



100.4 Smooth Radio (North West England)

Request to change Format

Consultation

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Closing Date for Responses:

23 August 2007

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Section 1

Summary

- 1.1 GMG Radio, the operator of 100.4 Smooth Radio (North West England), is seeking to change the station Format from a station “targeted at North-West listeners of all ages who particularly like jazz, soul, blues and R’n’B” to “an easy listening station featuring easy listening music including jazz, soul, blues and R&B targeting an audience aged 50 plus.”
- 1.2 GMG is proposing to retain the 45 hours of specialist jazz programmes it currently broadcasts outside of daytime.
- 1.3 GMG’s submission is attached at Annex 4 and it includes the Format that GMG is proposing.
- 1.4 Ofcom has the ability to consent to such changes under conditions included in the 100.4 Smooth Radio licence, in accordance with Sections 106 (1A) of the Broadcasting Act 1990 (Annex 5) if it is satisfied that at least one of the following criteria is satisfied:
 - a) The departure would not substantially alter the character of the service
 - b) The change would not narrow the range of programmes available by way of relevant independent radio services
 - c) The change would be conducive to the maintenance or promotion of fair and effective competition or
 - d) There is evidence that, amongst persons living in the affected areas, there is a significant demand for, or significant support for, the change
- 1.5 As Ofcom regards the change to the character of service as substantial, (criterion **(a)** above), it is required to carry out a public consultation.
- 1.6 Ofcom therefore seeks views on the request, having particular regard to the Broadcasting Act 1990 Section 106(1A), as set out above and in full in Annex 5.
- 1.7 Annex 6 sets out the present 100.4 Smooth Radio Format and Annex 7 lists the links to other commercial station Formats presently operating in the North West. Community station details can also be found within Annex 7.

Section 2

Background

History of the service

2.1 1994 – Launches as JFM, owned by Golden Rose Communications.

1995 – Rebranded as 100.4 Jazz FM.

2002 – Purchased by the Guardian Media Group (GMG) alongside sister London station 102.2 Jazz FM.

2003 – Ofcom agrees to a Format change which reduces the requirement for the jazz genre during daytime, but increases the station's commitment to specialist jazz programming outside of daytime.

2005 – Station re-launches as 100.4 Smooth FM.

2007 – Change of name to 100.4 Smooth Radio.

Ofcom's policy on Format changes

2.2 Ofcom's policy in respect of Format change is set out within paragraphs 2.38 to 2.46 of the Radio Review statement published in 2006 and available at:

http://www.ofcom.org.uk/consult/condocs/radio_reviewp2/statement.pdf

GMG Radio's case for Format change

2.3 The main points of GMG's proposals (set out in Annex 4, pages 9-17) can be summarised as follows:

- 100.4 Smooth Radio already appeals to a relatively older audience in the North West, compared to other local commercial stations.
- The majority of commercial radio targeting in the North-West involves under-50s.
- The proposed musical content would be different from that of existing stations.
- GMG would increase the daily number of locally-made programmes from seven to 13 hours.
- GMG would increase the news provision from six to 13 bulletins per day.
- GMG would retain 45 hours of specialist jazz programmes each week.

2.4 In addition to its submission in Annex 4, GMG has also supplied Ofcom with confidential monitoring and music research to further support its case under Sections 105(b) and 105(d) of the 1990 Broadcasting Act.

Question for consultation

Should the change to the Format of 100.4 Smooth Radio in the North West of England be permitted with particular regard to the statutory criteria as set out in the summary?

(see Annex 5 for details of the criteria set out in the Broadcasting Act 1990 Section 106(1A) (b) and (d) relating to Format changes.)

Annex 1

Responding to this consultation

How to respond

- A1.1 Ofcom invites written views and comments on the issues raised in this document, to be made **by 5pm on 23 August 2007**.
- A1.2 Ofcom strongly prefers to receive responses using the online web form at <http://www.ofcom.org.uk/consult/condocs/smoothfm/howtorespond/form>, as this helps us to process the responses quickly and efficiently. We would also be grateful if you could assist us by completing a response cover sheet (see Annex 6) to indicate whether or not there are confidentiality issues. This response coversheet is incorporated into the online web form questionnaire.
- A1.3 For larger consultation responses - particularly those with supporting charts, tables or other data - please email jon.heasman@ofcom.org.uk attaching your response in Microsoft Word format, together with a consultation response coversheet.
- A1.4 Responses may alternatively be posted or faxed to the address below, marked with the title of the consultation.
- Jon Heasman
Senior Radio Executive
Ofcom Radio Licensing Team (5th Floor)
Riverside House
2A Southwark Bridge Road
London SE1 9HA
- Fax: 020 7981 3806
- A1.5 Note that we do not need a hard copy in addition to an electronic version. Ofcom will acknowledge receipt of responses if they are submitted using the online web form but not otherwise.
- A1.6 It would be helpful if your response could include direct answers to the question asked in this document, which is listed together on page 3. It would also help if you can explain why you hold your views and how the proposals would impact on you.

Further information

- A1.7 If you want to discuss the issues and questions raised in this consultation, or need advice on the appropriate form of response, please contact Jon Heasman on 020 7981 4509, or email jon.heasman@ofcom.org.uk

Confidentiality

- A1.8 We believe it is important for everyone interested in an issue to see the views expressed by consultation respondents. We will therefore usually publish all responses on our website, www.ofcom.org.uk, ideally on receipt. If you think your response should be kept confidential, can you please specify what part or whether all of your response should be kept confidential, and specify why. Please also place such parts in a separate annex.

