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to: OFCOM Review of Regional TV Production and Guidance

*Question 1*

*Which factors have, since the guidance as introduced in 2004, had the biggest impact (positive or negative) on the TV production sector in the nations and regions and why?*

*Are these different to the factors affecting London-based productions?*

The BBC Network Supply Review and a consequential commitment to a better out of London strategy was positive although there were unacceptable elements of lift and shift- eg Question Time and the Weakest Link.

Beyond this, the continuing decline in ITV's regional production base- (excepting the Coronation Street studio complex) and the further steps away from ITV being federal in nature have , if anything , exacerbated the problems which were identified in "Platform for Success' the final report of the Scottish Broadcasting Commission

By privileging light touch regulation and market based approaches to regulation on the basis that it is responsible for PSB as a whole, Ofcom has failed in it's primary duty - under the Communication Act 2003 - to secure the Citizen interest.

As a result a sufficient diversity of supply and representation has not been achieved. The consequences of allowing a diminution of non need regional programming were all too apparent.

Viewers in the regions and the the smaller nations of the UK feel that they have been neglected in terms of on screen portrayal and that they do not see themselves or their lives on screen.

This consultation is very much 'after the stable door has been left open by Ofcom' Much better to have continued or improved previous policies with regard to regionally and the nations.

Ofcom, the ITC and UK governments cannot say that they were not warned at the time. The results of the demise of Yorkshire and Granada and/or commitments to invest in and regulatory support for their contributions to voice and production have been calamitous.

The most welcome commitment by the BBC to invest in and launch a BBC Scotland channel will provide a boost to production in and for Scotland but we

can only hope that this will help to leverage funds from other sources to invest in infrastructure and programming.

While the investment and ambition is welcome, there has been widespread concern, with which I concur, regarding the size of the budget. In particular, the division of the funds between news/current affair and other genres

Brexit has the potential to be and will undoubtedly be disastrous for co-productions and access to EU media funds and education and training for the creative industries.

### *Question 2*

*What impact, if any, has the BBC's move to Salford had on the sector and on regional production specifically.*

Although there is evidence of economic impact from the development of Media City and the BBC has invested in this aspect of its Out of London Strategy, it cannot be said that- beyond references in radio and tv talk shows etc, that the regional/northern cultural portrayal has become more salient.

The very fact that Ofcom is conducting this enquiry reflects the fact that there is a need for a more successful 'nations and regions media policy' across the UK. Good intentions need to be matched by interrogating the data.

### *Question 3*

*Do the opportunities for nations' and regions' producers vary by genre? If so in which genres is it easiest and hardest to get commissions?*

Drama is the most difficult for obvious reasons: but also the most needed.

The holy grail of production is returning series. **Emmerdale, Last of the Summer Wine, Taggart, Monarch of the Glen, Hamish MacBeth, Rebus** are good examples of series which had strong cultural, economic and training benefits.

As is **Outlander**. So too is **Shetland** although we are yet to understand its potential for longevity

The production sector in Scotland needs all possible support, including from Ofcom, to balance support for inward investment encouraging and assisting the growth and sustainability of companies based in Scotland.

*Question 4: What are stakeholders' views on the impact anticipated future structural changes in the industry might have on the production sector in the nations and regions?*

It remains the case, as in other industries, that power lies where the financial decisions are made and budgets allocated.

Scotland has achieved notable success in the computer and video games market with Northstar and the University of Abertay at the forefront.

The nations' television production sector needs to learn from this and find ways of developing and retaining its own talent. The final report of the Scottish Broadcasting Commission addressed these issues. The problems remain

*Question 5*

*In your experience, does the definition of a substantive base work well in practice? If not, how could it be improved?*

Stop brass plating: gather data on when and how the budgets are spent.

Make sure that the budget is 80 per cent spent in the region/nation.

*Question 6*

*Does the criterion currently contribute to the objective to strengthen regional production?*

Again, it is a matter of the spirit and the letter. Scotland does not yet have enough Scottish production or programming relative to its size, population and status as a nation.

*Question 7*

*Are there any circumstances in which an office designated as the usual place of employment of senior or executive personnel should not be considered a substantive base? If yes, please provide further explanation*

Brass plating – as you well know. The underlying issue is who has the authority and responsibility to determine the truth in such matters. The commissioner- eg BBC, will take the application on trust.

Concentrating on the budget spend may help this issue.

*Question 8*

*Does this criterion currently create any unintended consequences?*

Possibly putting a kilt on it: ie not a real commitment to production in the nations and sustaining a creative culture and economy.

But when Hollywood producers in the 1930's made quota quickies in the UK< they were laying the foundations for training a generation of film makers – Powell and Pressburger and also Ealing who made the golden age of British Films

So concentrate on the budget being spend in the nation or region.

