

## Your response

 <p>Confidential? – N</p> <hr/> <p><b>British Entertainment Industry Radio Group (BEIRG)</b></p> <p><b><i>Ofcom Draft Annual Plan 2019 / 2020</i></b> <b>Date: February 2019</b></p> <p><b>Executive Summary</b></p> <ul style="list-style-type: none"><li>• BEIRG has three main priorities for 2019/20: ensuring that the process of swapping equipment and receiving compensation is managed in a smooth and easy to navigate fashion; ensuring that all those impacted by the clearance of the 700 MHz band are left no worse off; and campaigning for Ofcom to redress the shortfall of spectrum for PMSE caused by the 700 MHz band clearance.</li><li>• BEIRG has worked well with Ofcom over the last 12 months and appreciates that throughout the consultation process, their views have been taken into consideration. The final terms of the funding scheme have changed considerably from the original proposals to reflect the concerns of the PMSE community.</li><li>• BEIRG is grateful for Ofcom's work in identifying the new bands of spectrum for PMSE sharing. However, there is a lot of work still to do to make the use of these bands a practical success, including ensuring a wide range of equipment becomes available for users to purchase.</li><li>• BEIRG further encourages Ofcom to provide security of tenure for PMSE and rule out a further move to alternative spectrum in the future.</li></ul> <p><b>Introduction</b></p> <p>BEIRG has three main priorities for 2019/20. Firstly, BEIRG hopes to support Ofcom in delivering a fair and equitable funding scheme for users of Programme Making and Special Events equipment displaced by the clearance of the 700 MHz band. Secondly, BEIRG is campaigning for Ofcom to redress the shortfall of spectrum for PMSE caused by the 700 MHz band clearance. Finally, BEIRG hopes that the principles of the Lamy Report will be upheld and that all PMSE users will be left no worse off by the 700 MHz move.</p> <p><b>Operation of the Funding Scheme</b></p> <p>BEIRG have always maintained that the scheme operation should be user friendly and straightforward for claimants. Having heard further details from Equiniti about the operation of the scheme, BEIRG is encouraged by the intuitive nature of the website and the reassuring words from both the scheme operator and Ofcom regarding ease of use. BEIRG was pleased to learn that there will be a maximum of 10 days between returning equipment and receiving payment which will aid businesses with their cash flow as they seek to replace equipment. However, concerns</p>
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remain over capacity for monthly equipment returns and in particular for those large claimants who have several thousand items to swap out. BEIRG hopes that Ofcom and Equiniti will make any necessary changes once the registration period has closed and they have a more accurate total of the number of items that will be returned.

#### **Funding for all PMSE users**

The 700 MHz band clearance will mean that PMSE equipment which currently operates in the band will become unusable. The principles of the Lamy report – that PMSE stakeholders should be no worse off must be adhered to, particularly in these circumstances as the move from 700MHz was not at the request of the PMSE sector. BEIRG was pleased that Ofcom increased the amount paid to claimants for additional costs from 5% to 10%. This is a more realistic figure to cover the extra costs which are likely to be incurred by the move. However, disappointment remains that those impacted by the move from 700 MHz (and therefore incur costs) but do not own equipment have no opportunity to reclaim these costs.

#### **The 961-1015 MHz, 1045-1075 MHz, and 1105-1154 MHz bands**

BEIRG is grateful to Ofcom for identifying and opening up the 961-1015 MHz, 1045-1075 MHz, and 1105-1154 MHz bands ('air band') of spectrum for PMSE sharing. However, the bands remain a UK-only solution, limiting their attractiveness to manufacturers and limiting the quantity and range of equipment that may be available for use in the bands. BEIRG urges Ofcom to continue promoting the shared use of these 'air bands' in international forums and to fully commit to ongoing discussions in CEPT on the subject.

At the same time that Ofcom is pursuing the use of the 961-1015 MHz, 1045-1075 MHz, and 1105-1154 MHz bands for PMSE sharing, other European administrations – including Germany, Austria and in all likelihood, France – are opening up some or all of the 1350-1400 MHz band. In addition to the "air bands", this spectrum would come closer to fully compensating the PMSE for the loss of the 700 MHz band. The 1350-1400 MHz band would also have the advantage of a high degree of harmonisation across Europe and introducing sharing into the upper portion of the band would contribute towards the MoD's obligation to open up its spectrum for alternative uses. BEIRG encourages Ofcom to revisit its assessment of the suitability of the 1350-1400 MHz band for PMSE sharing.

A programme of work surrounding new spectrum for PMSE should be added to Ofcom's annual plan. BEIRG is concerned that Ofcom considers the work on the PMSE review complete because it has identified and allocated some new spectrum. The success of the review will be contingent on the success of how it is implemented and Ofcom must not lose sight of this.

#### **Conclusion**

The PMSE sector faces a damaging loss of spectrum access as a result of the 700 MHz spectrum clearance. This loss of spectrum access will make it more difficult to stage some of the country's largest and most culturally significant events and will hamper the growth of the PMSE sector and the wider creative industries. BEIRG is grateful to Ofcom for recognising this problem and for working to mitigate the shortfall.

However, it is crucially important that PMSE, once through the process of moving from 700 MHz and the associated disruption are given re-assurances by Ofcom that their new 'home' will remain as such for a considerable period of time.

**British Entertainment Industry Radio Group**

The British Entertainment Industry Radio Group (BEIRG) is an independent, not-for-profit organisation that works for the benefit of all those who produce, distribute and ultimately consume content made using radio spectrum in the UK. Venues and productions that depend on radio spectrum include TV, film, sport, theatre, churches, schools, live music, newsgathering, political and corporate events, and many others. BEIRG campaigns for the maintenance of 'Programme Making and Special Events' (PMSE) access to sufficient quantity of interference-free spectrum for use by wireless production tools such as wireless microphones and wireless in-ear monitor (IEM) systems.

As well as being vital in producing live content, wireless audio PMSE technologies play a key role in helping to improve security and safety levels within the entertainment industry and other sectors. Their benefits include improving the management of electrical safety, the reduction of noise levels, the development of safety in communications and reducing trip hazards as well as providing an essential tool for the security orientated services. Wireless equipment and the spectrum it operates in are now crucial to the British entertainment industry.

BEIRG is a member of the Association of Professional Wireless Production Technologies (APWPT)<sup>1</sup>, which promotes on an international level the efficient and demand-driven provision and use of production frequencies for professional event productions, as well as safeguarding such production frequencies for the users on the long run.

<sup>1</sup><http://www.apwpt.org/>

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