

Reference: 1-314353445

27 January 2016

Information Requests
Ofcom

Freedom of Information: Right to know request

information.requests@ofcom.org.uk

Dear *[Personal data has been redacted]*

Thank you for your request for information. Ofcom received your request on 23 January 2016 and we have considered it under the Freedom of Information Act 2000 ('the Act').

You asked:

"Please provide the accounts from launch to the present date of the twenty local television channels and state whether each channel is running at a profit or at a loss. These channels currently (as of January 2016) include:

- *Grimsby (Estuary TV),*
- *Norwich (Mustard TV),*
- *London (London Live),*
- *Nottingham (Notts TV),*
- *Glasgow (STV Glasgow),*
- *Brighton (Latest TV),*
- *Sheffield (Sheffield Live),*
- *Belfast (NvTv),*
- *Bristol (Made TV),*
- *Cardiff (Made TV),*
- *Leeds (Made TV),*
- *Newcastle (Made in Tyne and Wear),*
- *Southampton (That's Solent),*
- *Liverpool (Bay TV),*
- *Edinburgh (STV Edinburgh),*
- *Birmingham (Big Centre TV),*
- *Oxford (That's Oxford TV),*
- *Manchester (That's Manchester),*
- *Cambridge (Cambridge TV) and*
- *Preston (That's Lancashire)."*

I am writing to advise you that Ofcom cannot disclose the information you requested.

The information you have requested falls under the exemption in [section 44](#) of the Act. Under this section information which we hold on this subject is exempt from disclosure since it

was shared with us under our regulatory power and disclosure is prohibited under section 393(1) of the Communications Act 2003). Section 44 is an absolute exemption under the Act and does not require a public interest test.

It is likely that other exemptions will apply.

However, in order to assist you with your enquiries, I have included as an annex to this letter a form that we asked the above channels to complete. This will help you to understand the type of information we ask for under our regulatory powers.

You also asked:

“Please could you also provide the full initial start-up costs made by each television channel and the amount of funding that has been contributed toward the scheme by the television licence and/or any other source of public funding? Please also provide the costs made toward the licencing of the additional planned fourteen television channels to deliver local TV services in various areas.

Additionally if possible, please provide information regarding the costs made toward the licencing of Comux, who have stated that they have been tasked with the building and operations of the digital transmission infrastructure for local television.”

Firstly, *“the full initial start-up costs made by each television channel”* are not intentionally collected by us, but where we hold that information in response to the above-mentioned questionnaire, we are also withholding it under section 44, as it will have been collected in conjunction with our regulatory powers.

Regarding *“the amount of funding that has been contributed toward the scheme by the television licence and/or any other source of public funding”* – that is a question for the BBC. Ofcom does not hold information on TV licensing.

It is not clear what information you are asking for in the questions below. Please provide further clarification.

- *the costs made toward the licencing of the additional planned fourteen television channels to deliver local TV services in various areas.*
- *information regarding the costs made toward the licencing of Comux, who have stated that they have been tasked with the building and operations of the digital transmission infrastructure for local television.*

Please quote the above reference number in any correspondence regarding the above.

Yours sincerely

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.
The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter.** There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Graham Howell
 The Secretary to the Corporation
 Ofcom
 Riverside House
 2a Southwark Bridge Road
 London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
 Wycliffe House
 Water Lane
 Wilmslow
 Cheshire
 SK9 5AF

Annex

Section 1

L-DTPS Local Annual Return for 2015

Reporting period: 1 January 2015 to 31 December 2015

Every L-DTPS licensee broadcasting during 2015 must complete this form, regardless of when it launched. If you launched in the course of this annual reporting period, your reporting period for this Local Annual Return is the period from your launch date to 31 December 2015.

Ofcom will use the information you provide to assess the sector as a whole, including the progress made and challenges encountered by services in 2015.

Further, the Department for Culture, Media and Sport ('DCMS') has asked Ofcom to share with it some of the information obtained through responses to this Local Annual Return for the purpose of assisting DCMS to evaluate the local TV framework. Please indicate below whether you do or do not consent to the disclosure by Ofcom to DCMS of part (or any) of the information contained in your response to this Local Annual Return, by ticking the appropriate boxes:

<i>I consent to the disclosure by Ofcom to DCMS of <u>all the information</u> contained in this response</i>	Yes [] No []
<i>I consent to the disclosure by Ofcom to DCMS of <u>some of the information</u> contained in this response, and give</i>	Q1 Yes [] No []

<p>consent that the information for the following questions can be disclosed to DCMS:</p>	Q2 Yes [] No []
	Q3 Yes [] No []
	Q4 Yes [] No []
	Q5 Yes [] No []
	Q6 Yes [] No []
	Q7 Yes [] No []
	Q8 Yes [] No []
	Q9 Yes [] No []
	Q10 Yes [] No []

This form should be completed and emailed to local.tv@ofcom.org.uk by 20 January 2016.