#### *Question 9*

*We would welcome any information/examples from production companies on the range and roles of staff in production offices outside of London*

N/A

#### *Question 10*

*Do producers tend to share space in the nations and regions in order to share space in order to expand and contract in line with their commissioning slate and thus to help with costs/efficiencies?*

In the age of the internet, digital nomads etc, this would seem self evident

#### *Question 11*

*Is the production budget criterion set at the right level?*

Need to be higher and spend criterion holistic- ie not excluding on-screen talent etc

#### *Question 12*

*What challenges do producers face in meeting this criterion? Do these differ dependent on the substantive base of the production*

The problem is settling for the already known and safety rather than risk taking with and training of new talent. BBC Scotland are trying to address this at present and we wish them well

#### *Question 13*

*Does this criterion currently create any unintended consequences?*

Lack of diversity and distinctiveness in programming

#### *Question 14*

*We welcome any evidence/data of how production budgets for nations' and regions' productions work in practice*

N/A

*Question 15*

*Is the off-screen talent criteria set at the right level?*

Largely

*Question 16*

*How easy or difficult is it for programme makers to fulfil the current criterion*

Should not be difficult given commitment to out of London production

*Question 17*

*Is there a representative spread of nations' and regions' talent at all levels available to hire? Are there certain roles where it is not possible to fill roles from the nations and regions alone? If yes. which roles and what impact does this have on production budgets?*

Problematic. If we do not have the scale of production, then we cannot have the talent developed.

One example from the past is "**Crown Court**" **GRANADA** (ie region) which trained the following on-screen talent.

Regular actors included [William Mervyn](#), [John Barron](#), [John Horsley](#), [Edward Jewesbury](#), Richard Warner, [Basil Dignam](#), Laurence Hardy, [Frank Middlemass](#), and [Basil Henson](#) as judges, [John Alkin](#), [David Ashford](#), [Keith Barron](#), [Jonathan Elsom](#), [Bernard Gallagher](#), [Peter Jeffrey](#), [Charles Keating](#), [Maureen Lipman](#), [T. P. McKenna](#), [Dorothy Vernon](#), [Richard Wilson](#) and [William Simons](#) were among the most common faces as barristers.

Other (currently or subsequently) famous names to appear on the show included [Eleanor Bron](#), [Warren Clarke](#), [Tom Conti](#), [Brian Cox](#), [Honey Bane](#), [Philip Bond](#), [Michael Elphick](#), [Sheila Fearn](#), [Colin Firth](#), [Brenda Fricker](#), [Derek Griffiths](#), [Nigel Havers](#), [Ian Hendry](#), [Gregor Fisher](#), [Ben Kingsley](#), [Ian Marter](#), [Mark McManus](#), [Vivien Merchant](#), [Mary Miller](#), [Geraldine Newman](#), [Judy Parfitt](#), [Robert Powell](#), [Peter Sallis](#), [Anthony Sharp](#), [Michael Sheard](#), [Barbara Shelley](#), [Juliet Stevenson](#), [Patrick Troughton](#), [Mary Wimbush](#), [Peter Capaldi](#) and [Mark Wing-Davey](#). [Bernard Hill](#)

## SO WE NEED MORE PRODUCTIONS LIKE THAT

### *Question 18*

*Do broadcasters give producers the flexibility to employ the staff they want regardless of location*

As far as I know

### *Question 19*

*Which roles if any, are most often prescribed by the broadcaster? Does this vary by genre?*

This would presumably be most prevalent in the casting of on-screen talent

### *Question 20*

*Does this criterion currently create any perverse incentives?*

Less likelihood of developing new talent and going with the tried and trusted and already known with a media profile. Therefore less diversity and distinctiveness

### *Question 21*

*We welcome any evidence to suggest whether the distribution of off-screen talent and range of skills available has changed since this level was set in 2004*

Some investment in the creative industries in Scotland; eg the new Scottish base for the National Film and Television School. Much more needed

### *Question 22*

*Are the three criteria used to define a regional production for the purposes of the quotas the correct ones or are there other factors that should now be included instead/as well*

Portrayal and representation. Programmes which reflect and represent the regional or nation culture(s) and their identities and stories: not just locations

### *Question 23*

*How well do the criteria collectively contribute towards the sustainability of the production sector outside the M25*

The evidence is of not enough scale and diversity of production in the nations and therefore the answer here has to be: not well

*Question 24*

*Are there any unintended consequences of the criteria or guidance more widely that undermine the sustainability of the sector beyond the M25*

Brass plating: Amersham

*Question 25*

*Are the criteria too narrow? For example, are there cases of nations' and regions productions that fail ultimately to qualify towards the regional production quota*

Not as far as I know

*Question 26*

*Is the criteria- based approach the best for regulation in this area? Or are other models that might work better?*

What matters is an unequivocal commitment to ensuring that talent in the nations and regions is developed. This needs more, much more than light touch regulation.

In evidence to the Scottish Parliament earlier this year Pact wrote

'Pact welcomes this Public Purpose and the wording that Ofcom included within the Statement that accompanied the publication of the new Operating Licence requiring the BBC to spend broadly the same amount on programmes, per head, and make broadly the same volume of commissions, per head, in each of the UK's four nations<sup>4</sup>.

