

OFCOM'S RELUCTANCE TO ADDRESS 'LOCAL PUBLIC SERVICE TELEVISION' in its *SECOND PUBLIC SERVICE BROADCASTING REVIEW: PHASE ONE*

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ONE - INTRODUCTION

A simple search for the term 'local area' in the IPSOS-MORI research (which is drawn upon heavily, if partially, by Ofcom for its Second Public Service Broadcasting Review: Phase One) shows an inconsistent, forgetful or perhaps even a random 'local area' following on from 'nation and region' when exploring viewers' news needs on a smaller than national scale.

Looking to the future for PSB delivery it is broadband that Ofcom promotes as offering an alternative platform to the main PSB channels for consideration by IPSOS-MORI in its Terms of Reference, so far as IPSOS-MORI recall.

However, broadband is almost entirely rejected in this study (only 1% in favour) for the delivery of the social and public components of news and debate wanted nationally and more locally: requiring these elements of news and debate to remain on the 'main' PSB channels.

Had IPSOS-MORI been advised to include 'local DTT' as a possible future platform the research outcomes suggest local DTT would be added as a 'main' PSB channel to satisfy the strong evidence of local demand for TV news and the preference for the way news should continue to be delivered.

Given the very large number of Ofcom studies that have already highlighted local DTT as the most wanted or second most wanted service from new DTT spectrum, Ofcom were obliged to follow up this demand in their Second PSB Review - but Ofcom excluded this option!

The staff at IPSOS-MORI were invited to focus on broadband as a possible alternative platform for PSB news delivery. I suggest we should not dismiss lightly this narrow focus for the Terms of Reference, it was not an oversight and the accumulated evidence over the last three years points to constructive negligence towards local TV throughout Ofcom.

For the second Digital Dividend review consultation Ofcom drew up and consulted upon the method used to canvas interest in local TV on DTT. This positive approach was not presented to IPSOS-MORI, who had not been involved in the earlier study.

If it has become evident in reading Ofcom's (and earlier) studies that the

public want local TV to serve a public purpose. Is the reason for local DTT's absence from this study simply that it would be awkward to have local spectrum auctioned to the highest bidder and be seen to deny local access?

Scotland's First Minister wrote to Ofcom in March 2008 to express concern that the spectrum auction might overtake views taken by his Ministers.

I have requested that Ofcom ensure that spectrum is available for local television, to allow for its development in light of Minister's decisions after considering the report of the Scottish Broadcasting Commission.

Why was local DTT the subject of exclusion by Ofcom when the Terms of Reference for this Second PSB Review were canvassed in November 2007 (see below) and doubts were raised then about the scope of this Second Review in draft?

What we expect from Ofcom in this PSB Review can be found in *Digital Local* [2006] ... and other promises of further work on local PSB that has not materialised ... In *Digital Local* (2006) Ofcom wrote –

“In our first statutory review of PSB carried out in 2004-05, we identified local TV as a potentially important element of the future PSB mix, serving audience needs that were not fully met by the current blend of national and regional broadcasting” ... and “if a new licensing regime is required for digital local TV services, it would be Ofcom's responsibility to develop and implement it, following an order from the Secretary of State for Culture Media and Sport.”

“Local content could deliver a range of benefits in future, including more relevant local news, improved access to local services, better consumer information and advice, stronger involvement in community affairs, enhanced democratic participation, greater capacity for individuals and local organisations to make and distribute their own content, support for local production and training, and advertisers' access to local markets”

“Our analysis implies that it is possible that there is a case for public investment to support the delivery of local services that meet public purposes We propose five public purposes for local content services, based on a version of the wider purposes of public service broadcasting identified in the PSB Review, adapted for local content.”

“Commercial services are only likely to be viable in larger metropolitan areas, and are likely to have limited scope for commissioning high-quality local original content that could help meet these public purposes. Other services are likely to rely to a greater or lesser extent on support from public agencies or community organisations. There may, therefore, be a prima facie case for exploring ways of supporting the development of local content services that help meet public purposes. There are two broad options which we believe merit further consideration.”

