



Review of Ofcom list of major
political parties for elections taking
place on 22 May 2014
Statement

Statement

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Section 1

Executive summary

Summary of Ofcom's Decision:

We have consulted on an appropriate approach for determining the composition of the list of major parties ahead of the elections taking place on 22 May 2014.

Our decision is that the United Kingdom Independence Party (“UKIP”) should be added to the list of major parties in England and in Wales for the 2014 European Parliament elections.

The practical effect of this decision is as follows:

- **Broadcasters transmitting PEBs on a UK/Great Britain-wide basis (such as Channel 5 in the European Parliamentary elections) will be obliged to treat UKIP as a major party across the whole of England, Wales and Scotland (i.e. Great Britain) as a whole.**
- **STV will not be required to treat UKIP as a major party for the purposes of broadcasting Scotland-only PEBs. This reflects the fact that UKIP has low levels of support in Scotland. However, ITV Wales will have to treat UKIP as a major party for the purposes of broadcasting Wales-only PEBs, reflecting the fact that UKIP has significant levels of support in Wales**
- **In news and current affairs election programming that focuses on the European Parliamentary elections across England, Wales and Scotland (i.e. Great Britain) as a whole, UKIP will be treated as a major party across the whole of England, Wales and Scotland (i.e. Great Britain). However, in news and current affairs election programming that focuses on the European Parliamentary elections in just Scotland, UKIP will not be treated as a major party in such programming.**

Introduction

1.1 This Statement sets out the outcome Ofcom's review¹ of the list of 'major parties' for the European Parliamentary elections (UK-wide), English local government elections (in some parts of England) and English mayoral elections (in five areas), which will be held on 22 May 2014².

¹ On 31 October 2013 review we published a consultation (“the Consultation” – see <http://stakeholders.ofcom.org.uk/binaries/consultations/parties2014/summary/condoc.pdf>) setting out our proposals in this area.

² Due to take place in: Hackney; Lewisham; Newham; Tower Hamlets; and Watford. These are a form of English local election. We consider it appropriate to treat the 2014 English local elections and 2014 English mayoral elections together when reviewing the list of major parties for the purposes of the 'English local elections'. Since we published the Consultation, on 11 December 2013 Parliament made regulations providing for local elections to take place in Northern Ireland on 22 May 2014 (see http://www.legislation.gov.uk/ukxi/2013/3156/pdfs/ukxi_20133156_en.pdf). However, as mentioned in

- 1.2 During these election campaigns, there will be two types of broadcast content relevant to those elections:
- party election broadcasts (“PEBs”): PEBs are granted by relevant broadcasters to registered political parties under Ofcom’s rules on Party Political and Referendum Broadcasts (“the PPRB Rules”)³; and
 - broadcasters’ own coverage of the May 2014 elections: broadcasters’ news and current affairs coverage (as well as other programming relevant to the elections) must comply with Section Five (due impartiality)⁴ and Section Six (elections and referendums)⁵ of the Ofcom Broadcasting Code (“the Code”).
- 1.3 The PPRB Rules and Section Six of the Code impose obligations on broadcasters by reference to a defined list of major parties⁶, which is contained in a self-standing annex to both the PPRB Rules and Section Six of the Code.

Background to the review

- 1.4 In paragraphs 2.4 to 2.9, we lay out the background to our review. During 2012/13, we consulted (“the PPRB Consultation”)⁷ on revised PPRB Rules and Proposed Code Guidance on Section Five (due impartiality) and Section Six (elections and referendums) of the Code. On 21 March 2013, we published our Statement (“the PPRB Statement”)⁸, which set out revised PPRB Rules revised Guidance for Section Five and Section Six of the Code.
- 1.5 When we published the PPRB Statement, we confirmed our view that the concept of a list of major parties remained fit for purpose in both the PPRB Rules and Section Six of the Code. In recognition of stakeholder concerns that there had not been sufficient flexibility surrounding the concept of major parties we removed⁹ the list of major parties from the PPRB Rules and Section Six of the Code and we placed the list in a separate annex. We explained that, in future, we would carry out periodic reviews of the list of major parties by reference to a defined set of principles¹⁰, with a view to updating it as appropriate. We anticipated that the first review of the list of major parties would take place ahead of the European Parliamentary elections in 2014.

footnote 32 below, our review has not considered any changes to the list of major parties in Northern Ireland.

³ See <http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/ppbrules.pdf> Section 333 of the Communications Act 2003 empowers Ofcom to make rules which may include provision for determining the political parties on whose behalf party political broadcasts, including PEBs, may be made. The PPRB Rules contain minimum requirements set by Ofcom which Licensees must abide by in deciding the allocation, length, frequency and scheduling of PEBs and broadcasts outside of elections, party political broadcasts (“PPBs”).

⁴ See <http://stakeholders.ofcom.org.uk/binaries/broadcast/831190/section5.pdf>

⁵ See <http://stakeholders.ofcom.org.uk/binaries/broadcast/831190/section6.pdf>

⁶ See <http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/major-parties.pdf>

⁷ See <http://stakeholders.ofcom.org.uk/binaries/consultations/ppbs/summary/condoc.pdf>

⁸ See <http://stakeholders.ofcom.org.uk/binaries/consultations/ppbs/statement/statement.pdf>

⁹ Until 21 March 2013, the major parties were listed on the face of both the PPRB Rules and Section Six of the Code. In the PPRB Statement, we confirmed that, as a result of the responses we had received from stakeholders, we would be adding the Alliance Party in Northern Ireland to the list of major parties on an on-going basis.

¹⁰ See paragraph 2.8 below.

- 1.6 Given the short period of time since the publication of the PPRB Statement, just prior to the May 2013 elections, and the fact that there have been no elections in the intervening period¹¹, we do not consider that there are any reasons to change the existing list of major parties for all sets of elections¹². Therefore, our review has looked specifically at whether the available evidence supports the addition of any other political party to the list of major parties solely for the purposes of the European Parliamentary elections and/or English local (and English mayoral) elections taking place on 22 May 2014.
- 1.7 In paragraph 2.10, we lay out a general summary of the responses we received to the Consultation.

The approach to Ofcom's assessment of the available electoral evidence

- 1.8 In paragraphs 2.11 to 2.19 we lay out the background to our proposals for an appropriate approach for assessing the evidence of past electoral support and current support for political parties, for determining the composition of the list of major parties.
- 1.9 It may be the case that the evidence does not demonstrate that a particular party's performance justifies its addition to the list of the major parties on an ongoing basis for all elections, but that its performance in a particular set of elections may justify its inclusion.
- 1.10 To date, the major parties have been of two types:
- political parties that field candidates typically across England, Wales and Scotland, in other words, the nations making up Great Britain¹³ (i.e. the Conservative Party, the Labour Party and the Liberal Democrats); and
 - political parties that only field candidates within one of Wales, Scotland, or Northern Ireland (i.e. the Scottish National Party, Plaid Cymru and the Northern Ireland parties).
- 1.11 Certain elections relate to a single nation of the UK. For such elections, assessments of past electoral support and current support for political parties would be on the basis of the available electoral data for those elections in that country. Such a framework would apply to the assessment of evidence for parties currently on the list and those not currently on the list.
- 1.12 For elections that take place across the whole of the UK¹⁴, such as General Elections or European Parliamentary elections, in the Consultation we set out three potential

¹¹ Apart from a small number of by-elections at, for example, local government level.

¹² In the PPRB Statement, we confirmed that, as a result of the responses we had received from stakeholders, we would be adding the Alliance Party in Northern Ireland to the list of major parties on an on-going basis. Therefore although it has been announced that local elections will now be taking place in Northern Ireland on 22 May 2014 (see footnote 2 above), we consider that the list of major parties for Northern Ireland, as published in the PPRB Statement on 21 March 2013, remains appropriate for the 2014 Northern Ireland local elections.

¹³ Parties from Great Britain rarely if ever field candidates in Northern Ireland, and as a consequence do not have significant levels of support in Northern Ireland.

¹⁴ Although certain types of election, such as General Elections and European Parliamentary elections take place across the UK, our review recognises that parties rarely, if ever, field candidates

approaches to the assessment of the evidence of past electoral support and current support¹⁵:

- **Option A:** Assessments of relevant electoral evidence would take place in respect of Great Britain as a whole. For parties who field candidates in just one nation, our analysis would just consider the relevant electoral evidence for that nation.
- **Option B:** Under this option, assessment of relevant electoral evidence would take place in respect of England, Wales and Scotland. This approach acknowledges that certain political parties field candidates principally across England, Wales and Scotland in UK-wide elections such as General Elections and European Parliamentary elections, whilst other parties field candidates in just one of those nations. This approach would also enable the list of major parties to reflect the fact that certain major parties demonstrate significant support across England, Wales and Scotland in aggregate (while enabling variations in support in individual nations of the UK to be appropriately reflected).
- **Option C:** Under this approach, there would be two separate stages of assessment, combining the two approaches above. Under stage one, an assessment would take place of relevant electoral evidence in respect of Great Britain as a whole. If a party did not merit being added to the list of major parties for Great Britain as a whole on that basis, at stage two Ofcom would carry out an assessment of relevant electoral evidence in respect of England, Wales and Scotland separately.

1.13 In paragraphs 2.20 to 2.29 we summarise the responses we received on the three potential approaches to the assessment of the evidence of past electoral support and current support. We note that the large majority of responses to the Consultation either fully favoured Option B or favoured that option with qualifications. In addition, one respondent (the United Kingdom Independence Party – “UKIP”) favoured Option A. No respondents favoured Option C.

1.14 In paragraphs 2.30 to 2.38, we lay out our reasoning for the approach we have decided to adopt in this Statement. Having carefully considered the responses we have received to the Consultation, we consider that **Option B** provides the most appropriate basis for carrying out an assessment of the list of major parties for the May 2014 elections. This approach ensures the list of major parties continues to reflect two interlocking features. Firstly, under this option, the list will continue to recognise that certain political parties field candidates principally across England, Wales and Scotland in UK-wide elections (i.e. General Elections and European Parliamentary elections), whilst other parties field candidates in just one of those nations. Therefore, under Option B, in news and current affairs election programming that, for example, focuses on the European Parliamentary elections across Great Britain, the list of major parties will require broadcasters to give appropriate coverage to those major parties that field candidates principally across England, Wales and Scotland. Conversely, in news, and current affairs election programming that focuses on the European Parliamentary election in just one nation of the UK, the list of major

across all four nations of the UK, including Northern Ireland. However, as mentioned in paragraph 1.10 above, certain parties field candidates across each of the nations making up Great Britain.

