

# PSB nations and regions compliance reporting, 2015

## Introduction (I)

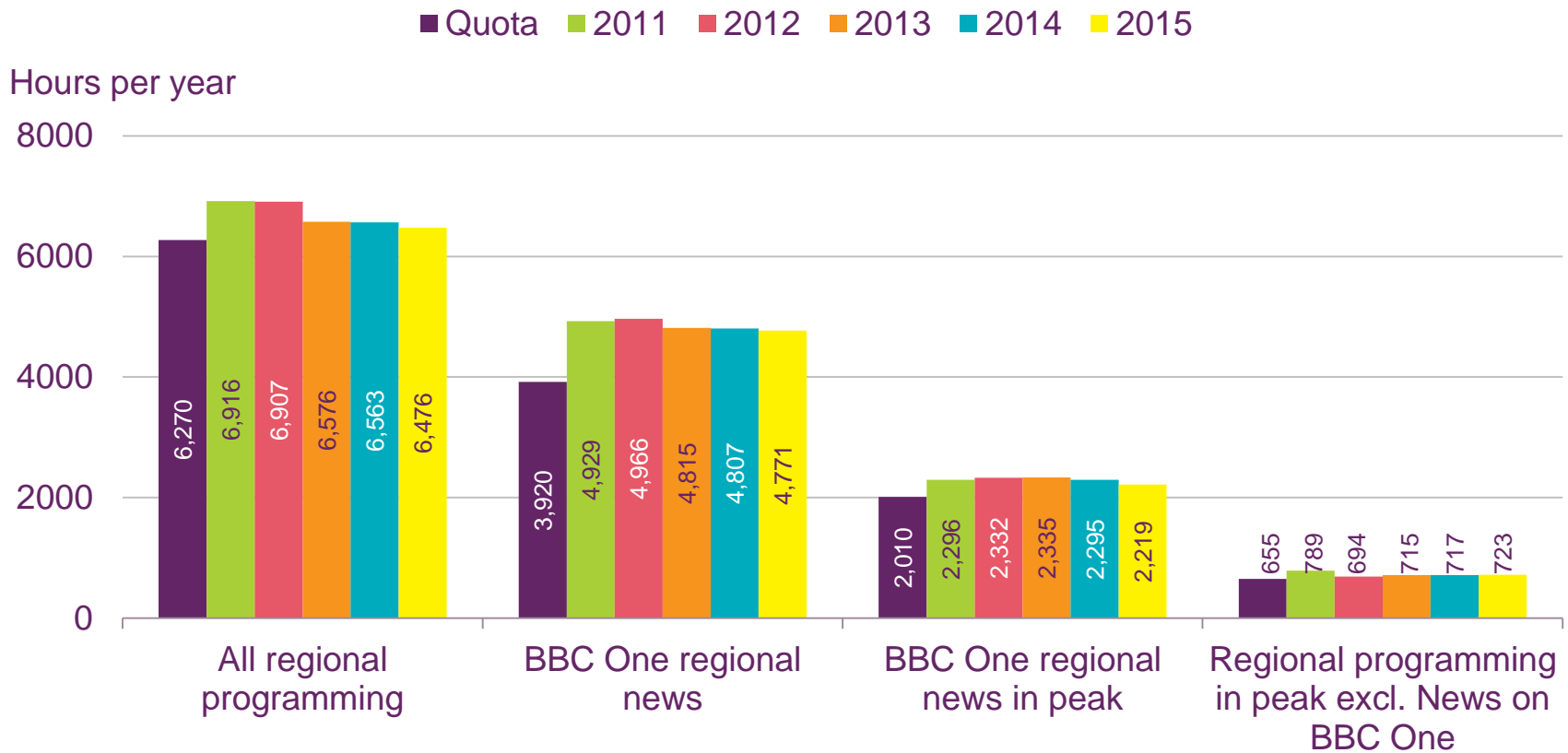
- TV broadcasters must comply with a range of programme and output quotas that set minimum levels of types of programmes that they must show. These obligations originate in the Communications Act 2003 ('The Act') or in European legislation, and Ofcom has a duty under the Act to monitor and enforce compliance with these quotas.
- The level of regulatory intervention that Ofcom is required to apply depends on the category of broadcaster – public service broadcasters operate under much tighter regulations than multichannel operators – therefore some quotas apply across the board while others are specific to the PSBs.
- In terms of licensing and regulation, Ofcom has a direct relationship with ITV1, ITV Breakfast, Channel 4 and Channel 5, whose licences carry specific quota compliance obligations, while the BBC is currently regulated jointly by the BBC Trust and Ofcom. Under the current arrangements, the Trust sets the majority of the BBC's targets and monitors compliance but must consult with Ofcom before changing specific quotas, and must obtain Ofcom's agreement in setting quotas for original productions and out-of-London network productions.
- Ofcom has a duty under the Act to review and report on compliance with programme obligations.
- It is worth noting that the draft Royal Charter and Framework Agreement published by the Government on 15 September 2016 propose significant changes to the regulation of the BBC. Amongst other things, they propose that Ofcom (rather than the BBC Trust) set and monitor the BBC's quotas on original productions and nations and regions.