“The goal would be to create flexibility for local providers to develop

services tailored to meet different communities' specific needs, within an overall strategy designed to meet public purposes in the most appropriate and cost-effective way in each area".

Again ... Ofcom were advised of the risks of excluding local DTT in the opportunity [offered to all stakeholders] to respond to the proposed Terms of Reference. Please refer to the earlier emails, and provide an honest explanation for not including local DTT as a future PSB option in its IPSOS-MORI research.

TWO - Terms of Reference 2nd PSB Review

(as submitted to Ofcom in November 2007 and reprinted on the Ofcom website)

The Second Review of Public Service Television Broadcasting: Terms of Reference (1.2) draws attention to the 2003 Communication Act's requirement for Ofcom "to make recommendations with a view to maintaining and strengthening the quality of PSB in the future".

For three decades there has been a strong public demand for PSB programming to be made available at a smaller scale than regional TV has been willing or been able (or regulated) to deliver.

This demand has been identified repeatedly in IBA, ITC and Ofcom published research since the 1970s.

Jane Sancho provided evidence in the ITC's *Pride of Place* study (Sancho 2002) that so long as quality was high viewers wanted local TV to replace regional ITV – in a scenario that regional programming from ITV would be withdrawn in the future. Furthermore the introduction of Local TV was necessary as a universal service:

The fact that some areas might not be catered for at all was unacceptable, as was the fact that local news might not be provided because the costs would be prohibitive (Sancho 2002:9)

In 2003 the *BBC Scotland Journalism Review* found 81% of Scottish viewers wanting a local news bulletin. Apparently this was an "unexpectedly high demand" for the BBC. (Peat 2006:13) resulting in the BBC attempting to pass the Local TV demand onto text and radio and in turn to recharacterise a local demand in favour of the BBC's willingness to provide 'regional supply' (Peat 2006:13).

Robin Foster's analysis (Foster, 2004) offers theoretical economic justification for reducing regional non-news programming. Yet the regulator's adoption of opportunity cost accounting points 180 degrees away from the lost opportunity. The 'real' cost of regional TV programmes is not tackled in replacement with national alternatives but in providing space for the missing element currently 'occupied' by regional TV. It is local TV that is the scale of service that is in demand. The value of many local TVs over regional TV is not examined for its cost benefit and direct and indirect economic contribution.

Favouring the supply side over consumer or more particularly citizen demand results in little expansion of already unwanted competing options to which the viewer can only register involvement through simplistic 'choice'.

How many channels can each household watch at any one time? This is not a new question, the IBA research of 1988 cautioned against an expansion of channels as precipitating spectrum waste: "any unregulated addition of new channels is likely to increase the amount of 'redundant availability'". (Wobber and Kilpatrick 1988:9)

In 1995 the Shadow Minister for Broadcasting borrowed the words of Bruce Springsteen "two hundred channels and nothing to watch" highlighting the "gaping hole in the Government's proposals to provide local services rather than more of the same" (Hansard 7th December 1995). Multi-channel choice continues to waste spectrum because large-scale and national terrestrial broadcasting does not deliver quality or relevance so that many of these channels remain largely unwanted (ACTO 16, 2006) and mostly unwatched (BARB, 2007). These channels are utterly wasteful of terrestrial spectrum. And "in terms of satisfaction with television what is noticeable is the absence of special pleading [among viewers] for more quiz shows, sport, soap operas". (Svennevig 1989:2). Local regulation is long-overdue and it is now vital to subject digital spectrum to local economic and cultural accountability.

Exploring the best means to devolve PSB regulation and spectrum allocation should therefore be central to the Terms of Reference of this Second PSB Review. Regulators have not found public support for providing greater choice at the expense of maintaining or improving quality – "nine out of ten viewers want better quality programmes, rather than more channels" (Svennevig 1989:13). The IBA concluded that contrary to the proposal that choice should be achieved by increasing the number of channels in fact "maximum choice is achieved through scheduling diversity and range on fewer channels" (Svennevig 1989:5).

The Ofcom research conducted by Holden Pearmain and ORC International Research (HPO 2006) is a damning indictment of Ofcom's 'evidenced' support for spectrum trading and further liberalisation of regulation with a proportionate reduction of public service broadcasting (universal access) and content.