¹⁵ Police and Crime Commissioner elections take place in England and Wales, so we envisage adopting a similar approach to assessing support for parties which fields candidates in those elections, as would apply to Great Britain-wide elections.

parties will require broadcasters to give appropriate coverage to those major parties that field candidates in that nation.

- 1.15 Second, under Option B, the list will continue to reflect the UK/Great Britain's broadcasting architecture¹⁶. This is because the list of major parties will continue to ensure that broadcasters broadcasting on either a UK/Great Britain-wide basis (such as Channel 4 or Channel 5) or on a devolved nation basis (such as STV in Scotland) will allocate PEBs to parties in a manner appropriate to that broadcaster's broadcast footprint.
- 1.16 We consider that this approach allows Ofcom to: measure appropriately each party's electoral support; build on the best aspects of the existing system; and recognise the practicalities of the architecture of broadcast coverage in the UK. In summary, therefore, our chosen approach reflects the fact that certain parties demonstrate significant past electoral support and current support, in aggregate, across England, Wales and Scotland as a whole, yet also reflects variations of support for political parties within the separate nations of the UK.
- 1.17 As well as discussing the weakness of Options A and C, we confirm the advantages of our favoured approach.

Our analysis of evidence of past electoral support and current support for the purposes of the May 2014 elections

- 1.18 In paragraphs 2.39 to 2.41 we lay out the background to our assessment of the evidence of past electoral support and current support for political parties, for determining the composition of the list of major parties for the relevant elections taking place on 22 May 2014.
- 1.19 In paragraph 2.42 to 2.62, we: summarise the responses we received on our assessment referred to in paragraph 1.14 above; lay out our consideration of these responses; and we lay out our assessment of the available evidence in relation to the various political parties ahead of the relevant elections taking place on 22 May 2014. This assessment therefore takes account of the latest¹⁷ evidence of current support published since the Consultation.

Ofcom's decision on the basis of the evidence

- 1.20 Our assessment of the evidence is that UKIP should be added to the list of major parties for the 2014 European Parliament elections for England and Wales only (not Scotland). In paragraph 2.63 we explain our reasons for this decision.
- 1.21 The practical effect of this decision is that broadcasters transmitting PEBs on a UK/Great Britain-wide basis (such as Channel 5 in the European Parliamentary elections) will be obliged to treat UKIP as a major party across the whole of England, Wales and Scotland (i.e. Great Britain) as a whole.

¹⁶ Some broadcasters (such as Channel 4, Channel 5 and the national radio services i.e. Absolute Radio AM, Classic FM, and Talksport) transmit their programming across the UK/Great Britain; whilst some broadcasters, such as Channel 3 licensees broadcast to devolved, or parts of, devolved nations.

¹⁷ In this Statement we have updated the evidence of current support we relied upon in the Consultation and which was laid out in Annex 2 of that document, to encompass relevant opinion poll data since September 2013. In Annex 2 of this Statement we have reproduced Annex 2 of the Consultation, but updating evidence of current support as appropriate.

- 1.22 However, STV will not be required to treat UKIP as a major party for the purposes of broadcasting Scotland-only PEBs. This reflects the fact that UKIP has low levels of support in Scotland. (Conversely, ITV Wales will have to treat UKIP as a major party for the purposes of broadcasting Wales-only PEBs, reflecting the fact that UKIP has significant levels of support in Wales).
- 1.23 Similarly, our chosen approach will also mean in news and current affairs election programming that focuses on the European Parliamentary elections across England, Wales and Scotland (i.e. Great Britain) as a whole, UKIP will be treated as a major party across the whole of England, Wales and Scotland (i.e. Great Britain). This is because such reports will encompass both England and Wales, where UKIP will be designated as a major party (as well as Scotland, where it will not). Once again, this reflects the fact that UKIP has significant aggregate support across England, Wales and Scotland. However, in news and current affairs election programming that, focuses on the European Parliamentary elections in just Scotland, UKIP will not be treated as a major party in such programming.
- 1.24 We consider that the approach we have adopted has a number of advantages, as follows:
- it enables the list to reflect variations in support for political parties in the nations of the UK, yet also reflects the fact that certain major parties demonstrate significant support across England, Wales and Scotland in aggregate. Therefore, in news and current affairs election programming that, for example, focuses on the European Parliamentary elections across Great Britain, the list of major parties requires broadcasters to give appropriate coverage to those major parties that field candidates principally, and have significant aggregate support, across England, Wales and Scotland. In addition, broadcasters broadcasting on a UK/Great Britain-wide basis (such as Channel 5) must allocate PEBs to those major parties that that field candidates principally, and have significant aggregate support, across England, Wales and Scotland as a whole;
 - it ensures that the framework for allocating PEBs on channels transmitted only within a devolved nation (such as STV, ITV Wales and UTV) or for determining coverage on election programmes (which focus on the European Parliamentary elections within specific devolved nations) accurately reflects the different parties' individual electoral strengths within each devolved nation; and
 - it ensures that there will be consistency in the approach to assessing the list of major parties for both UK-wide elections and elections taking place in individual devolved nations. It therefore takes into account that different elections (and by extension PEB allocations and election reporting) are undertaken at different times on a UK/Great Britain-wide basis¹⁸ or on a devolved-nation basis¹⁹. This approach therefore, in these respects, is simple and straight-forward.
- 1.25 We do not consider that the evidence justifies the addition of any other parties to the list of major parties in respect of the May 2014 European Parliament elections.

¹⁸ General Elections and European Parliamentary elections.

¹⁹ For example, local elections and elections to the Scottish Parliament and the Welsh and Northern Ireland Assemblies.

- 1.26 On balance, we do not consider that the evidence justifies an amendment the list of major parties in respect of the May 2014 English local (and Mayoral) elections.
- 1.27 Consistent with our consultation proposals we have decided not to amend the list of major parties in relation to all elections on an on-going basis. Similarly, we are not amending the list of major parties in respect of Northern Ireland.
- 1.28 A full version of the updated list of major parties is at Annex 1.
- 1.29 We confirm that the list of major parties will be kept under review to ensure flexibility and responsiveness to the developing politics of the UK.

Section 2

Review of Ofcom list of major political parties

Introduction

- 2.1 On 31 October 2013, we published for consultation (“the Consultation”)²⁰ our proposals in relation to the Ofcom list of ‘major parties’ for the European Parliamentary elections (UK-wide), English local government elections (in some parts of England) and English Mayoral elections (in five areas), which will be held on 22 May 2014²¹.
- 2.2 During these election campaigns, there will be two types of broadcast content relevant to those elections:
- party election broadcasts (“PEBs”). PEBs are granted by relevant broadcasters to registered political parties under Ofcom’s rules on Party Political and Referendum Broadcasts (“the PPRB Rules”)²². In summary, for the May 2014 elections PEBs must be broadcast by: regional Channel 3 services for the European Parliamentary elections and English local government elections²³; and Channel 5 for the European Parliamentary elections; and
 - broadcasters’ own coverage of the May 2014 elections. Broadcasters’ news and current affairs coverage (as well as other programming relevant to the elections) must comply with Section Five (due impartiality)²⁴ and Section Six (elections and referendums)²⁵ of the Ofcom Broadcasting Code (“the Code”).
- 2.3 The PPRB Rules and Section Six of the Code impose obligations on broadcasters by reference to a defined list of major parties²⁶, which is contained in a self-standing

²⁰ See <http://stakeholders.ofcom.org.uk/binaries/consultations/parties2014/summary/condoc.pdf>

²¹ Due to take place in: Hackney; Lewisham; Newham; Tower Hamlets; and Watford. These are a form of English local election. We consider it appropriate to treat the 2014 English local elections and 2014 English Mayoral elections together when reviewing the list of major parties for the purposes of the ‘English local elections’. Since we published the Consultation, on 11 December 2013, Parliament made regulations providing for local elections to take place in Northern Ireland on 22 May 2014 (see http://www.legislation.gov.uk/ukxi/2013/3156/pdfs/ukxi_20133156_en.pdf). However, as mentioned in footnote 31 below, our review has not considered any changes to the list of major parties in Northern Ireland.

²² See <http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/ppbrules.pdf>. Section 333 of the Communications Act 2003 empowers Ofcom to make rules which may include provision for determining the political parties on whose behalf party political broadcasts, including PEBs, may be made. The PPRB Rules contain minimum requirements set by Ofcom which Licensees must abide by in deciding the allocation, length, frequency and scheduling of PEBs and broadcasts outside of elections, party political broadcasts (“PPBs”).

²³ In addition, under the PPRB Rules, local digital television programme service licensees must carry local election broadcasts for the English local government elections. These licensees fulfil this obligation by carrying the same PEB as broadcast by the relevant Channel 3 licensee. Furthermore, UTV in Northern Ireland must carry PEBs in relation to the Northern Ireland local elections.

²⁴ See <http://stakeholders.ofcom.org.uk/binaries/broadcast/831190/section5.pdf>

²⁵ See <http://stakeholders.ofcom.org.uk/binaries/broadcast/831190/section6.pdf>

²⁶ See <http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/major-parties.pdf>

annex to both the PPRB Rules and Section Six of the Code. This list is important for Ofcom's regulation of election coverage under the Code and for the allocation of PEBs because it defines the "major parties" for the purposes of both the PPRB Rules and Section Six of the Code. In summary, the list of major parties reflects the fact that some political parties have a significant level of electoral support, and number of elected representatives, across a range of elections within the UK or the devolved nations. The list of major parties up to the date of this Statement is reproduced in Figure 1 at paragraph 2.8 of the Consultation. In Annex 1 of the Consultation, we summarised the obligations contained in the PPRB Rules and Section Six of the Code as regards the major political parties.

