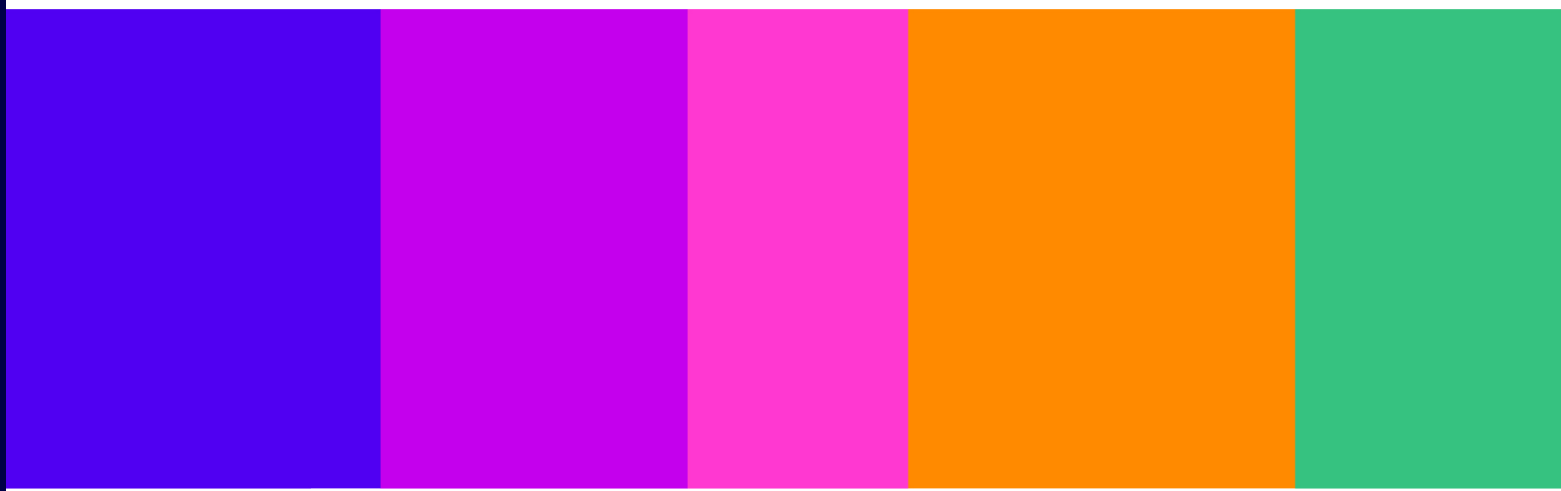


talkSPORT – proposals to reduce AM coverage

Statement

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1. Overview

- 1.1 talkSPORT Limited (“talkSPORT” or “the Licensee”) holds a national commercial radio licence to broadcast its sport-oriented speech radio service across the UK on the AM (medium wave) band. Under its broadcasting licence, talkSPORT must secure that its service serves so much of the UK “as is for the time being reasonably practicable”.
- 1.2 In September 2024, talkSPORT submitted a request to reduce the coverage of its national AM (medium wave) commercial radio service from 92% to 88.9%, by ceasing transmissions from the following seven of its 18 transmitter sites:
- Clipstone (Nottinghamshire)
 - Duxhurst (Surrey)
 - Lisnagarvey (County Antrim, Northern Ireland)
 - Lydd (Kent)
 - Stockton (Durham/North Yorkshire)
 - Southwick/Brighton (West Sussex), and;
 - Rusthall (Tunbridge Wells)
- 1.3 We consulted on the request with a preliminary view that we were minded to approve it. We have had regard to the responses we have received in reaching our decision. We received one response agreeing with the proposal, one response questioning the rationale for the switch off of one specific transmitter and suggesting an amendment to one other, and two neither agreeing nor disagreeing to the specific proposals.

What we have decided – in brief

Ofcom has decided to approve the request submitted by talkSPORT Limited to reduce its AM (medium wave) coverage by ceasing transmissions from seven of its transmitter sites.

