAL LIFE	MAGAZINE	1		
REFRIGERATOR WHITE	NICK LOWE	1		
RELEASE THE PRESSURE	LEFTFIELD	1		
RESPECT	ARETHA FRANKLIN	1		
REVEREND BLACK GRAPE	BLACK GRAPE	1		
REVEREND LUTHER	GREEN ON RED	1		
RISE	PUBLIC IMAGE LTD	1		
ROAD TO NOWHERE	TALKING HEADS	1		
ROADHOUSE BLUES	DOORS	1		
ROCK AND ROLL AIN'T NOISE POLLUTION	AC/DC	1		
ROCK THE CASBAH	CLASH	1		
ROMEO AND JULIET	SHAWN COLVIN	1		
ROOTS ROCKING	ASWAD	1		
ROSES	OUTKAST	1		
ROSES IN THE HOSPITAL	MANIC STREET PREACHERS	1		
RUN	SNOW PATROL	1	1	1
SALT SWEAT SUGAR	JIMMY EAT WORLD	1		
SATURN 5	INSPIRAL CARPETS	1		
SAVE IT FOR LATER	THE BEAT	1		
SCARECROW PEOPLE	XTC	1		
SEEMS FINE	CONCRETES	1		
SEEN THE LIGHT	SUPERGRASS	1		
SEX & DRUGS & ROCK & ROLL	IAN DURY	1		
SEXUALITY	BILLY BRAGG	1		
SEXX LAWS	BECK	1		
SEXY BOY	AIR	1	1	
SHADY LANE	PAVEMENT	1		
SHAKE SOME ACTION	FLAMIN' GROOVIES	1		
SHAKESPEARE'S SISTER	SMITHS	1		
SHE'S A RAINBOW	WORLD OF TWIST	1		
SHE'S LOST CONTROL	JOY DIVISION	1		
SILENCE IS EASY	STARSAILOR	1		

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

BBC 6 Music and Capital stations

SINGLE GIRL	LUSH	1			
SIZE OF A COW	WONDER STUFF	1			
SKIN DEEP	STRANGLERS	1			
SLAVE DRIVER	BOB MARLEY AND THE WAILERS	1			
SLOW HANDS	INTERPOL	1			
SLY	MASSIVE ATTACK	1			
SMALL AXE	BOB MARLEY AND THE WAILERS	1			
SMOKESTACK LIGHTNIN'	HOWLIN' WOLF	1			
SOLDIER GIRL	POLYPHONIC SPREE	1			
SOMETIMES	JAMES	1			
SONG TO THE SIREN	TIM BUCKLEY	1			
SPARKY'S DREAM	TEENAGE FANCLUB	1			
SPECIAL	GARBAGE	1			
SPONJI REGGAE	BLACK UHURU	1			
STEP INTO MY OFFICE BABY	BELLE & SEBASTIAN	1			
STEPPING RAZOR	PETER TOSH	1			
STOLEN CAR	BETH ORTON	1			
STRANGE LITTLE GIRL	STRANGLERS	1			
STRANGER IN BLUE SUEDE SHOES	KEVIN AYERS	1			
STRANGERS WHEN WE MEET	DAVID BOWIE	1			
STRAWBERRY FIELDS FOREVER	THE BEATLES	1			
SUMMERTIME	SUNDAYS	1			
SURVIVAL CAR	FOUNTAINS OF WAYNE	1			
SWEET GENE VINCENT	IAN DURY AND THE BLOCKHEADS	1			
SWEET JANE	VELVET UNDERGROUND	1			
SWEET SUBURBIA	SKIDS	1			
TAILLIGHTS FADE	BUFFALO TOM	1			
THANK YOU	SLY AND THE FAMILY STONE	1			
THAT SUMMER FEELING	JONATHAN RICHMAN & MODERN LOVER	1			
THE BOSS	JAMES BROWN	1			
THE CLOUD ROOM	LAURA VEIRS	1			
THE CONCEPT	TEENAGE FANCLUB	1			
THE DISTANCE	CAKE	1			
THE GREATNESS AND PERFECTION OF LOVE	JULIAN COPE	1			
THE KILLING MOON	ECHO AND THE BUNNYMEN	1			
THE KING OF ROCK'N'ROLL	PREFAB SPROUT	1			
THE LETTER	P J HARVEY	1			
THE LIQUIDATOR	HARRY J ALLSTARS	1			
THE LOST ART OF KEEPING A SECRET	QUEENS OF THE STONE AGE	1			
THE LUNATICS	FUN BOY THREE	1			
THE MESSAGE	GRANDMASTER FLASH AND THE FURIOUS 5	1			
THE ONLY ONE I KNOW	CHARLATANS	1			1
THE PASSENGER	IGGY POP	1			
THE PRINCE	MADNESS	1			
THE STORY OF THE BLUES	MIGHTY WAH	1			
THE WAY YOU MOVE	OUTKAST & SLEEPY BROWN	1			
THE ZEPHYR SONG	RED HOT CHILI PEPPERS	1			
THEME FROM TALES OF THE UNEXPECTED	RON GRAINER	1			
THERE BY THE GRACE OF GOD	MANIC STREET PREACHERS	1			

