



Siobhan Walsh
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

14 March 2018

Dear Siobhan,

As set out in the BBC's Public Interest Test submission to Ofcom, we have always had an aspiration to broadcast the new BBC Scotland channel in HD on all platforms. As part of reviewing our distribution plans, we have now decided that we can broadcast BBC Scotland at launch in HD, because recent technology changes make it possible to fulfil this ambition at no additional cost.

Therefore, our plan is now for the BBC Scotland channel to be broadcast:

- In SD from midday to midnight on DTT (in Scotland only), Virgin, Sky and Freesat; and
- In HD from 7pm to midnight on DTT (in Scotland only) and from midday to midnight on Virgin, Sky and Freesat.

As a result CBBC HD on DTT (in Scotland only) will not be available from 7pm each day. BBC Scotland will also be available in HD via iPlayer, as will the two hours of CBBC HD that will be dropped from DTT in Scotland (i.e. 7pm to 9pm).

We appreciate that you may consider this an additional element for consideration in Ofcom's BBC Competition Assessment (BCA). As such we will be happy to engage with Ofcom to provide any further information you consider necessary. However, we would also note:

- Throughout the PIT process the BBC has consistently flagged its aspiration to offer the new channel in HD;
- In our Public Interest Test submission we noted that this was an option that we were actively reviewing subject to cost and feasibility; and,

- This is the type of change that on an existing channel we would regard as “business-as-usual” and would not therefore be subject to the material change provisions of the Agreement.¹

In summary, we consider that HD availability will increase the public value of the new BBC Scotland channel with no adverse competitive impact and at no additional cost. It is also the type of decision that – outside of the BCA process – would not require regulatory approval. As such it is clear that this is not “substantive change ... so as to alter the nature of the proposal” (as described in 4.42 of Ofcom’s relevant procedures and guidance).

Finally, for the avoidance of doubt, the decision to curtail CBBC HD at 7pm in Scotland is a “business-as-usual change” (i.e. “Distributing an existing channel in a different technical format”). As such it would not count as a material change within the meaning set out in the Agreement.

Yours sincerely,

Chris Rowsell
Head of Regulation & Economics

¹ As set out in 3.1 of the BBC’s *Policy on material changes to the BBC’s public service activities and commercial activities*, the BBC deciding to “Distribut[e] an existing channel in a different technical format” would be business-as-usual and would not count as a material change.