

Question 1: This executive summary sets out Ofcom's proposals for the release of the digital dividend. Do you agree with these proposals?..:

The Digital Dividend Review has particular significance at this point in time in Scotland as we are currently considering legislation about access to and governmental support for cultural activity. This includes reference to citizens' cultural rights as enshrined in international treaties.

Television broadcasting is a form of cultural expression and one of the forms that most people have access to and contact with on a daily basis. It also has the major function of communicating with people and providing ways of informing and linking the community.

Voluntary arts and crafts practice is one of the major ways people choose to participate in cultural activity ? with over half the adult population in the UK doing so ? well over 2 million people in Scotland. In research undertaken for the Cultural Commission in Scotland, it was identified that the voluntary cultural sector offered over 100 opportunities per day for people to take part in the arts and crafts, and there are at least 263,400 volunteers giving their time to do so. These activities are available throughout the country and in rural areas, frequently the only regular form of cultural activity is provided by voluntary effort.

It is important that any broadcasting channel reflects the society it is part of. This includes the voluntary effort that goes into providing cultural activity as well as other important services and accessibility in our communities. In Scotland, the forthcoming legislation will be underpinning the importance of local cultural entitlements and community planning. Television would be able to play a significant role in supporting these developments ? especially if the local authority broadcasting part of culture bill is passed. The societal value of ensuring that at least a portion of the spectrum to be made available is used for public services has the potential to be immense.

With a little work there would be no issue with the availability of content for any public aspect of broadcasting. Local news, information, events, examples of how people can get involved ? there is already a wealth in any community to be explored. And for those communities that do not feel they are rich in such offerings, this could be the kind of incentive to work on creating such opportunities for young and old.

Tony Blair said himself that ?A nation that cares about art will not just be a better nation. In the early 21st century it will be a more successful one?. Instead of selling off the potential, this once in a generation opportunity has the potential to unlock such great creativity of the citizens of this country. Where have market-led principles got us so far anyway? Who is the market that the advocates of a complete sell off are talking about? And where would the funding come for non-commercial concerns to bid in an open auction?

Remember these market forces are the same that led to the scraping of the licence fee in New Zealand. The concern is that the arguments against preserving part of the newly available spectrum for public service broadcasting is predicated on the continuation of a licence fee in the UK! The New Zealand experience is that the public broadcaster is now competing against commercial operators to secure

advertising and currently not doing too well. Plus the commercial operators are not too concerned about the quality of their programming according to people who are expected to consume it.

Apparently there is no directive from the European Union to have to sell off the spectrum. We should also learn from the effects of other privatisation sell-offs such as school playgrounds or the rail tracks. Retaining some, if not all, the digital dividend spectrum for public service will be no bad thing.

Question 2:Do you have any comments on our analysis of the essential constraints that will apply to the available UHF spectrum?..:

Question 3:Do you agree with the more detailed analysis and proposals regarding these technical constraints as set out in Annex 10?..:

Question 4:Do you have any comments on Ofcom's assessment of the potential uses of this spectrum? Are there any potential uses which should be considered that are not mentioned in this document?..:

Question 5:Do you have any comments on our analysis of the choice between a market-led and an interventionist approach to the release of this spectrum? Do you agree with the analysis of different mechanisms for intervening to remedy potential market failures?..:

I think the two terms 'market-led' and 'interventionist' set up a false sense of there is only one way or another. A mix of releasing a certain amount of spectrum to more commercial use and holding back a portion for public service broadcasting is not presented as an option fully explored, and yet would probably deliver a better service for the citizen than what is being pushed by Ofcom. They themselves say they do not know what the future holds, yet appears to be counting on the existence of the BBC to fulfill a public service broadcast role without any certainty that it will be around to do so. Creating a mix in the new area of spectrum would provide a buffer in case Ofcom do get it wrong!

Question 6:Do you agree with our proposals to continue making available channel 69 for use by low power PMSE devices? Do you agree with our proposal to make some or all of the spectrum available for use on a licence-exempt basis?..:

Yes keep Channel 69 for community use and on a licence exempt basis.

Question 7:Do you agree that there should be transitional protection for professional PMSE users to ensure that they can continue to access interleaved capacity until at least the end of 2012? Do you have any views on the mechanism for providing future access to this spectrum?..:

The proposal to auction off this bandwidth as part of the 'market-led' approach has the potential to seriously jeopardise the large-scale musicals, rock concerts and sports

events ? including the 2012 Olympics as it could put the price of necessary licences out of the reach of these companies. This would mean these kind of events may not happen so often or the prices will have increase even more, putting the experience of such live events out of the reach of many consumers/citizens. Maybe they would get some sort of sense of the occasion watching it on their TV screen..!

The transitional period currently allowed for may seem like a long time, but is not long enough once you take account of the uncertainty until the spectrum is sold off or however it is disposed of.

Question 8:Do you consider that additional spectrum from the digital dividend should be reserved for low power applications? If so, please provide as much evidence as possible about the nature of the application and its potential value to society.:

Question 9:Do you consider that it would be desirable to hold back some spectrum from award with a view to its potential use for future innovation? If so, please provide comments on how much spectrum should be held back, and for how long.:

There is definitely an argument for leave spectrum provision for innovation - or a fall back if the 'market-led' approach fails to bring the social benefits for the citizen that Ofcom thinks it will.

Question 10:Do you agree with our proposal that we should package the interleaved spectrum in a way that would be suitable for use by local television services, but not reserve spectrum solely for this use?..:

Our concern is that the notion that broadband and satellite can be easier ways to deliver local television comes across as a very urban based view and also of one of people who have the money in their pocket to be able to buy the right equipment, such as computers and network connections.

Question 11:Do you agree with our proposal to package the spectrum in a way which does not preclude mobile broadband use, but to take no further action in relation to this use?..:

Question 12:Do you agree with our proposal that we should not intervene in the award of this spectrum to reserve spectrum for DTT? Do you agree that we should package the spectrum in a way which is suitable for DTT use?..:

Question 13:Do you consider that we have included in our analysis the most material risks in relation to market failure?..:

Question 14:Do you agree with our proposal to auction licences for the use of the available UHF spectrum?..:

Question 15:Do you agree with Ofcom?s proposals as to the timing of any auction? If not, what alternative proposal would you make and why, and what evidence and analysis can you provide in support of your alternative proposal?..:

Question 16:Do you have any views on which of the packaging options identified for the cleared spectrum would be most suitable?..:

Question 17:Do you have any views on which of the packaging options identified for the interleaved spectrum would be most suitable?..:

Question 18:Do you have any views on which of the auction design options would be most suitable?..:

Question 19:Do you agree with Ofcom?s proposals for the non-technical terms of the licences to be awarded for use of the UHF spectrum?..:

I'm not certain there is enough provision if a future spectrum user abuses their ownership of the bandwidth and consequently delivery of a service. For example, the current issue with BSkyB - how would behaviour like this be dealt with if they were a spectrum owner?

Question 20:Do you agree with the analysis of the options as set out in this Impact Assessment?..:

Additional comments:

We still have concerns that whilst the digital changeover has advantages such as freeing up the spectrum, that it is not exactly supporting the whole trying to tackle climate change issue. You have the juxtaposition of a government trying to reduce waste consumption yet the same government is creating conditions where you either have to be able to afford a new piece of equipment or throw out an appliance which maybe still in good working order!