Background to the review

- 2.4 During 2012/13, we consulted on revised PPRB Rules and Proposed Code Guidance on Section Five (due impartiality) and Section Six (elections and referendums) of the Code ("the PPRB Consultation")²⁷. On 21 March 2013 we published a statement ("the PPRB Statement"²⁸), which set out revised PPRB Rules and Guidance for Sections Five and Six of the Code.
- 2.5 In the PPRB Statement, we confirmed our view that the concept of a list of major parties remained fit for purpose in both the PPRB Rules and Section Six of the Code. In recognition of stakeholder concerns that there had not been sufficient flexibility surrounding the concept of major parties, we removed the list of major parties from the PPRB Rules and Section Six of the Code and placed it in a separate annex²⁹. We explained that, in future, we would carry out periodic reviews of the list of major parties with a view to updating it as appropriate.
- 2.6 In the PPRB Statement we confirmed that the list of major parties on an on-going basis was as was set out in Annex 3 of the PPRB Statement³⁰. In paragraph 2.6 of the Consultation, we said that given the short period of time since the publication of the PPRB Statement, just prior to the May 2013 elections, and the fact that there have been no elections in the intervening period³¹, we do not consider that there are any reasons to change the existing list of major parties for all sets of elections³². Therefore, the current review has looked specifically at whether the available evidence supports the addition of any other political party to the list of major parties solely for the purposes of the European Parliamentary elections and/or English local (and Mayoral) elections taking place on 22 May 2014.
- 2.7 Under section 333(5) of the Communications Act 2003, Ofcom must have regard to any views expressed by the Electoral Commission before making (or changing) the PPRB Rules. Moreover, under section 93 of the Representation of the People Act

²⁷ See <http://stakeholders.ofcom.org.uk/binaries/consultations/ppbs/summary/condoc.pdf>

²⁸ See <http://stakeholders.ofcom.org.uk/binaries/consultations/ppbs/statement/statement.pdf>

²⁹ Until 21 March 2013, the major parties were listed on the face of both the PPRB Rules and Section Six of the Code. In the PPRB Statement, we confirmed that, as a result of the responses we had received from stakeholders, we would be adding the Alliance Party in Northern Ireland to the list of major parties on an on-going basis.

³⁰ See <http://stakeholders.ofcom.org.uk/binaries/consultations/ppbs/statement/statement.pdf>

³¹ Apart from a small number of by-elections at, for example, local government level.

³² In the PPRB Statement, we confirmed that, as a result of the responses we had received from stakeholders, we would be adding the Alliance Party in Northern Ireland to the list of major parties on an on-going basis. Therefore although it has been announced that local elections will now be taking place in Northern Ireland on 22 May 2014 (see footnote 21 above), we consider that the list of major parties for Northern Ireland, as published in the PPRB Statement on 21 March 2013, remains appropriate for the 2014 Northern Ireland local elections.

1983 (as amended) Ofcom is required to adopt a code of practice with respect to the participation of candidates at a parliamentary or local government election in broadcast items about the constituency or electoral area in question. This obligation is repeated in a number of statutory instruments with respect to broadcast items covering elections to the Scottish Parliament, the Welsh Assembly, the Northern Irish Assembly, the European Parliament and the post of Police and Crime Commissioner³³. In each case, before drawing up such a code of practice, we must have regard to any views expressed by the Electoral Commission. We consider that we have met these obligations by preparing rules in Sections Five and Six of the Code (and in particular Rules 6.8 to 6.13 on constituency coverage and electoral area coverage in elections) and associated Guidance³⁴. Furthermore, the list of major parties is a key component of the Code of Practice that relates to each of the relevant UK elections mentioned above.

2.8 In paragraph 3.32 of the PPRB Statement, we explained that we did not think that it would be necessary or proportionate to undertake an automatic annual review of the list of major parties because there would be particular years when there would not be cogent reasons for reviewing the list. However, we said that we anticipated the first review of the list of major parties would probably take place ahead of the European Parliamentary elections in 2014. In addition, at paragraph 3.33 of the PPRB Statement, we said the list of major parties would be reviewed in future in accordance with the following principles:

- we would consider whether it is appropriate to review the list on a periodic basis i.e. we would only review the list if there were cogent reasons for doing so;
- mindful of the need for continuity and certainty in this area so that both political parties and broadcasters can plan ahead for elections, we would commence any reviews in the autumn preceding the relevant election(s) happening in the following May/June;
- in any review of the list we might carry out, we would take into account factors such as the electoral performance of parties (including the numbers of elected candidates and overall percentage of vote received) over a range of elections over at least two electoral cycles (including elections prior to the PPRB Consultation) for the different types of elections, and levels of current support;
- if a party's performance over several elections of the same type was significant but not reflected in other types of election, we would consider drawing up a specific list of major parties for that specific type of election;
- whenever we decide to review the list, we would publicly consult on any proposed changes, including obtaining input from the Electoral Commission on any proposed changes; and

³³ See SI 2007/236 National Assembly for Wales (Representation of the People) Order 2007 regulation 67; SI 2010/2999 Scottish Parliament (Elections etc) Order 2010 regulation 64; SI 2004/1267 European Parliamentary Elections (Northern Ireland) Regulations 2004 regulation 60; SI 2004/293 European Parliamentary Elections Regulations 2004 regulation 65; Northern Ireland Assembly (Elections) (Amendment) Order 2009 regulation 3.

³⁴ On 21 March 2013, as a result of the PPRB Statement, we published revised Guidance relating to Section Five of the Code (see <http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/831193/section5.pdf>); and Section Six of the Code (see <http://stakeholders.ofcom.org.uk/binaries/broadcast/guidance/831193/section6.pdf>).

- as appropriate, we would publicly consult only in relation to the relevant election or particular elections, rather than all possible types of elections.

2.9 This is the first time such an assessment has been carried out applying the principles and policy framework set out in the PPRB Statement. Our review has therefore focussed in particular on the application of the principles and policy framework discussed above to the available electoral data. In the rest of this Statement, we set out:

- a general summary of the responses that Ofcom received to the Consultation;
- the background to our proposals for an appropriate approach for assessing the evidence of past electoral support and current support for political parties, for determining the composition of the list of major parties. We then set out the responses we received on this issue; and then we set out the approach we have decided to adopt to the assessment of evidence of past electoral support and current support; and
- the background to our assessment of the evidence of past electoral support and current support for political parties, for determining the composition of the list of major parties for the relevant elections taking place on 22 May 2014. We then set out the responses we received on this issue, as well as our consideration of these responses and our updated³⁵ assessment of the available evidence. Finally, we then confirm our decision on the composition of the list of major parties specific to the elections due to take place on 22 May 2014.

General summary of responses

2.10 Ofcom received eight responses to the Consultation. None of these responses requested confidentiality, and therefore have been published on Ofcom's website³⁶. The responses were from the following organisations: British Sky Broadcasting Plc ("BSkyB"); the Electoral Commission; Plaid Cymru; the Scottish Green Party; the Scottish Liberal Democrats; the United Kingdom Independence Party ("UKIP"); UTV Television ("UTV"); and a combined response from Channel 4, Channel 5 Broadcasting Limited, ITV Plc and STV ("the Combined Broadcaster Response").

The approach to Ofcom's assessment of the evidence of past electoral support and current support

2.11 In paragraphs 2.14 to 2.28 of the Consultation we set out the potential approaches that we had identified for undertaking an analysis of the available electoral evidence for the purposes of reviewing the list of major parties.

2.12 In paragraph 2.14 of the Consultation, we stated that whilst future assessments of the composition of the list of major parties will be undertaken on a case-by-case basis in the light of the available evidence, we would be guided by the approach ultimately adopted in the present review. However, as we recognised in the PPRB

³⁵ In this Statement we have updated the evidence of current support we relied upon in the Consultation and which was laid out in Annex 2 of that document, to encompass relevant opinion poll data since September 2013. In Annex 2 of this Statement we have reproduced Annex 2 of the Consultation, but updating evidence of current support as appropriate.

³⁶ See <http://stakeholders.ofcom.org.uk/consultations/major-political-parties-2014/?showResponses=true>

Statement, it may be the case that the evidence does not demonstrate that a particular party's performance justifies its addition to the list of the major parties on an ongoing basis for all elections, but that its performance in a specific set of elections may justify its inclusion.

2.13 To date, the major parties (i.e. those parties on the current list) have been of two types:

- political parties that field candidates typically across England, Wales and Scotland, in other words, the nations making up Great Britain³⁷ (i.e. the Conservative Party, the Labour Party and the Liberal Democrats); and
- political parties that only field candidates within one of Wales, Scotland, or Northern Ireland (i.e. the Scottish National Party, Plaid Cymru and the Northern Ireland parties respectively).

2.14 This is reflected in paragraphs 3, 4 and 5 of the major parties list³⁸, and we consider that it remains important to adopt a framework for the assessment of evidence that recognises this position.

2.15 Although certain types of election, such as General Elections and European Parliamentary elections take place across the UK, our review recognises that parties rarely, if ever, field candidates across all four nations of the UK, including Northern Ireland. However, as mentioned in paragraph 2.13 above, certain parties field candidates typically across England, Wales and Scotland, in other words the nations making up Great Britain.

Elections relating to a single nation

2.16 Certain elections relate to a single nation of the UK, such as the English local (and Mayoral) elections being held in May 2014. They would also include elections to the Welsh and Northern Ireland Assemblies and Scottish Parliament. For such single nation elections, in paragraph 2.18 of the Consultation, we stated that assessments of past electoral support and current support for political parties would be on the basis of the available electoral data for those elections in that nation. We envisaged that such a framework would apply to the assessment of evidence for parties currently on the list and those not currently on the list.

United Kingdom-wide elections

2.17 Certain elections take place across the whole of the UK³⁹, such as General Elections and European Parliamentary elections. In practice, political parties have typically (but not exclusively) fielded candidates either in Northern Ireland or across England, Wales and Scotland. Having regard to that practice, we set out three potential approaches to the assessment of the evidence of past electoral support and current support that could be adopted in such elections⁴⁰:

³⁷ Parties from Great Britain rarely if ever field candidates in Northern Ireland, and as a consequence do not have significant levels of support in Northern Ireland.

³⁸ See Annex 1.

³⁹ See paragraph 2.13 and footnote 37 above.