- A1.9 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and will try to respect this. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A1.10 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's approach on intellectual property rights is explained further on its website at <http://www.ofcom.org.uk/about/accoun/disclaimer/>

Next steps

- A1.11 Following the end of the consultation period, Ofcom intends to publish a statement in September 2007.
- A1.12 Please note that you can register to receive free mail Updates alerting you to the publications of relevant Ofcom documents. For more details please see: http://www.ofcom.org.uk/static/subscribe/select_list.htm

Ofcom's consultation processes

- A1.13 Ofcom seeks to ensure that responding to a consultation is easy as possible. For more information please see our consultation principles in Annex 5.
- A1.14 If you have any comments or suggestions on how Ofcom conducts its consultations, please call our consultation helpdesk on 020 7981 3003 or e-mail us at consult@ofcom.org.uk . We would particularly welcome thoughts on how Ofcom could more effectively seek the views of those groups or individuals, such as small businesses or particular types of residential consumers, who are less likely to give their opinions through a formal consultation.
- A1.15 If you would like to discuss these issues or Ofcom's consultation processes more generally you can alternatively contact Vicki Nash, Director Scotland, who is Ofcom's consultation champion:

Vicki Nash
Ofcom
Sutherland House
149 St. Vincent Street
Glasgow G2 5NW

Tel: 0141 229 7401
Fax: 0141 229 7433

Email vicki.nash@ofcom.org.uk

Annex 2

Ofcom's consultation principles

A2.1 Ofcom has published the following seven principles that it will follow for each public written consultation:

Before the consultation

A2.2 Where possible, we will hold informal talks with people and organisations before announcing a big consultation to find out whether we are thinking in the right direction. If we do not have enough time to do this, we will hold an open meeting to explain our proposals shortly after announcing the consultation.

During the consultation

A2.3 We will be clear about who we are consulting, why, on what questions and for how long.

A2.4 We will make the consultation document as short and simple as possible with a summary of no more than two pages. We will try to make it as easy as possible to give us a written response. If the consultation is complicated, we may provide a shortened version for smaller organisations or individuals who would otherwise not be able to spare the time to share their views.

A2.5 We will normally allow ten weeks for responses to consultations on issues of general interest.

A2.6 There will be a person within Ofcom who will be in charge of making sure we follow our own guidelines and reach out to the largest number of people and organizations interested in the outcome of our decisions. This individual (who we call the consultation champion) will also be the main person to contact with views on the way we run our consultations.

A2.7 If we are not able to follow one of these principles, we will explain why. This may be because a particular issue is urgent. If we need to reduce the amount of time we have set aside for a consultation, we will let those concerned know beforehand that this is a 'red flag consultation' which needs their urgent attention.

After the consultation

A2.8 We will look at each response carefully and with an open mind. We will give reasons for our decisions and will give an account of how the views of those concerned helped shape those decisions.

Annex 3

Consultation response cover sheet

- A3.1 In the interests of transparency and good regulatory practice, we will publish all consultation responses in full on our website, www.ofcom.org.uk.
- A3.2 We have produced a coversheet for responses (see below) and would be very grateful if you could send one with your response (this is incorporated into the online web form if you respond in this way). This will speed up our processing of responses, and help to maintain confidentiality where appropriate.
- A3.3 The quality of consultation can be enhanced by publishing responses before the consultation period closes. In particular, this can help those individuals and organisations with limited resources or familiarity with the issues to respond in a more informed way. Therefore Ofcom would encourage respondents to complete their coversheet in a way that allows Ofcom to publish their responses upon receipt, rather than waiting until the consultation period has ended.
- A3.4 We strongly prefer to receive responses via the online web form which incorporates the coversheet. If you are responding via email, post or fax you can download an electronic copy of this coversheet in Word or RTF format from the ‘Consultations’ section of our website at www.ofcom.org.uk/consult/.
- A3.5 Please put any parts of your response you consider should be kept confidential in a separate annex to your response and include your reasons why this part of your response should not be published. This can include information such as your personal background and experience. If you want your name, address, other contact details, or job title to remain confidential, please provide them in your cover sheet only, so that we don’t have to edit your response.

Cover sheet for response to an Ofcom consultation

BASIC DETAILS

Consultation title:

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing

Name/contact details/job title

Whole response

Organisation

Part of the response

If there is no separate annex, which parts?

If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)

Annex 4

GMG's Submission

Format Change Request Form OfW 332

Station Name:	100.4 Smooth Radio
Name of Person Proposing Format Change:	John Myers Chief Executive GMG Radio
Outline Format Change(s) Proposals:	<p>TO ADD EASY LISTENING TO OUR CURRENT FORMAT WHICH ALSO FEATURES JAZZ, SOUL, BLUES AND R&B TARGETING AN AUDIENCE AGED 50 PLUS INCLUSIVE OF 45 HOURS OF SPECIALIST JAZZ PROGRAMMES.</p> <p>INCREASING WEEKDAY NEWS PROVISION FROM THE CURRENT FORMAT REQUIREMENT OF 6 BULLETINS (ONLY 3 LOCAL) TO 13 BULLETINS PER DAY AND INCREASING LOCALLY PRODUCED PROGRAMMING FROM 7 HOURS PER DAY TO 13 HOURS A DAY.</p>

Operators of analogue local radio licences may apply to Ofcom to have the station's Format amended. Any application should be made using the layout shown on this form, and should be in accordance with Ofcom's published procedures for Format changes (available on our website).

