

## Response:

The award of a Local TV licence must be taken seriously and with a level of privilege, never more so than the coveted London licence. ESTV have not got off to a very good start.

Firstly, it should be noted that before the service even began ESTV were granted a licence variation to remove the need for regular daily bulletins – Ofcom allowed this on the basis that it didn't materially change the character of the service. I actually disagree with this as having frequent 'drop-in' bulletins should be the very essence of the licenced channel. However they got away with this.

This consultation is based on ESTV's request to reduce the commitments made in their application just months after launch. This is simply unjustifiable and cannot be allowed in any part. If their application was so poorly put together that ESTV made commitments they had no ability to enact then they should hand the licence back. It would call into question the validity of Ofcom's handling of the application process to allow such variations at this stage.

In describing the "Programme Commitments for London Live" they wish a variation to include the word 'endeavour'. Really? Is this actually wording that would be acceptable to Ofcom? Commitments made in a licence application are a guarantee of service level, not mere 'endeavours'. These commitments are a minimum level of acceptable service.

In the published award rationale Ofcom stated:

*ESTV's proposals also provided important opportunities for close local community involvement, **taking into account, in particular, its proposals for IPTV services in each London borough** which would be **included in its programming commitments**.*

The commitment to these IPTV services was clearly stated as a reason for ESTV gaining the licence. ESTV now wish to pay lip service to this commitment – which is wholly unacceptable.

Their final variation request is a reduction in local programming in Year 1, and even more substantial cuts in Years 2 and 3. The whole point of the premium EPG positions and public funding attached to the licence is to promote original London programming to viewers – ESTV are demonstrating they see no future in growing their London production in favour of a policy of lazy, low cost acquired content found on many other channels.

As ESTV seek to further relax their licence terms, the service to date has been woeful.

The opportunity for a channel for Londoners and London's advertisers thus far has been completely missed. The proposals fail to satisfy any of the points in section 1.10.1-4 of the consultation and therefore I call on Ofcom to reject these variations.