HPO found the public requiring strong regulation and government intervention to provide quality DTT services and local TV which should be "available on TV at home" (HPO 2006:5.27). HPO also found "a strong feeling that at the heart of any discussion about the value to society of DTT (or indeed any service) must come the principle of universal access". As with Sancho (2002) the 2006 study found "respondents commonly felt that no segment of society should be denied access to the benefits of new DTT services because of financial, geographical or other barriers" (HPO 2006:5.16)

In HPO local television is one of the most wanted services sought from the

digital switchover: to be delivered as a universal or public service 'regardless of financial, geographical or other barriers'. In the Scottish elections in May 2007 three parties included broadcasting devolution (Scottish Nationalist Party 2007) and/or 'local community broadcasting' (Scottish Green Party Manifesto 2007:12-13) and 'local television' (Scottish Liberal Democrats Manifesto 2007:82) in their manifestos. Taken together these parties now comprise a majority of MSPs in the Scottish Parliament in parties committed to work with 'stakeholders to realise' (SLD 2007:82) local and community media. Taken together the evidence is supported by democratic mandate supporting the introduction of local television as public service, demonstrated most recently (in Scotland) by popular vote.

It is very surprising that Ofcom makes no mention of plans for the introduction of local public service television in the (draft) Terms of Reference for Ofcom's Second Review of Public Service Television Broadcasting.

The work on Local TV undertaken by Ofcom in 2006 - in the form of a scoping exercise that did not go out to consultation - proposes limiting the proposed PSP (public service publisher/platform) to broadband local content. Press statements by senior Ofcom officials translated this scoping exercise into policy, completely contradicting Ofcom's principled stand on evidence based policy. **Although evidence that Local TV was necessary and wanted as DTT was found in the First Review of PSB and in the subsequent Digital Local (Ofcom 2005) this scoping exercise excluded DTT as a platform for the delivery of local content. When doubts were first raised about the self-fulfilling pursuit of Ofcom's policy formation Local TV on DTT was to be the subject of a parallel study, which never materialised.**

The [argument showing the] crudity of Ofcom's advancing Local TV as local content limited to broadband was presented with documentation in the form of a written complaint to the Ofcom Consultation Champion Vicki Nash. This was then subject to a meeting and discussion with Vicki and Joyce Taylor of Ofcom's Consumer Panel, the conclusions from which were not circulated published.

However at a recent Local TV Stakeholder meeting (Ofcom Seminar 030907) Ofcom brought DTT back into the frame for the delivery of Local TV, drawing less partially on the evidence in *Digital Local* by reaffirming that 'Ofcom's policy on local' included: "broadband [is] important as well as DTT, offering greater flexibility and interactivity DTT [is] valuable in ensuring reach and impact of local services".

This September 2007 presentation then added that in planning for the future introduction of local TV "Further work on [the] case for public intervention to support local content services to be carried out in the forthcoming PSB Review" (Ofcom Seminar 030907)

The plan for further work on public intervention to support local content services on DTT is missing from the Terms of Reference of the Second

Review

Local TV remains the most significant 'additional' public demand for PSB (or universal service) (HPO 2006).

Local TV is necessary to revitalize “maintain and strengthen PSB in the future” (Ofcom, 2007) in a future increasingly devolved in a more locally diverse and empowered political and cultural environment. Would it be wide of the mark to suggest that fear of greater local broadcasting responsibility explains Ofcom failure to address this particular well evidenced demand?

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THREE - A 'READING' of IPSOS-MORI 2008 (IM). Research conducted by IPSOS MORI to inform Ofcom's Second Public Service Broadcasting Review: Phase One.

The audience's view on the future of Public Service Broadcasting Final Report April 2008 prepared for Ofcom and published as annex 5 to the Consultation Ofcom's Second Public Service Broadcasting Review: Phase One: The Digital Opportunity on 10 April 2008

Introduction

This 'reading of IPSOS-MORI' reduces the 364 pages of the paper to 20 pages – by focusing on the problems the IPSOS-MORI research has encountered with understanding 'local' drawn from a setting in which 'regional' TV services prevail and with difficulties in understanding that 'community' can be different from society, and that nowadays 'society' as not entirely understood as meaning 'the UK'.