We also called for commissioners to be more physically present in Scotland to create relationships and producers should be more active in developing these relationships too. The key to developing a sustainable indie sector in the Scotland in the future, as Pact has raised before, is for companies to secure returning series which will enable them to offer meaningful careers and continuing professional development'

I concur

[http://www.parliament.scot/S5\\_European/General%20Documents/CTEER\\_Screen\\_WritEv\\_Pact.pdf](http://www.parliament.scot/S5_European/General%20Documents/CTEER_Screen_WritEv_Pact.pdf)

*Question 27*

*In your experience how big a role does London play in nations' and regions' productions and in what way?*

Too large a role: power lies with commissioners and controllers of budgets. See Platform for Success. SBC

*Question 28*

*What benefits/disbenefits do you consider 'Lift and Shift' production brings to the nations and regions? We would welcome case studies/examples of 'Lift and Shift' productions*

See below (29)

*Question 29*

*Does 'Lift and Shift' help or hinder the sustainability of production in the locality of a production and in the nations and regions more widely?*

It hinders. The BBC lifted and shifted Programmes like 'The Weakest Link' and 'Question Time'. This policy did not and does not provide the sustainable production, training and scale to enable a vibrant creative sector. It was and is largely done to respond to and comply with the various policy pressures emanating from governments and stakeholders.

It is a quick fix when what is needed is a platform for success

*Question 30*

*Are there different parts of the production process which are more likely to happen in/out of London?*

Scotland has a very poor studio infrastructure and therefore lost Game of Thrones to Northern Ireland. We need both infra structure and returning productions of our own.

*Question 31*

*We would be interested in receiving evidence of case studies from stakeholders which could develop our understanding of the contribution that regional productions currently make to representation and portrayal of the nations and regions in order to gain a sense of the scale of this consequential benefit*

'Spending on first-run UK drama has declined by 44% in real terms since 2008, from £484m in 2008 to £278m in 2014.

New drama being shown on the PSB channels has fallen from 627 hours in 2008 to 371 hours in 2014 - a decline of 41%

In 2015, the hours increased to 416 and there was a 12% annual increase in real terms on spend on first-run UK-originated drama programming in 2015, to £311m but this expenditure was 46% lower in real terms than in 2006'

(Source OFCOM PSB review etc)

I have had occasion in the past: on one occasion when talking to the then Controller of BBC One to ask that we have no more adaptations of Jane Austen. There is more than enough material in Scottish literature for successful adaptations. But we are not given the opportunity to enjoy such.

When, as seen above, there is a sharp decline in drama, then it cannot be a surprise that the nations and regions contribution in this important dimension of portrayal is lacking.

The audience wants and needs programming which speaks to and for them. In Scotland, Scottish stories, not just Scottish scenery

#### *Question 32*

*Does the process by which productions are allocated to nation or macro region work well in practice, or are there any other approaches you think we should consider instead? eg allocating proportions of one title to the different areas in which it was made?*

Possibly- if the proportions of budgetary spend were clear and available.

#### *Question 33*

*Where a production has met the three criteria in different nations/macro regions, the allocation defaults to the substantive base. Is this the right approach or does it deliver unintended consequences?*

Here you answer your own question to some extent. We need better transparency of data.

#### *Question 34*

*Is there anything else we need to take into consideration here? eg are the current nations and macro-regions the right areas to use for allocations*

Nations are self evident: it is a matter for those in the regions to respond to this. Certainly the culture of the northeast differs from Manchester and Liverpool and these two from each other.

#### *Question 35*

*Are the on- screen talent criteria used to judge regionality appropriate, or are there other factors that should now be included instead/as well?*

*Question 36*

*Are the three criteria used to determine whether a regional programme was made in the area for which the service is provided appropriate, or are there other factors that should now be included instead/as well*

Start being clearer about a nation not being a region.

*Question 37*

*Are there any other aspects of the regional programming section guidance which require more detailed review?*

Outside the M25 is open to what used to be called the Amersham effect.  
You need to disaggregate 'Outside the M25'

*Question 38*

*What is useful about the current 'Made outside London' programme titles register and why?*

It enables one to see at a glance how poor is the range and quantity of programming made in Scotland. Once you take out football, snooker, golf, national lottery, question time and bowls, there is really not enough for a nation to be able to see itself reflected and represented.

You cannot live by Still Game and alone and certainly not by Mrs Browns Boys, popular though both are.

*Question 39*

*Are there ways in which the Register could be improved? If yes, how?*

Subject to commercial confidentiality, what proportion of the budget was actually spent in – eg Scotland and without the caveats –eg on screen talent etc

*Question 40*

*Is there additional information which could be included in the register to aid transparency*

Subject to commercial confidentiality, what proportion of the budget was actually spent in – eg Scotland and without the caveats.

*Question 41*

*Are there any other ways in which we could improve the transparency of our reporting?*

No

*Question 42*

*Are there other issues stemming from the guidance that are not addressed in this call for evidence? If yes please set out what they are*

No