# Introduction (II)

## PSB quotas and the Communications Act 2003

- The Act sets out a range of obligations applying to public service channels, and Ofcom sets appropriate quotas to meet these obligations. When fixing the quotas, Ofcom takes into account the individual remit of each channel and other relevant criteria. These are reviewed as necessary, and the levels may be revised up or down to allow for changes in circumstances and the broadcasting environment.
- This pack reports on the programmes on Channel 3, the BBC and S4C, made and shown in the nations and English regions. It also sets out delivery of original production and independent quotas by the Channel 3 English and nations licences.
- Channel 3 licences were amended at the beginning of 2014 after consultation in 2013. As a result the number of regional programming minutes required in most regions in England was reduced from 240 to 150 per week but this programming was required to be more localised. Further information is available at <http://stakeholders.ofcom.org.uk/consultations/c3-c5-obligations/statement/>, paragraphs 1.6 to 1.17. and the full statement can be downloaded at <http://stakeholders.ofcom.org.uk/binaries/consultations/c3-c5-obligations/statement/statement.pdf> . Further information on the definition of Regional Programming can be found at [http://stakeholders.ofcom.org.uk/broadcasting/guidance/programme-guidance/reg\\_prod/](http://stakeholders.ofcom.org.uk/broadcasting/guidance/programme-guidance/reg_prod/) and a list of the current regional channel 3 licences can be viewed at <http://licensing.ofcom.org.uk/tv-broadcast-licences/current-licensees/channel-3/> .
- The ITV Border region straddles the border between England and Scotland. After consultation in 2013 the licence obligation was amended at the beginning of 2014 to include a further 1 hour and 30 minutes of Current Affairs programming broadcast in the Scottish sub region only. This programming could be shared with other regions in Scotland. This brings the amount of Current Affairs programming broadcast in the Scottish sub region of ITV Borders in line with the rest of Scotland. Further information is available at <http://stakeholders.ofcom.org.uk/consultations/c3-c5-obligations/statement/>, paragraphs 1.18 to 1.21.