This research commissioned by Ofcom seems to step backwards, failing to

build on findings from earlier studies the regulator has commissioned - for example the findings by MORI in 2005 (*Programmes in the Nations: A summary of the qualitative and quantitative audience research carried out for Phase 3 of the PSB Review - where viewers prefer local TV to Internet delivery for the foreseeable future*), or from Holden Pearmain and ORC International in 2006 (*A report of consumer research conducted for Ofcom by Holden Pearmain and ORC International for Ofcom's Digital Dividend Review - in which viewers rank local TV and local information as the most wanted new DTT service*), or by Opinion Leader in 2007, (*Deliberative research findings: An independent report written by Opinion Leader Research for Ofcom - where*

Local TV was considered to have high social value thanks to its potential to strengthen people's sense of community through providing information about local events and services, thereby encouraging greater community involvement. Participants could see a place for local TV alongside local newspapers and radio. They would be more welcoming of local programming should there be a decrease in regional provision.

In *Digital Local* (2006) Ofcom outlines digital platforms for local TV for the future Ofcom, writing in the Executive Summary:

Research suggests that local services continue to matter to people, despite technological, social and cultural changes in the last 20 years that might have been expected to reduce our attachment to locality. Digital local content could deliver a range of benefits in future, including more relevant local news, improved access to local services, better consumer information and advice, stronger involvement in community affairs, enhanced democratic participation, greater capacity for individuals and local organisations to make and distribute their own content, support for local production and training, and advertisers' access to local markets.

Ofcom also provide in *Digital Local* a possible definition of Local TV when serving Public Purpose - akin to a local PSB definition.

- To inform ourselves and others and to increase our understanding of the world through news, information and analysis of current events and ideas, with particular focus on issues relevant to our locality
- To stimulate our interest in and knowledge of arts, science, history and other topics, particularly those relevant to our locality, through content that is accessible and can encourage informal learning
- To reflect and strengthen our cultural identity, particularly that based on shared local identities, through original programming at local level, on occasion bringing audiences together for shared experiences
- To make us aware of different cultures and alternative viewpoints, through programmes that reflect the lives of other people and other communities, especially those within our local area

- To support and enhance our access to local services, involvement in community affairs, participation in democratic processes and consumer advice
- etc

In the research undertaken involving a workshop set up in Belfast IPSOS-MORI did not ask local TV viewers whether the local TV RSL NvTv might hold some future prospects for meeting local PSB needs. And yet in asking Question 15 in all locations -

Please choose from one of the following options? (Base: All respondents from 6 workshops) – it is clearly evident suggests that ‘local needs’ and ‘appropriate platforms’ need to be tied together

“News programmes about and for people in [my area] need to be shown on the main TV channels - 83%

News programmes about and for people in [my area] don't need to be shown on the main TV channels, so long as they are shown on the digital channels - 16%

News programmes about and for people in [my area] don't need to be shown on the main TV channels, so long as people can get this type of content on the internet - 1%”

A conclusion from Question 15 is that if the ‘main’ channels cannot deliver TV about ‘my area’ another local main channel should be added.

How Ofcom can avoid this conclusion begs several questions about whether the purpose of this research was really to explore future provision or to curtail and mould it.

Key: (bold black IM's emphasis. red DR's) *Reading Ipsos-Mori ...*

Under the heading **Understanding society and television** IM found that in the deliberative workshops respondents “tended to be **very positive about their local community, and valued the different cultures and traditions that exist in the UK**. Their attachment to their **local cultures and traditions** was particularly strong, given that these were thought to be under threat from globalisation and, in particular, from the USA.”(p5)

“Rather than being a cause of societal problems, **it was believed that television could have a positive impact, serving to educate people about different cultures and traditions thus fostering understanding and better community links**. This is borne out in the quantitative survey which found that just under eight in ten people (79%) said that TV has an important social role to play.”(p5)

But is it really as clear that each viewer's understanding compacts so neatly – IM suggest television “was seen to be important in providing people with an understanding of UK culture and identity as a whole, as well as **building understanding and awareness between communities about different values, lifestyles and perspectives on the world around them.** This is reflected in the quantitative study findings, where three quarters of people (75%) thought that television should help to promote understanding of religions, cultures and lifestyles. Because of the ways in which society was perceived to be becoming more diverse and fragmented, this role was considered to be more important than ever.” (p5)

But in this IM analysis slips the respondent's very positive feelings about “local community” into society's cohesion (without representation of these building blocks of local and community representation of attachment).

