



The Community Media Association (CMA) welcomes the invitation from Ofcom to respond to the consultation on its Annual Plan of Work for 2022/2023, outlining its areas of work for the next financial year.

Additionally, we would like to take the opportunity to commend the efforts of the Broadcast Licensing Team, in particular, which has been working through an unprecedented situation to provide effective and timely regulation of the community radio sector.

Small-scale digital audio broadcasting

The CMA is encouraged by the interest shown in small-scale digital audio broadcasting (SSDAB) licensing so far and we look forward to future Rounds of licensing to be completed and implemented as quickly as possible.

Respectfully, we request that Ofcom undertakes to commit to licensing SSDAB as rapidly as resources allow. This would be to minimise the risk of further delay to the overall rollout of SSDAB and, in particular, to the South-East England macro area in which there is an enormous amount of interest. It is understood that international frequency clearance work is ongoing and the CMA supports Ofcom to continue to prioritise this work.

Analogue community radio

On 26 September 2019, Ofcom issued a clear statement 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, however, a significant and vocal demand for analogue community radio licences, especially for FM.

It is recognised that the prospect of broadcasting on SSDAB might afford a number of opportunities for future community broadcasters but a not insignificant number of aspirant community radio broadcasters have expressed their reservations about the SSDAB platform. Given the time it typically takes to complete a licensing round, some aspirant community broadcasters have questioned 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 near future.

Moreover, some community radio stations consider SSDAB to be an inadequate alternative to analogue broadcasting as listeners from low-income backgrounds are unlikely to be able to afford a specialist receiver required to pick up a digital broadcast. An argument made by some community broadcasters is that a ‘drive to digital’ radio policy will effectively be discriminatory to marginalised low-income groups.

The [DCMS Digital Radio and Audio Review](#), published October 2021, suggests that there will be no move to close FM before 2030 at the earliest. FM therefore continues to offer the community radio sector a proven, ubiquitous and low cost free-to-air broadcast platform - with direct control of costs

and carriage for broadcasters. As much of the UK still has ‘white space’ FM spectrum available for additional low power broadcast - and this spectrum resource has no viable reuse – we would counsel Ofcom to not prematurely abandon its capacity to issue additional FM licences to aspirant grassroots broadcasters that may currently be broadcasting online.

The CMA therefore suggests that Ofcom restates its previously held position that it will consider licensing analogue radio only for those localities that meet a set of very exceptional criteria - and to make clear the nature of what those licensing criteria might be.

Community Radio Fund

The CMA requests that Ofcom supports a call to DCMS for a significantly enhanced Community Radio Fund (CRF) to address the growth in community radio licensees to over 300 and the expected future growth of C-DSP licensees that will be able to access the CRF. The increase of £200,000 in the second Round of the 2021/2022 CRF is gratefully acknowledged and much needed by the sector.

Increased funding for the sector from DCMS would help to address a long-standing imbalance that has arisen in community radio in which the Community Radio Fund has not grown linearly with the number of stations that are currently on air nor has the CRF increased with inflation since its inception.

A Community Radio Fund with a baseline investment of £10 million per annum 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 investing in the sector would leverage two or three times the level of support from other sources including other grants and sponsorship.

Broadcast complaints procedure

Responding to a number of requests from our membership, the CMA asks that Ofcom considers undertaking a review of the complaints procedures for broadcast services. This would be with a view to reduce the administrative burden on community radio stations which are largely volunteer run and have few back office resources.

The current complaints procedure is anonymous and members of the public with a complaint about a broadcast would probably contact a station initially. However, complainants with a vexatious agenda are likely to take a complaint about a broadcast service directly and anonymously to Ofcom. An undertaking to remove the veil of anonymity protecting complainants might help to reduce the incidence of vexatious complaints.

Additionally, our members suggest that a complainant should demonstrate that they have made reasonable efforts to resolve a dispute with the broadcaster first before engaging Ofcom with their complaint.

The CMA suggests that Ofcom considers undertaking a review of the current broadcast complaints procedure.

New broadcast platforms

Given the [call from DCMS](#) that makers of smart speakers could face new measures to protect listener access to radio services, the CMA requests that Ofcom examines undertaking a review to ensure that community radio will be freely accessible on smart speaker devices in the future.

The CMA supports the view of one of our members that Ofcom begins a wide-ranging and inclusive discussion that considers the long-term impact of IP radio, the regulatory assistance that it might require (possibly mandating IP radio in vehicles as standard after perhaps 2025, as with DAB+), and the potential regulatory framework for content that it might require.

Remove technical constraints prohibiting DRM/C-QUAM on LPAM licences to encourage innovation

The CMA supports a call from one of our members to remove the technical constraints that prohibit DRM/C-QUAM on LPAM licences so as to promote new innovations in radio broadcasting. Such changes should encourage development on these frequency bands and therefore be consonant with Ofcom's obligations to provide access to spectrum and ensure optimal use of the spectrum.

The Ofcom's [Site Engineering Code for Analogue Radio Broadcast Transmission Systems](#) specifically prohibits phase or frequency modulation of the carrier. It is because of this limitation that the use of C-QUAM and other ancillary or supplementary signals is currently not permitted.

The technical standards to which all analogue sound broadcasting transmitters must comply has largely been unchanged for many years. The CMA therefore supports a call to request Ofcom to identify those parts of the Engineering Code that might benefit from being updated. Amendments to the Code that create more flexibility could help to enable more innovations in broadcasting.

Ofcom Report: Broadcast expectations of minority ethnic audiences

Regarding Ofcom's report "[Broadcast expectations of minority ethnic audiences](#)" published on 3 November 2021, this is a much-needed piece of work on an extremely important issue and the CMA commends Ofcom in commissioning the research.

However, the CMA has raised the issue with Ofcom that the Afro-Caribbean community, a significant and sizable minority community in the UK with a history that goes back centuries, does not appear to have been included in this study. Indeed, no community radio stations that have a remit to broadcast to audiences of Afro-Caribbean affiliation were consulted.

According to the DCMS [Digital Radio and Audio Review \(2021\)](#), community radio listening is particularly important for ethnic minority audiences which "over-index for listening to community radio, and non-UK based stations and pirate radio" - and therefore it would be expected that such stations should indeed be over-indexed in any survey of minority audiences.

Additionally, the choice of stations consulted was rather limited within the ethnic groups targeted. In Leicester, the study omits Radio Seerah, Kohinoor Radio, and others. In London, the Ofcom study contacted a commercial station that broadcasts to the Sikh community but does not appear to have contacted Desi Radio, the longest-running Panjabi community radio station in the UK. In Glasgow, Awaz FM was not consulted. Significant gaps appear in the focus of the study.

Furthermore, the CMA is in contact with all of the above stations mentioned and we believe that we could have made a helpful contribution to the research.

Looking to the future, the CMA requests that Ofcom considers expanding the remit of this research into the attitudes of ethnic minorities so as to include the Afro-Caribbean community. Additionally, we ask that Ofcom seeks to undertake a study into why the Afro-Caribbean community appears to be so under-represented on media platforms in the UK.