

Key Commitments change request form

Community radio station name:	NLive Radio
Licence number:	CR100783
Licensee (company name):	University of Northampton Enterprises Ltd
Contact name:	Martin Steers
Date of request:	19 January 2024

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
<p>Music. The main type of music broadcast over the course of each week is Adult Contemporary, from the 1960s to the present.</p>	<p>Music. The main type of music broadcast over the course of each week is Adult Contemporary, from the 1980s to the present.</p>	<p>Our core audience that engages with us on a regular basis are those who are aged between 30 and 50 years old, from feedback we've received they mainly listen to 80s to modern music.</p> <p>The station has been operating for nearly 10 years, and our music profile hasn't changed since the inception of the licence and application, and so we need to update our music policy to account for the demographic listening shift of music preferences.</p> <p>However, we will not stop playing music from the 60s and 70s, we have a few shows that do feature that music in them, including our golden hour which is music from the 60s, 70s, and 80s.</p>
<p>Speech. The main types of speech output broadcast over the course of each week are: national and local news, weather, community information, event guides, interviews and</p>	<p>Speech. The main types of speech output broadcast over the course of each week are: national and local news, weather, community information, event guides, interviews and features.</p>	<p>Due to the changing nature of the student experience, especially with the cost of living crisis and students expected to provide more of their own income we can struggle to get students involved, we do however have a news team supported by the Journalism students producing</p>

<p>features. (During university term time, the amount of speech output will be higher than at other periods.)</p>		<p>daily news bulletins, and we are the only local radio station providing Northampton focused local news which we are proud of.</p> <p>We do have a good number of community volunteers that work on the station so we have a good number of shows with interviews, community news etc.</p> <p>Finally, it's really hard to judge what "higher" would mean, especially when we are trying to achieve a good level of speech all year round, so could find this element hard to quantify and would say it would be impossible for Ofcom to regulate.</p>

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)
No, we are just mainly updating our music to develop with the length of service of the station.	
(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)
No not at all, in fact it provides us more flexibility in our programming that can appeal to a wide audience, also since we were licenced Ofcom took it on themselves to licence additional analogue stations in our area, including one that applied to target our same audience with the same application profile. So there in theory more availability for programmes for the community than ever.	
(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?	NO (Please explain why below)
YES, these changes have been discussed with our volunteers who are made up from the target community, and we also receive regular feedback and engagement with our audience and community at events and activities.	

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.

<p>(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?</p>	<p style="text-align: center;">NO (Please explain why below)</p>
<p>NO, we are still committed to getting the local community involved in the station, we are constantly open to recruitment, and run regular training courses, and have a growing number of volunteers.</p>	
<p>(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?</p>	<p style="text-align: center;">NO (Please explain why below)</p>
<p>NO, we are passionate about social gain delivery as the local radio station for Northampton, we believe we provide more local programming targeted at the whole of Northampton than any other station in the town, included in this is our commitment opportunities for Northampton based or operating community groups, charities, arts & culture and individuals to come in and talk about what they are doing for the community of Northampton.</p>	

<p>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).</p>
<p> </p>

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 has requested to change its required music output from “Adult Contemporary from the 1960s to the present” to “Adult Contemporary from the 1980s to the present”. In requesting this change, the Licensee has indicated that its primary audience (from within its broader target community of the population of Northampton) is 30-50 year-olds, and that feedback indicates that this audience prefers to hear music from the 1980s to present. The Licensee has also noted that the music policy has not been updated since the station’s launch, and that this proposed change would represent a suitable update with the passage of time. We agree that it is reasonable for stations to update their music policy over time to stop requirements becoming too broad. We are satisfied that the Licensee will continue to provide some specialist programming, as indicated in its request, that will play music from the 1960s and 1970s, and that updating the overall music output requirement in this way would not represent a substantial change to the character of the service.

The Licensee has also requested to change its speech output, removing a current requirement that there is a higher volume of speech output during University of Northampton term times. In requesting this change, the Licensee has cited difficulties in recruiting student volunteers to generate this speech output. Ofcom is satisfied that this change would not substantially alter the character of the service, recognising that the Licensee retains requirements to broadcast speech output throughout the course of each year. We also acknowledge the Licensee’s statement that it has specific news-based content generated in partnership with student volunteers, and that this will continue regardless of the proposed change. We are satisfied that this will ensure the Licensee provides appropriate training and participation opportunities for students to meet its social gain obligations.

In terms of our policy criteria, we are satisfied that these changes will not affect the station’s ability to meet its overall character of service as a community radio station for people in Northampton. We expect that the Licensee will continue to involve students where possible, and will still provide a mix of speech output as required by its Key Commitments. We are further satisfied that there are no other policy reasons for refusing the changes, and we have therefore decided to exercise our discretion to approve this request.

February 2024