Furthermore, television continues to be of value, and “many participants also thought television had an important role to play **in educating and informing people.** Results from the quantitative survey showed that over four in five people (83%) agreed that they had personally learned useful things from watching TV and a similarly high amount (78%) believed that television is influential in **shaping public opinion.**” (p5) Would television be any less influential in shaping local public opinion on a local scale?

IM found that the Internet, although important for a minority of young people, was less significant overall. **“For the more technologically competent and younger people, the internet was also seen as an important source for a variety of media interests.** However, this differed widely by age. Just under one third (29%) of younger people (aged 16-24) use the internet for their personal interests and pastimes compared to two in ten overall and just 5% of over 65s.

When compared to either the main channels or the digital channels, the internet is the main source people turn to in order to discover new things and to find out about people with similar interests to themselves.”(p5) For some younger viewers the Internet was “starting to be more important than television for some media needs and interests.” (p5)

Under the heading ‘**The role of PSB in society**’ IM observe “**people think it imperative that PSB programmes are well made, inclusive and entertaining. They should also be informative and educational.**” (p6) We see in the following paragraph ‘society’ becomes the more specific ‘UK society’, “Not only were UK broadcasters trusted but, in addition, participants felt that they would be able to accurately and credibly tap into the concerns and issues facing UK society today” is erring towards the larger scale of PSB coinciding with the UK as state (p6). Perhaps there is no such thing as society in Wales, Northern Ireland or Scotland – or perhaps the representation at state scale is forcing reality to be so described? However, respondents/IM do identify UK society as comprising tiers or layers, that all require particular reflection from UK made programming, “In particular, it was seen as essential that the UK network news, current affairs, and national/regional/**local news**

and current affairs programmes are made in the UK and reflect life in the UK; it was less important for religious and arts programmes. These priorities were also reflected in the quantitative results.

“In addition, children’s programmes made in the UK were deemed important by a high proportion of parents.” (p6)

Let us stay with IM on the three tier approach (national/regional/**local news**) to address public service broadcasting – presuming for the moment that as the IM study unfolds they make a significant distinction between regional and local news to make the point of recognising separating them here in the first place.

Where do viewers and IM locate the specifically local PSB? So far as a preference for reflecting on national TV programmes for *diversity* or on representing the UK as a *whole*, the respondents favour the latter. “When respondents were asked to choose between ‘TV programmes that reflect the needs and concerns of different communities within the UK’ and ‘TV programmes that reflect the needs and concerns of the UK as a whole’, a majority of people (64%) preferred content that reflects the UK as a whole.” ... or national programming (p7)

This need not be seen as a contradiction, in a failure to reflect ‘diverse communities’ (p5) so much as that this reflection of community and diversity should be primarily located where it is expressed, expressed in those differences between locally provided services, possibly also in a degree of diversity in regional programming. Whereas at a macro political UK level there is seen to be preference for public service broadcasting that represents a unified or cohesive culture.

In fact, IM suggest a similar outcome, “that people feel the social role that TV has to play has **two distinct elements** that need to be balanced in order for it to be seen as **inclusive** – both **catering for different audiences** with a range of different programmes, but at the same time acting as an **expression of people’s common values** in order to bring society together.” (p7) I suggest the answer to this is both local and national PSB, not one instead of the other. I suggest elsewhere that regional TV merely confuses that local representation by being too big (and imitative of national TV) in seeking to represent and force a synthetic region.

Yet, IM’s similar conclusion – in the absence of a genuine three tier approach to PSB – will find ‘catering for different audiences’ competing head to head with ‘expressing common values’ within a national (ie cohering) PSB setting.

