

Format Change Request Form OfW 332

Station Name:	107.2 The Wyre
Name of Person Proposing Format Change:	Pete Wagstaff
Outline Format Change(s) Proposals:	Co Locate with Telford FM

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 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, even if Ofcom is of the opinion that the proposed change satisfies one or more of the statutory criteria, there may be reasons (depending on the particularly circumstances of the case) why Ofcom may not consent to the proposed change.

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 under any of the other three criteria, be consulted upon. # .

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...

The output of the station will remain the same not altering the character of service.

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

There will be no change to the station programmes

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

We are requesting that we can co locate 107.2 The Wyre (Kidderminster) with 107.4 Telford fm and The Severn at MNA Radio head office Telford. (Shropshire Star Building)The station is currently located in Foley House Stourport Rd Kidderminster.

The output of The Wyre will remain the same keeping all of our local features including, Commercials, News, Sport, Weather, What's on, Late night chemist, Features, Lost and found, Jobs, 60 sec shout etc. Playlist will still remain separate

We have for some time been running a programme share (after 11am) with Telford FM and The Severn. This would appear to be running well with little if any issues, we plan to continue with this. Listeners have been able to contact the station via phone, text or email.

Initially we would run weekend programmes from Telford, we plan to improve our Sat PM sports service with updates originating from Telford. However we would like the flexibility to co location in the future.

The stations are located in close proximity, and share similar environmental and geographic interests. The Wyre MCA is under 100,000 with Telford fm just over 100,000 MCA. Station formats and audience profiles are almost the same. Music content and programme presentation style is very music the same at each station.

Both areas are served by the same Police division

Both areas share Travel – both areas are served by Central trains

Telford and Kidderminster are 20 miles apart in adjoining counties, (Shropshire and Worcestershire

Both areas are served by ITV Central. Telford /Wyre (radio/press) would naturally appear it the three areas.

For a practical view it will make good sense to house the three stations in one building. Engineering wise it is a big advantage to have all equipment and qualified personal together in the event of a breakdown.

Notes

* As amended by sections 312 and 313 of the Communications Act 2003

Ofcom may approve a change under any of criteria (b) to (d) 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.

Version 4 – amended March 2007

OFCOM NOTES ON THE REQUEST

The request was agreed on the following grounds:

Section 106(1A)(a), Broadcasting Act 1990 – that the departure would not substantially alter the character of the service.

Co-location policy – both stations have an MCA of fewer than 250,000 adults, and the two are not too far apart geographically. The cultural affinity between the two areas was highlighted within the group's previous applications for programme sharing between The Wyre and Telford FM.