

**Made outside London Guidance Review**  
**Submission from the Ofcom Advisory Committee for Northern Ireland**  
**10 May 2018**

The film and television industry in Northern Ireland has become an increasingly important part of the economy in the last ten years. In fact, Northern Ireland Screen has an ambition in their latest corporate plan to make Northern Ireland the largest film making region outside London.

ACNI feels that oversight, regulations and targets are a very important part of making sure that Northern Ireland has its 'fair share' of commissioning outside the M25 corridor. We would certainly not wish to see any 'lighter touch' regulation.

In looking at the three main questions highlighted in the meeting paper of 24/04/18 and discussed by the Committee at its meeting on the 2nd May, we would like to make the following points.

**Which factors have, since the guidance was introduced in 2004, had the greatest impact (positive or negative) on the TV production sector in NI and why? Are these different to the factors affecting London-based productions?**

Production quotas have helped bring network commissions to Northern Ireland since their introduction. There was a very slow start, but we are pleased to see a significant increase in the number of network dramas for BBC and Channel 4 since 2010.

We believe quotas with appropriate and audited performance measures will continue to bring commissions to Northern Ireland.

The Northern Ireland Screen /BBC Partnership Agreement and tax credits on high-end television have all played a significant role and improved things for the better here.

While we welcome the commitment from the BBC to further invest in programming and refurbish Broadcasting House in Belfast, Northern Ireland can feel very remote from many developments from BBC centrally. We welcome the capital spend on BBC infrastructure locally and we would like to see an increase in the BBC commitment to network programming spend <https://www.bbc.co.uk/programmes/b0b3803> as well as seeing Northern Ireland benefit from the merger of BBC Studios and BBC Worldwide.

Despite successful co-productions producers feel that independent production still resides with London and this is something unlikely to be given up easily.

We are concerned about the flow of money from commissioned budgets – to meet the current criteria this is currently set at 70%. However, Northern Ireland Screen have previously argued that about 50% of what ought to be local spend returns to London. This is something we have also heard from independent producers. We would like to see tighter controls and policing of this budget.

The Lift and Shift production of programmes to the nations and regions has delivered very little for Northern Ireland. In Scotland it has produced a sense of resentment among independent producers who have not received the expected level of spend on new programmes. We believe Lift and Shift should be abandoned in favour of measures which support growth of the independent production sector and don't merely create a convenient way for broadcasters to appear to deliver nations/regions targets.

In 2016 ITV bought UTV and they are now moving to new facilities. It will be interesting to see what this means for the current affairs/investigative journalism output, which has recently increased.

There has been a huge growth in children's animation sector in Northern Ireland. We believe that the BBC should commission more children's programming from Northern Ireland as historically the BBC has not

commissioned this genre to any great extent, despite success for the children's animation sector in other global markets.

We have concerns about how the industry will continue to thrive if the UK is not part of an approved country of origin in the European Audiomedial Services Directive and would like to see similar protections are put in place post-Brexit. We have already seen one Northern Ireland production company opening an office in Dublin. It would not be good to see any losses in this sector, which has grown so quickly here and with considerable critical success.

**What are your views on the impact anticipated future structural changes in the industry might have on the production sector in NI e.g. C4 move**

ACNI is concerned that Channel 4 will be distracted its relocation. Northern Ireland is unlikely to bid to host Channel 4's new headquarters but may bid for one of the two proposed creative hubs. Channel 4 appears to be shedding Commissioners. The Committee believes that it is inevitably important that Commissioners are based in the nations and regions. It has been suggested that Channel 4 might consider a similar partnership agreement with Northern Ireland Screen that the latter has with the BBC and we think this would be an interesting and advantageous proposal and contribute to the policy intentions on Made Out of London.

**How well do the criteria collectively contribute towards the sustainability of the production sector in the nations and regions, particularly NI?**

The nations/regions definitions appear to be aligned to the old Independent TV regions combined with the BBC Nations and news regions. Broadly the definitions are still good as much of the PSB news content is still split across those nation/regions. Having nations and regions quotas will only make sense if PSB viewing remains vibrant with a range of audiences (Age, Nation, region etc).

It would make sense to see a PSB on-demand player (BBC, ITV and Channel 4). We would like to see broadcasters considering implementing this in the UK as they have done in the USA and allowing viewers to align local/nations content according to postcode. Failure to compete with Netflix and Amazon will see the BBC's nations and regions share further eroded. We can't simply continue to do it the way it has always been done when the market has changed, and consumer behaviours have followed, particularly younger audiences.

The BFI and Northern Ireland Screen use robust measures to count the spend on talent both in front of and behind the camera. Greater care needs to be taken to ensure that the money is spent in the nations/regions and develops talent progression.

ACNI has concerns about the flow of money from the South East of England. We are not saying it is always deliberate, but a culture has built up that means obstacles are put in the way rather than creative solutions found.

The funding model for all programme genres are changing, with less than 50% of a production now being funded by the broadcaster, and this brings new challenges for the regulator.

It is increasingly important to consider how many parts of a nations and regions production are actually based in Northern Ireland – from development, to pre-production, filming and on to post-production.

**Any other points not in the CFE?**

- Could figures be updated more regularly? We understand that Ofcom measures programmes broadcast, but the date of commissioning is important too and gives a better idea of 'direction of travel'. Is there some way this could be shown in interim reports?
- This is a very fast developing area, what about issues around video-on-demand and new ways to watch content?
- The UK needs to be a country of origin in the EU AVMSD. Failure to do could see the inward investment of capital free-fall and commissions move to other EU countries.

**Ends**