2. Background and legal framework

- 2.1 talkSPORT Limited holds one of the two national analogue commercial radio licences¹ in the UK issued under the Broadcasting Act 1990 (the “Broadcasting Licence”). Under the terms of its Broadcasting Licence, it must provide a radio service which is “A 24-hour speech service featuring primarily sports-related programming. Regular news bulletins will be included”.
- 2.2 The Broadcasting Licence was initially awarded by an auction process in July 1994, and has subsequently been renewed on four occasions.² The latest renewal process was completed in December 2021, when we decided to renew the Broadcasting Licence for a further ten-year period, until 31 December 2031.³
- 2.3 Since its launch in 1994, talkSPORT incrementally increased the coverage of its national AM radio service, ultimately providing the service to approximately 95% of the UK adult population through voluntarily adding further transmitter sites. In 2019, Ofcom approved a request from talkSPORT to reduce its coverage to 93%,⁴ and subsequently in 2023 approved a further request to reduce its coverage to 89.9%.⁵ Due to Ofcom’s recalculation of talkSPORT’s coverage, the figures quoted in previous consultations and reflected above have been recalculated. The current proposal is seeking consent to reduce coverage from 92% (current) UK coverage to 88.9% (proposed).⁶
- 2.4 In addition to this national AM licence, talkSPORT also broadcasts nationally via DAB on the Digital One multiplex. The service is also available via the internet and on television on the Freeview, Sky and Virgin Media platforms.
- 2.5 On 18 September 2024, Ofcom received a formal submission from talkSPORT proposing to switch off seven AM transmitter sites, reducing talkSPORT’s national medium wave transmitter network to five core high power sites, five low power sites and their transmitter inside the Dartford Tunnel in Kent.⁷

¹ The other licence is held by Classic FM.

² Ofcom incorrectly stated in the 2024 Consultation and previous consultations that talkSPORT’s licence had been renewed three times. Ofcom does not consider that error impacts upon its proposed decision nor the ability of stakeholders to provide informed consultation responses.

³ <https://www.ofcom.org.uk/tv-radio-and-on-demand/analogue-radio/renewal-independent-national-radio-licences>

⁴ [Statement: talkSPORT - proposals to reduce AM coverage - Ofcom](#)

⁵ [Consultation: talkSPORT – proposals to reduce AM coverage - Ofcom](#)

⁶ In considering the 2024 request from talkSPORT we have used Wireless Telegraphy Act 2011 census data exclusively. Coverage projections prepared with reference to both the 2019 and 2022 requests were prepared using Radio Authority coverage maps which assumed a lower transmitter power pertaining to the Brookman’s Park transmitter. We have therefore decided to base the new calculations on the latest transmitter characteristics at all sites which reflect the latest best and most accurate coverage information.

⁷ This transmitter is a feeder to provide reception to vehicles passing through the tunnel and does not provide additional population coverage.

Legal framework

Structure of this section

- 2.6 In this section, we set out the legal framework for assessing talkSPORT’s proposals as follows: a) we set out our statutory duties that are of particular importance to assessing whether we should allow talkSPORT to implement the proposed changes; b) we summarise the relevant licence conditions; c) we explain how we are minded to apply our statutory duties to assessing talkSPORT’s proposals; and d) finally, we explain how we would implement the changes proposed by talkSPORT and our approach to impact assessment.

Ofcom’s statutory duties

- 2.7 The statutory duties that are of particular importance to assessing talkSPORT’s proposals derive from the Communications Act 2003 (the “**2003 Act**”) and the Broadcasting Act 1990 (the “**1990 Act**”).

Our duties under the Communications Act 2003

- 2.8 Ofcom’s principal statutory duty as set out in section 3 of the 2003 Act is to further the interests of citizens in relation to communications matters; and to further the interests of consumers in relevant markets, where appropriate by promoting competition. Ofcom is also required to secure (amongst other things): a) the optimal use for wireless telegraphy of the electromagnetic spectrum; b) the availability throughout the UK of a wide range of television and radio services which (taken as a whole) are both of high quality and calculated to appeal to a variety of tastes and interests; and c) the maintenance of a sufficient plurality of providers of different television and radio services.⁸ In performing our duties, we must have regard to those factors that appear to us to be relevant in the circumstances. In this case, we consider that “the different interests of persons in the different parts of the United Kingdom, of the different ethnic communities within the United Kingdom and of persons living in rural and in urban areas” is of particular importance (section 3(4)(l) of the 2003 Act).
- 2.9 In performing our duties, we are also required under section 3(3) of the 2003 Act to have regard in all cases to the principles under which regulatory activities should be transparent, accountable, proportionate, consistent and targeted only at cases in which action is needed.