⁴⁰ We stated in the Consultation that for Police and Crime Commissioner elections taking place in England and Wales, we envisaged adopting a similar approach to assessing support for parties which field candidates in those elections, as for Great Britain-wide elections.

- **Option A:** Under this approach for parties that field candidates Great Britain, Ofcom would assess the evidence of their past electoral support and current support across England, Wales and Scotland as a whole and consider their inclusion on the list of major parties across the whole of England, Wales and Scotland on this basis. For parties who field candidates in just one nation, Ofcom's analysis would just consider the relevant electoral evidence for that nation.
- **Option B:** Under this option, assessment of relevant electoral evidence would take place in respect of England, Wales and Scotland. This approach acknowledges that certain political parties field candidates principally across England, Wales and Scotland in UK-wide elections such as General Elections and European Parliamentary elections, whilst other parties field candidates in just one of those nations. This approach would also enable the list of major parties to reflect the fact that certain major parties demonstrate significant support across England, Wales and Scotland in aggregate (while enabling variations in support in individual nations of the UK to be appropriately reflected).
- **Option C:** Under this approach Ofcom would undertake two separate stages of assessment, combining the two approaches above. Under stage one a combined England, Wales and Scotland-wide assessment would be undertaken. If a party did not merit being added to the list of major parties for Great Britain as a whole, at stage two, Ofcom would carry out an assessment of the evidence in each nation separately to determine whether a particular party should, nevertheless, be added to the list of major parties in respect of each of England, Wales or Scotland.

2.18 In paragraphs 2.21 to 2.28 of the Consultation, we set out our views regarding the advantages and disadvantages to all three potential approaches.

2.19 We asked stakeholders for their views on which of the three options they considered to be the appropriate framework within which Ofcom should assess the evidence of past electoral support and current support for such elections.

Stakeholder responses on how to assess evidence of past electoral support and current support

2.20 We received seven responses to this aspect of the Consultation.

2.21 The Electoral Commission said it had "no strong views on the approach that should be taken as long as it is seen to be transparent and fair to both voters and political parties".

2.22 UKIP was the only respondent to favour Option A, stating that: "Over the past four years, particularly in European Elections, but also in local elections and Westminster by-elections, UKIP have shown ourselves to have significant support across the United Kingdom".

2.23 The other three political parties who responded to the Consultation (Plaid Cymru, the Scottish Green Party and the Scottish Liberal Democrats) all favoured Option B. For example, Plaid Cymru said that Options A and C: "do not properly recognise the devolved nature of politics within the UK". Plaid Cymru also said that the concept of a political parties having a "national profile" in this context had been "created by

predominately English based and focused media and polling, and therefore is not a true reflection of 'UK wide' public opinion and electoral support".

- 2.24 The Scottish Green Party strongly favoured Option B and said that the effect of Options A and C would be: "to impose upon Scottish broadcasters a duty to grant [UKIP] far more representation than can be warranted by that party's record in Scotland". It added that the treatment of the SNP and Plaid Cymru establishes "clear precedent for recognising a party's support or lack thereof in the nations of Great Britain separately".
- 2.25 The Scottish Liberal Democrats said that Option B: "would provide a more detailed picture of the current political landscape in Scotland" and "ensure a consistent approach across the UK". This respondent added that: "At present, we have a majority SNP Scottish Government formed by a party that does not exist in other areas of the UK. Unlike England and Wales, UKIP are yet to win an election at any level". The Scottish Liberal Democrats considered that Options A and C: "do not provide a sufficiently accurate assessment of past performance and current electoral prospects of the parties operating in Scotland".
- 2.26 The Combined Broadcaster Response, which was supported by UTV, said that Ofcom should recognise the status quo: "which in practice operates lists of major parties both for the UK as a whole and for the individual nations". Therefore, the Combined Broadcaster Response said that: "At present, there are effectively five lists of major parties: one each for England, Scotland, Wales and Northern Ireland; and one for the UK as a whole". This means that the ITV Network schedules PEBs in, and broadcasts election-related reports about, particular devolved nations on the basis of which are the major parties in the relevant devolved nation. However, UK/Great Britain-wide broadcasters, such as Channel 5 and ITV 1 network programming, who broadcast across UK/Great Britain: "need to abide by a list of major parties appropriate to Great Britain as a whole."
- 2.27 The Combined Broadcaster Response said that Ofcom should adopt Option B "as its starting point". This would mean that: "as now there would be major party lists for each of the four nations (which would be used for the purposes of [PEB] allocation for Channel 3 licensees and for nation specific electoral reporting)". However, in addition there should be: "a UK wide major parties list (for the purposes of UK wide broadcasters' [PEB] allocations and UK-wide electoral reporting)". As a result, according to the Combined Broadcaster Response: "It would thus be possible for a party to be a major party on the UK wide list but not on one of the nation's lists – and for a party to be a major party in a specific nation but not in the UK as a whole (like the SNP and Plaid Cymru currently)". Such an approach, according to the Combined Broadcaster response "would be consistent" with Rule 16⁴¹ of the PPRB Rules while "making allowance in Rule 18⁴² for broadcasters which broadcast to the UK as a whole". In addition, this respondent implicitly suggested that Channel 4 and Channel 5, as UK-wide broadcasters, should cease to broadcast PEBs for Plaid Cymru and the SNP during General Elections and European Parliamentary elections.

⁴¹ Rule 16 of the PPRB Rules states that: "In determining allocations of PEBs at elections, the four nations of the UK should be considered separately".

⁴² Rule 18 of the PPRB Rules states that: "Parties which qualify for a PEB in all three nations of England, Scotland and Wales will additionally be offered a PEB on Channel 4 (at General Elections), Channel 5 (at General Elections and European Elections) and the UK-wide analogue radio services (at General Elections) (provided these broadcasters are carrying the relevant series of broadcasts; see Rules 7 to 10 above). The purpose of a PEB must not be to promote any particular outcome of a referendum".

- 2.28 The Combined Broadcaster Response said that Options A and C: “are not only flawed in principle, but would produce untoward results in practice”. For example, the Combined Broadcaster Response acknowledged that Option A “would be appropriate” for UK/Great Britain-wide broadcasters such as Channel 4 and Channel 5 to make allocations of PEBs during UK/Great Britain-wide elections and “as a way of identifying major parties for the purposes of the Broadcasting Code as far as UK-wide news and current affairs reports are concerned”. However, the respondent said that Option A: “is clearly inadequate as a way for Channel 3 licensees to consider [PEB] allocation and election reporting, as it imposes a GB-wide lens onto decisions that need to be made in the context of each nation”. Furthermore, Option A: “also undermines the current rationale for treating the SNP and Plaid Cymru as major parties in Scotland and Wales respectively”.
- 2.29 In practice, according to the Combined Broadcaster Response, Option C is “little different” to Option A, except that it would have the advantage of providing: “intellectual underpinning for continuing to treat the SNP and Plaid Cymru as major parties in their respective nations”. However, a disadvantage of Option C would be that: “because of the relative size of England compared to the rest of the UK, it would mean in practice that there would be a very strong likelihood that any party capable of being recognised as a major party in England would be classified as a major party in the other nations irrespective of how little support it enjoyed in them”.

The approach we have decided to adopt for the assessment of evidence of past electoral support and current support

- 2.30 We note that the large majority of responses to the Consultation either fully favoured Option B or favoured that option with qualifications. In addition, only one respondent (UKIP) favoured Option A. No respondents favoured Option C.
- 2.31 In reaching our decision we are mindful that, to date, the list of major parties has reflected two interlocking features. Firstly, the list has recognised that certain political parties field candidates principally across England, Wales and Scotland, whilst other parties field candidates in just one of those nations. Therefore, in news and current affairs election programming that, for example, focuses on the European Parliamentary election across Great Britain, the list of major parties requires broadcasters to give appropriate coverage to those major parties that field candidates principally across England, Wales and Scotland in UK-wide elections (i.e. General Elections and European Parliamentary elections). Conversely, in news and current affairs election programming that focuses on the European Parliamentary election in just one nation of the UK, the list of major parties requires broadcasters to, give appropriate coverage to those major parties that field candidates in that nation. Second, the list implicitly reflects the UK/Great Britain’s broadcasting architecture⁴³. This is because the list of major parties ensures that broadcasters broadcasting on either a UK/Great Britain-wide basis (such as Channel 4 or Channel 5) or on a devolved nation basis (such as STV in Scotland) allocate PEBs to parties in a manner appropriate to that broadcaster’s broadcast footprint. In this regard we note the submission in the Combined Broadcaster Response that the current list of major parties, although formally being a single list has in effect reflected separate lists for the UK/Great Britain, England, Wales, Scotland, and Northern Ireland.

⁴³ Some broadcasters (such as Channel 4, Channel 5 and the national radio services i.e. Absolute Radio AM, Classic FM, and Talksport) transit their programming across the UK/Great Britain; whilst some broadcasters, such as Channel 3 licensees broadcast to devolved, or parts of, devolved nations.