# The BBC's performance against nations and regions quotas

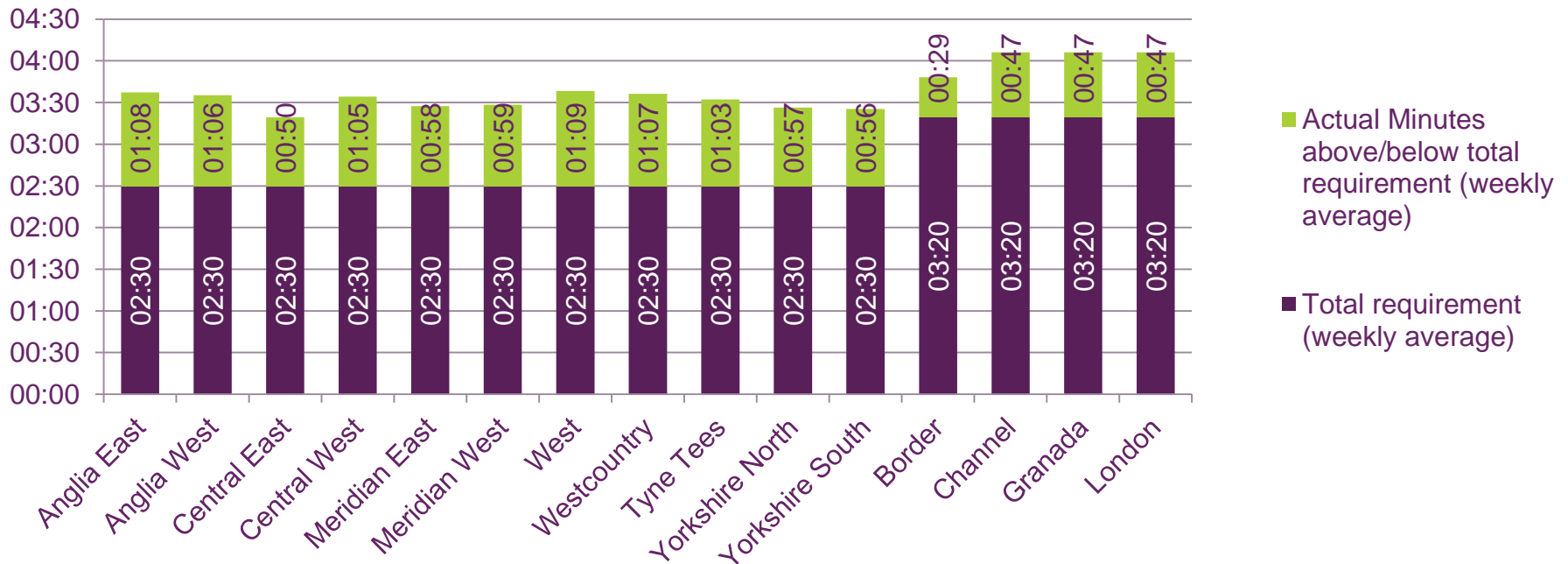


Source: Ofcom/broadcasters. First-run, originated hours.

Note: quotas for regional programming in peak (excl news on BBC One) and for all regional programming were revised in 2009. For further information on the BBC's performance against other quotas see the [BBC 2015/16 Annual Report](#)

# England Channel 3 licensees' performance against regional programming quotas (total minutes), 2015

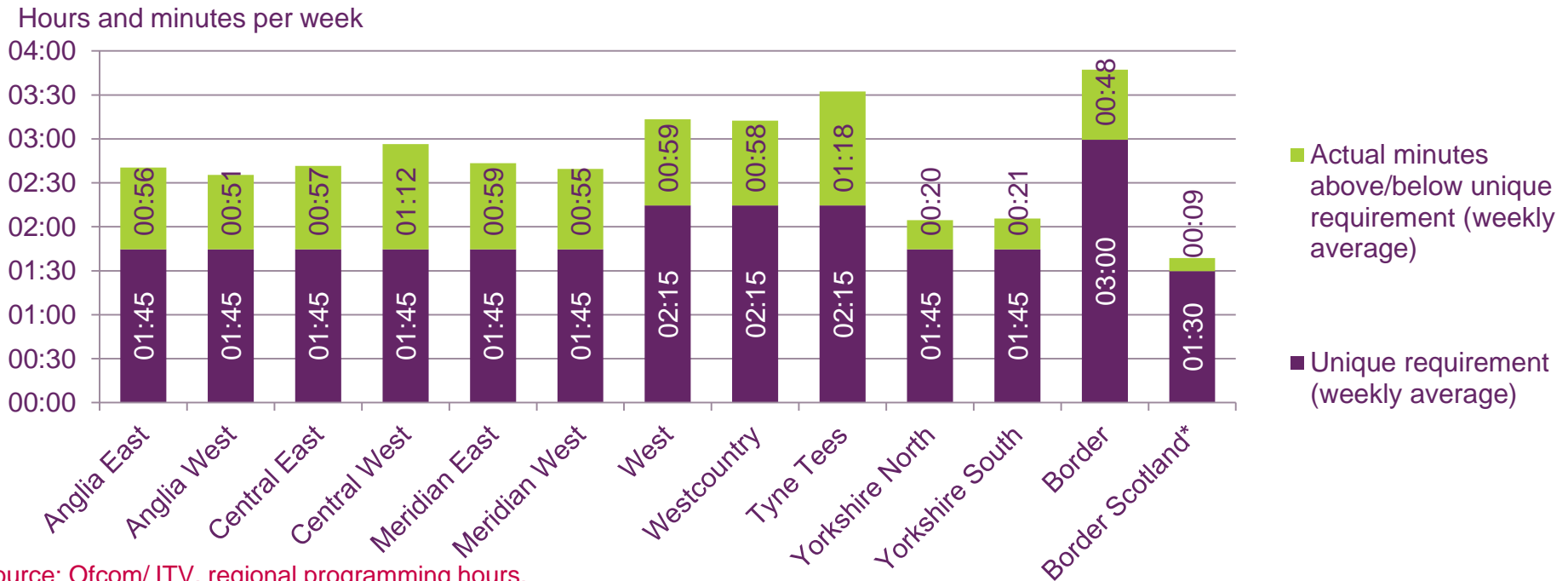
Hours and minutes per week



Source: Ofcom/ ITV. Regional programming hours only.

