

Providing a service in accordance with ‘Format’, Lyca Media II Limited

Type of case	Broadcast Licence Conditions
Outcome	In Breach
Service	Time 107.5
Date & time	13 to 19 February 2023
Category	Format
Summary	The Licensee failed to fulfil the requirement specified in its Format to deliver local news. Breaches of Licence Conditions 2(1) and 2(4).

Introduction

Time 107.5 a commercial radio station providing a service of broad music, information and news primarily for 25-44 year-olds in the London borough of Havering. The licence for Time 107.5 is held by Lyca Media II Limited (“Lyca” or “the Licensee”).

Like all other commercial radio stations, Lyca Media II Limited is required to deliver its [Format](http://www.ofcom.org.uk/static/radiolicensing/analogue/formats/al100803.doc) (<http://www.ofcom.org.uk/static/radiolicensing/analogue/formats/al100803.doc>) which forms part of its licence. The Format sets out the type of broadcast output that the radio station is required to deliver. It also sets out when local news is required to be broadcast on the service.

Ofcom received two complaints that Lyca was not broadcasting the required local news bulletins. Ofcom requested information and recordings of the Licensee’s broadcast output from 13 to 19 February 2023 to ensure that Lyca was complying with its Format to broadcast local news bulletins at least hourly during daytime weekdays and peak-time weekends.

Having reviewed the material Lyca had provided, we noted that local news was not broadcast at any time during the week 13 to 19 February 2023. It therefore appeared that the Licensee was not meeting the following requirement in its Format:

- Local news bulletins: At least hourly during daytime weekdays and peak-time weekends. At other times, UK-wide, nations and international news should feature.

Ofcom considered that this raised potential issues under Licence Conditions 2(1) and 2(4). These state, respectively:

- 2(1) “The Licensee shall provide the Licensed Service specified in the Annex for the licence period”; and
- 2(4) “...the Licensee shall ensure that the Licensed Service accords with the proposals set out in the Annex so as to maintain the character of the Licensed Service throughout the licence period”.

Ofcom requested comments from the Licensee on how it was complying with these conditions.

Response

The Licensee stated that its local news journalist had left the service in December, and it has had difficulty recruiting a replacement, explaining that “it has been very hard to fill the role”. Since the journalist left the service, Lyca explained that “presenters have been managing to cover shifts in December and January but there were temporary issues in February, which have now been rectified”. The Licensee added that, since the week assessed, it has “been broadcasting full days of National and Local bulletins in house again with a freelance journalist who worked for [the Licensee] in the past”.

Decision

Reflecting our duties to ensure a diverse range of local radio services, commercial radio licensees are required to provide the specified licensed service set out in their Format.

During the period monitored, we found that no local news bulletins were broadcast by service at any time, only national news was broadcast regularly.

We note that Lyca’s local news journalist left the service in December. Ofcom’s [Localness guidelines \(https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/radio-broadcasters/localness\)](https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/radio-broadcasters/localness) set out that “There should be an appropriate provision of professional journalistic cover, based within the licence area (or approved local area if appropriate), on days when local news provision is a Format obligation”. We expect licensees to have procedures in place to manage absences of staff, particularly where this relates to Format compliance.

We appreciate that the Licensee has had difficulty recruiting a replacement journalist and it had taken steps to cover the requirement for local news with existing presenters and taken further steps to rectify the issue following our assessment. However, it remains the case that no local news was broadcast during the week assessed and Lyca did not contact Ofcom to explain that it would be unable to meet this aspect of its Format.

Ofcom’s Decision is that Lyca Media II Limited is in breach of Licence Conditions 2(1) and 2(4) for failing to comply with the following requirement of its Format:

- Local news bulletins: At least hourly during daytime weekdays and peak-time weekends. At other times, UK-wide, nations and international news should feature.

We expect the Licensee to continue to work to rectify this immediately. Ofcom will monitor this service to ensure that Lyca Media II Limited is complying with its Format.

Breaches of Licence Conditions 2(1) and 2(4)