Our duties under the Broadcasting Act 1990

- 2.10 The Media Act 2024⁹ amended or removed various obligations on Ofcom in the Broadcasting Act 1990. It has removed the requirement in section 85 of the 1990 Act for Ofcom to secure the provision of a diversity of national analogue services, of which one must consist mainly of speech, and another must consist wholly or mainly of non-pop music. It has also removed the obligation on Ofcom to revoke the licence of a national service for ceasing its analogue transmission. This change was intended to enable Classic FM and talkSPORT (the two remaining national commercial stations providing an analogue as well as a digital service) to surrender their licences and stop broadcasting over FM and

⁸ Sections 3(2)(a), 3(2)(c) and 3(2)(d) of the 2003 Act respectively.

⁹ Section 41 of the Media Act 2024.

AM respectively once their analogue listenership levels mean that it is no longer commercially justifiable to do so.

talkSPORT's broadcasting licence

The reasonably practicable threshold for ensuring coverage

- 2.11 Condition 2(1) of the Broadcasting Licence requires talkSPORT to secure that its analogue radio service serves so much of the UK “as is for the time being reasonably practicable”.¹⁰ This licence condition mirrors section 106(2) of the 1990 Act, which provides that:

“A national or local licence shall include conditions requiring the licence holder to secure that the licensed service serves so much of the area or locality for which it is licensed to be provided as is for the time being reasonably practicable.”

- 2.12 The Broadcasting Licence currently requires talkSPORT to reach such coverage by broadcasting the licensed service from 18 transmitter sites. The location and technical characteristics of these transmitters are specified in the Broadcasting Licence (Parts II and III of the Annex).

Failure to comply with the coverage requirement

- 2.13 Failure to secure that the licensed radio service serves so much of the UK “as is for the time being reasonably practicable” may constitute a breach of Condition 2(1) of the Broadcasting Licence.¹¹
- 2.14 The range of penalties that can be imposed on licensees for breach of a licence condition includes financial penalties, shortening the licence, suspending the licence or revocation. These penalties are set out in the statutory regime, together with procedural requirements,¹² and mirrored in the Conditions set out in Part IV (‘Conditions relating to enforcement of licences’) of the Broadcasting Licence.

Licence variations

- 2.15 Ofcom has a general power to make changes to broadcasting licences by means of serving a notice of variation on the Licensee.¹³ This power is reflected in Condition 23 of the Broadcasting Licence. We must give the licensee a reasonable opportunity to make

¹⁰ This licence condition reads as follows: “The Licensee shall provide the Licensed Service specified in the Annex for the licence period and shall secure that the Licensed Service serves so much of the licensed area as is for the time being reasonably practicable.”

¹¹ We would investigate any such breach according to our Enforcement Guidelines. See Ofcom’s “General procedures for investigating breaches of broadcast licences”, 3 April 2017; https://www.ofcom.org.uk/data/assets/pdf_file/0019/31942/general-procedures.pdf.

¹² Sections 109-111 of the 1990 Act.

¹³ Section 86(5) of the 1990 Act. The 1990 Act provides that if Ofcom thinks that it would be reasonably practicable for a national service to be provided to an additional area falling outside the minimum area set in the award process, Ofcom can require the licensee to provide the service for that additional area (section 106(3)). However, the 1990 Act does not contain any specify provision for requests to reduce the minimum area.

representations before making the variation (Condition 23(1)(b) of the Broadcasting Licence).¹⁴

talkSPORT's wireless telegraphy licence

- 2.16 talkSPORT also holds a licence issued under the Wireless Telegraphy Act 2006 (the "WT Licence") which authorises it to establish, install and use radio transmitting stations and/or radio apparatus (i.e. transmitters) in the same locations authorised under its Broadcasting Licence (i.e. 18 sites in total) for the transmission of the sound broadcasting service described in the Broadcasting Licence.
- 2.17 Condition 3 of the WT Licence allows Ofcom to vary this licence in specific circumstances, which include where the variation is "at the request of, or with the consent of, the Licensee",¹⁵ and requires us to notify the Licensee in writing or by a general notice in accordance with Schedule 1 paragraph 6 of the WT Act. Ofcom has a broad discretion under paragraph 6 of Schedule 1 of the WT Act to agree to vary licences, but legal rules operate to limit that discretion. In particular, according to paragraph 6A of Schedule 1 of the WT Act, any variation of a wireless telegraphy licence must be objectively justifiable.