- 2.32 In determining the appropriate approach to carrying out an assessment of past electoral support and current support for the purposes of deciding which parties should be added to the list of major parties for the 2014 elections, we consider it appropriate to use the approach that best reflects the two features described in paragraph 2.31 above. Having carefully considered the responses we have received to the Consultation, we consider that **Option B** provides the most appropriate basis for carrying out an assessment of the list of major parties for the May 2014 elections. That is, Ofcom has undertaken an assessment of the available electoral evidence based on each party's past electoral performance and current support separately in each of England, Wales or Scotland and considered changes to the list of major parties on that basis.
- 2.33 We consider that this approach allows Ofcom to: measure appropriately each party's electoral support; build on the best aspects of the existing system; and recognise the practicalities of the architecture of broadcast coverage in the UK. In summary, therefore, our chosen approach reflects the fact that certain parties demonstrate significant past electoral support and current support, in aggregate, across England, Wales and Scotland as a whole, yet also reflects variations of support for political parties within the separate nations of the UK.
- 2.34 In deciding to adopt this approach, we have had regard to the concerns raised by a number of respondents in relation to the effect of proposed Options A and C. For example, we agree with the Combined Broadcaster Response's analysis of Options A and C that these approaches would risk imposing a Great Britain-wide focus where assessments may be best made in the context of the available evidence in each of England, Scotland and Wales. We also agree that a disadvantage of Options A and Option C is that due to the relative size of England (in population terms) compared with Wales and Scotland, if a party had evidence of significant support in England, there would be a very strong likelihood that that party would be deemed to be a major party in Wales and Scotland irrespective of its level of support in those two countries.
- 2.35 In relation to Plaid Cymru's comments on the concept of political parties having a "national profile" (see paragraph 2.23 above), we continue to consider that a key feature of the list of major parties is that certain political parties field candidates across England, Wales and Scotland, and we consider that this feature should be reflected in the list going forward.
- 2.36 We also note the suggestion in the Combined Broadcaster Response that there should be separate lists of major parties for each of England, Wales, Scotland and Northern Ireland in addition to a separate list of major parties applicable for the UK as a whole. We believe this suggestion is a welcome attempt to recognise formally the practical means by which the requirements of the PPBR Rules are implemented by the broadcasters. However, we do not consider that having separate lists in the manner suggested would be appropriate because it could introduce unnecessary complexity into the system. In any case, we consider that the present concept of a single list of major parties is suitably flexible as to apply to both allocations of PEBs and election reporting for elections taking place at both a UK/Great Britain-wide level and a devolved nation level.
- 2.37 In addition, we do not agree with the Combined Broadcaster Response's implicit suggestion that Channel 4 and Channel 5, as UK-wide broadcasters, should cease to broadcast PEBs for Plaid Cymru and the SNP during General Elections and

European Parliamentary elections⁴⁴. We consider that this is an issue that was not part of the Consultation. Furthermore, it is a feature of the PPRB Rules that, although Channel 4 and Channel 5 broadcast on a UK/Great Britain-wide basis, they are still required to broadcast PEBs for major parties who field candidates just in Wales and Scotland (i.e. Plaid Cymru and the SNP). This feature is irrespective of the approach we decide to adopt for the assessment of evidence of past electoral support and current support for the May 2014 elections.

2.38 We consider that the approach we have adopted has a number of advantages, as follows:

- it enables the list to reflect variations in support for political parties in the nations of the UK, yet also reflects the fact that certain major parties demonstrate significant support across England, Wales and Scotland in aggregate. Therefore, as mentioned in paragraph 2.31 above, in news and current affairs election programming that, for example, focuses on the European Parliamentary elections across Great Britain, the list of major parties requires broadcasters to give appropriate coverage to those major parties that field candidates principally, and have significant aggregate support, across England, Wales and Scotland. In addition, broadcasters broadcasting on a UK/Great Britain-wide basis (such as Channel 5) must allocate PEBs to those major parties that that field candidates principally, and have significant aggregate support, across England, Wales and Scotland as a whole;
- it ensures that the framework for allocating PEBs on channels transmitted only within a devolved nation (such as STV, ITV Wales and UTV) or for determining coverage on election programmes (which focus on the European Parliamentary elections within specific devolved nations) accurately reflects the different parties' individual electoral strengths within each devolved nation; and
- it ensures that there will be consistency in the approach to assessing the list of major parties for both UK-wide elections and elections taking place in individual devolved nations. It therefore takes into account that different elections (and by extension PEB allocations and election reporting) are undertaken at different times on a UK/Great Britain-wide basis⁴⁵ or on a devolved-nation basis⁴⁶. This approach therefore, in these respects, is simple and straight-forward.

Our analysis of evidence of past electoral support and current support for the purposes of the May 2014 elections

2.39 In paragraphs 2.29 to 2.32 of the Consultation, we set out our assessment of the evidence of electoral strength of the most significant political parties fielding candidates in some or all of countries that make up Great Britain, to inform the composition of the list of major parties for the purposes of the May 2014 European

⁴⁴ Rule 13 of the PPRB Rules states: "Before a General Election, and in the case of other elections where appropriate, each major party (referred to in Rule 12) should be offered at least two PEBs, the length of a series offered to a particular party being determined by the Licensee. This includes the SNP and Plaid Cymru on Channel 4 and Channel 5...".

⁴⁵ General Elections and European Parliamentary elections.

⁴⁶ For example, local elections and elections to the Scottish Parliament and the Welsh and Northern Ireland Assemblies.

Parliamentary and English local (and Mayoral) elections. This assessment took into account two sets of evidence: firstly, past electoral performance in the European Parliamentary, English local (and Mayoral) elections; and second, current support across Great Britain for the period October 2012 to September 2013, and separately within Wales and Scotland as evidenced by available opinion poll data. This data was presented in Annex 2 of the Consultation.

- 2.40 Having presented this evidence, we then set out (at paragraphs 2.33 to 2.41 of the Consultation) the effect of our proposals on the list of major parties specific to the May 2014 elections. In this regard, we set out the following proposals:
- 2.40.1 That given the short period of time since the publication of the PPRB Statement, which was just prior to the May 2013 elections, and the fact that there have been no elections in the intervening period, there are no reasons to change the existing list of major parties that currently applies for all sets of elections (paragraphs 2.34 to 2.35 of the Consultation).
 - 2.40.2 In relation to the European Parliamentary elections we said that under Options A and C, the evidence suggested that UKIP should be added to the list of major parties for the 2014 European Parliamentary elections for England, Wales and Scotland. Under Option B, the evidence suggested that UKIP should be added to the list of major parties for the 2014 European Parliament elections for England and Wales only (not Scotland) (see paragraphs 2.36 to 2.39 of the Consultation).
 - 2.40.3 The evidence did not suggest that any other party might be added to the list of major parties for England, Wales and Scotland for the 2014 European Parliamentary elections, under any of the Options A, B and C (see paragraphs 2.36 to 2.39 of the Consultation).
 - 2.40.4 In relation to the English local (and Mayoral) elections, we said that, on balance, we did not consider that any parties should be added to the list of major parties (see paragraphs 2.40 to 2.41 of the Consultation).
 - 2.40.5 In relation to Northern Ireland, we explained that we added the Alliance Party to the list of major parties for Northern Ireland in March 2013, just prior to the May 2013 elections. Given that the 2014 European Parliamentary elections are the first elections to take place in Northern Ireland since the PPRB Statement and May 2013 elections, we did not propose any changes to the list of major parties as regards Northern Ireland (see paragraph 2.31 of the Consultation).
- 2.41 We asked stakeholders for their views on Ofcom's preliminary views on the effect of the application of Options A, B and C to decide the Ofcom list of major parties ahead of the 22 May 2014 European parliamentary and English local (and Mayoral) elections.

Stakeholder responses on the effect of our proposals on the list of major parties specific to the 22 May 2014 elections

- 2.42 We received six responses to this aspect of the Consultation.
- 2.43 In its response, UKIP said that the approach being proposed by Ofcom "has the impact of driving out newcomers" and would have the effect of "dismissing UKIP from

the top table as soon as is practical". UKIP said that it had demonstrated in recent elections, including the 2013 English local elections, Westminster Parliamentary by-elections, local authority by-elections, and "Scottish by-elections" that UKIP "outperform[s] the opinion polls, often by at least 10%". UKIP set out its view that Ofcom's proposed methodology "significantly downplays the current political reality" that UKIP's actual results exceed polling predictions. UKIP added that "The breadth of our support across the country puts us at a significant disadvantage against parties whose support is patchy and regionally biased. This should not be a reason to handicap a party which is currently representing the views of between a fifth and a quarter of British voters". In relation to Scotland, UKIP said that: "in Scottish polls that specifically talk about the European elections UKIP are polling significantly higher than the 3.8% cited in the consultation".

- 2.44 Given the above, UKIP argued that it should be recognised as a major party for both the 2014 European Parliamentary elections and also the 2014 English local (and Mayoral) elections. In addition, it said that: "the growth of our support in the three home nations is sustainable, and should therefore be recognised as such in the allocation of PEBs".
- 2.45 Plaid Cymru and the Scottish Liberal Democrats supported Ofcom's assessment of the evidence on the basis of Option B. Plaid Cymru also said that the lack of opinion polling data for Wales, as identified in paragraph A2.6⁴⁷ of the Consultation: "is a serious concern, and poses a risk to the fairness and parity of assessment of political support alongside the other nations of the UK".
- 2.46 The Scottish Green Party cited various statistics⁴⁸ to back up its argument that UKIP is not a "significant" party in Scotland. It added that UKIP had received fewer votes than the Scottish Green party in every European Parliamentary election it had contested. The Scottish Green party did not agree that UKIP should be added to the list of major parties in Scotland.
- 2.47 According to the Scottish Green Party, Ofcom should reconsider its assessment of the list of major parties applicable for Scotland. In particular this respondent queried Ofcom's "decision to use only European election results in this review" given one of the principles⁴⁹ that Ofcom had listed as governing reviews of the list of major parties. The Scottish Green Party said that using data from the European Parliamentary elections: "is particularly problematic given the inadequacy of the second type of evidence, which is referred to as 'current support' but is in fact only current voting intention for one particular type of election - a Westminster general election". The respondent added that: "The inclusion of 'current support' based on Westminster voting intention demonstrates that Ofcom recognises the value of using evidence derived from types of elections other than those being held on 22 May 2014". In addition, the Scottish Green party said that: "Westminster voting - whether actual or from opinion polling - is an extremely inaccurate proxy for either likely European

⁴⁷ Paragraph A2.6 of the Consultation stated: "It is also Ofcom's understanding that very few opinion polls have been carried out in relation to Wales only".

⁴⁸ The Scottish Green Party said that UKIP, for example: had received 0.91% of the regional vote in the 2011 Scottish Parliamentary elections; has no Scottish local councillors; no MSPs; and no MEPs in Scotland.

⁴⁹ This respondent cited Paragraph 3.33 of the PPRB Statement, quoted in paragraph 2.11 of the Consultation, which states that: "in any review of the list we might carry out, we would take into account factors such as the electoral performance of parties (including the numbers of elected candidates and overall percentage of vote received) over a range of elections, over at least two electoral cycles (including elections prior to the Consultation) for the different types of elections, and levels of current support".

election performance or the Scottish political landscape as whole". For example, it said that it had performed much better in the 2009 European Parliamentary elections (7.3%) and the 2011 Scottish Parliamentary elections (4.4%) than the 2010 General Election (2% in those constituencies here it had fielded candidates).