Note: Minutes includes all regional programming including individual regions' output and output shared across multiple regions. For reporting purposes Granada is taken as a proxy for Channel & London. For further information on legislation changes see the Introduction.

# England Channel 3 licensees' performance against quota of programming unique to the sub region, 2015

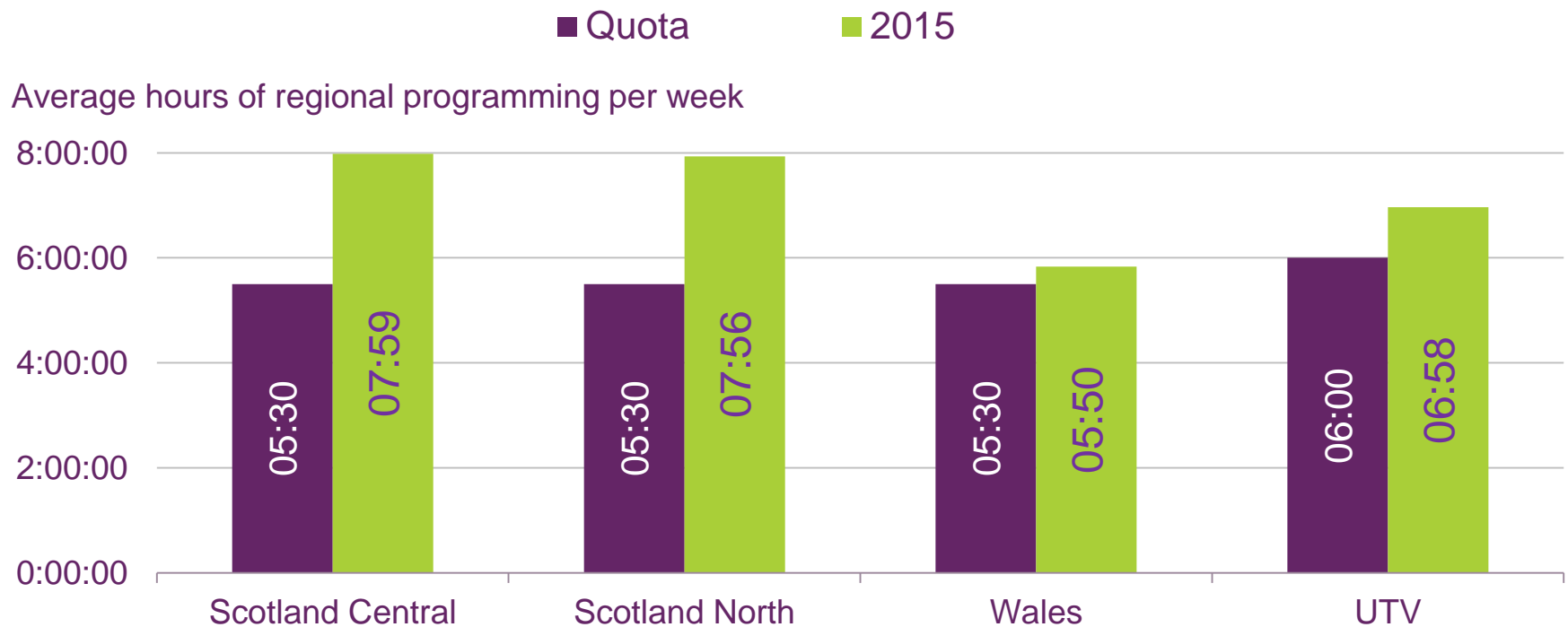


Source: Ofcom/ ITV. regional programming hours.

Note: Minutes includes all regional programming broadcast in the region specifically for the region and not broadcast on a shared basis with other regions. For further information on legislation changes see the Introduction (II).

\*After changes in legislation (see the Introduction (II) slide for details), ITV Border was required to broadcast 1:30 hours per week of local interest programming in the ITV Border Scotland sub-region (Selkirk) in addition to the 3:00 hour requirement for the whole Border region. This requirement was introduced to ensure viewers in the Scottish part of the ITV Border region were served with local programming considered to be of greater interest to Scottish viewers in the Border region, in line with other Scottish regions. This content can be shared with other Scottish regions. ITV Border actually broadcast an average of 1 hour and 39 minutes per week.