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

BBC 6 Music and Capital stations

THERE THERE MY DEAR	DEXYS MIDNIGHT RUNNERS	1				
THINGS I'VE SEEN	SPOOKS	1				
THIS IS A CALL	FOO FIGHTERS	1				
TIME IS MY EVERYTHING	IAN BROWN	1				
TOO YOUNG	PHOENIX	1				
TOWERS OF LONDON	XTC	1				
TRICK ME	KELIS	1	4		1	
TROUBLE MAN	MARVIN GAYE	1				
TUMBLING DICE	ROLLING STONES	1				
TWO MONTHS OFF	UNDERWORLD	1				
UNDERSTANDING JANE	ICICLE WORKS	1				
UNFINISHED SYMPATHY	MASSIVE ATTACK	1				
UNION CITY BLUE	BLONDIE	1				
UNITED STATES OF WHATEVER	LIAM LYNCH	1				
VAMBO	SENSATIONAL ALEX HARVEY BAN	1				
VELOCITY GIRL	PRIMAL SCREAM	1				
VILLIERS TERRACE	ECHO AND THE BUNNYMEN	1				
VIRGINIA PLAIN	ROXY MUSIC	1				
WALLS COME TUMBLING DOWN	STYLE COUNCIL	1				
WANG DANG DOODLE	HOWLIN' WOLF	1				
WASH IN THE RAIN	BEEES	1				
WASTED TIME	KINGS OF LEON	1				
WEDNESDAY WEEK	UNDERTONES	1				
WESTERN SKIES	LAZYBOY & RODDY FRAME	1				
WHAT BECAME OF THE LIKELY LADS	LIBERTINES	1				
WHAT'S IN THE BOX?	BOO RADLEYS	1				
WHEN IT STARTED	STROKES	1				
WHERE'S ME JUMPER	SULTANS OF PING F.C	1				
WHITE HONEY	GRAHAM PARKER AND THE RUMOUR	1				
WHITE MAN IN HAMMERSMITH PALAIS	CLASH	1				
WHOLE WIDE WORLD	SOUP DRAGONS	1				
WINTER	TORI AMOS	1				
WON'T GET FOOLED AGAIN	WHO	1				
WORLD SHUT YOUR MOUTH	JULIAN COPE	1				
YOU REALLY GOT ME	KINKS	1		1		
YOUNG KNIVES/ EMBRACE/ LCD SOUNDSYSTEM	REBEL PLAYLIST	1				
TOTAL		COUNTS	345	5	28	21
		% OVERLAP		1.45%	8.12%	6.09%
>1 PLAY ON RADIO		COUNTS	49	4	21	15
		% OVERLAP		8.16%	42.8%	30.6%
				6%	1%	