- 2.48 The Scottish Green Party therefore argued that: the Scottish Green Party is a major party and "Taking into account all the evidence identified by the PPRB Statement creates a more accurate picture of Scottish politics as a stable five-party system, whose major parties are the SNP, Labour, Conservatives, Liberal Democrats and Greens"⁵⁰. It added that: "At the most recent nationwide test of support using a proportional voting system, the 2011 Scottish Parliament election, the Scottish Green Party trailed the Liberal Democrats (whose major party status is not in doubt in this review) by less than one per cent". In conclusion, the Scottish Green Party said that: "Ofcom may wish to consider whether the increasing diversity of political representation, both in Scotland and across the UK, requires consideration of a more nuanced system than simply 'major' and 'minor'".
- 2.49 The Combined Broadcaster Response agreed with Ofcom's approach of: "looking at results over two election cycles, tempered by other evidence of electoral strength such as opinion polling and results in other elections". It also endorsed Ofcom's analysis of all the relevant electoral and opinion poll data. In this respondent's view, this evidence shows that: UKIP should be added to "the existing major party lists in England and Wales" for the purposes of election reporting and PEB allocation in those countries at the devolved level; but that UKIP "would not qualify as a major party in Scotland". It added that: "For UK-wide electoral reporting and [PEB] allocation by Channel 5 (the only UK-wide channel obliged to carry PPBs for the European elections), the major parties list should comprise Conservative, Labour, Liberal Democrat and UKIP". The Combined Broadcaster Response considered that: "For Ofcom to adopt this proposal for separate lists of major parties, based on the UK as a whole and on each nation, would go with the existing grain of [PEB] allocation and political reporting while making important revisions that bring these lists up to date". In addition, citing the comparable performance⁵¹ of UKIP and the Scottish Green Party in European parliamentary elections in Scotland, the Combined Broadcaster Response stated it would be difficult to: "see the justification for treating UKIP as a major party in Scotland-only electoral reports or in the allocation of Scotland-only [PEBs] when the Scottish Greens are not accorded that status".
- 2.50 UTV agreed with Combined Broadcaster's analysis as outlined in paragraph 2.49 above. In particular, this respondent expressed its strong support for Option B for: "allocating [PEBs] and reporting in Northern Ireland while maintaining a list of major parties in the UK as a whole, for national [PEB] allocation and reporting". UTV added that, in addition to the existing five major parties in Northern Ireland: "the allocation of [PEBs] should still assess all political parties who have a certain level of support in Northern Ireland (on par with parties UK wide) case by case in the run up to elections". It went on to say that: "New parties, such as NI21 (founded in June 2013 and who have 2 seats in the Northern Ireland Assembly) are emerging and...can have a large following of supporters and could change the political landscape quickly.

⁵⁰ In this regard the Scottish Green Party said that, for example, only these five parties: had had elected representatives in every session of the Scottish Parliament; and had more than two local councillors in Scotland.

⁵¹ The Combined Broadcaster Response also cited the Scottish Green Party's performance in other types of election compared with UKIP: For example the Scottish Green party currently has 2 MSPs and 14 Scottish local councillors, whilst UKIP currently has no MSPs or Scottish local councillors. In addition, both parties polled 0.7% of votes in Scotland at the 2010 General Election.

This means potentially that research would need to be conducted extensively before each election”.

Ofcom response and assessment of the available evidence

2.51 As explained above, having taken account of respondents’ views, we have decided to undertake an assessment of the available electoral evidence based on each party’s past electoral performance and current support separately in each of England, Wales or Scotland (that is, Option B in the Consultation). In the paragraphs below we first set out our consideration of the respondents’ views relevant to our assessment set out in the consultation before setting out our final assessment of the evidence (consistent with the assessment set out in the Consultation) and our conclusions in this review.

Consideration of respondents’ views

2.52 We note that the Combined Broadcaster Response agreed with Ofcom’s analysis of the relevant data, and in particular our approach of assessing evidence over two election cycles for particular types of election. This respondent therefore endorsed, on the basis of the relevant data being assessed in England, Wales and Scotland separately, that UKIP should be added to the list of major parties in England and Wales, but not Scotland. However, as explained above in paragraph 2.36 above, we do not agree with this respondent’s suggestion that there should be a separate list of major parties should exist for UK/Great Britain-wide PEBs and election reports (which this respondent suggested should consist of the Conservative Party, the Labour Party, the Liberal Democrats; and UKIP).

2.53 We disagree with the points made by UKIP referred to above. We consider that the approach we have adopted, including the principles governing our review, originally articulated in the PPRB Statement, provide an appropriate balance in ensuring that political parties who have consistently demonstrated past electoral support and continue to demonstrate significant current support remain on list of major parties, yet ensure sufficient flexibility for newer parties. In particular, recognising that a newer political party may not have demonstrated significant electoral support in a range of elections, we also made clear in the PPRB Statement that we would consider drawing up a specific list of major parties for a specific type of election.

2.54 We consider that our approach recognises that UKIP has demonstrated significant past electoral support in one type of election, the European Parliamentary elections, and has demonstrated significant current support for a sustained period. However, as indicated by the list of principles contained in paragraph 2.8 above, in undertaking a review we take into account a range of factors in determining whether a party should be added to the list of major parties on a continuing basis. This would take into account factors such as the electoral performance of parties over a range of elections over at least two electoral cycles for the different types of elections, and levels of current support. In its response UKIP said that it had demonstrated significant performances in various forms of recent by-election and in the 2013 English local elections. However, we do not consider that the evidence at this time merits UKIP being added to the list of major parties on an on-going basis.

2.55 Two respondents focused some of their responses on whether the Scottish Green Party should be afforded major party status in Scotland. Both the Scottish Green Party and the Combined Broadcaster response pointed to the fact that the Scottish Green Party has performed better than UKIP in relation to past European

Parliamentary elections⁵². Both these respondents therefore argued that UKIP should not be afforded major party status in Scotland⁵³, in the event that the Scottish Green Party were not designated as a major party in Scotland. On the basis of the available evidence (set out below) we do not consider that either UKIP or the Scottish Green Party should be added to the list of major parties in Scotland for the European Parliament elections.

- 2.56 We note that the Scottish Green Party also argued that it should be added to the list of major parties in Scotland for all elections on an on-going basis. The Scottish Green Party queried Ofcom's analysis of the party in the current review, focusing just on past performance at the European Parliamentary elections in Scotland and evidence of current support "based on Westminster voting intention". We continue to consider that given the short period of time since the publication of the PPRB Statement, which was just prior to the May 2013 elections, and the fact that there have been no elections in the intervening period, there are no reasons to change the existing list of major parties that currently applies for all sets of elections, which was considered for the purposes of the PPRB Statement. Therefore we were of the view that no other political parties should be added to the list of major parties for all elections on an on-going basis, including the Green Party throughout the UK (including the Scottish Green Party)⁵⁴ and UKIP.
- 2.57 This review of the list of major parties has specifically looked at whether the available evidence supports the addition of any other political party to the list of major parties solely for the purposes of the European Parliamentary elections and/or English local (and Mayoral) elections taking place on 22 May 2014. In our view, and as we indicated in footnote 40 of the Consultation, the Scottish Green Party's performance in European Parliamentary elections in Scotland (6.8% in 2004 and 7.3% in 2009) and their current support⁵⁵, is not of a magnitude to merit inclusion on the list of major parties for the purposes of the 2014 European Parliamentary elections in Scotland.
- 2.58 We note the concerns expressed by the Scottish Green Party about the use in this review of opinion polls in Scotland that focus on voting intentions for General Elections. However, we are not aware of any significant number of recent Scotland-only opinion polls focusing on voting intentions at European Parliamentary elections. In any case, as we stated in paragraph A2.5 of the Consultation, we consider the Scotland-only opinion polls that we have relied on in this review do provide indicative evidence of levels of current support in Scotland. In a similar way, we note Plaid Cymru's concern about the lack of opinion poll data relating just to Wales. However, we will endeavour, in any future reviews of the list of major parties, to use the most comprehensive evidence of current support available at the time, in order to carry out our assessment.

⁵² The Scottish Green Party achieved 6.8% of the vote in the European parliamentary elections in Scotland in 2004 compared with 6.7% for UKIP. The corresponding figures for 2009 were 7.3% for the Scottish Green Party and 5.2% for UKIP.

⁵³ However, as referred to in paragraph 2.52 above, the Combined Broadcaster said that UKIP should in effect be a major party in Scotland for UK/Great Britain-wide broadcasts.

⁵⁴ In this regard, we do not consider that the Scottish Green Party has demonstrated significant past electoral support in different elections. For example, this party performed as follows in the following elections in Scotland: General Elections – 1.1% (2005) and 0.7% (2010); Scottish Parliamentary elections (regional lists) – 4% (2007) and 4.4% (2011); and Scottish local elections – 2.2% (2007) and 2.3% (2012) (Source: Electoral Commission and BBC).

⁵⁵ In Figure 4, at paragraph A2.5 in Annex 2 below, the average opinion poll rating for other parties in Scotland (which would include the Scottish Green Party) was 3% between October 2012 and January 2014.

- 2.59 We take account of the fact that the Scottish Green Party said that: “Ofcom may wish to consider whether the increasing diversity of political representation, both in Scotland and across the UK, requires consideration of a more nuanced system than simply 'major' and 'minor’”. In the PPRB Statement, we confirmed our view that the concept of a list of major parties remained fit for purpose in both the PPRB Rules and Section Six of the Code. We continue to consider that this concept, coupled with our commitment to undertake periodic reviews of the list of major parties, is sufficiently flexible to accommodate the variations in the political landscape across the UK, and within individual devolved nations. Our current view is that introducing any further categories of political parties into the regulatory framework for broadcast coverage of elections would introduce unnecessary complexity into the system.
- 2.60 We also noted UTV’s comments regarding broadcasters’ assessment of parties receiving PEBs (e.g. NI21). For the purposes of deciding which parties are major parties, we noted that the need to assess a party’s support over two electoral cycles is not fixed. Further, the possible allocation of additional PEBs in Northern Ireland would be a matter for UTV, within the terms laid out in the PPRB Rules. This could include any new parties in Northern Ireland. Also UTV can reflect the support for any new party through its editorial coverage in accordance with due impartiality requirements.

