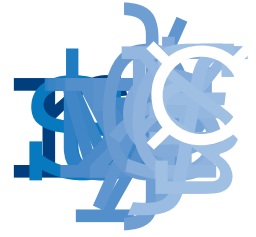


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25 August 2009

**Department for Culture, Media and Sport –
Consultation on Amendments to the Community Radio Licensing Regime**

The Scottish Government is pleased to present a submission to this consultation. We recognise the valuable contribution that community radio stations make in engaging with local people and generating a sense of community identity and cohesion. Ofcom's *Communications Market Report 2009* indicates that community radio is popular in Scotland with 12 stations already broadcasting in Aberdeen, Ayrshire, Borders, Cumbernauld, Edinburgh, Glasgow, Govan, Leith, Midlothian and Orkney. A number of rural stations are also operating throughout Scotland in a community radio style but using a commercial radio licence.

In its final report *Platform for Success* (published in September 2008), the Scottish Broadcasting Commission highlighted (at paragraphs 3.64 to 3.67) the role of community radio within Scotland, having taken evidence from several representatives of the community radio sector in Scotland. The report in particular argued that the regulation and support for community radio should be reviewed, to strengthen this form of broadcasting and the unique role it plays in Scottish community and public life. One area highlighted by the Scottish Broadcasting Commission is not considered in this consultation – the fact that some radio stations in Scotland operate under a commercial licence, despite having a clear community character. They are not currently able to gain access to the Community Radio Fund. The Scottish Government emphasises this point in its response to Question 2 of the consultation.

Finally, it is also worth noting that the Scottish Broadcasting Commission recommended that Ofcom should devolve responsibility for decision-making on community radio licensing to its senior staff in Scotland. The Scottish Government emphasises this point in response to Question 1 of the consultation.



MICHAEL RUSSELL

Question 1.

Do you agree with the proposed criteria for Ofcom to apply when considering a five-year extension?

The Scottish Government agrees with the proposed criteria that Ofcom would apply when considering five-year extensions to existing community radio licenses. We believe strongly however, that the decision to extend a licence for any Scottish station should be made by Ofcom in Scotland. This would be in line with the recommendation made by the Scottish Broadcasting Commission in paragraph 3.65 of its final report, *Platform for Success* (<http://www.scottishbroadcastingcommission.gov.uk/about/Final-Report>).

Question 2.

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

The Scottish Government supports this recommendation as a means of ensuring greater flexibility for community radio stations to manage their revenue options and hence better maintain their viability. According to Ofcom’s *Community Radio Annual Report 2008*, the median income for community radio is £66.5k but median expenditure is £64.5k, clearly demonstrating the financial constraints that community radio stations can operate under.

The Scottish Government notes that the level of the Community Radio Fund has not increased since its implementation in 2005/06 but that the number of community radio licences has increased during that time. We therefore believe it would be appropriate for the UK Government to review the level of support available under the Community Radio Fund.

There are currently several rural radio stations in Scotland which are licensed as commercial broadcasters but which function in format and style as a community station. This issue was highlighted by the Scottish Broadcasting Commission in *Platform for Success*. At present, section 359 of the Communications Act 2003 prevents these stations from benefiting from the funding made available to community radio stations. We believe it would be helpful if greater flexibility could be shown in making funding from the Community Radio Fund available to stations which clearly provide a community service, but which operate under a commercial licence.

Question 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?***

The Scottish Government supports the proposals as outlined above.