

## **DCMS Consultation on Amendments to the Community Radio Licensing Regime**

### **Response from Radio Regen**

Radio Regen is one of the largest and longest established community radio development agencies in the UK. A charity based in Manchester it has delivered more full time community radio under the current licensing regime than any other UK body. It is the licensee for WythenshaweFM97.2 and the founder of ALLFM and North Manchester FM. Radio Regen also worked closely with DCMS, the Radio Authority, Ofcom and the Community Media Association (CMA) in the drafting of the community radio licensing system. The charity is also the publisher of the successful Community Radio Toolkit book and online community – the latter being home to over 1500 registered users.

We broadly support the well argued response from the CMA with the following added comments.

1. Do you agree with the proposed criteria for Ofcom to apply when considering a 5 year extension?

Radio Regen welcomes the simple and common sense approach suggested by the DCMS. To fail to allow a successful station to continue to serve its community would leave a substantial hole in the lives of the many people for whom the station has become essential.

With reference to criteria a) we would strongly oppose any move to ask stations to show that they have e.g. one year's running costs in the bank, and that the simple fact of a station's survival for five years should be testament enough to the station's ability to survive in the future.

Radio Regen agrees that serious breaches of broadcast regulation should mitigate against a licence renewal but that less serious breaches (e.g. lack of ROT or a minor non malicious/non-damaging mistake running a competition) should not disqualify a station.

2. Do you think the 50% funding restriction from any one source should be lifted?

Radio Regen slightly parts company with the CMA on this issue. We agree that this 50% limit is irrational and should be lifted. However we believe that stations might need added protection where a major funder might seek to exert undue influence on output and that the station alone might not be able to guard its best interests in such a situation. Radio Regen therefore suggests a 'flagging' system where a licensee should notify Ofcom where a funder/client seeks to (or becomes) a 50%+ funder. This is not to imply a need for Ofcom to 'pass' every such request but that it should generate an extra declaration in the Annual Ofcom Report that states that the majority funder has not exerted undue influence on the output of the station. It is our experience that large funders broadly respect the need for the station to be its own boss and that a small 'tweak' such as that suggested would serve to underline that point.

With reference to the 50% rule on commercial revenue – Radio Regen believes that a quota is essential to maintain the non-commercial nature of the sector and that to lift it would lead to a raft of stations becoming little more than small ILR stations operating

under a community radio licence. Should the DCMS seek to lessen the quota we would again propose a 'flagging' system that would require substantial extra detail from the licensee on its delivery of social gain.

3. i) Do you think that the rule prohibiting a community radio station from being licensed if it would overlap with an existing local radio service whose MCA is no more than 50,000 adults, should be lifted?

ii) If so, should the advertising and sponsorship restriction be applied to community radio stations that overlap with local radio services of up to 150,000 adults?

We agree with the CMA's response to this issue.

To further emphasise the reply – the protection of commercial stations implied by both measures was unjustifiable at the time of the original legislation and is doubly so now in the light of the 'relaxed' attitude to commercial radio licensing being currently proposed (e.g. from the Myers Report and in certain parts of Digital Britain). If commercial stations – of any size - are to be allowed to e.g. change formats, co-locate and lessen their locally-originated output then they cannot rely on the protectionist legislation that stifles community radio in their area.

Phil Korbel, Director, Radio Regen.