Application of our relevant duties to assessing talkSPORT's proposals

Ofcom's task

- 2.18 Given the requirement set out in Condition 2(1) of the Broadcasting Licence (see paragraph 2.11 above), the main questions that we need to address are: a) whether it remains reasonably practicable for talkSPORT to serve 92.0% of the UK adult population with its analogue radio service; and, b) if that level of coverage is no longer reasonably practicable, whether the combined effect of the measures that talkSPORT has proposed to take (i.e. a reduced coverage of 88.9% of the UK adult population), would meet the "reasonably practicable" threshold set out in the licence conditions.
- 2.19 The "reasonably practicable" threshold entails a balancing exercise to ensure proportionality. To simplify, we put on one side any disadvantages involved in providing the service at the current level of coverage and, on the other side, the nature and extent of the risks involved if the current coverage of the service was reduced. In considering the various factors involved in this balancing exercise, we need to take account of our statutory duties.

Ofcom's decision in light of our statutory duties

- 2.20 We have considered the consultation responses and have decided to approve talkSPORT's reduction request for the reasons set out in section 3 of this document. We consider our decision complies with the statutory duties (2.8-2.10). In summary, this is because:

¹⁴ This licence condition mirrors section 86(5)(b) of the 1990 Act. Condition 24 of the Broadcasting Licence specifies in which way we may give any notice of variation, including in electronic form (subject to the requirements set out in Sections 395 and 396 of the 2003 Act).

¹⁵ This licence condition mirrors Schedule 1, paragraph 8(2)(a) of the WT Act 2006.

- a) We consider that it is no longer reasonably practicable for the Licensee to continue to broadcast the service from 18 sites. The Licensee has demonstrated that it can continue to serve 88.9% of the UK through the provision of the remaining 11 transmitter sites.
- b) In these specific circumstances, we consider that broadcasting the licensed service to 88.9% of the UK adult population would still ensure optimal use of spectrum;
- c) The availability of talkSPORT on alternative platforms (including digital radio, television and internet) is likely to be sufficient to maintain a plurality of radio providers and radio services in the geographical areas affected by the proposals;
- d) Many areas impacted by the switch off of these transmitters would continue to receive the service on AM through the remaining sites, while the service can also be accessed on alternative listening platforms; and
- e) AM national coverage has been identified as a declining market and DCMS has recommended that industry should begin planning the long-term retirement of analogue services. talkSPORT has demonstrated the decline in listening to the service on the AM platform, in particular evidenced by the RAJAR figures provided in its proposal focused on the specific transmitters it wishes to switch off. When this point is considered alongside the costs and environmental impact associated with maintaining AM transmitter sites, our assessment is that it is no longer reasonably practicable for the Licensee to maintain the seven sites it seeks to remove from the licence.

2.21 Section 108 of the Deregulation Act 2015 sets out Ofcom’s duty to have regard to the desirability of promoting economic growth when exercising its regulatory functions (the growth duty). In order to consider the promotion of economic growth, Ofcom will exercise its regulatory functions in a way that ensures that: a) regulatory action is taken only when it is needed; and b) any action taken is proportionate. The government’s statutory guidance on this duty recognises drivers of economic growth to include innovation and competition.¹⁶

2.22 Removing reference to the transmitter sites that talkSPORT has proposed to close from its WT Licence (with effect from the date when talkSPORT intends to close them) would be objectively justifiable as it would align this licence with the Broadcasting Licence.

