

Reference: 1-319026024

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Information requests

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### **Freedom of Information: Right to know request**

Thank you for your request for information dated 23 February about Local TV. Some of your questions fall within scope of the Freedom of Information Act and where this is the case we have responded accordingly. For more general questions we have provided an appropriate reply.

#### **1. In your own words can you describe what the general aims of Local TV are?**

The general aims of Local TV were not decided by Ofcom, but instead are those set out in relevant government statements and orders, namely:

- *A new framework for local TV in the UK, Local TV: Pioneer locations, and Local TV: Making the vision happen*
- *The Local Digital Television Programme Services Order 2012 (SI 2012/292);9*
- *The Wireless Telegraphy Act 2006 (Directions to OFCOM) Order 2012 (SI 2012/293); and*
- *The Code of Practice for Electronic Programme Guides (Addition of a Programme Service) Order 2011 (SI 2011/3003).*

Respectively, these Orders create a framework for licensing a new class of television services; direct Ofcom to reserve spectrum for these services; and establish the status of these services in relation to Electronic Programme Guides (EPGs).

How Ofcom has decided to exercise its powers and duties resulting from this legislation is set out in our local TV statement, published

here: <http://stakeholders.ofcom.org.uk/consultations/local-tv/statement>

#### **2. Currently as it stands you have opened a bidding process twice for both Phase 1 & 2 Channels to join the multiplex. Do you perhaps plan on having a Phase 3?**

There is no current plan for a Phase 3. We have stated that “Once Ofcom has sufficient clarity over spectrum availability we will consider whether and when to advertise the remaining three areas that we have not yet advertised: Kidderminster, Bromsgrove and Stratford upon Avon. We have no current plans to advertise any other areas.” See here: <http://licensing.ofcom.org.uk/tv-broadcast-licences/local/apply/>

**a. At what point was the decision made to open the Phase 2 bidding process? Was it when all Phase 1 Channels had gone on-air?**

The decision to open the Phase 2 bidding process was made when all Phase 1 licence award decisions had been made.

**b. What factors do you look at when appointing L-DTPS Licences to interested parties?**

We assess applicants' proposals against the statutory criteria and Ofcom's general duties.

In awarding local TV licences, Ofcom conducts a thorough assessment of the bids to select the one that best meets the requirements set by Parliament, such as meeting the needs of the local area. Bidders must demonstrate that they would be financially sustainable and provide evidence that funding is in place, or would be if their application was successful. When awarding a licence, Ofcom carefully considers these factors and makes the best decision it can on the available evidence. However, the nature of awarding licences for a new type of service in a competitive media market means that it is very unlikely that all channels will succeed. This is an inherent feature of the nature of awarding a large number of licences for a new service across very different parts of the UK.

The detail of how we do ask bidders to submit relevant information are set out in our statement <http://stakeholders.ofcom.org.uk/consultations/local-tv/statement>, our invitation to apply (ITA) and the application and financial information form that bidders are requested to submit. The most recent ITA, issued for phase 2, together with the application form and financial information form are attached as an illustration.

The accounts of individual decisions are published on our website here: <http://licensing.ofcom.org.uk/tv-broadcast-licences/local/award-decisions/>

**3. How do you think Local TV has been received by the UK public?**

As a regulator Ofcom cannot provide comment on this question.

**4. What does Local TV mean to the United Kingdom?**

As a regulator Ofcom cannot provide comment on this question.

**5. What opportunities do you think it brings to those involved in the day-to-day running of these Local channels?**

Different applicants for licences have set what intentions they had in this regard, if any, in their respective application forms. These application forms can be found on our website here: <http://licensing.ofcom.org.uk/tv-broadcast-licences/local/award-decisions/>

**6. Why do you think Local TV hasn't worked before?**

As a regulator Ofcom cannot provide comment on this question.

**a. What makes this recent instance of Local TV different from the rest?**

As a regulator Ofcom cannot provide comment on this question.

**7. What is Ofcom's plans with Local TV moving forward?**

It is important to note that Ofcom's role in relation to local TV is the role that is defined in statute (see response to question 1).

Twenty L-DTPS services have now launched. They are listed here <http://licensing.ofcom.org.uk/tv-broadcast-licences/current-licensees/local-tv/>. Licensees are expected to comply with their licence conditions. The current obligations and requirements of the L-DTPS licence holders can be viewed in their licences.

In addition, 14 services have been awarded but still have to launch in the course of 2016 and 2017. They are Guildford, Reading, Salisbury, Middlesbrough, Mold, Basingstoke, Maidstone, Swansea, Scarborough, York, Dundee, Aberdeen, Ayr and Carlisle. More details are listed here: <http://licensing.ofcom.org.uk/tv-broadcast-licences/local/award-decisions/> We have also stated "Once Ofcom has sufficient clarity over spectrum availability we will consider whether and when to advertise the remaining three areas that we have not yet advertised: Kidderminster, Bromsgrove and Stratford upon Avon. We have no current plans to advertise any other areas." See here: <http://licensing.ofcom.org.uk/tv-broadcast-licences/local/apply/>

**8. Low production values is often something that has been associated with Local TV, do you think this is a fair representation of the Local TV Channels in the UK?**

As a regulator Ofcom cannot provide comment on this question.

**9. When considering a town or city for a L-DTPS licence, what factors do you look at? Population? Target Audience?**

Our approach on this is set out in our local TV statement, <http://stakeholders.ofcom.org.uk/consultations/local-tv/statement>, our coverage note, published here: <http://licensing.ofcom.org.uk/binaries/tv/local-tv/coverage/coverage-note.pdf> and in the Invitation to apply for a local TV Multiplex licence <http://licensing.ofcom.org.uk/binaries/tv/local-tv/archive/Invitation.pdf> , specifically in the section “Coverage and roll-out requirement” of the document.

**10. Can you tell me more about the funding made available to these Local TV channels?**

**a. What is the funding used for?**

**b. Where has the money come from?**

Response to Question 10, 10a and 10b: The funding is being made available by the BBC. These are therefore questions for the BBC. The general approach is published here on the BBC Trust website:

[http://www.bbc.co.uk/bbctrust/our\\_work/strategy/licence\\_fee/local\\_tv\\_contribution.html](http://www.bbc.co.uk/bbctrust/our_work/strategy/licence_fee/local_tv_contribution.html)

**11. How are you supporting Local TV? How are you going to ensure that Local TV is here to stay?**

As a regulator Ofcom cannot provide comment on this question.

**12. Has Local TV been adopted by companies the way it was intended to be?**

Local TV licensees are varied in type and size, reflecting the diverse nature of the UK demographic and geography. Licensees range from not-for-profit community ventures to new commercial partnerships between local newspapers, TV production companies and educational institutions.

As a regulator Ofcom cannot provide further comment on this question.

**13. Do you see Local TV to be a replacement or substitute for regional TV news?**

As a regulator Ofcom cannot provide comment on this question.

**14. Has Local TV changed the way news has been reported?**

As a regulator Ofcom cannot provide comment on this question.

I hope this information is helpful.

Yours sincerely

## Julia Snape

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