

Question 1: Which option (or variation of an option) for regulating the overall amount of advertising permitted on television channels do you prefer, and why? Do you agree that any rule changes that might result in a significant change to the number of commercial impacts should not come into force before 1 January 2010?:

Option 1 the Status Quo.

Capping the overall amount will help sustain the value of the advertising time. This will enable the niche interest channels to maintain their revenues.

It will also push the PSB channels in the direction of quality as the high cost of limited spots will ensure advertisers maximise their impact. The UK has a tradition of high quality and artistic advertising on PSB and this should be maintained and encouraged.

I would actually argue for implementation on Monday 4th Jan 2010. The 1st is both a Bank Holiday and Friday at end of Christmas / NY break. Allowing the broadcasters to maximise earnings during this peak time would seem fair and reasonable.

Question 2: Which option (or variation of an option) for regulating peak-time minutage on public service channels do you favour, and why? Do you agree that any rule changes that might result in a significant change to the number of commercial impacts should not come into force before 1 January 2010?:

Option 4 Status Quo.

Both of the other options will lead to an increase in advertising during popular programmes - with a subsequent reduction in the programmes time and quality. The weekly averaging is equivalent to removing the cap altogether. I would actually argue for the term 'Clock Hour' to be replaced with '60 minute period'.

Changes for 4th Jan 2010 - See Q1 response.

Question 3: Do you agree that the 7am to 9am period should cease to be treated as a peak viewing period on public service channels? If so, do you agree that this change should come into effect shortly after Ofcom publishes its conclusions?:

No.

As we become more 'globalised' and improve communications, the effects of actions and incidents elsewhere have more and faster implications to our lives. The breakfast catch up with what has happened is more important now than when these channels started.

I would actually be in favour of extending the period to 6am - 9am.

I would also like to see sponsorship and competitions where entry is through phone rates classed as advertising and come out of the times allowed. These are effectively advertising for the TV companies secondary business.

Question 4: Which option (or variation of an option) for regulating the number of advertising breaks do you favour, and why? Do you agree that any changes should come into effect shortly after Ofcom publishes its conclusions?:

Option 1 same number of breaks.

Preferred option would be that all channels have the PSB limits. This would lead to non PSB channels spreading their advertising more, as they are already at their limits during peak hours.

I would also argue that sponsorship bumpers are advertising and should be counted towards the time limits. Having 12 minutes of advertising plus bumpers of say

10seconds either side of 3breaks per hour PLUS bumperseither side of a competition spot PLUS either side of a weather forecast PLUS a traffic report can make the total 'non programming' element more like 15 minutes in an hour.

I would argue for changes (if any) to be subject to the same implementation date as other variations. There are many variations taken into account when spots are sold / purchased and I am sure this could affect times already contracted.

Question 5: Do you support or oppose the idea of allowing more frequent breaks in programmes of autonomous parts? Please explain your reasons. Do you agree that any changes should come into effect shortly after Ofcom publishes its conclusions?:

I would have to oppose the plan. Whilst it sounds sensible now, the long term effect would be to encourage a raft of low budget 'magazine' programming on PSB.

I would be greatly in favour of a more structured and defined version of this option. Specification that allowed a music channel to pop a single ad between tracks, breaks between acts of a play or articles etc; would probably be an improvement on current state. However, this would need to be within a wider framework of limits on numbers of programmes within a genre that can be shown on each PSB channel, each day.

There would also need to be monitoring of briefs to writers to ensure future commissions are not for 36 part dramas of 65 minute screen time - for 90 minute slots. The way sports channels put three slots into the football break is an example of where this works well. The way GMTV ends each part with "What's coming up next" followed by a bumper, ad break, bumper, "What's coming up now", Competition - followed by one piece and "What's coming up next" is a prime example of where this option in it's current form would lead.

Again I would prefer all changes coming into force at one time.

Question 6: Do you think that the existing limit on the length of internal advertising breaks on PSB channels should be kept or scrapped? Please explain your reasons. Do you agree that any changes should come into effect shortly after Ofcom publishes its conclusions?:

I do not feel this question can be answered in isolation. It is directly related to the outcomes of questions 1,2,4 & 5. If limits on time and numbers are increased, I am opposed. If time limit is raised and numbers maintained, I am opposed.

There would need to be a matrix of all possible options produced and considered. My preferred option would be for bumpers and competition entry to be classed as advertising and then the 12 min max would take care of everything else. This could solve the whole of Q's 4 & 5 for you. Economic forces and viewer behaviour would push all channels toward frequent short breaks in music / magazine programming whilst drama / film would be more likely to have fewer, longer breaks.

Again all changes for 2010. However much consultation there will always be someone who finds a loophole or different interpretation. More time allows for all affected parties to be better informed.

Question 7: Which option or options for regulating teleshopping do you favour, and why? Do you agree that any changes should come into effect shortly after Ofcom publishes its conclusions?:

I do not support any of the available options.

