

Consultation response form

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Consultation title	Ofcom's proposed plan of work 2021/22 – Making communications work for everyone
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Your response

Question	Your response
Do you have any comments on our proposals?	Confidential? – N

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The Community Media Association (CMA) welcomes the invitation to comment on Ofcom's Annual Plan of Work 2021/20.

The Past Year

Additionally, we commend the extraordinary effort that the Broadcast Licensing Team has put into working with the community radio sector during what has been an exceptionally trying year.

The work involved to provide emergency funding for the sector via the Community Radio Fund has been well received and timely - especially the unexpected third Round which closed in January. Of course, the sector needs much more funding – especially with a new tranche of C-DSP licensees that will be able to access the Fund – but it is acknowledged that the level of funding available is not set by Ofcom.

Sector communications throughout the pandemic have been good with the Notes to Broadcasters published in March, April, May, and November last year, the monthly Communications Monthly Update, the Broadcast Bulletins, and so on.

The information around small-scale DAB (SSDAB) has been excellent and the two online seminars in September are an invaluable resource.

Analogue radio licensing

Despite Ofcom's clear statement of 26 September 2019 and its subsequent iterations that "this will be the last round of community radio licensing on analogue (FM or AM) for the foreseeable future as we turn our attention towards the implementation of the licensing framework for small-scale DAB", there still remains a significant and vocal demand for more analogue licensing for community radio.

The CMA recently conducted a small survey of the sector and 32 out of 33 respondents expressed an interest in broadcasting on FM. An identical survey last year received 23 responses. If Ofcom is able to consider a licensing round of short duration, as was undertaken in Northampton earlier in 2020 (which ran for a little under two months from 15th May to 13th July), then potential applications might be limited to projects that are in an "advanced state of preparation to broadcast" - that is to say that they are currently broadcasting on the Internet and/or they have previously considered applying for a community radio licence and have already put some thought into preparing a licence application.

The CMA has identified a number of criteria that might illustrate a threshold of "fitness to broadcast" and help to contain the number of potential applications:

- a) where an analogue community radio licence has been handed back and the frequency is still vacant
- b) areas where a potential community radio project is in an advanced state of preparation to broadcast
- c) where temporary Covid-19 short-term restricted service licence services are still operating

d) in areas of high incidence of Covid-19

e) in areas with a high index of poverty where SSDAB take-up by listeners may be lower than average

f) rural areas of low population where SSDAB might be economically unviable

Adopting such an approach might mean that Ofcom has the capacity to consider running a short round of analogue licensing that would not unduly impact on the priority of progressing small-scale DAB licensing. Indeed, in the statement "[Licensing Small Scale DAB](#)", Ofcom advises that after Rounds 1 and 2, there will be a short internal review where amendments to the licensing process and/or timetable will be examined. That pause might also provide an opportunity for a round of analogue licensing to be considered.

Whilst the prospect of broadcasting on SSDAB will present a number of opportunities for community broadcasters, there is a number of aspirant community radio broadcasters that have expressed little interest in SSDAB and who are questioning - given the time it typically takes to complete a licensing round – how long they will now have to wait for the opportunity to be able to apply for a licence if Ofcom will not consider any further rounds of analogue community radio licensing for the foreseeable future. Our member's would welcome an updated response from Ofcom to this particular point.

Moreover, some community radio stations consider SSDAB an inadequate alternative to analogue broadcasting as listeners from low-income backgrounds are particularly unlikely to be able to afford a specialist receiver to pick up a digital broadcast - especially as SSDAB multiplex operators will broadcast using the more up-to-date DAB+ codec. There has been concern that some retailers may still be selling legacy DAB receivers that are not compatible with DAB+ and therefore there is likely to be a substantial tranche of receivers bought relatively recently that are already effectively obsolete. An argument made by some community broadcasters is that this 'drive to digital' radio policy may effectively be discriminatory to marginalised and low-income groups. We would welcome Ofcom's response to this point.

Community radio licence renewals

Community radio licensees have complained that notification of licence extensions have been sent out sometimes with less than a month before expiry. Community radio does not operate on a 'just in time' basis and timely confirmation of licence renewal is essential for business continuity, existing funding arrangements, prospective funding applications, advertising contracts, rent agreements, managing volunteers, training provision, and so on.

The CMA requests that the Broadcast Licensing Team works towards establishing a service level agreement (SLA) to notify community radio stations of licence renewals initially at least 3 months before expiry. After a period of establishment, of for example, 6-12 months, we would hope to see a new SLA agreed to inform stations possibly 6 months before expiry. The CMA has written to the Ofcom Chief Executive about this issue.

Complaints procedure

The CMA has raised the issue of a more pragmatic approach to be taken with listener complaints that are frequently of a vexatious nature. An example last year was of a complaint that was lodged when it was known that the station manager concerned was on holiday. There is some concern that stations are expected to respond to a complaint within a very short amount of time and then have to wait a considerably longer time for Ofcom to give its judgement. The CMA has requested a review of the complaints procedures.

Level of fees for temporary Covid-19 RSLs

The stations broadcasting under the temporary emergency Covid-19 RSLs are unhappy with the level of fees that they have to pay as the licence does not permit them to raise funds through advertising and other on-air commercial activity. As the licence is temporary, by definition, these stations find it difficult to apply for grants. One station has been broadcasting for 11 months, paying over £1,200 per month in licence fees.

Unlicensed broadcasters

Some stations and members of the public still have concerns about the numbers of unlicensed broadcasters as these viable broadcast frequencies could be made available to community radio stations.

Community radio: volunteer input guidelines

Hourly rates for community radio volunteers have not been updated since [2015](#). Additionally, some of our members have advised that there should be a 'London-weighting' for community radio stations within the M25 that have much higher costs for rent and other expenses due to their location.

Community Radio Fund

The CMA requests that Ofcom commits to undertaking to commission research into the Community Radio Fund - in particular, research to demonstrate its impact and how community radio stations use grants from the Community Radio Fund to leverage access to other funding.

Increased support for the Community Radio Fund from Ofcom would assist to redress the iniquitous situation with regard to the current Community Radio Fund which has reduced in size since its launch with £500k per annum in 2005, while the number of channels has increased from the first 15 pilots to more than 300 stations today.

A Community Radio Fund that is able to support community radio station core costs, as recommended by independent research commissioned by the Radio Authority (the forerunner to Ofcom) in 'New Voices' (Everitt, 2003), would have a transformational impact on a community media sector which is already delivering substantial public value but whose full potential is not being realised.

Experience with the Community Radio Fund so far indicates that such investment would leverage at least two or three times the level of support from other sources including other grants and sponsorship.

The CMA therefore calls upon Ofcom to work with the CMA and DCMS to make the case to the Treasury for a much-enhanced Community Radio Fund that is able to offer greater support for community radio stations and will also be capable of meeting the extra demands placed on it by the expected expansion of community radio onto the new platform of small-scale DAB.