Under section 106(1A) of the Broadcasting Act 1990 (as amended*), Ofcom may consent to the change only if it is satisfied that *at least one* of the following four criteria is satisfied:

- (a) *that the departure would not substantially alter the character of the service;*
- (b) *that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons living in the area or locality for which the service is licensed to be provided;*
- (c) *that the departure would be conducive to the maintenance or promotion of fair and effective competition; or*
- (d) *that there is evidence that, amongst persons living in that area or locality, there is a significant demand for, or significant support for, the change that would result from the departure.*

Only one of these four criteria need be satisfied in order for Ofcom to consent to the proposed change. However, Ofcom is under no obligation to give its consent, even if it is of the opinion that the proposed change satisfies one or more of the statutory criteria.

In addition, applicants should note that, under section 106ZA of the same Act (as amended*), a proposed change that *does not* satisfy the first of these criteria (i.e. a change that Ofcom considers *would or could* substantially alter the character of the service) must, if it is to be considered further, be consulted upon, irrespective of whether it may satisfy any of the other three criteria #.

In the event that Ofcom receives a request for Format change and considers that criterion (a) is *not* satisfied, it will seek confirmation from the applicant as to whether it wishes to proceed with the request (and, if so, whether it wishes to amend or replace its submission in light of the necessity to make it public).

Please present your submission in the following manner:

Section 106(a) relevance...

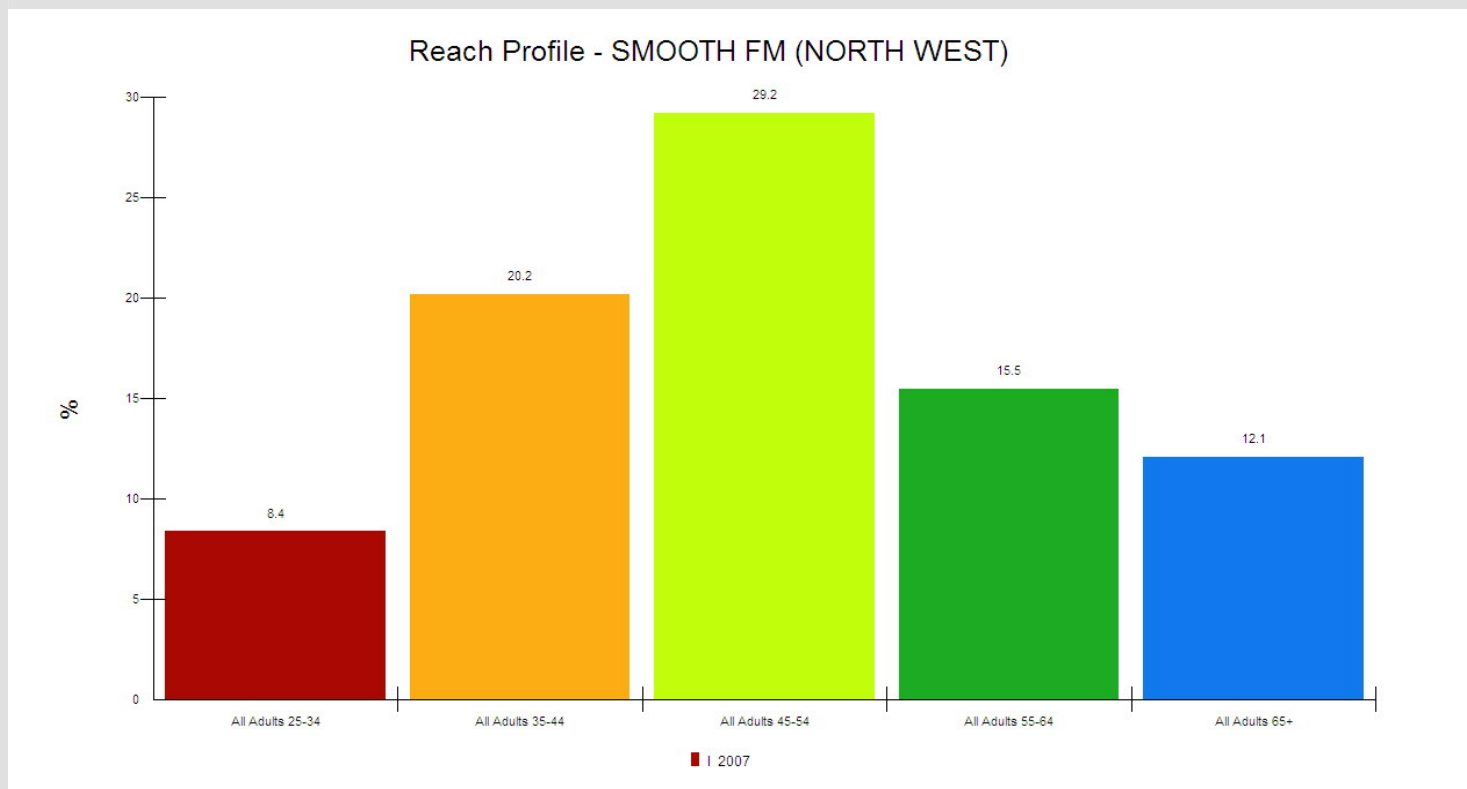
We do not believe that the changes we are advocating substantially alter the character of service for Smooth, which already delivers an older audience profile than the majority of stations in the North West. We will maintain our specialist jazz music requirement (45 hours per week), including jazz standards, traditional jazz, modern jazz, and contemporary jazz and maintain its distinctive musical proposition. The overall musical character of the station will still be broadly drawn from Jazz, Soul, Blues and R&B, but would be broadened to allow the station to **APPEAL TO AN OLDER AND UNDERSERVED AUDIENCE.**

Smooth is a music led service which features Classic Soul blended with Smooth Jazz, Blues and R&B. All of these genres in this format already attract an older audience and these categories of music could also be described as “Easy Listening” but are obviously derived from the “Black Music” sphere.

