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14/05/2019

Dear Colleague,

Consultation: Nation Radio (Ceredigion) - Request to change Format

Thank you for the opportunity to respond to your consultation. We understand that the application under consideration concerns mainly modifying the local focus of the service offered by Radio Ceredigion Limited (RCL). However, we would like to use this opportunity to note our concerns regarding the future of Welsh language content of the station.

We would like to emphasise the following points:

- We were disappointed with Ofcom's decision to award the licence to RCL despite the fact that the application removed any commitment to provide Welsh language content.
- With RCL applying to change format, we encourage Ofcom to use the opportunity and press for reintroducing the requirement for Welsh-medium provision under the new licence.
- We believe that this would be consistent with the criteria in section 105 of the Broadcasting Act 1990; and also with Ofcom's commitments and guidance regarding Welsh-medium provision.
- We are eager to understand better how Ofcom made the decision to award the licence to RCL despite these requirements not being met in the application, and this for a service in an area of high proportion of Welsh speakers.

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- We are also keen to learn how Ofcom intends to ensure that Welsh-medium content is not further diluted as other radio licences are being re-advertised.

1. Radio Ceredigion Welsh language content

The format of Radio Ceredigion currently in force contains a commitment to provide Welsh-medium content. The [original application of RCL](#) removed this commitment. Despite noting this (and other weaknesses of the application), Ofcom decided to award the licence in December 2018. The RCL application under consideration currently does not strengthen the commitments with regards to the Welsh language.

Broadcasting, including on the radio, plays a central role in promoting regional and minority languages across the world and in Wales in particular. For example, the review of the Community Radio Fund in Wales (2012) concluded that the benefits of such stations include 'encouraging knowledge of and the use of the Welsh language in what are largely English speaking areas'.

- We were therefore disappointed with Ofcom's decision to award the licence to RCL despite the fact that the application removed any commitment to provide Welsh-medium content.
- With RCL applying to change format, we encourage Ofcom to use the opportunity and press for reintroducing the requirement for Welsh-medium provision under the new licence.

2. Statutory requirements and Ofcom guidelines

According to section 105 of the Broadcasting Act, the criteria relating to granting of local licences include: *the extent to which any such proposed service would cater for the tastes and interests of persons living in the area or locality for which the service would be provided.*

We would argue that tastes and interests of Welsh speakers are relevant to this criterion. Indeed, in correspondence with us in November 2013 Ofcom noted that proposals regarding broadcasting in Welsh are likely to be relevant to assessment of applications by Ofcom under this clause in the 1990 Act.

In addition, following conversations with the Welsh Language Board and then with the Welsh Language Commissioner, Ofcom acknowledged in December 2013 that it would be useful to publish an explanation on the languages that radio stations broadcast in, with specific reference to the Welsh language.



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To this end, the guidelines on radio formats were modified, to state: *'Where a station considers that there is a language that is of particular interest to people in the local area it may include content in that language, subject to any relevant Format requirements. An important example would be content in the Welsh Language which is an official language in Wales'*.

- We believe that strengthening the requirements on RCL to provide Welsh-medium content would be consistent with the criteria in section 105 of the Broadcasting Act 1990; and also with Ofcom's commitments and guidance.

3. Questions regarding Ofcom's process

Considering the requirements and the guidance above, we find it difficult to understand why the Welsh language has not been a more central consideration when awarding a licence for a service in Ceredigion, the local authority where according to the 2011 Census over 47 of population can speak Welsh. This is all the more so since there is no requirement for Welsh-medium content in the format of the only other commercial local station in Ceredigion – Heart (North and Mid Wales). We are concerned that this means that Welsh speakers are not provided for by any other local radio station.

- We are therefore eager to understand better how Ofcom made the decision to award the licence to RCL despite the application removing the commitment to provide Welsh-medium content, and this for a service in an area of high proportion of Welsh speakers.
- We are also keen to learn how Ofcom intends to ensure that Welsh-medium content is not further diluted as other radio licences are being re-advertised.

4. Closing remarks

I trust that our comments above will be of interest to you and we would appreciate your response to them. Given that I have only recently commenced in my role as the Welsh Language Commissioner I would welcome the opportunity to meet and discuss these matters and the next steps.

Yours sincerely,

Aled Roberts
Welsh Language Commissioner