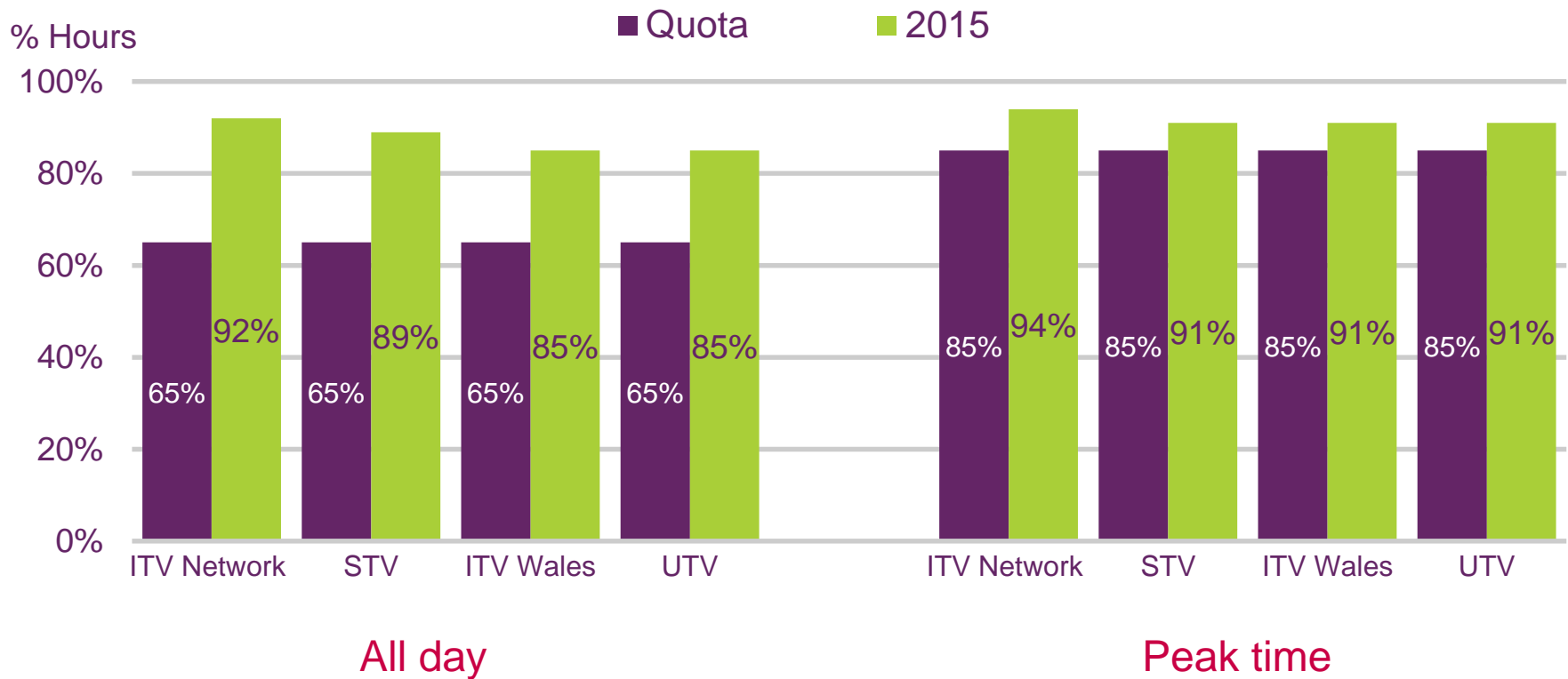
## Channel 3 nations licensees' performance against non-network quotas



Source: Ofcom/broadcasters. First-run, regional, qualifying originated hours.

Note: excludes programmes aired between 00:30 – 09:25.