Impact assessment and equality impact assessment

2.23 The analysis presented in our consultation document constituted an impact assessment as defined in section 7 of the 2003 Act. Impact assessments and equality impact assessments provide a valuable way of assessing different options for regulation and showing why the preferred option was chosen. They form part of best practice for policy-making. As set out in our consultation document, while we identified potential impacts on certain groups with protected characteristics, we considered that there was sufficient mitigation in the context of this decision. Ofcom invited stakeholder views on our consideration of the impact assessment and equality impact assessment contained within the consultation. Steve Cowie agreed with Ofcom’s assessment of the potential impact on specific groups of persons. Ofcom received no other stakeholder responses relating specifically to Ofcom’s impact assessment and equality impact assessment. Responses relating to the impact more generally are addressed below.

¹⁶ In this document we have considered, where appropriate, the proportionality of our proposals. In particular, we consider the proportionality of our proposal in paragraphs 2.23 and paragraph 3.20 to 3.28.

2.24 The Welsh Language (Wales) Measure 2011 established a legal framework to impose duties on certain organisations to comply with standards in relation to the Welsh language. In our consultation, we stated that we did not consider talkSPORT's proposal to close seven transmitter sites will have any impact on opportunities for persons to use the Welsh language, or on treating the Welsh language no less favourably than the English Language for the following reasons. First, the proposal relates to talkSPORT's AM radio coverage area and does not relate to content provided by talkSPORT. Second, talkSPORT does not provide any Welsh language programming. Third, none of the transmitters that are proposed to be closed are in or cover Wales. Our assessment of the impact of talkSPORT's proposal remains that we do not consider that it will have an impact on opportunities for persons to use the Welsh language, or on treating the Welsh language no less favourably than the English language. Ofcom received no responses relating to Ofcom's Welsh Language Impact Assessment.

3. Ofcom's analysis and decision

- 3.1 talkSPORT has proposed to close seven transmitter sites, namely: Clipstone (Nottinghamshire), Duxhurst (Surrey), Lisnagarvey (County Antrim, Northern Ireland), Lydd (Kent), Stockton (Durham/North Yorkshire), Southwick/Brighton (West Sussex) and Rusthall (Tunbridge Wells).
- 3.2 talkSPORT assert that they are committed to alerting listeners affected by the closure of the sites identified with targeted and timely communications aimed at migrating audiences to DAB, DTV and online platforms. talkSPORT has devised a solution which will allow them to proactively target their AM listeners by promoting the benefits of switching to their DAB platform.
- 3.3 The 11 sites which remain, if talkSPORT's proposal to close seven sites is approved, consist of the following sites: Brookman's Park (Hertfordshire), Droitwich (North Worcestershire), Moorside Edge (West Yorkshire), Westerglen (Falkirk), Washford (Somerset), Fareham (Hampshire), Dartford Tunnel (Kent), Wallasey (Cheshire), Boston (Suffolk), Wrekenton (Newcastle) and Postwick (Norfolk).
- 3.4 talkSPORT has calculated that its request entailing the closure of seven transmission sites would lead to the UK coverage focused on the adult (aged 15+) population of its licensed service being reduced from 92.0% to 88.9% ([see Annex 5 of the Consultation](#) for talkSPORT's submission). This is consistent with Ofcom's calculations based on the closure of the seven earmarked sites.
- 3.5 Ofcom anticipates that these changes would lead to approximately 1.6 million adults in the UK losing access to the AM service. When comparing these figures to the coverage of the talkSPORT service on DAB, Ofcom calculations indicate that 50,434 potential listeners would no longer be able to access the service on either AM or on DAB (which equates to 0.1% of total adults aged 15+ in the UK).
- 3.6 talkSPORT maintains that switching off the seven requested transmitters will result in a relatively small reduction in the proportion of listeners who will no longer be able to receive the service on its AM reach, and coverage in most of the areas will continue to be provided via DAB and across other available platforms. In its proposal, talkSPORT has also referred to its experience with switching off 11 low-powered transmitter sites since 2019, noting that its total weekly listening hours on AM dropped by 0.025m when adjusting for growth over five years.
- 3.7 Ahead of requesting this change, talkSPORT analysed the cost of powering each relevant transmitter alongside the declining audience which listens to the service on the AM platform. talkSPORT has also noted the environmental impact of maintaining its AM transmitter network, which Ofcom acknowledges requires high electricity usage. talkSPORT notes that, further to the proposals made in 2019 and 2022, there has been a continued decline in analogue listening at the sites talkSPORT wants to close. Based on RAJAR data, listening figures are no longer at appreciable levels due to the evolution of audience behaviour/the migration of listening to radio services both DAB and other 14 alternative platforms. The analysis of Q2 2024 RAJAR data confirms the ongoing long-term decline in AM listening and that sites identified for closure continue to experience a decline in listening data.