Subject to Quiz, Gaming being classed as teleshopping, I would be in favour of allowing PSB's the same 3hour allowance as non PSB. Maybe 4 hours each if during the 00:01- 05:59 period.

To allow everyone 6 hours (25%) and then 20% of the remainder AND still allow bumpers / trailers / and in programme competition slots would mean around 50% of non programmes per day.

3-4 hours a day would make it uneconomic for larger channels to use in peak times. This would allow for film / sports channels to make best use of natural breaks in their content, whilst allowing non PSB to maintain existing revenues, and PSB's to continue their existing offerings. Allowing 6 hours would lead to more and lower quality offerings. As before by limiting the time slot you can put the pressure onto the quality of existing offerings rather than onto more and cheaper options.

Again I would prefer all changes together. The timing of legislation could force further changes. then more on Jan 2010. Leave as is for now. If legislation means some changes required sooner it would be easier on the broadcasters - and their legal departments (whilst checking out all the perceived loopholes). Your changes could close any bad ones on Jan 2010.

IA Question 1: Given the options being considered in this consultation document is it reasonable to maintain the assumption that there will not be any ?drop off? in audiences? If you disagree, please explain why.:

I disagree because all the options that the advertisers (and by benefit of revenue the broadcasters) want are for more adverts, in more breaks. By contrast the viewers want less advertising in total and fewer breaks (music / magazine excepted). The downward spiral of lower audiences leading to less advertising revenue, lower quality programmes, with more interruptions, leads to less viewers and so on.

Whilst the overall number of 'watched hours' may remain consistent, I feel there will be shift towards more ABC1's viewing less (or BBC more) whilst lower income groups will watch more. One upside of the current money market turmoil (where is Corporal Jones when you need him ?) will be more families spending more nights in but the dearth of new or high quality programmes (Heroes and BBC 3 excepted) will not attract them. Non PSB's should be the main gainers due to their niche offerings. I think the PSB's will all see a decline in audience share - and they deserve it for their lack of investment in quality programming (while the money was available) to be ready for when the audiences arrived. Even if they tried to raise their game now, I doubt they could raise the capital.

IA Question 2: Do respondents agree that it is reasonable to focus on the elasticity approach for translating changes in the volume of impacts into changes in industry revenues and to move away from using the constant price premium and uniform price premium approaches? If not, please provide an explanation.:

Yes. I think the 12 minute cap does most of the hard work. The number of variables requires elasticity to keep up with them.

IA Question 3: Do you agree with our assessment of the impacts on stakeholder groups of this option and variants upon it? Please explain your reasoning, providing any evidence where relevant.:

I agree with the figures but feel you should balance the fact GMTV cannot balance their advertising across the day with the fact that they do not spread their costs across the day. They broadcast for 205 minutes a day - of which 120 (>60%) are in peak hours. By contrast most other broadcasters would be looking to fill 18 hours (1080 mins) of which 420 (<40%) are in peak hours. This gives them an advantage in terms of revenue per second. They have less time to sell and more of it is top quality

merchandise. Other channels must use their (limited) peak time goods as the USP of packages just to 'get rid' of the unwanted time.
This is just a personal opinion.

IA Question 4: In the event that there were to be a reduction in the amount of airtime allowed for non-PSB channels, what would be the effect on the price of advertising on these channels? Would there be any effect on the relative prices of advertising between PSB and non-PSB channels? If so, please explain.:

Too many variables to come to a definitive conclusion. My feeling is that there would be a lowering of revenue to non PSB as it moved to PSB. The non PSB channels cater to the shift workers, niche markets etc; and so they can still offer the advertisers the opportunity to reach a decent proportion of their market. By reducing the hours you would remove that audience, with no guarantee that they would return during available broadcasting hours. If you were prevented from buying your usual newspaper two days a week, would you be minded to go without - purchase an alternative offering ? If the first would you tend towards not buying the newspaper on some days when it was available ? If the second would you tend towards just reading the alternative each day ? Humans are creatures of habit and when something is forcibly removed we tend to either switch or cope - we very rarely settle for the 'when we can' option.

IA Question 5: Do respondents consider that our approach to considering changes in the frequency of advertising breaks is reasonable? If not, please suggest alternative approaches that you have used, together with any results that you have generated.:

I think your approach was reasonable BUT limited. There are significant statistical variations on age of viewer and type of programme. I feel this shows that it is not possible to create a '1 size fits all' but viewers and broadcasters could benefit from a new specification. My alternative was offered in the answer.

IA Question 6: Do respondents agree with our assessment of the likely scale of the impact of Option 2 for broadcasters? If not, please explain why and provide any relevant evidence that you may have.:

I disagree. I feel you have assessed impact on ad breaks in isolation to total hour of viewing. A viewer makes little distinction between adverts, bumpers, trailers etc; As a viewer I think of an interruption to the programme I wish to view. It may be that this is outside of remit but I feel you need to consider all the elements together. There is also a little too much 'averaging' for my liking but I do like my figures.

