

Title:

Mr

Forename:

Peter

Surname:

Gordon

Representing:

Organisation

Organisation (if applicable):

UKRD Group Limited

What do you want Ofcom to keep confidential?:

Keep nothing confidential

If you want part of your response kept confidential, which parts?:

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

You may publish my response on receipt

Additional comments:

Question 1 (a): Do you consider that Option A should be adopted by Ofcom?:

No.

Question 1 (b): If so, do you wish to comment on Option A?:

N/A

Question 1 (c): If not, please explain why. You may wish to respond to this under Question 2 below under ?Alternative approaches?:

We consider that Option A, being the 'status quo', does not progress opportunities and conditions for commercial radio available elsewhere in this consultation.

Question 1 (d): Do you have any comments on the rule set for Option A above? If so, please refer to any individual rules by reference to their current rule numbers.:

N/A

Question 1 (e): Do you agree with our assessment of the impact, including in relation to equality issues, of Option A on listeners, the radio industry and any other parties?:

N/A

Question 1 (f): If not, please explain why, providing any evidence or data you have to support your answer.:

N/A

Question 2 (a): Do you wish to suggest an alternative approach in relation to the regulation of commercial communications on radio?:

N/A

Question 2 (b): If so please outline your proposals, which should comply with relevant legislation (including the Communications Act 2003, Article 10 of the European Convention on Human Rights and Schedule 1 of The Consumer Protection from Unfair Trading Regulations 2008):

N/A

Question 3 (a): Do you consider that Option B should be adopted by Ofcom?:

No.

Question 3 (b): If so, do you wish to comment on Option B? If you responded to the 2009 Code Consultation you may wish to refer Ofcom to your 2009 response.:

N/A

Question 3 (c): If not, please explain why. Again, if you responded to the 2009 Code Consultation you may wish to refer Ofcom to your 2009 response.:

We believe that another option proposed allows for greater necessary commercial freedom.

Question 3 (d): Do you agree with our approach to the issue of not-for-profit funders? If you responded to the 2009 Code Consultation you may wish to refer Ofcom to your 2009 response on the issue of Public Information Programming.:

N/A

Question 3 (e): Do you have any comments on the rule set for Option B. If so, please refer to any individual rules by reference to the proposed rule numbers. You may also wish to outline any further exemptions (to the separation between commercial communications and spot ads) beyond those referred to in the rule set above.:

N/A

Question 3 (f): Do you agree with our assessment of the impact, including in relation to equality issues, of Option B on listeners, the radio industry and any other parties?:

N/A

Question 3 (g): If not, please explain why, providing any evidence or data you have to support your answer.:

N/A

Question 4 (a): Do you consider that Option C should be adopted by Ofcom?:

Yes.

Question 4 (b): If not, please explain why.:

N/A

Question 4 (c): Do you agree with our approach to the issue of additional prohibitions or restrictions? Do you agree with our approach to a proposed review period? In particular do you wish to comment on the criteria which could govern a future review?:

We agree, and are comfortable with, the approach that there is currently no need to add to the prohibitions and restrictions currently in place for broadcasters. We feel this set up has, for the most part, worked well for those on the frontline and currently works well in practice. We think a stability of approach, as the code becomes updated, will benefit radio station management, and our clients, many of whom are used to knowing where the line is on these matters.

Question 4 (d): Do you agree with our proposed approach prohibiting commercial references in programming primarily aimed at children and the related guidance we propose.:

Yes we do. We also further agree that whilst the majority of commercial broadcasting is rarely aimed primarily at children, all broadcasters need to be mindful of messaging, both commercial or otherwise, that is broadcast at a time when children may well be listening in large numbers.

Question 4 (e): Do you agree with our proposed approach to consumer affairs:

Yes.

Question 4 (f): Do you agree with our approach to the issue of not-for-profit funders? In particular do you wish to comment on the range of safeguards which would be in place?:

Yes we do. We would consider that the issue of transparency, which runs through much of the proposed new code (under Option C), would make sure that all broadcasters are aware of their responsibilities. It is possible that there will continue to be growth in advertising in the not-for-profit funders sector and it is right that this area is subject to the same rules as other funders. We have no objection to this being the case and the safeguards put in place.

Question 4 (g): Do you agree with our approach to the issue of the selection or rotation of music? In particular do you wish to comment on our proposed approach in relation to the Public File guidelines, and our proposed approach to related Code Guidance, including the issue of appropriate intervals for, and content of, broadcast messages directing listeners to the Public File on stations? websites? You are also welcome to provide comments in relation to the selection or rotation of music in programming primarily aimed at children.:

We do agree with the approach on selection and rotation of music. We broadly agree that the music policy which has commercial implications could be reported as part of the public file, although we don't see that as a major requirement. Transparency should be conducted as part of output - and listeners will, in the end, judge the honesty of the radio station primarily based on that.

Question 4 (h): Do you have any comments on the rule set for Option C (above)? If so, please refer to any individual rules by reference to the proposed rule numbers set out above.:

We feel that the rule set is fair and thorough. We note that many of our radio stations will benefit hugely from the relaxation of some rules - this particularly applies to the ability for stations to attend outside broadcasts paid for by the client whose business it is. Whilst technology has progressed and methods of broadcasting have improved, there is still a perception by many businesses who invest in radio to promote their services, that having

people broadcasting from their site, gives a huge boost for them and their staff. This simple area alone is a huge benefit for Option C.

Question 4 (i): Do you have any comments on the discussion on guidance for Option C (above)?:

We feel that the guidance given for option C is not only fair and straightforward, but also represents a leap forward for commercial broadcast regulation in this country. Much of what would be adopted is common sense and for those who have knowledge of the broadcasting industry and the influence it can have on audiences, should also agree that the new future under Option C would help both businesses and listeners alike.

Question 4 (j): Do you agree with our assessment of the impact, including in relation to equality issues, of Option C on listeners, the radio industry and any other parties?:

We wholeheartedly agree with Ofcom's assessment. There will be examples galore to be found throughout the industry to prove that Option C will give more opportunities to earn more revenue, hopefully leading to more compelling and entertaining output for the listener. We spend much of our time at our radio stations looking for ways to keep people listening for longer. The revenue which could be earned as a result of these changes will help towards those goals in both practical editorial input, as well as research methods and listener surveys in the local areas radio stations broadcast to. The aim of achieving further clarity in regulatory rules is not to be underestimated. The reduction of the many 'grey' areas we have had in recent times will be welcome at all levels of the industry.

Question 4 (k): If not, please explain why, providing any evidence or data you have to support your response.:

N/A

Question 5 (a): Do you consider that Option D should be adopted by Ofcom?:

No.

Question 5 (b): If not, please explain why.:

Whilst we appreciate that Option D would give commercial radio stations the freedom to operate as they see fit (within reason), we feel there may be some who will find it difficult to maintain the transparency with listeners. This could result in trust and integrity being compromised for the stations concerned and, perhaps, the industry as a whole. To that end, we have chosen Option C above.

Question 5 (c): If so, do you wish to make any comments about our approach to Option D?:

N/A

Question 5 (d): Do you agree with our assessment of the impact, including in relation to equality issues, of Option D on listeners, the radio industry and any other parties?:

N/A

Question 5 (e): If not, please explain why, providing any evidence or data you have to support your answer.:

N/A