

RADIOCENTRE RESPONSE TO OFCOM CONSULTATION ON CHANGES TO THE BBC'S OPERATING LICENCE

OVERVIEW

1. Radiocentre welcomes the opportunity to respond to Ofcom's consultation¹ on proposed changes to the BBC's Operating Licence. This response focuses on the BBC's request to amend the local programming condition for BBC Local Radio (Question 2).
2. We note that Ofcom is minded to approve the BBC's request to amend the time window for shared programming between neighbouring BBC Local Radio stations, allowing such programming to count towards the quota for original, 'locally-made' content outside of 6am–2pm on weekdays.
3. The intention behind this request appears to be to bring the BBC's Operating Licence into line with decisions the BBC has already implemented – namely, the introduction of a national "All-England" networked show² on Sunday afternoons (from September 2025), following earlier moves to introduce regional networked programming³ on weekday afternoons, evenings and weekends in 2023. Without the requested amendment, it is likely that the BBC would be in breach of its existing Operating Licence conditions.⁴
4. The BBC has justified this proposed change on the basis of financial pressures and the desire to remove '*perverse and unintended consequences*'⁵ arising from condition 4.40.6. Nevertheless, this is effectively a result of internal BBC budgetary decisions. The allocation of resources toward locally-made programming is ultimately a choice. The BBC could choose to adequately invest in BBC Local Radio to meet its existing Operating Licence commitments, rather than arguing that it is "*unable to do so*"⁶ because of the condition itself.
5. As a publicly funded broadcaster with a clear public service remit, the BBC should be expected to prioritise this kind of distinctive local output, rather than investing, for example, in launching three new DAB+ stations with formats already well catered for by the commercial radio sector. Instead, BBC Local Radio has seen an ongoing erosion of local programming since 2023, when shared regional programmes were introduced for the first time. Opposition to these changes continues to be highlighted by a wide range of stakeholders⁷.
6. While this particular proposal is unlikely to have a material impact on the commercial radio sector, we wish to take the opportunity to raise some broader concerns with Ofcom's approach to regulating the BBC. This is not the first time the BBC has implemented significant service changes before obtaining Ofcom's formal approval. The recent case of BBC Radio Foyle's revised news and current affairs quotas⁸ followed a similar pattern, with Ofcom

¹ [Ofcom consultation, Changes to the BBC's Operating Licence, October 2025](#)

² [Regional Sunday afternoon music shows axed for national show on BBC Local Radio – RadioToday](#)

³ [New afternoon, weekend and weeknight schedules for BBC local radio stations](#)

⁴ [BBC local radio plans could potentially breach operating licence – RadioToday](#)

⁵ [Request for changes to BBC's Operating Licence](#)

⁶ [Consultation: Changes to the BBC's Operating Licence - October 2025](#) Para 4.5

⁷ [NUJ questions Ofcom's proposal to approve BBC local radio changes, October 2025](#)

⁸ [Statement: Changes to BBC Radio Foyle and BBC Asian Network](#)

subsequently amending the licence in a way that legitimised changes that had already been made by the BBC.

7. This kind of retrospective approval risks undermining the credibility of the BBC's regulatory framework. It suggests that the BBC regards its Operating Licence conditions as flexible administrative hurdles rather than robust obligations underpinning its public service remit and uniquely privileged funding arrangements.
8. Following its provisional conclusion, we note that Ofcom states that, *"We expect the BBC to continue to monitor how it is delivering for local audiences, including if it were to make these changes, and to continue to report on its performance with its Annual Report. We would also continue to monitor how the BBC is delivering for local audiences as part of our BBC performance programme which assesses delivery against the BBC's Mission and Public Purposes."*⁹ However, we continue to have concerns around the limited detail provided by the BBC in its Annual Report around performance monitoring. It is also unclear if Ofcom will commission any new analysis of audience satisfaction or the output of BBC Local Radio as part of its assessment of the BBC's delivery against its Mission and Public Purposes.

REGULATORY CONCERNS

9. We recognise the need for the BBC to adapt to changing audience behaviour and we support a regulatory framework that allows for this. However, the current approach – in which Ofcom routinely allows post-hoc licence amendments – contributes to a perception that the BBC is setting its own regulatory terms.
10. In our view, a more robust and proactive approach to BBC regulation is needed to ensure that:
 - changes to BBC services are subject to scrutiny and public consultation *before* implementation.
 - the cumulative impact of incremental service changes is properly assessed.
 - the BBC is held accountable for delivering against its public service requirements, particularly in relation to distinctiveness.
11. These issues are of fundamental importance when considering the future role and remit of the BBC, as well as Ofcom's effectiveness as its regulator. They will be critical considerations in the forthcoming BBC Charter Review, and we believe there is a strong case for greater regulatory oversight of the BBC's radio services in particular, due to its position as by far the largest radio broadcaster in the UK by audience size and by budget.
12. The BBC's controversial reduction in funding for its Local Radio services across 2022-2024 underpin a continued decline in investment in distinctive local programming, with limited public consultation. Indeed, these changes have delivered disappointing results, with BBC Local Radio losing 1.1m listeners between Q3 2022 and Q3 2025 – yet the BBC continues with its approach despite clear evidence of audience dissatisfaction. Given the importance of BBC Local Radio to listeners it will likely be a key focus for debate with parliamentarians and other interested stakeholders during the imminent Charter Review process.

⁹ [Ofcom consultation, Changes to the BBC's Operating Licence, October 2025](#), Para 4.29

13. Although this particular proposed amendment is likely to have limited direct impact on commercial radio, the precedent it sets is concerning. If Ofcom were to adopt the same approach in a different scenario – for example, were the BBC to alter its music output on a national music service and then retrospectively request an amendment to its Operating Licence conditions to accommodate that change – the impact on fair and effective competition could be far greater. It is important that Ofcom enforces a clear and consistent principle that service changes should not be implemented before regulatory approval is granted.

14. We therefore urge Ofcom to ensure that future changes to the BBC’s Operating Licence are considered in advance of changes being implemented rather than retrospectively, and that Ofcom takes a more active role in scrutinising how the BBC delivers its wider public service obligations across its radio services.

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