How might the local communities points of view emerge and influence this national portrait unless those local communities are given broadcasting space in which to represent themselves as different while finding at some points they are same? IM express this tension as located within the programming (of the main national) channels. “The quantitative research shows that, with the exception of news and serious factual programming, there are differences

between people's personal and social priorities for programme content on the main channels. This variation in response is linked to people's perceptions of TV. In the deliberative workshops TV was valued as an entertainment medium; people tend to watch soaps and films for entertainment and therefore have a personal preference for them. On the other hand people place high social value on a range of programme types, such as current affairs or regional/national news and express a desire to ensure their continued provision." (p7)

Under the current double delivery of PSB, IM finds **"UK news, current affairs, regional/national news and current affairs programmes, programmes that are made in the UK and reflect life here and serious factual programmes gaining the highest levels of support. And UK network news was consistently rated as the most important part of PSB. This was because it was perceived to be good for society as a whole and people individually."** (p7)

"Without plurality, there was a perception that, not only would people be less informed on any given issue but, due to a lack of competition, standards would fall. Therefore many believed it was appropriate, and desirable, for more than one of the main channels to show the same type of programmes." (p8)

"In the quantitative survey, almost nine in ten members of the public (86%) believed it is important that the **news** is shown on more than one of the main channels. This thinking also applied to the other genres that were seen to be core to PSB; **current affairs, regional/national news and current affairs, and serious factual programmes.** In the deliberative workshops the need to provide a range of perspectives and to ensure that different tastes are catered for were some reasons given for plural provision of these genres." (p8)

"News is the key element of regional/national programme provision and plural supply was seen to be important for the majority of people, particularly in the devolved nations. Levels of support for regions and nations programming in general tended to be higher among people in each of the devolved nations. Representation of nations and regions on network television was seen as particularly important for people living outside of London, although in relative terms the quantitative survey shows that it is a less important part of provision than regional/national news." (p8)

"The quantitative survey shows that **there is broad public satisfaction with the amount of PSB currently available on the main five channels. ... One in five people wanted more regional/national news and more programmes made in the UK."**(p8) Somewhere in all this the 'local news' element has disappeared from discussion. Surely, the evidence is suggesting that viewers want more 'local news'? (see Q 15 and answers below)

In addressing the role of the 'Internet as a supplement to the main

broadcast provision on TV' found that "a small majority of people **also value content provided by the main broadcasters online**. Just over half (53%) think it is important that the main TV broadcasters as a whole provide websites which offer additional content about different topics, including news and entertainment. [Of course, this is exactly what local TV would do as well.] This [figure] rises to 70% among those aged 16-24 and those with access to broadband. Positive views were also expressed about the social and educational roles of the internet in the quantitative survey; three in four (75%) agree that the internet is a valuable source of information and learning. Among people with internet access over nine in ten (91%) have personally learnt useful things from the internet.

Three in five (60%) people agree that it has a social role to play as well as providing entertainment and information and this rises to three quarters among people with internet access. These sentiments were echoed in the deliberative workshops though there was also some caution expressed, in particular, about ease of access and trustworthiness of online content". (p9)

But if pressure on broadcasting became evident respondents felt that some programme-types were better suited to moving onto the Internet than others. "When thinking about the internet, many participants felt that educational content, and specifically schools' programming, could be moved onto this platform. It was believed that learning is both a solitary and interactive process and, therefore, one which is more suited to the internet than television." (p9) However, the **"majority still thought that most programme types should continue to be shown on the main channels in the future. Support was strongest for news: nine in ten (92%) believe that news programmes should be shown on the main channels, while three in four (74%) think the same for news about their nation/region and current affairs.** [again, where has local news gone?] The programme types that the least number of people thought needed to be shown on the main TV channels in the future were the ones which catered for niche interests," (p10)

Finding material on the Internet presented difficulties **"Participants also urge caution in general about putting content online; they still had concerns about their ability to find trusted content on the internet** and, consequently, suggested that the main broadcasters advertise PSB 'destination' sites so that people know where to go." (p10)

The Internet succeeds where interests are already developed. "A comparison with 2003 survey data shows that the internet has grown as a main source for a significant minority of people for a number of media needs, in particular personal interests and knowledge about different topics, although TV is still more popular overall in this area. In 2007 the internet was named the most popular main source for discovering new things and finding out about people with interests similar to your own." (p19) While "29% of younger people named the internet as their main source for personal interests and pastimes [this] compared to two in ten overall and just 5% of over 65s." (p19)

Television is seen by the majority of participants as crucial to shaping society.