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

1 Xtra and Choice FM

Overlap 1Xtra and Choice FM (11th, 12th, 13th, 15th and 17th May 2005) 0600-1800			
		1Xtra	Choice
HARVEY NICKS	MITCHELL BROTHERS, THE	18	
LOSE CONTROL	ELLIOTT, MISSY	16	15
HATE IT OR LOVE IT	GAME, THE FEAT. 50 CENT	15	14
DIAMONDS FROM SIERRA LEO	WEST, KANYE	15	13
SO WHAT THE FUSS	WONDER, STEVIE	14	13
JUST A LIL BIT	50 CENT	13	5
1 THING	AMERIE	12	18
SIGNS	SNOOP DOGG FEAT. TIMBERL	11	14
AGAIN	EVANS, FAITH	11	14
REMEMBER ME	KANO	10	
ORDINARY PEOPLE	LEGEND, JOHN	9	11
SLOW DOWN	VALENTINO, BOBBY	7	12
WE BELONG TOGETHER	CAREY, MARIAH	6	12
ROLL WID US	AKALA	6	
HATE IT OR LOVE IT	BLIGE, MARY J.	6	
THIS IS MY TIME	WALKER, TERRI	5	3
HERE I GO AGAIN	MARIO	5	11
LOVERS & FRIENDS	LIL JON & THE EAST SIDE	4	12
YOUNG & FOOLISH	STIX, THE FEAT. CORRINNE	3	
SUGAR (GIMME SOME) NO ONE ELSE IN THE ROOM	TRICK DADDY	3	15
LET ME LOVE YOU	NAS FEAT. MAXWELL	3	1
	MARIO	3	4
DROP IT LIKE IT'S HOT	SNOOP DOGG FEAT. PHARREL	3	2
YEAH	USHER FEAT. LIL' JOHN &	2	2
LET'S GET BLOWN	SNOOP DOGG	2	
1, 2 STEP	CIARA FEAT. ELLIOTT, MIS	2	14
YOU MAKE ME WANNA YOU DON'T KNOW MY NAME	USHER	1	1
	KEYS, ALICIA	1	1
WORK IT OUT	BEYONCE	1	
WONDERFUL	JA RULE FEAT. KELLY, R.	1	2
USED TO LOVE U	LEGEND, JOHN	1	
UNPRETTY	TLC	1	
UH HUH	B2K	1	
TURN DA LIGHTS OFF	TWEET FEAT. MISSY ELLIOT	1	
TRAPPED IN THE CLOSET	KELLY, R.	1	5
THONG SONG	SISQO	1	
THE BOY IS MINE	BRANDY & MONICA	1	1
SUMMERTIME	BEYONCE FEAT. P. DIDDY	1	
SAY MY NAME	DESTINY'S CHILD	1	2
	GHOSTFACE FEAT. JADAKISS	1	
RUN	JADAKISS	1	
RIDE WID US	SO SOLID CREW	1	4
ONLY U	ASHANTI	1	4
ON FIRE	BANKS, LLOYD	1	
O	OMARION	1	6
NUMBER ONE SPOT	LUDACRIS	1	12
MY PLACE	NELLY	1	
MY BOO	USHER & KEYS, ALICIA	1	
MOVE YA BODY	NINA SKY	1	2

ANNEX 2
TABLE OF MUSIC OVERLAPS

DETAILED OVERLAP FIGURES

1 Xtra and Choice FM

ME, MYSELF AND I	BEYONCE	1	
LUV U BETTER	L.L. COOL J	1	
LEAN BACK	TERROR SQUAD FEAT. FAT J	1	4
IT'S LIKE THAT	CAREY, MARIAH	1	5
IT TAKES MORE	MS. DYNAMITE	1	
I TRY	KWELI, TALIB FEAT. BLIGE	1	
HYPE! HYPE!	SLK	1	
HIT 'EM UP STYLE (OOPS!)	CANTRELL, BLU	1	1
GIRL	DESTINY'S CHILD	1	14
GIRL FIGHT	VALENTINE, BROOKE FEAT.	1	
FLAP YOUR WINGS	NELLY	1	
ENCORE	JAY-Z	1	
DUDE	BEENIE MAN	1	3
DOO WOP (THAT THING)	HILL, LAURYN	1	2
DON'T LET THEM	ASHANTI	1	8
DON'T CHA	PUSSYCAT DOLLS, THE	1	
CONFESSIONS PART II	USHER	1	2
CAUGHT OUT THERE	KELIS	1	
BUSINESS	EMINEM	1	
BURN	USHER	1	1
BREATHE	FABOLOUS	1	3
BREAK YA NECK	BUSTA RHYMES LUDACRIS FEAT. NATE	1	
AREA CODES	DOGG	1	
TOTAL	COUNTS	71	41
	% OVERLAP		57.75%
>1 PLAY ON RADIO 1Xtra	COUNTS	26	20
	% OVERLAP		76.92%