We would like to complement this “Black Music” easy listening style with a broader variety of Easy Listening music which is drawn from the wider field of music from the last five decades.

Our listeners in the main are aged between 35-64 and are centred on the 45-54 age range and already accept Smooth as an ‘Easy to Listen to’ station and find the restrictive style of music played to be limiting.

Source: RAJAR/Ipsos-MORI 3 months ending Q1, 2007



Instant Listener Comment

I am a hgv driver and used to listen to saga radio when in the areas and now smooth has taken over i still do, but not the norhwest smooth when at my computer but either 105.2, 105.7 or 106.6 because they play music from 50's 60's 70's 80's 90's and also C/W, classical infact allsorts where as N/West seem's to just play motown, easy listening, jazz and stuff like that..

--Iain, Gilbert Milroy

Username: **xxxxxxx**

Age: **50**

Gender: **m**

P1 Station: **BBC Radio 2**

Like all GMG stations we subscribe to Pinnacle Worldwide Media to licence their widely respected Online Tracker song testing system. The Smooth North West panel now has over 4,000 P1 (core) listeners registered and as you can see from the attached (confidential) tables the propensity of our core 35-64 listeners to easy listening is not merely confined to black music but rate songs by artists such as The Beatles, The Carpenters, Neil Diamond, and The Eagles along with Gladys Knight, Diana Ross and The Commodores and find it acceptable to play these artists as part of a mixed repertoire.

To these listeners it is an anathema that we are restricted to music from one area of popular music when in their view it is all the same and not incumbent to a specific area of ethnic make-up.

They just want to hear music which is 'Easy To Listen To' and is not provided on any of the other major FM stations in the North West.

Section 106 (b), (c) and (d) relevance...

GMG does not believe that the changes that are proposed in the revised format would narrow the range of programmes available in the North West market. In fact we believe the reverse is true leading to even more diversity of programming, giving us a clear distinction between Smooth and the other music based commercial stations.

Listed below are character's of service for the seven main FM commercial competitors and four AM stations which, are aimed at 25-54 year olds, or even younger. **None of the current formats in the region are aimed specifically at the over 50's.**

CENTURY 105

A FULL-SERVICE TALK AND MUSIC STATION WITH 24-HOUR NEWS FOR THE NORTH WEST REGION, TARGETING PRIMARILY 25-54 YEAR-OLDS.

KEY 103

A CONTEMPORARY AND CHART MUSIC AND INFORMATION STATION FOR 15-44 YEAR-OLDS IN GREATER MANCHESTER.

RADIO CITY

A CONTEMPORARY AND CHART MUSIC AND INFORMATION STATION FOR 15-44 YEAR-OLDS IN MERSEYSIDE

ROCK FM

A CONTEMPORARY AND CHART MUSIC AND INFORMATION STATION FOR 15-44 YEAR-OLDS IN THE PRESTON AND BLACKPOOL AREA.

GALAXY 102

A RHYTHMIC-BASED MUSIC-LED SERVICE FOR 15-29 YEAR-OLDS SUPPLEMENTED WITH NEWS, INFORMATION AND ENTERTAINMENT. THE SERVICE SHOULD HAVE PARTICULAR APPEAL FOR LISTENERS IN THEIR 20s

107.6 JUICE FM

JUICE WILL REFLECT THE YOUTH CULTURE OF LIVERPOOL PLAYING A MIX OF BREAKING NEW MUSIC, CHART AND DANCE

XFM MANCHESTER

XFM WILL PROVIDE AN ALTERNATIVE MUSIC FORMAT FOR 15-34 YEAR OLDS IN THE MANCHESTER AREA, PLAYING GENERALLY GUITAR-LED, QUALITY MODERN AND CLASSIC “MUSIC WITH ATTITUDE” CREATED BY ARTISTS WHO CHALLENGE THE MAINSTREAM POP AESTHETICS.

CAPITAL GOLD (1458)

AN ADULT ORIENTED ROCK AND QUALITY EASY LISTENING STATION AIMED PRIMARILY AT OVER 35s IN THE MANCHESTER AREA

MAGIC 1548

MAGIC IS A MUSIC-LED OVER-THIRTIES’ SERVICE FOR MERSEYSIDE

MAGIC 1152

MAGIC IS A MUSIC-LED OVER-THIRTIES’ STATION FOR THE GREATER MANCHESTER AREA.

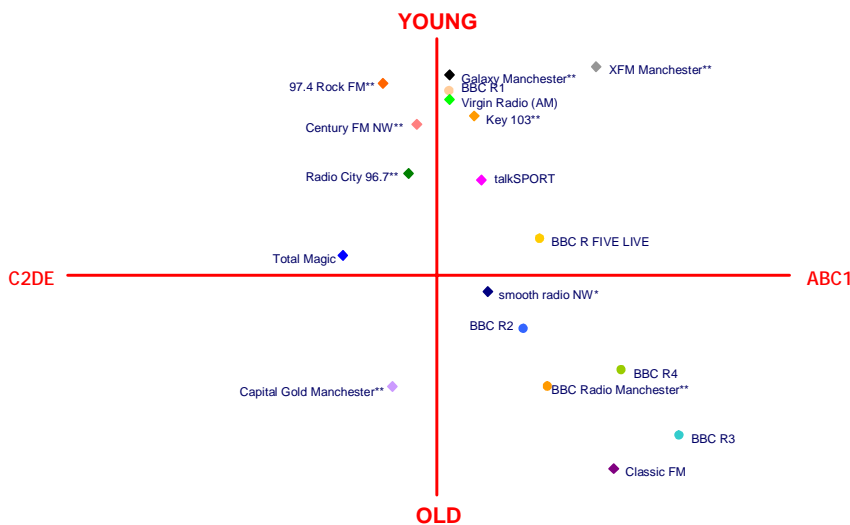
MAGIC 999

MAGIC IS A MUSIC-LED OVER-THIRTIES’ STATION FOR THE PRESTON AND BLACKPOOL AREA.