By default, I suggest, the absence of television in helping shape social and civic areas is detrimental to society. “Seventy-nine percent of people agreed that television has an important social role to play, while 78% believe that television is influential in shaping public opinion.” (p19)

While Ofcom has tried to promote the Internet as the platform for local TV (community, commercial and municipal) “The public is similarly positive about the role of the internet as a source of information, but believe that television has the greater social role to play. The internet was associated with personal learning, finding out information and communicating with people.” (p19) with “the main channels remain[ing] the most popular main source of UK, world and regional/national and **local news**, entertainment (42%), sports news and information (30%) and knowledge about topics such as art, science and nature and history (27%).” (p19)

How then is *local news* being distinguished from regional news if, as yet, news that is local has no platform and is located inside a regional programme, suggesting it cannot be local for many viewers for much of the time (without alienating the rest). This is a conclusion reached by regulators on a frequent basis since 1955.

In 3.1 IM provide examples of community cohesion that does not translate easily into representation within national (or even regional programming). For example, they cite a respondent as saying: “*I’ve been on the same street for forty years and the media people who have moved in over the last four or five years never say hello. If there was a disaster though, we’d come together London*” (p20)

Here we are talking about the community as we might represent ourselves to each other, “Participants’ felt that a sense of community still exists. Even in large urban areas such as London people felt that they were part of a community which would support them if needed, even if they did not speak regularly to their neighbours.” (p20)

While IM seem intent on representing society as ‘everyone’ respondents “stated that, while they did not necessarily agree with the beliefs of others (especially in the case of religion) nor endorse their opinions and behaviours, it was important that people should be able to hold and express them.” (p20) Presumably this expression might take place on access, community and/or local television – as it does in most ‘western’ countries.

But where – on UK television – should these differences be expressed if, as suggested, the state- region-wide template of PSB is presumed unchanged and serves to represent as best it can (and as wanted) an homogenous merger of community differences into a coherent society?

The problem is the microcosm of ‘the London street’ cannot be represented in broad public service terms back to itself, but only in the broader society represented in national form as example, with rough unresolved edges

synthesised and editorialized and possibly sanitized in being grabbed out of an emerging contextual discourse to help construct a supposedly representation of society generated through construction of this large scale broadcasting map.

Being “broadly happy with their community ... [people] adopted an inclusive view of society” (p22) does not tell us whether they are happy or not with the way their community represents itself to itself, whether or not *community* should disappear in favour of a centrally proffered rather than argued large scale cohesive picture?

In finding that “in all the deliberative workshops there was a strong sense that television can play a useful role in society today and can, to an extent, bring people together.”(p22) this ‘television’ does not bring people together in the abstract but at the level of their immediate and shared experiences (in ‘the London street’). Otherwise this coming together is abstracted, not people representing themselves but people combined as a social whole for central purpose.

The four roles of television – “providing **entertainment**, a means of **socialising**, providing **education and information**, and a means of **building communities** and society.” (p22) – demonstrate in at least two of these roles that a more localised expression can equally or better fulfill the objective. Leaving aside entertainment, IM suggest for many respondents “content which is suitable for viewing with families was deemed to be important.” (p23) “Linked in with this, many spoke of how television provided a talking point among their wider group of peers ... Many also saw television as something of a social leveller. They believed that, when in social situations with people they did not know, television could be relied on to provide a subject of discussion on which everyone has a point of view and is able to speak freely.” (p24)

In this discourse the peers and colleagues are presumed to be proximate or local, the viewers take the content of television into their local conversational arenas. Again – why not the content of a more localized television touching (we assume) more often on common points of social relevance?