- 3.8 talkSPORT has stated that in the areas not currently just because I am interested in tasks covered by high power AM transmitters, AM listening is just 77,000 hours, which it notes is less than 0.5% of talkSPORT's total listening across all listening platforms.¹⁷
- 3.9 talkSPORT notes DCMS' recommendation that 'industry should begin planning the long-term retirement of analogue services and develop a plan for the migration from AM services to take place at some point in the mid-2020s'.¹⁸
- 3.10 In addition, talkSPORT has supplied listening data on page 5 of its proposal (which can be seen in Annex 5 of the Consultation) with regard to the transmitters it is proposing to close. This demonstrates that each of the respective transmitters they are proposing to close have experienced between -10% CAGR in the case of Southwick/Brighton and Clipstone and -26% CAGR in the case of Stockton between Q2 2019 and Q2 2024 when analysing 12 month listening data.¹⁹

Summary of consultation responses

- 3.11 On 2 December 2024,²⁰ we published a consultation document setting out that we were minded to accept talkSPORT's proposals which entails the closure of the seven sites, given the decline in analogue listening and the number of listeners likely to be affected by the proposed changes.
- 3.12 We received four responses to this consultation, none of which were confidential. All consultation responses are available on our website.²¹
- 3.13 One respondent (Steve Cowie) was supportive of the proposals put forward by talkSPORT. Additionally, Ofcom received two responses (Melvyn Dalley and Dave Hunt) that were neither supportive nor opposed to the specific proposals put forward by talkSPORT and one response questioning the rationale for switching off one specific transmitter and suggesting amendments to two others (David Edenborough).
- 3.14 Steve Cowie agreed with the proposals set out by talkSPORT and noted the "marginal decrease of percentages overall given in the original proposal documents." Steve Cowie further suggested "regulatory flexibility on any future application of closure of the remaining talkSPORT MF transmitters once BBC stations... finally close". In response to this specific point regarding potential regulatory flexibility, we consider this suggestion to be out of scope of this Statement although note that Ofcom must operate within the specified legal framework.
- 3.15 Dave Hunt set out that given talkSPORT's availability on DAB and online, "I wonder why the whole network on AM / MW can not be closed down completely at the same time as well". The respondent also stated concerns about an "echoing effect... after dark" with Medium Wave transmission. Ofcom does not have the ability to impose changes to the talkSPORT

¹⁷ talkSPORT has stated this analysis is based on Octagon/RAJAR 12-month weighted data.

¹⁸ <https://www.gov.uk/government/publications/digital-radio-and-audio-review>

¹⁹ CAGR is Compound Annual Growth Rate used by talkSPORT to demonstrate the decline in AM listening from specific transmitters in their network from 2019 to 2024. See page five of talkSPORT's proposal in Annex 5 of the consultation.

²⁰ <https://www.ofcom.org.uk/tv-radio-and-on-demand/analogue-radio/consultation-talksport-proposals-to-reduce-am-coverage/>

²¹ <https://www.ofcom.org.uk/tv-radio-and-on-demand/analogue-radio/consultation-talksport-proposals-to-reduce-am-coverage/>

licence. As such, we consider this suggestion to be out of scope of this Statement and is instead a matter for talkSPORT to consider.

- 3.16 Melvyn Dalley stated that their car cannot receive DAB, and that they believe there to be a listenership on AM. Melvyn Dalley also commented that batteries in portable analogue receivers last longer than in DAB radio equivalents which we understand to be a reason that AM coverage remains important for some listeners. However, the respondent also noted that currently in the location they reside, coverage on AM is good while we note that the area in question is not impacted by the proposals put forward by talkSPORT.
- 3.17 David Edenborough, who stated they were not a regular listener to talkSPORT, queried the rationale for closing the Brighton transmitter, due to the poor AM reception from early dusk to dawn from Brookmans Park transmitter, and also the Lisnagarvey transmitter. They proposed moving Fareham and, if retaining Lisnagarvey, changing the frequency.²² The respondent also noted that, “the BBC closed 1341 kHz years ago.”
- 3.18 Below we assess the arguments presented by respondents and outline the conclusions we have reached.