When the overall market is taken into consideration, it becomes even more plain how the older 50+ listener is underserved in the North West, with the BBC dominating in this area and only Classic FM having any real impact with a 10% reach. Capital Gold has an older profile but has only a negligible 1% reach, whilst all 3 Magic stations (Total Magic) has a 4.7% reach and even on the fringe of the area, Classic Gold Marcher only has 0.3% reach in the Smooth TSA (Source: RAJAR/Ipsos-MORI 3 months ending Q1, 2007)

This clearly doesn’t give 50+ local listeners any significant service from North West commercial radio that they currently find appealing.

**The North West Radio Marketplace
Age/Class Map of Stations**



We conducted a detailed monitoring exercise from Tuesday 27th March to Thursday 29th March 2007 in peak-time from 0600-1900 on all major FM music stations in the North West. During the same period we monitored Smooth Radio (London) to compare how the newly formatted station would compare if Smooth Radio (North West) were to adopt the same music policy.

Clearly the new format would create a clearer point of difference in this market playing 75% more 50's/60's music than the current format but 30% less 70's and 80's music.

When compared to all the other stations the point of musical difference is even more accentuated.

3 DAY MUSIC ANALYSIS ACROSS ALL STATIONS	ERA OF SONGS IN PERCENTAGES							
STATION NAME	50s	60s	70s	80s	90s	00s	Current	Total Tracks
ROCK FM	0	0	1	8	15	39	37	410
KEY 103	0	1	0	13	20	35	32	365
RADIO CITY 96.7	0	0	1	17	20	39	23	349
105.4 CENTURY FM	0	3	14	38	14	13	18	338
100.4 SMOOTH RADIO	0	11	35	29	11	9	4	450
GALAXY 102	0	0	0	1	13	28	58	480
107.6 JUICE FM	0	0	0	0	4	52	44	500
XFM MANCHESTER	0	1	2	3	15	41	39	444
102.2 SMOOTH RADIO (LONDON)	3	36	26	17	10	7	0	442

In addition to this era analysis we also looked at the genre split between all the different stations and only 1% Easy Listening was evident on the current Smooth out of all of the FM music services available in the North West. These tables are also available as a confidential appendix should you wish to look into this monitor in more detail.

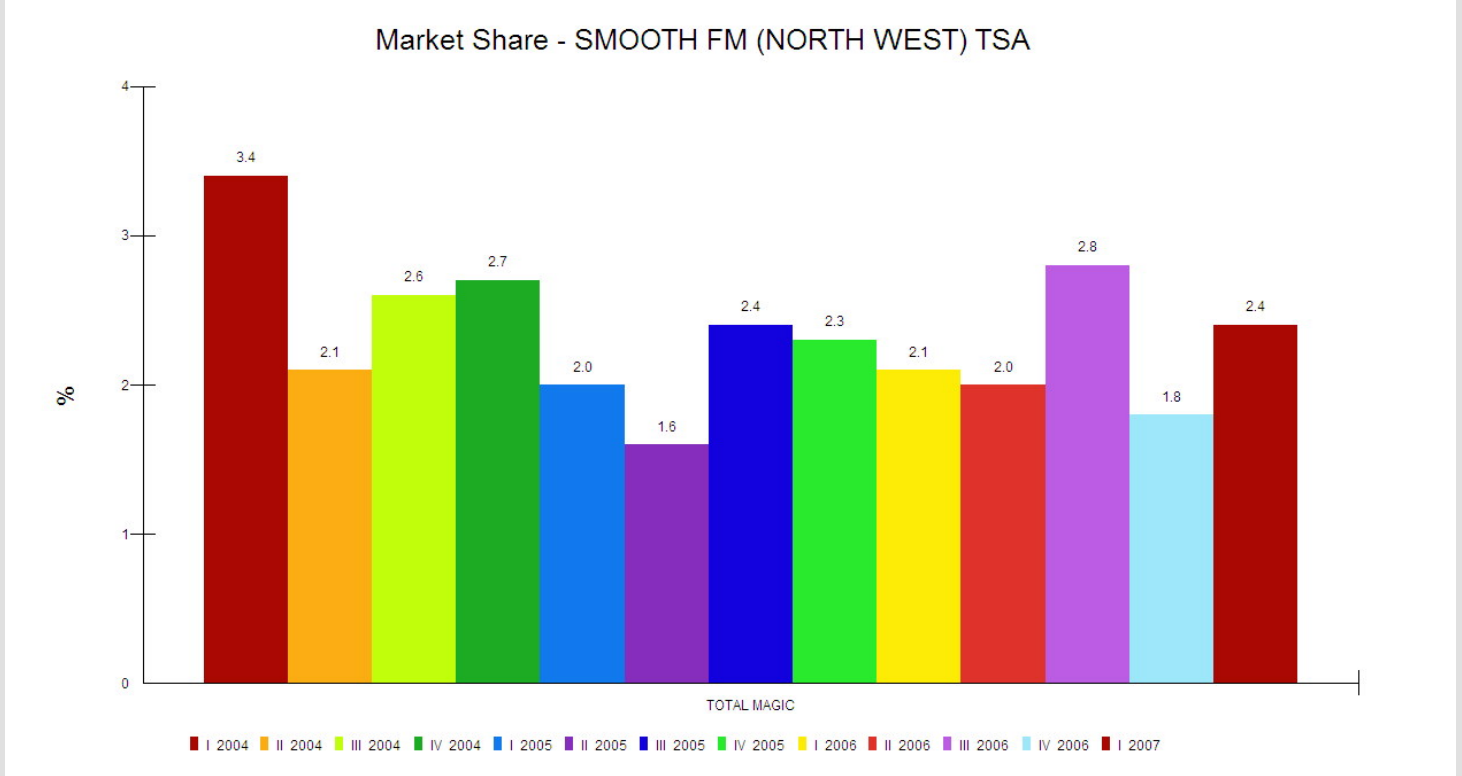
3 DAY MUSIC ANALYSIS ACROSS ALL STATIONS								
STATION NAME	ROCK FM	KEY 103	RADIO CITY 96.7	105.4 CENTURY FM	100.4 SMOOTH RADIO	GALAXY 102	107.6 JUICE FM	XFM MANCHESTER
Urb/R&B	20	25	15	11	11	42	16	1
Dance	13	10	13	2	0	55	16	3
50s Pop	0	0	0	0	0	0	0	0
60s Pop	0	0	0	0	1	0	0	0
70s Pop	0	0	1	3	2	0	0	0
80s Pop	4	5	6	21	2	0	0	0
90s Pop	3	3	3	3	0	1	0	0
00s Pop	4	4	5	4	1	0	8	0
Current Pop	10	8	8	6	1	1	11	0
A/C	0	0	0	0	0	0	0	0
Rock 'N' Roll	0	0	0	0	0	0	0	0
Classic Rock	5	6	8	7	0	0	1	12
Soft Rock	15	13	13	14	4	0	13	2
Modern Rock	19	18	21	6	0	0	34	81
Classic Soul	0	0	0	8	38	0	0	0
Other Soul	5	7	6	13	36	1	1	0
Easy Listening	0	0	0	0	1	0	0	0
Standards	0	0	0	0	0	0	0	0
Chill	1	0	0	0	0	0	0	0
Country	0	0	0	1	0	0	0	0
Classic Jazz	0	0	0	0	0	0	0	0
Smooth Jazz	0	0	0	0	3	0	0	0
Reggae	0	0	1	1	0	0	0	0
Total Rock	39	38	42	26	4	0	48	95

