



Call for input: Review of broadcast regulation

Virgin Media O2 response

29th January 2026

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EXECUTIVE SUMMARY

Virgin Media O2 welcomes the opportunity to respond to Ofcom's call for input regarding a review of broadcast regulation. As is rightly pointed out within the CFI, the UK media landscape is undergoing rapid transformation. The ongoing discussions around, and implementation of, the Media Act looks to best prepare both industry and regulators to navigate the changing dynamics of how audiences consume content, providing similar provisions that existed in the linear world in the on-demand space. Whilst we acknowledge that the regulatory landscape may need to evolve further, as always, we would look to ensure any further regulation is reasonable and proportionate, providing consumers with relevant protections whilst also ensuring a level playing field for all is maintained. At this early stage in the process, we have confined our input to matters of principle. However, we would welcome the opportunity to discuss this review in greater detail with Ofcom as the exercise progresses.

Virgin Media O2 understand that as the broadcasting landscape changes, with increased innovation and competition across all areas, there is a desire to strengthen and maintain public service media content. We acknowledge that a robust public service media ('PSM') can have a positive impact on viewers, providing trusted news output, representing diversity across the UK and producing quality entertainment and we also acknowledge a robust and sustainable PSM is good for industry overall. We therefore understand the desire of government, Ofcom and the PSBs themselves to protect PSM and allow it to evolve and innovate as the landscape around them does the same. However, in doing so, PSBs must remain accountable and fulfil any and all obligations they have in exchange for the benefits they receive.

Virgin Media O2 has always been firmly of the view that maintaining a level playing field across broadcasters and platforms is vital and we welcome Ofcom's desire to involve stakeholders at such an early stage of the process. In this regard, we consider it imperative that Ofcom considers the impact on TV platforms and other distributors of content in its review of broadcasting regulation. Access to PSM on fair terms is critical to the functioning and viability of TV platforms. At the same time, these platforms act as key partners to PSM and other content providers in their role as distribution channels. There is therefore a mutual dependency. It is important that the review of broadcasting regulation supports and incentivises a competitive market for TV platforms and distribution. This, ultimately, will be to the benefit of consumers, who will continue to have choice and will benefit from innovation. We are sure that as these issues are fleshed out, contributions from across industry will be vital.

It is also vital that Ofcom, together with government, considers the regulatory implications of the manner in which TV is distributed in the future. In particular, should DTT be retired (and 'replaced' by IP distribution), it should not be assumed that TV traffic can simply transfer to broadband networks without consideration of the policy and regulatory implications or, where necessary, reform.

Looking at the three areas Ofcom has specifically called out in the CFI, we believe these are a good starting point for such discussions. On the question of licencing, this is an area of particular interest for us. As Ofcom is aware, as a regulated provider of an EPG, we have all the associated regulatory obligations that come with that and must ensure all channels appearing on our platform hold the relevant licences. As has been highlighted previously, platforms such as smart TVs are not held to

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the same regulatory standard and this creates a clear competitive divide as new, innovative channels look to be placed on our platform but must first obtain a licence. Although not directly impacting PSM, any disparity in regard to licencing would clearly lessen protections for customers and discourage platforms who have to 'play by the rules' from innovating and looking to support new channels.

In relation to advertising, we are very much aware of both the importance of advertising funding models and also how this is yet another landscape that has been disrupted by the changing ways in which content is consumed. Once again, the key theme we support is a level playing field which works for all of industry, be that broadcasters, platforms and audiences. It is sensible for Ofcom to look at the differences between the advertising world across linear and online and look to form a coherent objective moving forward that is suitable across all media.

As broadcasters, platform operators and regulator, a clear obligation in terms of protecting audiences must be around content standards. Therefore, Virgin Media O2 would welcome input into how Ofcom plans to align regimes in addition to the new Video on Demand code introduced by the Media Act.

Overall, Virgin Media O2 welcomes Ofcom's desire to engage with all parties whilst looking to review broadcast regulation and we would strongly encourage further engagement on this topic and would be happy to meet with Ofcom in the near future.