

I am writing in response to proposed changes in programming for London Live.

I oppose these changes for the following reasons:

a) The applicant made a commitment to a specific programme service in its application and was offered the licence on this basis. It is unreasonable for the licensee to ask for a change to be made so soon after the launch of the service. Changes to a service should only be granted if the market conditions or audience expectations have substantially changed since the licence was awarded. It is unlikely that market conditions or audience expectations have changed sufficiently in the London market since the licence was granted. Indeed it could be argued that market conditions have improved as Britain was in recession at the time of the licensee's application.

b) An acceptance by Ofcom of substantial changes to that service so early into the life of a licensee would send an undesirable message to other current and future applicants and licensees for local TV franchises. The message would be that it is OK to renege on commitments (or to ask for reduced commitments) early into the life of a franchise. This would be unfair to the unsuccessful bidders for the franchise who made a more accurate assessment of market conditions and therefore offered a less ambitious service at the time of application.

c) The launch of the Local TV stations has been partially supported by public funds taken from the BBC licence fee. These funds also assist in the cost of programming during the first three years of transmission. This should assist in ensuring that programming commitments are maintained in the first three years after launch. I would argue that substantial changes to commitments should not be allowed during the period that licence fee funding is being utilised.

d) The change to the first bullet point in the licensee's programming commitments from 'will' to 'will endeavour' gives a lot of wriggle room to renege on their original programming commitments. I would argue that this is a substantial change to the terms of licence and should be rejected.

e) The change to the seventh bullet point should not be accepted as-is. If some change is allowed on this there should be set a minimum level of hyper-local programming that will be achieved within a specific time.

f) Finally the amendment to reduce the daily 30 minute repeat of current affairs programming should be rejected. Since the licensee is committed to current affairs programming this should have the opportunity to be seen more than once in a day.

I have attached the cover sheet as required.

Regards

Andrew Barker