Any additional information and/or evidence in support of proposed change(s).

In conclusion it is evident that the current Smooth is already perceived by its audience as an “Easy To Listen To” station but with a limited repertoire, and there is little or no commercial overlap with any of the other FM Music Services in this market, which would not change with the addition of the Easy Listening genre.

In terms of AM music stations there is only Magic of any consequence, which has 3 services in this market but have not achieved any significant audience delivery since they were re-branded from their previously successful local gold formats of City Gold, Piccadilly Gold and Red Rose Gold. As can be seen in the table below the Magic brand has settled at a combined share for all 3 stations of about 2% - 2.5%.

Source: RAJAR/Ipsos-MORI 3 months ending:



We submit that our request would not represent a substantial change to the character of the service for Smooth and would not narrow the range of programmes available by way of relevant independent radio services to persons living in the area.

In fact we would create a bigger point of difference by enhancing the news requirement of the current format from 6 bulletins a day (of which only 3 have to have local news content) to 13 bulletins and by increasing the locally produced programmes from 7 hours a day to 13 hours.

As the current format already allows for a 3 hour Easy Listening programme to be aired each day this change would merely serve to consolidate the position of this station in the North West market and reinforce the current requirement to play 45 hours of specialist jazz programmes per week. The daytime music mix would still be focussed on a staple diet of black music but this new format would allow us the flexibility to incorporate non-black artists that our listeners clearly find appealing. Most importantly by aiming the service at a 50+ audience the North West would have a commercial radio station which would seriously challenge the BBC dominance for the first time.

Smooth Music

Our aim in taking the Smooth format to an older audience would be to highlight a level of difference while still keeping the flavour of what we are doing now. Musically, our proposition would offer the older North West listener a selection of music that, in its entirety and overall feel, is currently not heard in the region and together with our obligation to at least 45 hours of Jazz specialist programmes, it would enable us to find a niche for the future. By way of an example, here is a typical schedule for a daytime 3-hour show.

1	Tears of a clown	Smokey Robinson & the Miracles
2	When your young and in love	The Marvelettes
3	This guys in love	Herb Alpert
4	A different corner	George Michael
5	Wonderful Tonight	Eric Clapton
6	Sunny	Bobby Hebb
7	Rich Girl	Hall & Oates
8	The way we were / Try to remember	Gladys Knight
9	Lets face the music and dance	Nat King Cole
10	My baby just cares for me	Nina Simone
11	Albatross	Fleetwood Mac
12	Come away with me	Norah Jones
13	Hotel California	Eagles
14	Private number	William Bell & Judy Clay
15	Sitting on the dock of the bay	Otis Redding
16	I have to say I love you in a song	Jim Croce
17	Baby I'm a want you	Bread
18	The more I see you	Chris Montez
19	Stand by me	Ben E. King
20	If there's any justice	Lemar
21	Love don't live here anymore	Rose Royce
22	Only Sixteen	Sam Cooke
23	You to me are everything	The Real Thing
24	Smooth operator	Sade
25	My heart will go on	Celine Dion
26	Blueberry Hill	Fats Domino
27	We have all the time in the world	Louis Armstrong
28	Unchained melody	Righteous Brothers
29	Reach out and touch	Diana Ross
30	Mr Bojangles	Sammy Davis Jnr.
31	Mornin'	Al Jarreau
32	We've only just begun	Carpenters
33	Everytime we say goodbye	Ella Fitzgerald
34	After the love has gone	Earth Wind & Fire
35	Brown Eyed Girl	Van Morrison
36	Home	Michael Buble