Ofcom’s assessment and conclusions

Compliance with licence condition

- 3.19 As already noted in Section 2 (paragraph 2.11), Condition 2(1) of the Broadcasting Licence requires that the licensed service serves so much of the UK “as is for the time being reasonably practicable.”
- 3.20 In our view, beyond considerations of what is technically and logistically possible in terms of transmission provision (for example, the availability of suitable transmission sites), the “reasonably practicable” threshold is a balancing exercise to ensure proportionality. To simplify, we put on one side any costs and other disadvantages involved in providing the service at the current level of coverage and, on the other side, the nature and extent of the risks involved if the current coverage of the service was reduced.
- 3.21 According to Ofcom’s estimates, around 3.1% of the adult UK population (1.6 million adults aged 15+) would no longer be able to receive talkSPORT on AM.
- 3.22 We also note the long-term decline in the popularity of listening to the AM band, and that many of those who would lose the ability to access the talkSPORT AM signal would be able to continue to receive talkSPORT via national DAB digital radio. In the relatively few areas where reception of the national Digital One multiplex is unavailable and where DAB coverage is particularly low, there are further options to listen online, or via television (the station is available on the Freeview, Sky and Virgin Media platforms in certain areas).
- 3.23 Further, Ofcom notes that talkSPORT are committed to alerting listeners affected by the closure of the sites identified with targeted and timely communications aimed at migrating audiences to DAB, DTV and online platforms. Ofcom also acknowledges that talkSPORT has devised a solution which will allow them to proactively target their AM listeners by promoting the benefits of switching to their DAB platform. Ofcom considers that this approach will help mitigate the disenfranchisement of these listeners appropriately by

²² The respondent also provided comments in respect of the Fareham transmitter which they have since withdrawn.

providing them with sufficient time to consider and migrate to the most appropriate platform for them to continue to listen to the talkSPORT service.

- 3.24 We have considered the comments made by the respondents who were not supportive of Ofcom's Preliminary View. Those whose responses related to the impact on listeners are addressed below.
- 3.25 We note the response received from David Edenborough regarding the rationale for closing the Brighton transmitter, denying acceptable coverage across the south coast, and the Lisnagarvey transmitters. Ofcom analysis has indicated that much of the south coast would still be able to receive coverage of the talkSPORT service on AM at a lower protection threshold, while any impacted listeners would be able to receive the service on both DAB coverage online. This respondent also suggested that if Lisnagarvey were retained to change the frequency of the transmitter. While we recognise that the suggestions put forward by David Edenborough could impact coverage in those specific areas, the decision for Ofcom is to determine whether it remains reasonably practicable for talkSPORT to retain these transmitters. The information provided by talkSPORT in their proposal, supported by the analysis undertaken by Ofcom, highlighted the low listening hours on the AM platform and the provision of the service on DAB and other alternative platforms in the affected. In light of these factors, we do not consider that a change of frequency would affect our decisions as to whether talkSPORT would continue to comply with Condition 2(1) of the Broadcasting Licence and consider it a matter for talkSPORT to consider.

Impact on listeners

- 3.26 Based on the information provided to Ofcom by talkSPORT, the proposed changes would have the following effects:
- a) the proposed changes would result in about 1.6 million²³ of UK adults aged 15+ losing their ability to receive talkSPORT's AM signal;
 - b) of these, about 1.55 million²⁴ would instead be able to listen to talkSPORT on DAB digital radio;
 - c) therefore, around 50,434²⁵ UK adults aged 15+ would lose AM coverage and would also not have the option of listening to talkSPORT on DAB digital radio. This is approximately 0.1% of the total talkSPORT coverage across the UK.) Those who have lost AM coverage are likely to be able to listen to talkSPORT via the internet and other digital platforms.
- 3.27 When focusing on the numbers of potentially disenfranchised listeners impacted by this proposal on the AM platform, a significant proportion of the 3.1% reduction identified above would be in both Northern Ireland and in Durham, given that there would be no other AM transmitters to mitigate the removal of the Lisnagarvey and Stockton transmitters. Regarding the Lisnagarvey transmitter, we are mindful that talkSPORT does not currently provide content specific to listeners in Northern Ireland via opt-outs. Additionally, evidence provided by talkSPORT specific to AM listening in the Lisnagarvey transmission area (see page 5 of the proposal in Annex 5 of the Consultation) demonstrates listening to the service on AM has fallen at a CAGR of -14% over the past five years,

²³ This figure has been calculated using 2011 census data.