Assessment of the available evidence

European Parliamentary elections in May 2014

- 2.61 Consistent with the assessment set out in the Consultation, our analysis of the available evidence⁵⁶ in each of England, Wales and Scotland is as follows:

England:

- the three existing major parties across England (the Conservative Party, the Labour Party and the Liberal Democrats) have:
 - demonstrated significant past electoral support in England, all having achieved 14.1% and above in both 2004 and 2009; and
 - continued to demonstrate significant levels of current support on the basis of the Great Britain-wide opinion polls⁵⁷: the Conservative Party (31.6%); the Labour Party (39.3%); and the Liberal Democrats (10.3%);
- in addition to the existing three major parties in England, UKIP has demonstrated significant past electoral support (achieving 12 seats and more than 17.3% of the vote in England in both 2004 and 2009;

⁵⁶ In this Statement we have updated the evidence of current support we relied upon in the Consultation and which was laid out in Annex 2 of that document, to encompass relevant opinion poll data since September 2013. In Annex 2 of this Statement we have reproduced Annex 2 of the Consultation, but updating evidence of current support as appropriate.

⁵⁷ Ofcom is not aware of any recent opinion polls of support for the political parties in England only. We have therefore used the Great Britain-wide polls as a proxy for gauging levels of current support in England only.

- furthermore, UKIP has continued to demonstrate significant levels of current support in Great Britain-wide opinion polls⁵⁸, with an average polling figure of 10.8%; and
- no other parties have demonstrated significant levels of past electoral support in England or have demonstrated significant levels of current support in Great Britain-wide opinion polls⁵⁹.

Wales:

- in relation to the four existing major parties (the Conservative Party, the Labour Party, the Liberal Democrats and Plaid Cymru):
 - these four parties have demonstrated significant past electoral support in Wales, all having achieved 10.5% and above in both 2004 and 2009;
 - in terms of current support, the limited data available in terms of Wales-only opinion polls, shows that the Conservative Party (22%), the Labour Party (44.3%) and Plaid Cymru (12%) have continued to demonstrate significant levels of current support. The Liberal Democrats (7.7%) have continued to demonstrate a lower level of support;
- in addition to the existing four major parties in Wales, UKIP has demonstrated significant past electoral support (achieving 10.5% in 2004 and 12.8% in 2009);
- furthermore, UKIP's evidence of current support (10%) has materially increased in recent months; and
- no other parties have demonstrated significant levels of past electoral support or current support in Wales.

Scotland:

- in relation to the four existing major parties (the Conservative Party, the Labour Party, the Liberal Democrats and the Scottish National Party ("SNP")):
 - these four parties have demonstrated significant past electoral support in Scotland, all having achieved 11.5% and above in both 2004 and 2009;
 - in terms of current support, the limited data available in terms of Scotland-only opinion polls, shows that the Conservative Party (19.4%), the Labour Party (41%) and the SNP (24.4%) have continued to demonstrate significant levels of current support. The Liberal Democrats (8.3%) have continued to demonstrate a lower level of support;

⁵⁸ Ibid.

⁵⁹ Ibid.

- UKIP has not demonstrated significant levels of past electoral support in Scotland (achieving 6.7% and 5.2% of the vote in 2004 and 2009 respectively);
- in addition, UKIP has continued to not demonstrate a significant level of current support (3.8%) in terms of Scotland-only opinion polls; and
- no other parties have demonstrated significant levels of past electoral support or current support in Scotland.

English local (and Mayoral) elections in May 2014

2.62 Consistent with the assessment set out in the Consultation, our analysis of the available evidence⁶⁰ in England is as follows:

- in relation to the three existing major parties in England (the Conservative Party, the Labour Party, the Liberal Democrats):
 - these three parties have demonstrated significant past electoral support in English local elections over a number of years, with their lowest share of the popular vote since 2008 being respectively: the Conservative Party (27.5%); the Labour Party (12.7%); and the Liberal Democrats (13.9%); and
 - all three of these parties continue to demonstrate significant levels of current support on the basis of Great Britain-wide opinion polls⁶¹: the Conservative Party (31.6%); the Labour Party (39.3%) and the Liberal Democrats (10.3%);
- the only other party to have demonstrated a significant level of past electoral support in the English local elections since 2008 is UKIP. In 2013, UKIP won 147 seats and received 19.9% of the total share of the vote. However, UKIP's previous best performance in terms of the English local elections was 2009 when it won eight seats and achieved a 4.6% of the total share of the vote;
- as mentioned above, UKIP has continued to demonstrate significant levels of current support in Great Britain-wide opinion polls⁶², with an average polling figure of 10.8 in Great Britain-wide opinion polls; and
- no other parties have demonstrated significant levels of past electoral support or current support in this type of election in England.

Ofcom's decision on the basis of the evidence

2.63 Our assessment of the evidence is that UKIP should be added to the list of major parties for the 2014 European Parliament elections for England and Wales only (not Scotland). This is because:

- England: UKIP has demonstrated significant previous electoral support at the last two sets of European Parliamentary elections in England; and demonstrates significant current support in Great Britain-wide opinion polls⁶³;

⁶⁰ See footnote 56.

⁶¹ See footnote 57.

⁶² Ibid.

- Wales: UKIP has demonstrated significant previous electoral support at the last two sets of European Parliamentary elections in Wales. In the limited number of Wales-only opinion polls of which Ofcom is aware, UKIP demonstrates a significant level of current support. On balance, we consider that the evidence of UKIP's past electoral performance in the European Parliamentary elections in Wales means that UKIP should be added to the list of major parties for Wales;
- Scotland: The evidence does not suggest that any other party should be added to the list of major parties for Scotland for the 2014 European Parliamentary elections.

- 2.64 Broadcasters transmitting PEBs on a UK/Great Britain-wide basis (such as Channel 5 in the European Parliamentary elections) will be obliged to treat UKIP as a major party across the whole of England, Wales and Scotland (i.e. Great Britain). This reflects the fact that UKIP has significant aggregate support across England, Wales and Scotland as a whole.
- 2.65 However, STV will not be required to treat UKIP as a major party for the purposes of broadcasting Scotland-only PEBs. This reflects the fact that UKIP has low levels of support in Scotland. (Conversely, ITV Wales will have to treat UKIP as a major party for the purposes of broadcasting Wales-only PEBs, reflecting the fact that UKIP has significant levels of support in Wales).
- 2.66 Similarly, our chosen approach will also mean in news and current affairs election programming that focuses on the European Parliamentary elections across England, Wales and Scotland (i.e. Great Britain) as a whole, UKIP will, be treated as a major party across the whole of England, Wales and Scotland (i.e. Great Britain). This is because such reports will encompass both England and Wales, where UKIP will be designated as a major party, and also Scotland where it will not. Once again, this reflects the fact that UKIP has significant aggregate support across England, Wales and Scotland. However, in news and current affairs election programming that focuses on the European Parliamentary elections in just Scotland, UKIP will not be treated as a major party in such programming.
- 2.67 We do not consider that the evidence justifies the addition of any other parties to the list of major parties in respect of the May 2014 European Parliament elections.
- 2.68 On balance, we do not consider that the evidence justifies an amendment the list of major parties in respect of the May 2014 English local (and Mayoral) elections. We recognise that the most recent opinion poll data indicates a significant level of current support for UKIP. However, this level of support has not been demonstrated over two election cycles in relation to the English local elections.
- 2.69 Consistent with our consultation proposals we have decided not to amend the list of major parties in relation to all elections on an on-going basis. Similarly, we are not amending the list of major parties in respect of Northern Ireland.
- 2.70 In the light of the above, we have decided to amend the list of major parties by inserting a new paragraph 6, as follows:

⁶³ Ibid.

6. In addition to the above, in England and Wales the major parties for the purposes of the European Parliamentary elections taking place on 22 May 2014 includes the United Kingdom Independence Party.

2.71 A full version of the updated list of major parties is at Annex 1.

Other issues

2.72 Two respondents to the Consultation raised points not covered above. We deal with these here for completeness.

2.73 The Electoral Commission welcomed Ofcom's review of the list of major parties and reiterated the point it had made in response to the PPRB Consultation that the list should be reviewed: "in advance of every set of major elections to ensure that the particular circumstances of each are considered when determining the criteria for receiving party election broadcasts". The Electoral Commission added that such an approach would also be consistent with the approach taken by the BBC Trust: "which reviews the criteria used by the BBC ahead of each set of major elections". As we note above⁶⁴, in paragraph 3.32 of the PPRB Statement, we explained that we did not think that it would be necessary or proportionate to undertake an automatic annual review of the list of major parties because there would be particular years when there would not be cogent reasons for reviewing the list. In relation to consistency with the approach adopted by the BBC Trust, as we stated in paragraph 3.30 of the PPRB Statement, we consider the fact that we have committed to reviews of the major parties list will ensure that there is appropriate consistency between the regulatory approaches of Ofcom and the BBC Trust.

2.74 B SkyB said that: "The key issue for Sky News as a broadcaster, is adequate certainty as to its coverage of the May 2014 elections, and in relation the General Election in 2015". This respondent therefore said that the list of major parties should be: "settled well in advance of the official 'election period'" for both the May 2014 and May 2015 elections. Therefore B SkyB said that "Ofcom ought to state now whether and when it expects to review the list prior to the 2015 elections" and "acknowledge in its statement that the timing of any further changes may impact on the manner in which broadcasters' give 'due weight' to any additional 'major party'". In response to this point, we confirm that the list of major parties will be kept under review to ensure flexibility and responsiveness to the developing politics of the UK. Furthermore, consistent with the principles set out in paragraph 2.8 above, we would only carry out a review of the list of major parties ahead of the May 2015 elections if we considered that there were cogent reasons for doing so. Should we decide to conduct such a review, mindful of the need for continuity and certainty in this area so that both political parties and broadcasters can plan ahead for elections, we would commence such a review in Autumn 2014.

⁶⁴ See paragraph 2.8.