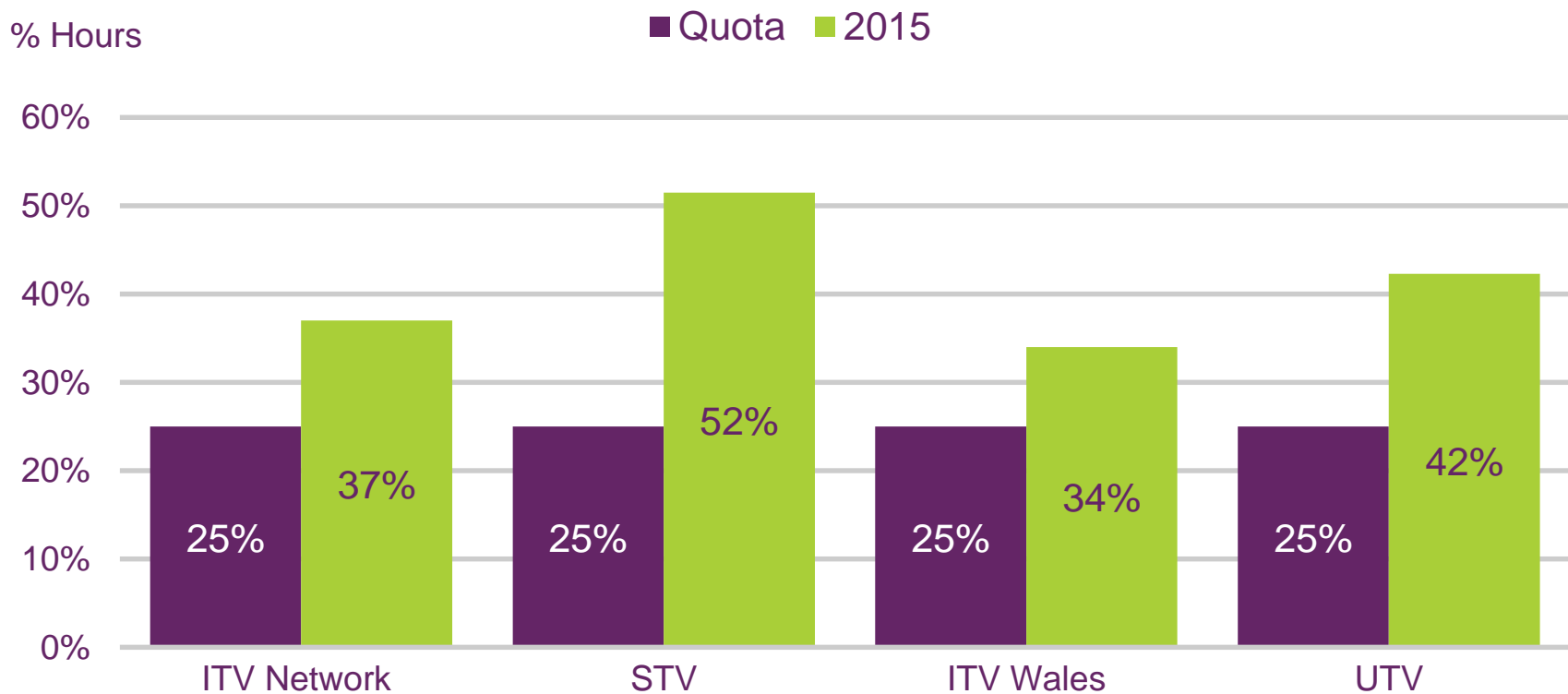
## Channel 3 performance against original production quotas



Source: Ofcom/broadcasters. Total originations – first run and repeats, network and nations/regions programming.