PROPOSED FORMAT**Format Outline Form OfW 307****100.4 SMOOTH RADIO****Format Outline**

Station Name	100.4 Smooth Radio
Licence Area	North West Region (as defined in licence advertisement)
Frequency	100.4 MHz
Hours of Broadcast	24 hours a day (at least 13 hrs locally made)

Definitions

Speech	excludes advertising, trails, sponsor credits and the like and will be calculated over the period specified.
Music	percentages are calculated as a percentage of the total tracks broadcast in the specified period.
Peak time(s)	refers to weekday breakfast and afternoon drive output, and weekend late breakfast.
Daytime	is 0600 to 1900 weekdays and 0800 to 1400 weekends.
Locally made	refers to output produced and presented from within the licence area and must include peak time.

Character of Service

SMOOTH RADIO IS AN EASY LISTENING STATION FEATURING EASY LISTENING MUSIC INCLUDING JAZZ, SOUL, BLUES, AND R&B TARGETING AN AUDIENCE AGED 50 PLUS. THE STATION WILL ALSO BROADCAST 45 HOURS OF SPECIALIST JAZZ PROGRAMMES

Detail

Smooth Radio is a music-led service, but supplemented by speech relevant to the target audience aged 50+. The music will be drawn from the broad jazz, soul, blues, R&B and Easy Listening categories. Older, melodic material will dominate the music played. Tracks from the last 20 years must not account for more than a third of the music aired each day, and tracks at least 40 years old will account for at least 20%.

Specialist shows will provide at least 45 hours of recognised jazz genres (such as jazz standards, traditional jazz, modern jazz, and contemporary jazz) each week. Other genres complementing the main music mix, such as new adult contemporary, big band, specialist soul and Motown music may also feature in non daytime shows

North West news bulletins will be broadcast each hour during daytime.

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Annex 5

Broadcasting Act 1990

Requirements as to character and coverage of national and local services. **106.—**(1) A national or local licence shall include such conditions as appear to OFCOM to be appropriate for securing that the character of the licensed service, as proposed by the licence holder when making his application, is maintained during the period for which the licence is in force.

(1A) Conditions included in a licence for the purposes of subsection (1) may provide that OFCOM may consent to a departure from the character of the licensed service if, and only if, they are satisfied-

(a) that the departure would not substantially alter the character of the service;

(b) that the departure would not narrow the range of programmes available by way of relevant independent radio services to persons living in the area or locality for which the service is licensed to be provided;

(c) that, in the case of a local licence, the departure would be conducive to the maintenance or promotion of fair and effective competition in that area or locality; or

(d) that, in the case of a local licence, there is evidence that, amongst persons living in that area or locality, there is a significant demand for, or significant support for, the change that would result from the departure.

(1B) The matters to which OFCOM must have regard in determining for the purposes of this section the character of a service provided under a local licence include, in particular, the selection of spoken material and music in programmes included in the service.

(2) 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.

(3) A national licence shall include conditions enabling OFCOM, where it appears to them to be reasonably practicable for the licensed service to be provided for any additional area falling outside the minimum area determined by them in accordance with section 98(2), to require the licence holder to provide the licensed service for any such additional area.

(4) Subject to subsection (5), OFCOM may, if they think fit, authorise the holder of a local licence, by means of a variation of his licence to that effect, to provide the licensed service for any additional area or locality adjoining the area or locality for which that service has previously been licensed to be provided.

(5) OFCOM shall only exercise the power conferred on them by subsection (4) if it appears to them—

(a) that to do so would not result in a significant increase of the area or locality for which the service in question is licensed to be provided; or

(b) that the increase that would result is justifiable in the exceptional circumstances of the case.

(6) As soon as practicable after OFCOM have exercised that power in relation to any service, they shall publish, in such manner as they consider appropriate, a notice—

(a) stating that they have exercised that power in relation to that service; and

(b) giving details of the additional area or locality for which that service is licensed to be provided.

(7) In this section ‘relevant independent radio services’ means the following services so far as they are services falling to be regulated under section 245 of the Communications Act 2003—

(a) sound broadcasting services;

(b) radio licensable content services;

(c) additional services;

but, in relation to a departure from the character of a service provided under a local licence, does not include a service that is provided otherwise than wholly or mainly for reception by persons living and working in the area or locality in question.

Consultation about change of character of local services. **106ZA.**—(1) Before deciding for the purposes of a condition imposed under subsection (1A) of section 106 whether to consent to a departure from the character of a service provided under a local licence on any of the grounds mentioned in paragraphs (b) to (d) of that subsection, OFCOM must publish a notice specifying—

(a) the proposed departure; and

(b) the period in which representations may be made to OFCOM about the proposal.

(2) That period must end not less than 28 days after the date of publication of the notice.

(3) The notice must be published in such manner as appears to OFCOM to be appropriate for bringing it to the attention of the persons who, in OFCOM's opinion, are likely to be affected by the departure.

(4) OFCOM-

(a) are not required to publish a notice under this section, and

(b) may specify a period of less than 28 days in such a notice as the period for representations,

if they consider that the publication of the notice, or allowing a longer period for representations, would result in a delay that would be likely prejudicially to affect the interests of the licence holder.

(5) OFCOM are not required under this section-

(a) to publish any matter that is confidential in accordance with subsection (6) or (7); or

(b) to publish anything that it would not be reasonably practicable to publish without disclosing such a matter.

(6) A matter is confidential under this subsection if-

(a) it relates specifically to the affairs of a particular body; and

(b) its publication would or might, in OFCOM's opinion, seriously and prejudicially affect the interests of that body.