Annex 1

Finalised Ofcom list of major parties

- A1.1 This document sets out the definition of “major parties” as applies to Section Six of the Ofcom Broadcasting Code¹⁶⁹ and the Ofcom rules on Party Political and Referendum Broadcast.
- A1.2 Ofcom will periodically review the definition of “major parties”, taking account of relevant evidence, such as changes in the electoral landscape, across a range of elections.
- A1.3 At present in Great Britain, major parties are defined as: the Conservative Party; the Labour Party; and the Liberal Democrats.
- A1.4 In addition, major parties in Scotland and Wales respectively are the Scottish National Party and Plaid Cymru.
- A1.5 The major parties in Northern Ireland are: the Alliance Party; the Democratic Unionist Party; Sinn Fein; the Social Democratic and Labour Party; and the Ulster Unionist Party.
- A1.6 In addition to the above, in England and Wales the major parties for the purposes of the European Parliamentary elections taking place on 22 May 2014 includes the United Kingdom Independence Party.

Annex 2

Evidence of past electoral support updated evidence of current support

A2.1 In this annex, we reproduce Annex 2 of the Consultation, but updating evidence of current support as appropriate. We lay out: firstly, relevant evidence of past electoral support for the European Parliamentary elections and English local (including English mayoral) elections; and, second, relevant updated evidence of current support across Great Britain and within Wales and Scotland.

Evidence of past electoral support

European Parliamentary elections

A2.2 Figure 1 below lays out the numbers of seats won and share of the popular vote achieved by the various political parties for the last three sets of European Parliamentary elections (1999, 2004 and 2009).

Numbers of seats and share of vote at European Parliamentary elections

	Cons.	Lab.	Lib. Dem.	SNP	Plaid Cymru	UKIP	Green	BNP	Others
2009 elections									
Great Britain	25 27.7%	13 15.7%	11 13.7%	2 2.1%	1 0.8%	13 16.5%	2 8.6%	2 6.2%	0 8.7%
England	23 29.0%	10 15.1%	10 14.1%	N/A	N/A	12 17.6%	2 8.9%	2 6.6%	0 8.7%
Wales	1 21.2%	1 20.3%	0 10.7%	N/A	1 18.5%	1 12.8%	0 5.6%	0 5.4%	0 5.5%
Scotland	1 16.8%	2 20.8%	1 11.5%	2 29.1%	N/A	0 5.2%	0 7.3%	0 2.5%	0 6.8%
2004 elections									
Great Britain	27 26.7%	19 22.6%	12 14.9%	2 1.4%	1 1.0%	12 16.2%	2 6.2%	0 4.9%	0 6.1%
England	24 27.9%	15 21.7%	11 15.3%	N/A	N/A	12 17.3%	2 6.4%	0 5.3%	0 6.1%
Wales	1 19.4%	2 32.5%	0 10.5%	N/A	1 17.4%	0 10.5%	0 3.6%	0 3.0%	0 3.1%
Scotland	2 17.8%	2 26.4%	1 13.1%	2 19.7%	N/A	0 6.7%	0 6.8%	0 1.7%	0 7.8%
1999 elections									
Great Britain	36 35.8%	29 28.0%	10 12.7%	2 2.7%	2 1.9%	3 7.0%	2 6.3%	0 1.1%	0 4.5%
England	33 38.6%	24 27.7%	9 13.3%	N/A	N/A	3 7.9%	2 6.6%	(Inc. In 'Others')	0 5.9%
Wales	1 22.8%	2 31.9%	0 8.2%	N/A	2 29.5%	0 3.1%	0 2.6%	(Inc. In 'Others')	0 1.9%
Scotland	2 19.8%	3 28.7%	1 9.8%	2 27.2%	N/A	0 1.3%	0 5.8%	(Inc. In 'Others')	0 7.4%

Figure 1

Source: BBC and House of Commons Library

English local elections

A2.3 Figure 2 below lays out figures collated by the Elections Centre, Plymouth University, of the numbers of seats won and share of the popular vote achieved by the various political parties for English local elections for period 2008 to 2013. The voting figures for the 2010 mayoral elections, sourced from the relevant local authority websites, have been included in the data for 2010.

Numbers of seats and share of vote at English local elections

Year	Cons.	Lab.	Lib. Dem.	UKIP	Green	BNP	Others
2013	1,117 34.6%	538 21.2%	352 13.9%	147 19.9%	22 3.6%	0 0.2%	186 6.6%
2012	786 27.5%	1,189 43.1%	288 14.1%	7 4.4%	26 4.2%	0 0.5%	116 6.2%
2011	5,113 37.8%	2,461 31.6%	1,099 16.1%	8 2.4%	79 3.6%	2 0.5%	698 8.0%
2010 (including mayoral elections)	1,611 32.0%	1,778 (plus 3 mayors) 32.3%	728 (plus 1 mayor) 23.6%	1 1.6%	13 3.5%	2 2.5%	93 (plus 1 mayor) 4.5%
2009	1,520 44.4%	167 12.7%	463 24.8%	8 4.6%	17 4.6%	3 2.5%	140 6.4%
2008	1,300 36.9%	680 25.9%	651 22.6%	4 1.6%	17 2.8%	15 3.8%	151 6.4%

Figure 2

Source: The Elections Centre, Plymouth University and local authority websites

Evidence of current support

A2.4 Figure 3 below lists the results of the BBC poll of polls for the period October 2012 to January 2014 across Great Britain. This is therefore an updated version of Figure 5 included in the Consultation. This poll looks at the five most recent opinion polls and takes the middle value for each party i.e. the value that means there are two figures higher and two figures lower. (The opinion polls of the following companies are included in the BBC poll of polls: ComRes; ICM; Ipsos-Mori; Populus; Survation; TNS-BMRB; and YouGov).

Opinion poll data (Great Britain-wide) October 2012 to January 2014

Date	Cons.	Labour	Lib. Dem.	UKIP	Others
20/01/14	32%	39%	9%	13%	7%
11/01/14	32%	38%	9%	10%	11%
15/12/13	33%	37%	10%	10%	10%
8/12/13	33%	39%	10%	11%	7%
18/11/13	32%	38%	10%	10%	10%
11/11/13	32%	39%	10%	12%	7%
27/10/13	33%	39%	10%	11%	7%
15/10/13	34%	38%	11%	11%	6%
2/10/13	33%	39%	11%	12%	5%
22/09/13	33%	37%	11%	9%	10%
08/09/13	31%	38%	11%	12%	8%
27/08/13	32%	37%	10%	11%	10%
15/08/13	32%	38%	10%	10%	10%
01/08/13	33%	39%	10%	11%	7%

19/07/13	33%	38%	11%	11%	7%
24/06/13	30%	36%	10%	14%	10%
10/06/13	30%	37%	10%	17%	6%
26/05/13	29%	35%	10%	14%	12%
10/05/13	30%	39%	11%	13%	7%
21/04/13	30%	40%	10%	14%	6%
07/04/13	30%	39%	12%	13%	6%
18/03/13	27%	39%	11%	13%	10%
10/03/13	31%	42%	11%	11%	5%
18/02/13	31%	41%	11%	10%	7%
11/02/13	32%	41%	11%	9%	7%
27/01/13	33%	39%	11%	10%	7%
15/01/13	31%	43%	10%	9%	7%
02/01/13	32%	40%	10%	8%	10%
16/12/12	31%	41%	9%	9%	10%
03/12/12	32%	41%	10%	8%	9%
18/11/12	31%	43%	9%	8%	9%
11/11/12	32%	42%	11%	8%	7%
28/10/12	33%	43%	9%	7%	8%
15/10/12	31%	42%	10%	7%	10%
Average	31.6%	39.3%	10.3%	10.8%	8.1%

Figure 3

Source: BBC

- A2.5 It is Ofcom's understanding that relatively few opinion polls have been carried out in relation to Scotland only. Figure 4 below lays out indicative evidence of levels of current support for the period October 2012 to January 2014 in Scotland only, according to aggregated opinion polls carried out by YouGov. This is therefore an updated version of Figure 6 included in the Consultation.

Opinion poll data (Scotland only) October 2012 to January 2014

Date	Cons.	Labour	Lib. Dem.	SNP	UKIP	Others
Jan. 2014	21%	38%	7%	25%	4%	5%
Dec. 2013	20%	37%	9%	25%	5%	4%
Nov. 2013	19%	38%	10%	26%	3%	4%
Oct. 2013	21%	42%	7%	23%	4%	3%
Sep. 2013	20%	39%	7%	27%	4%	3%
Aug. 2013	19%	40%	7%	26%	5%	3%
July 2013	20%	41%	8%	24%	4%	3%
June 2013	18%	40%	8%	27%	4%	3%
May 2013	19%	42%	9%	23%	5%	2%
April 2013	17%	42%	9%	25%	4%	3%
Mar. 2013	19%	41%	11%	21%	5%	3%
Feb. 2013	19%	43%	10%	22%	3%	3%
Jan. 2013	19%	44%	10%	23%	2%	2%
Dec. 2012	20%	45%	7%	21%	4%	3%
Nov. 2012	21%	42%	7%	26%	2%	2%
Oct. 2012	19%	42%	7%	27%	3%	2%
Average	19.4%	41%	8.3%	24.4%	3.8%	3%

Figure 4

Source: YouGov

- A2.6 It is also Ofcom's understanding that very few opinion polls have been carried out in relation to Wales only. Figure 5 below lays out indicative evidence of levels of current support for the period October 2012 to January 2014 in Wales only, which were carried out by YouGov. This is therefore an updated version of Figure 7 included in the Consultation.

Opinion poll data (Wales only) October 2012 to January 2014

Date	Cons.	Labour	Lib. Dem.	Plaid Cymru	UKIP	Others
Dec. 2013 ⁶⁵	20%	41%	8%	13%	13%	5%
July 2013	23%	48%	8%	9%	8%	4%
Feb. 2013	23%	44%	7%	14%	9%	3%
Average	22%	44.3%	7.7%	12%	10%	4%

Figure 5

Source: YouGov

⁶⁵ This poll by YouGov (in collaboration with ITV Wales and the Wales Governance Centre at Cardiff University) measured voting intentions for the 2014 European Parliamentary elections.