Please be aware that if the information is not received by the stated deadline, Ofcom will proceed to consider recording a breach of your licence under our General procedures for investigating breaches of broadcast licences¹.

Please email local.tv@ofcom.org.uk if you have any questions about how to complete this form.

1. Station details

Licence number	
Station name	
Licensed area	
Launch date	

2. Local programming output ²

Did you provide the number of hours of local	Yes/No
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¹ <http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/general-procedures.pdf>

² Your responses to this section should reflect that you might have started Y2 of your programming commitments in 2015 if you started broadcasting in the course of 2014. E.g. if your service started broadcasting on 5 May 2014, your Y1 commitments will have finished in on 4 May 2015, and your Y2 commitments will have started on 5 May 2015,

programming (including local news and current affairs) specified in your licence?	If no, please explain why:
Did you broadcast more hours of first run local programming than required by your licence during 2015?	Yes/No If yes, by how much per week did you exceed your licence requirements?
Did you broadcast more hours of first run local news and current affairs programming than required by your licence during 2015?	Yes/No If yes, by how much per week did you exceed your licence requirements?

3. Revenues

Please add comments in the tables to indicate where you have given estimates, and explain the basis upon which you have arrived at these estimates.

	Actual 2015, £	Originally predicted for this year in your licence application, £
National advertising		
Local advertising		
Long-form advertising (i.e. adverts over three minutes in length, other than teleshopping)		
Teleshopping		
BBC		
Other commercial		
Other non-commercial		
TOTAL		
Comments:		

4. Long-form advertising

Total number of hours of long-form advertising (i.e. adverts over three minutes in length) during 2015. hours
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5. Additional funding investment (£)

Did you seek or receive additional funding in response to a shortfall in anticipated revenues during 2015? If yes, please specify the amount and nature of the funding (e.g. existing investors, new investors, grants) and provide any relevant comments.	Yes/No £..... Comments:
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6. Spend

We are not giving any detailed guidance on the accounting assumptions you should make in calculating the per-hour costs, as we recognise that different businesses will make different assumptions. We also recognise that some stations may not have separate average spend figures from news and for current affairs. If you do not have these figures, please leave the relevant boxes blank. Please take the same approach as you would in your normal annual statutory accounts.

Average spend per hour of programming (£)

Please provide comments in this section which explain your approach to calculating the average spend per hour of programming in each category.

Please add comments in the tables to indicate where you have given estimates, and explain the basis upon which you have arrived at these estimates.

Average spend per hour for...	Actual 2015, £	Originally predicted for this year in your licence application, £	Any comments
First run local programming (all local programming, including			

local news and current affairs)			
First run local news or local current affairs			
Acquired content (i.e. any content acquired from a third party provider, including other L-DTPS licensees)			

Total costs (£)

Please add comments in the tables to indicate where you have given estimates, and explain the basis upon which you have arrived at these estimates.

	Actual 2015, £`	Originally predicted for this year in your licence application, £	Any comments
Total operating costs, including programming, overheads, etc			

7. Partnerships

Please give details here of any partnerships you have had during the reporting period. If you were not in any partnerships during the reporting period, please leave this section blank.

<p>Did you have a partnership with a radio service(s), another television service, a newspaper(s) / magazine(s), or an educational institution(s)? If so, for each partnership describe:</p> <ul style="list-style-type: none"> - who the partner was 	<p>Yes / No</p> <p>Details:</p>
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- the nature of the partnership.	
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7. Significant achievements

Please note any significant achievements during the reporting period (these may include broadcast output, commercial achievements, and other accomplishments).

Answer in no more than 500 words:

8. Significant challenges

Please note any significant challenges during the reporting period (these may include production, operational and commercial challenges).

Answer in no more than 500 words:

9. Audience research

Please provide a summary of any audience research/data you have collected during the year. This could be BARB data or research using other methodologies, and it could be collected with other L-DTPS licensees, or conducted individually. You may attach copies of any research.

Answer in no more than 500 words:

10. Platforms

Please confirm whether the service provided pursuant to your L-DTPS licence was broadcast on any other platforms (in addition to Freeview) during the reporting period. Please add any relevant comments you have (e.g. if you were broadcasting via the internet, please specify whether you were providing a simulcast, catch-up or on-demand service).

	Yes or no?	Further comments
Sky		

<i>Freesat</i>		
<i>Virgin Media</i>		
<i>Internet</i>		
<i>Other</i>		

Section 2

Declaration

I hereby declare that the information given in this report is, to the best of my knowledge and belief, accurate and complete.

Signature

Name

Position

Station

Email address

Telephone number

Date