(7) A matter is confidential under this subsection if-

(a) it relates specifically to the private affairs of an individual; and

(b) its publication would or might, in OFCOM's opinion, seriously and prejudicially affect the interests of that individual.

Annex 6

Current 100.4 Smooth Radio Format

100.4 SMOOTH RADIO

Format Outline

Station Name	100.4 Smooth Radio
Licence Area	North West Region (as defined in licence advertisement)
Frequency	100.4 MHz
Hours of Broadcast	24 hours a day (at least 7 hrs locally made)

Definitions

Speech	excludes advertising, trails, sponsor credits and the like and will be calculated over the period specified.
Music	percentages are calculated as a percentage of the total tracks broadcast in the specified period.
Peak time(s)	refers to weekday breakfast and afternoon drive output, and weekend late breakfast.
Daytime	is 0600 to 1900 weekdays and 0800 to 1400 weekends.
Locally made	refers to output produced and presented from within the licence area and must include peak time.

Character of Service

100.4 SMOOTH RADIO IS TARGETED AT NORTH-WEST LISTENERS OF ALL AGES WHO PARTICULARLY LIKE JAZZ, SOUL, BLUES AND R'n'B.

Detail

100.4 Smooth Radio is a music-led service, but supplemented by speech relevant to the target audience. The music will be drawn from the broad jazz, soul, blues, and r'n'b categories.

Specialist shows will provide at least 45 hours of recognised jazz genres (such as jazz standards, traditional jazz, modern jazz, and contemporary jazz) each week. A daily three-hour easy listening music show may be scheduled outside peaktimes. Other genres complementing the main music mix, such as new adult contemporary, big band, specialist soul and world/roots music may feature in non daytime shows.

Weekly programmes must feature the North-West jazz scene. Features, guides, reviews and the occasional relevant documentary will supplement the output.

News bulletins will be broadcast each hour during peaktimes, (and at least three, during breakfast, will include specifically North-West news).

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Annex 7

Other North West England Formats

Ofcom links

Asian Sound Radio <http://www.ofcom.org.uk/static/radiolicensing/formats/al183-1.doc>

107 The Bee <http://www.ofcom.org.uk/static/radiolicensing/formats/al292-1.doc>

Capital Gold 1458 <http://www.ofcom.org.uk/static/radiolicensing/formats/al161-1.doc>

105.4 Century FM <http://www.ofcom.org.uk/static/radiolicensing/formats/al220-1.doc>

CityTalk (not yet on air) <http://www.ofcom.org.uk/radio/ifi/rbl/car/ifmapps/liverpool/citytalk.pdf>

Dune FM <http://www.ofcom.org.uk/static/radiolicensing/formats/al203-1.doc>

Galaxy 102 <http://www.ofcom.org.uk/static/radiolicensing/formats/al033-2.doc>

Imagine FM <http://www.ofcom.org.uk/static/radiolicensing/formats/al038-3.doc>

107.6 Juice FM <http://www.ofcom.org.uk/static/radiolicensing/formats/al207-1.doc>

KCR FM <http://www.ofcom.org.uk/static/radiolicensing/formats/al262-1.doc>

Key 103 <http://www.ofcom.org.uk/static/radiolicensing/formats/al079-2.doc>

Magic 1152 <http://www.ofcom.org.uk/static/radiolicensing/formats/al082-2.doc>

Magic 999 <http://www.ofcom.org.uk/static/radiolicensing/formats/al062-2.doc>

Magic 1548 <http://www.ofcom.org.uk/static/radiolicensing/amfm/AL096-2.htm?STN=AL096-2&submit=Lookup+AM+station>

Proud FM (Not Yet on Air)

<http://www.ofcom.org.uk/radio/ifi/rbl/car/ifmapps/preston/proudfm.pdf>

Radio City <http://www.ofcom.org.uk/static/radiolicensing/formats/al097-2.doc>

Radio Wave 96.5 <http://www.ofcom.org.uk/static/radiolicensing/amfm/AL137-2.htm>

96.2 The Revolution <http://www.ofcom.org.uk/static/radiolicensing/formats/al235-1.doc>

Rock FM <http://www.ofcom.org.uk/static/radiolicensing/formats/al063-2.doc>

RockTalk (Not Yet on Air)

<http://www.ofcom.org.uk/radio/ifi/rbl/car/ifmapps/manchester/rock.pdf>

Tower FM <http://www.ofcom.org.uk/static/radiolicensing/amfm/AL234-1.htm?STN=AL234-1&submit=Lookup+FM+station>

Wire FM <http://www.ofcom.org.uk/static/radiolicensing/formats/al214-1.doc>

Wish FM <http://www.ofcom.org.uk/static/radiolicensing/formats/al189-1.doc>

Xfm Manchester <http://www.ofcom.org.uk/static/radiolicensing/formats/al298-1.doc>

Community Stations in North West England

A total of 13 community radio stations have been licensed in North West England, these are:

- Chorley FM, Chorley
- Crescent Radio, Rochdale
- Oldham Community Radio, Oldham
- All FM, Manchester
- Pure Radio, Stockport
- Wythenshawe FM, Manchester
- Cheshire FM, Cheshire
- Talkin' Toxteth TTFM, Liverpool
- 7 Waves Radio, Wirral, Merseyside
- Halton FM, Runcorn, Merseyside
- Salford Community Radio, Salford
- Tameside Community Radio, Tameside
- Pendle Community Radio, Lancashire

The first seven services listed are already broadcasting, and the remainder are preparing to commence. Information about applications and awards for each service can be found at:

http://www.ofcom.org.uk/radio/ifi/rbl/commun_radio/tlproc/