²⁴ This figure has been calculated using 2011 census data.

²⁵ This figure has been calculated using 2011 census data.

compared to an overall decline of -6% at the network level. Further, we note from talkSPORT's listening data (see page 7 of the proposal in Annex 5 of the Consultation) that just 24,000 listeners accessed the station on AM in Q2 2024 as DAB and other digital platforms have become more established. In the case of Stockton, AM listening has fallen at a CAGR of -26% while just 13,000 listeners accessed the service via AM in Q2 2024. We also consider that the confirmation by talkSPORT in its proposal it will utilise a technical solution would both inform listeners and mitigate the impact of switching off the AM transmitters in these areas, due to the provision of the service on DAB. In the small areas previously covered by either the Lisnagarvey or Stockton AM transmitters which may not have access to the service on DAB, we consider that this is mitigated by the availability of the service on DTT and online.

- 3.28 Ofcom notes that we received no responses from affected listeners in the areas talkSPORT proposed to switch off.
- 3.29 We note the points raised by Melvyn Dalley, who said that although not directly by affected by talkSPORT's current plan to reduce coverage, they are only able to listen to analogue radio in their car and that generally receiving content on DAB portable radio depleted batteries more quickly than receiving content on analogue portable devices. While we recognise that accessing DAB may prove more challenging or unaffordable for some listeners, we do not have evidence to suggest this issue is widespread in the areas where talkSPORT will no longer be available on AM (or elsewhere) and as such we consider it would be disproportionate to require talkSPORT to sustain the costs of continued AM broadcasting at the relevant transmitter sites. In addition to this point, we recognise that the talkSPORT service is also available on other regulated platforms and on the internet.

Assessment against Ofcom's statutory duties

- 3.30 As noted in Section 2, in considering whether talkSPORT would remain compliant with its licence conditions, we also need to take account of Ofcom's wider statutory duties.
- 3.31 Ofcom's principal statutory duty as set out in section 3 of the 2003 Act is to further the interests of citizens in relation to communications matters; and to further the interests of consumers in relevant markets, where appropriate by promoting competition. Ofcom is also required to secure (amongst other things): the optimal use for wireless telegraphy of the electromagnetic spectrum; the availability throughout the UK of a wide range of television and radio services which (taken as a whole) are both high quality and calculated to appeal to a variety of tastes and interests; and the maintenance of a sufficient plurality of providers of different television and radio services.
- 3.32 In considering the need to secure **optimal use of spectrum**, while we recognise that the implementation of talkSPORT's proposals would mean around 3.1% of the adult UK population would no longer be able to receive talkSPORT on its AM network, talkSPORT would continue to use the relevant spectrum to broadcast to a high proportion (88.9%) of the UK adult population. Therefore, we consider that, in these circumstances, talkSPORT's proposal to continue to broadcast its licensed service to 88.9% of the UK adult population would secure optimal use of spectrum.
- 3.33 Regarding the need to ensure **plurality of services and providers**, we note that Ofcom licenses a wide variety of television and radio services across the UK, on a range of different platforms, with a variety of different programme formats. As previously noted, the vast majority of talkSPORT's listeners affected by its proposals would be able to re-tune to the service on national DAB radio.

3.34 We also note that the availability of talkSPORT on alternative broadcast platforms (i.e. on Freeview, Sky and Virgin Media platforms) and on the internet would further contribute to mitigating any potential adverse impact on consumers.

Licence variations

3.35 Therefore, we have decided to accept talkSPORT's proposals and remove reference to the seven transmitter sites that talkSPORT has proposed to immediately close from its Broadcasting Licence and WT Act Licence, with effect from the date when talkSPORT intends to close them.

The overview section in this document is a simplified high-level summary only. The decisions we have taken and our reasoning are set out in the full document.