

Key Commitments change request form

Community radio station name:	Ashdown Radio
Licence number:	CR000207
Licensee (company name):	Ashdown Radio Limited
Contact name:	Gary King
Date of request:	19 th June 2023

Details of requested change(s) to Key Commitments

A community radio operator may apply to Ofcom to have the station's Key Commitments amended.

Please complete the table overleaf by including your current Commitment in the left hand column and your proposed revised Commitment in the centre column. In the right hand column please give a brief explanation as to why you wish to make each change.

We also require you to complete a second table which asks you to explain your proposed changes with reference to the statutory framework.

If you do not provide an explanation for your proposed changes and a completed comparison table, Ofcom cannot consider a Key Commitments change.

Please complete this form and return it to: broadcast.licensing@ofcom.org.uk

Existing Commitment (as in your published Key Commitments) Please only include one commitment change per row, and add more rows as necessary into the table.	Proposed revised/new Key Commitment	Reason for proposed change
The service provides original output for a minimum of 10 hours per day	The service provides original output for a minimum of 70 hours per week	To change our hours key commitment from per day to per week to better reflect our service.
The service provides locally-produced output for a minimum of 13 hours per day	The service provides locally-produced output for a minimum of 82 hours per week	To change our hours key commitment from per day to per week to better reflect our service.
Ashdown Radio is for the people of Uckfield and the surrounding area of the Sussex Weald, providing a voice for the community. It offers a local service and broadcasts features promoting life in the target community.	Ashdown Radio is for the people of Crowborough, Uckfield and the surrounding area of the Sussex Weald, providing a voice for the community. It offers a local service and broadcasts features promoting life in the target community.	Include the town of Crowborough within the description of character of service
Speech. The main types of speech output broadcast over the course of each week is : local news and information, "What's on", Interviews, magazine programmes, local interest features, discussions and local sports programming.	Speech. The main types of speech output broadcast over the course of each week is : local news and information, "What's on", Interviews including local interest features and discussions and local sports programming.	Removing magazine programmes from our key commitments as we broadcast more interviews which include local interest features and discussions.

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Statutory requirements

Under section 106(1A)(a)-(f) of the Broadcasting Act 1990 (as amended and modified¹) Ofcom must be satisfied that your proposed changes **meet at least one of the criteria referred to below**.

Please indicate which of these criteria you believe your proposed changes satisfy by deleting YES or NO as applicable and provide an explanation for why you consider a particular criterion is met in the relevant box. You should note that even if Ofcom is of the opinion that your explanation of your proposed changes meets one or more of these criteria, there may still be reasons why Ofcom is unable to consent to the change. When explaining your proposed changes, it is not enough to state that you believe one of the criteria is met. You must also demonstrate *why* you consider that at least one of these criteria is met.

In particular, if Ofcom is not satisfied that the changes would not substantially alter the character of the service (criterion (a) below), Ofcom cannot consent to the change without consulting on your proposals.² If this is the case, we will contact you to confirm that you are happy for us to consult on your proposed changes, and whether you wish to make any changes to your request in light of the need to make it public.

As part of our consideration of your request to make changes to your Key Commitments, we require applicants to provide an explanation for **at least one** of the criteria below.

(a) In your judgement would the proposed changes substantially alter the character of the service?	NO (Please explain why below)
We believe there is no change to the character of our service and our request on our Key Commitments is purely an administrative one ensuring that we continue to broadcast locally and original produced output over a set minimum number of hours on a weekly basis rather than on a daily basis.	
(b) Do you consider that the proposed changes would narrow the range of programmes available by way of relevant independent radio services to persons comprising the relevant community?	NO (Please explain why below)
n/a	
(c) Do you believe that there is evidence that, amongst persons comprising that community, there is a significant demand for, or significant support for, the changes that you have proposed?	YES (Please explain why below)
The evidence is that OFCOM would prefer community radio stations to be honest and update it's key commitments as and when required. Our key commitments are being therefore updated to insure and protect the service we provide to our community.	

¹ As amended by sections 312 and 313 of the Communications Act 2003 and modified by the Community Radio Order 2004.

² Ofcom may approve a change under any of criteria (b), (c), (d) and (e) without consultation, or after a consultation of less than 28 days, if Ofcom considers that to hold a consultation at all, or for 28 days or more, would result in a delay that would be likely to prejudice the interests of the licensee. Ofcom may also remove for the purposes of consultation any confidential information submitted by the licensee.

(d) Do you consider that your proposed changes would be prejudicial to the access by members of that community to the facilities used for the provision of the service and for training in the use of those facilities?	NO (Please explain why below)
n/a	
(e) Do you consider that the proposed changes would be prejudicial to the delivery of social gain resulting from the provision of the service provided under your licence?	NO (Please explain why below)
n/a	

Please set out below any additional information and/or evidence you wish to provide in support of your proposed changes.

In particular, you may wish to outline how you think your proposed change(s) fit(s) within Ofcom's [published guidance on changes to Key Commitments](https://www.ofcom.org.uk/data/assets/pdf_file/0017/31913/kc-changes-guidance.pdf) (https://www.ofcom.org.uk/data/assets/pdf_file/0017/31913/kc-changes-guidance.pdf).

Data Protection

We require the information requested in this form in order to carry out our licensing duties under the Broadcasting Act 1990, Broadcasting Act 1996 and Communications Act 2003. Please see Ofcom's [General Privacy Statement](https://www.ofcom.org.uk/about-ofcom/foi-dp/general-privacy-statement) (<https://www.ofcom.org.uk/about-ofcom/foi-dp/general-privacy-statement>) for further information about how Ofcom handles your personal information and your corresponding rights.

Ofcom notes on the request

The request was AGREED, because Ofcom was satisfied in relation to Section 106(1A)(a) of the Broadcasting Act 1990 (as modified by the Community Radio Order 2004, and further modified by the Community Radio (Amendment) Orders 2010 and 2015) i.e. that the changes would not substantially alter the character of the service, and for the policy reasons given below.

The Licensee is requesting to convert its original output requirement from a daily to a weekly requirement. Ofcom is generally happy to approve these types of request, in order to provide services with greater flexibility in the scheduling of their programming. The Licensee has also requested a change to its locally-produced output requirement, converting it to a weekly requirement along with a slight reduction of about 10% to its locally-produced output requirement. As this is a minor change, we are satisfied it will not substantially alter the character of the service, but will instead serve to increase the station's operational flexibility.

The Licensee is also requesting a minor change to its character of service, to include Crowborough as part of the area which it serves. This is following its coverage extension allowing it to serve Crowborough which was agreed in 2022. We agree with the Licensee that this change will better reflect the service, without substantially altering the character of the service.

Finally, the Licensee is requesting to remove its current requirement to broadcast 'magazine programmes'. The Licensee has explained that it prioritises broadcasting interviews which can be described as local interest and discussion features. We feel that removing the requirement to broadcast magazine programmes will not hinder the Licensee's ability to broadcast a local service for its target community, and is instead a more technical change in the types of programme which it broadcast. Therefore, we are confident that this will not result in a substantial change to the character of the service.

In terms of our policy criteria, Ofcom is satisfied that the changes will not affect the station's ability to meet the community radio 'characteristics of service' set out in the legislation, and there are no other policy criteria which would prevent us from implementing this change. We therefore decided to exercise our discretion to approve this change.

July 2023