IA Question 7: Do you agree with the indicative results of our assessment of the impact of Option 3? If not, please explain your reasoning. If you are able to quantify the impact of this option, please submit that evidence with your response.:

I have sufficient data to form an opinion. Your reasoning seems correct but if you do expect the quiz / gambling shows to be classed as teleshopping then I would expect option 3 to push these to the non PSB arena (probably still run by PSB's but purchasing the times from non PSB) this would lessen the impact of losses as the PSB would need to pay enough to deter the non PSB from setting up their own option.

IA Question 8: Do consultees agree with our assessment of the likely impacts of the different options? If not, why not? Can you suggest any alternative approaches to assessing the impact of the different options?:

I would generally agree. I think some of the amounts are based on broadcasters advice and minimise gains whilst maximising potential losses. Personally I would get both sides to cost the options and then split the difference. I also feel that some of the figures should be split where they are the sum of both PSB and non PSB for same broadcaster. It would be better to consider them as BBC(P) and BBC(N) as an example.

IA Question 9: What evidence is there of pent-up demand for teleshopping services? Do channel operators consider that they could offer longer teleshopping windows or develop their own teleshopping services if the current restrictions were relaxed?:

Unknown. I would say the merging of most of the shopping channels during off peak hours - and their simulcast versions prove that there is currently insufficient demand. Their marketers may class this as 'pent up' but personally I think it just shows that they over estimated the initial demand. I think the continuing high street demand and internet growth (is there a shopping channel that doesn't run a site ?) show that the pie is no longer growing and they are merely chasing someone elses piece.

IA Question 10: What has been the impact on channels offering dedicated gaming services on the PSBs offering limited strands of similar programming? Please provide any data that you might have.:

Personal opinion is that they saw someone making money and followed. As ever something new creates interest and excitement, but too many people get on the bandwagon and it collapses. About the same time as the 'regulars' who wanted exactly this kind of thing run out of money, the last of the 'try it and see' go back to their normal pastimes and it collapses.

Section 3 of the comms act 2003 charges you with looking after customers interests with regard to communications. I would argue that the current system where someone can (effectively) gamble at 3 in the morning using credit facility on phone is not in the interests of the consumer. It would be possible for a 16 year old to run up around a thousand pounds of debt on theirs (or parents) telephone account before any bills arrived. Whilst I accept there is a market for these offerings, there should be more regulation and the old time to set up account dissuader to limit it to informed adults.

IA Question 11: Do respondents agree with the above analysis in respect of the potential impact on PSBs and non-PSBs? If not, please explain why.:

I only think the PSB figures should be split into PSB / non silos and treated seperately. There is no evidence to suggest that BBC or ITV1 would use any money gained from teleshopping/gambling to improve offerings on their PSB sides. I therefore feel that whilst options 2 & 3 are priced fairly, the true impact has been hidden. Many people may (mistakenly) believe that option 2 would make more money available for quality programming on their PSB. They would actually be losing several hours a day of good TV.

IA Question 12: To what extent do respondents agree that the elasticity of demand for advertising could vary by time of day? Would this be applicable to

all broadcasters or more relevant to some than others? Please provide any evidence that you might have to support your view.:

I think there are other more relevant metrics than time of day - and that some of them are interconnected. The audience for a music programme at 2am on a Tuesday is vastly different to that for a Friday tea time. Elasticity could probably only be limited to time/genre/audience age as a minimum for consideration.

IA Question 13: To what extent do respondents consider that some of these approaches help to explain at least some of the differences between some industry perceptions of the elasticity of demand for advertising and the econometric data?:

I think they show many of the trade offs between legislation / revenue / programming. They show an alarming lack of understanding of "econometric" (is that a new word ?) data. Most of the broadcasters seem to have informed you that they can make more money selling more adverts in popular programmes. There is no mention of data around how popular these programmes remain as they are cut shorter and into more segments. Your tests indicate the changes would result in a net loss of viewers. 77% think there is already enough or too much. Adding more or splitting the current into more pieces shows absolutely no improvement to those figures and could actually bring in a few of the don't knows and put up with it's.

I describe numbers as data, in relation to other numbers as information and against other pieces of information as intelligence. Almost all of your figures are information - although I accept they have been supplied by broadcasters and you accept them in good faith. They say things like "More adverts in peak slots = more money". They apparently assume that the customers will increase their advertising budgets, or that they can find more customers for the less appealing slots that would be vacated. I think most people would vacate several off peak slots for one around 7:45 - 9:15pm but where is the data to show those impacts correlated into the improvement in revenues. Where are the surveys showing sample audiences loving 18 minute versions of their currently 23 minute programmes ?

Additional comments:

What a refreshing change to a radio box survey.

You do actually want my opinion not which of these opinions am I closest to.

Thanks for your time.