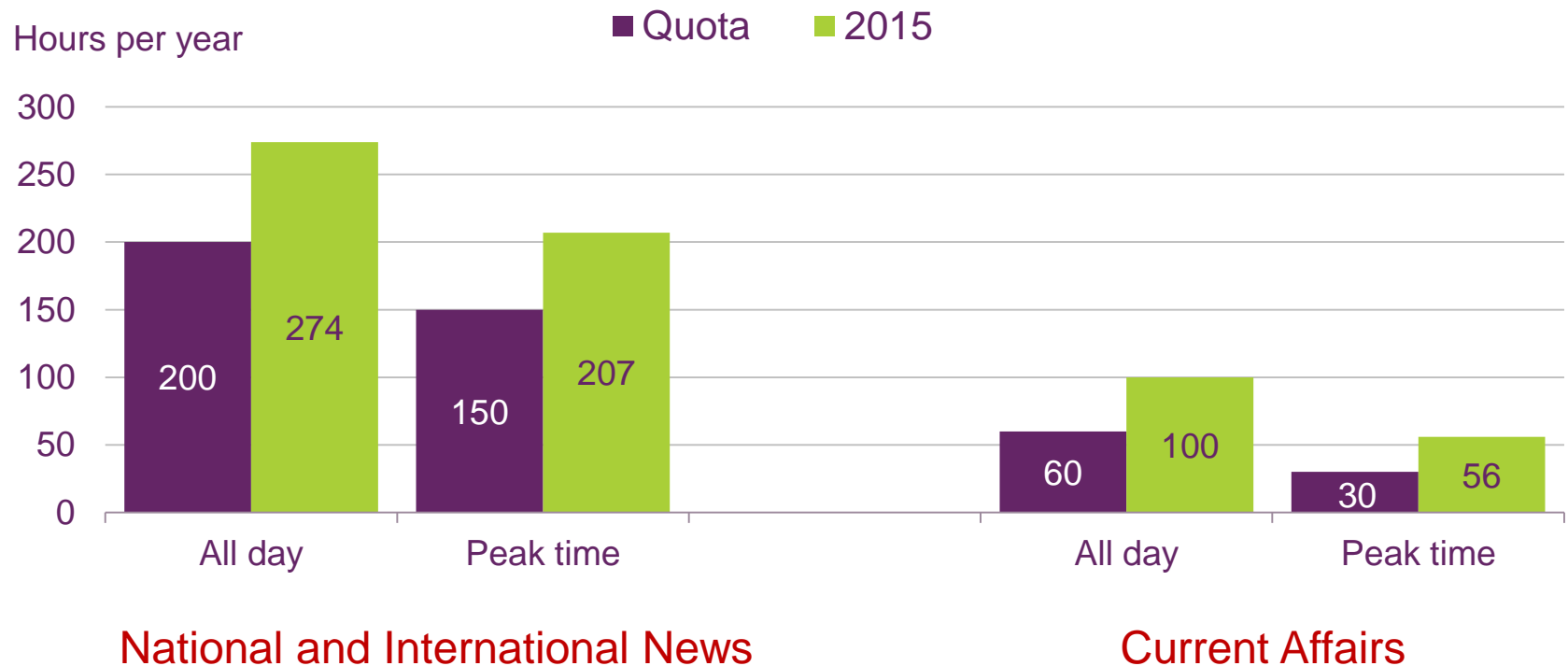


## Channel 3 performance against the independent production quota



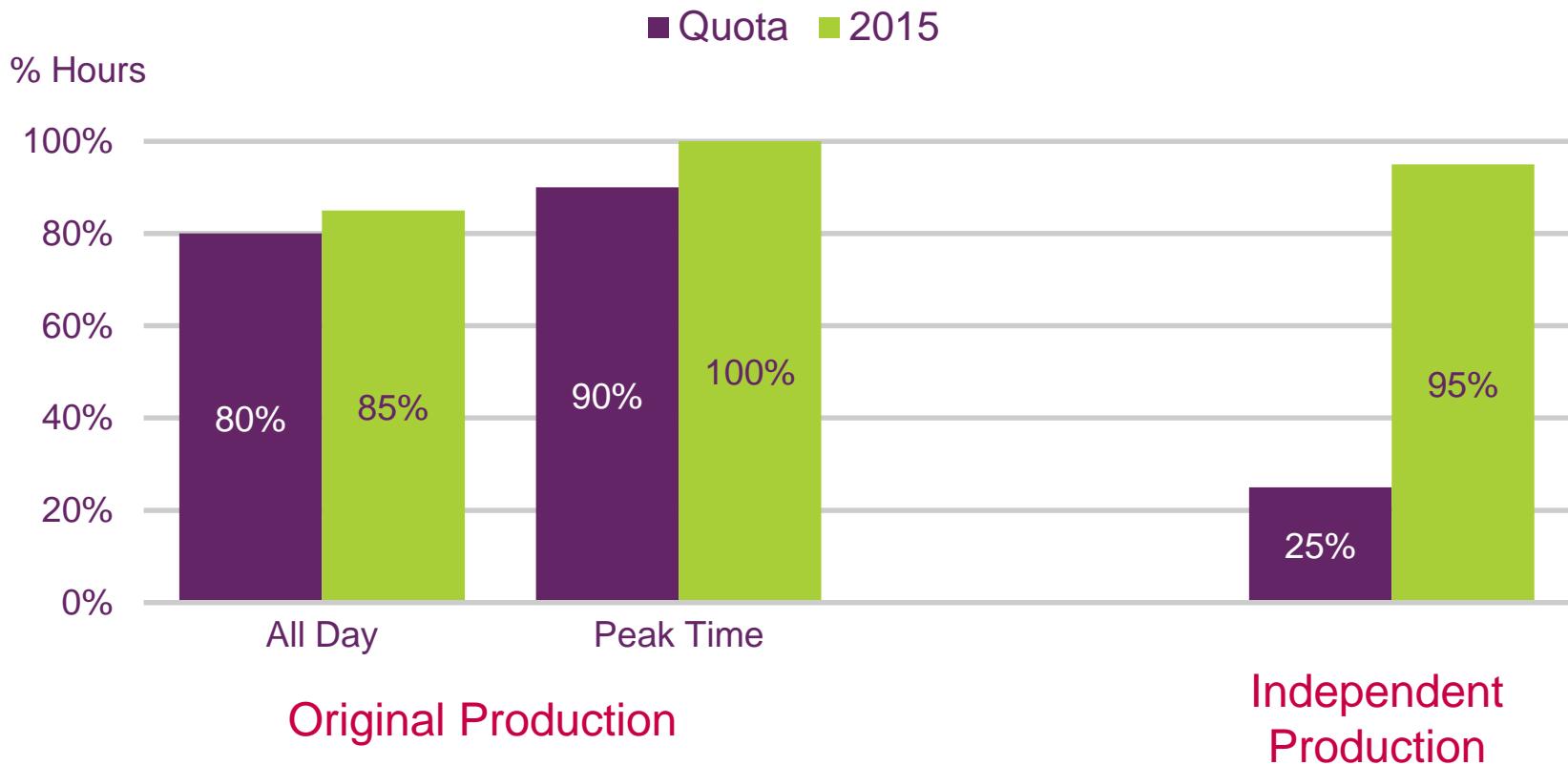
Source: Ofcom/broadcasters. First-run qualifying hours

## S4C performance against national and international news quotas and current affairs



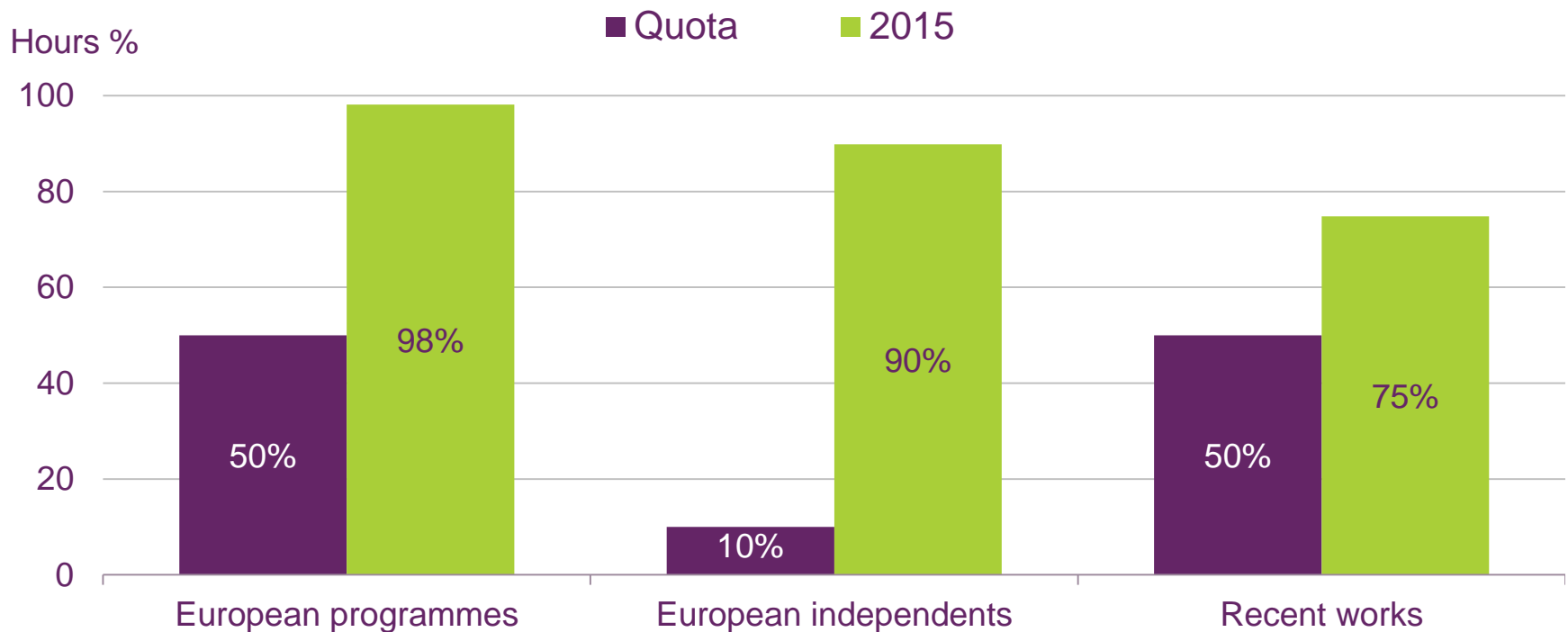
Source: Ofcom/broadcasters

## S4C performance against original and independent production quotas



Source: Ofcom/broadcasters

## S4C performance against European programming requirements



Source: Ofcom/broadcasters

Note: this quota relates to the Audiovisual Media Services (AVMS) Directive . This requires that on each channel, the majority of programmes must be European (including from the UK) and at least 10% must be made by independents. Of these, the majority must have been made within the past five years.