“Finally, many participants felt that television’s educational role can develop from the individual to the collective and can **help build communities** and improve social cohesion. It emerged during the deliberative research that some people believed that, given the negative aspects affecting society mentioned above, such as a rise in anti-social behaviour, then television could potentially help to communicate the negative impact that such behaviour can have while, at the same time, providing practical advice and help to people on how they can protect themselves and their property. It was believed that, due to the reach and power of television, this would be the most effective means of communicating this information to the broadest possible cross section of the population”. (p24)

Again “extending this idea further, there was a sense that certain programmes

that cater to common interests can bring society together more generally. Participants spoke of programmes with high viewing figures, such as sporting events and national occasions, as well as those which reflect aspects of life in the UK past and present. It was believed that watching these kinds of programmes helps create a sense of community and one of shared values.” (p25)

And the ease with which a community scale of commonality might slip into wider society is once again evident. Watching the local school pantomime, under sevens football tournament can – arguably – provide social cohesion at a local scale. We skate here too around the fact that many of these large scale events are English, Welsh or Scottish – and that this ‘nation scale’ of society, allegiance and cohesion is overlooked. Remembering that in the first paragraph of IM “attachment to their local cultures and traditions was particularly strong”, (p5) surely the sense of society is constantly being created and that community has a street level meaning as well as being a substitute for the word ‘society’?

The semantics of TV research have long been willing to slide ‘local’ into ‘regional’ to render it invisible, but now here ‘community’ is engulfed by ‘society’.

In looking at attitudes towards television compared with the Internet, “Comparing public opinion across the two platforms, television is seen to have a more important social role to play than the internet, especially among the general public at large. In particular, television is thought to have a greater role in promoting understanding of different religions, lifestyles and cultures. Almost twice as many people feel that television is very influential in shaping public opinion as say the same of the internet. It is also seen as a relatively more important source of entertainment than the internet. On the other hand, as noted above, when we look at the views of broadband users, for example, the gap between TV and the internet decreases (although does not disappear completely). For example, among this group there are high ratings for the internet as a platform for personal learning.” (p29)

Yet, there was strong feeling that the Internet should be universally available “Access was thought to be an important issue for many, with a majority of people (57%) saying that it is important that the internet is available to everyone, rising to 72% among people with broadband. Over half of the public agreed that the internet has a role to play in educating people on different subjects (59%) which increased to almost three quarters (74%) of people with broadband.” (p28).

Television’s provision of news remains a major source for most people. “TV on the main channels is the most popular main source for most content, in particular for the news - 56% use TV on the main channels for news about their region/nation, 53% for news about the UK and 49% for news about the World. Two in five (42%) use the main TV channels for entertainment, and for news about the local area (40%).” (p28)

News about local areas features strongly and yet news locally (on regional TV) can only be local to a relatively few at any time (and priority) of regional TV news. The balance of Internet use “is perhaps confirmatory rather than revelatory to find that younger people, (16-24 year olds) are less likely to watch TV on the main channels for news of all kinds (local, regional/national UK, and international), entertainment, knowledge about topics and sports news compared with all viewers, and are more likely, although not significantly so, to make use of the internet for these types of need compared with the population as a whole. Even so, TV on the main channels is still more popular as a main source for all types of news and for entertainment in comparison to the internet.” (p35) “It should be noted that, for the majority of participants who were confident with the internet, using it to access content which would otherwise be found on the television was very much a secondary function. In the main, the internet was used as a means of **socialising, education and self improvement, finding out information and communication.**” (p36)

Figure 3.7: Comparison of media usage by platform, 2003 and 2007

	TV**		Internet		Radio		Press		Magazines	
	2003	2007	2003	2007	2003	2007	2003	2007	2003	2007
Entertainment	71	67	1	6	3	7	1	4	2	2
News about the UK*	55	67	1	4	12	8	22	13	0	*
News about the world*		68		6		6		11		*
News about your reg./nation*	37	63	1	2	10	8	36	17	1	1
News about your local area*		44		3		7		31		2
Your personal interest*	23	33	1	21	3	3	6	5	27	9
Knowledge about topics such as art, science, nature and history	58	47	3	16	2	1	2	3	3	3
Sports news and information	51	54	2	5	8	4	15	7	1	*
Finding out about people with similar interests to you	n/a	14	n/a	26	n/a	1	n/a	3	n/a	4
Finding out about people with different lifestyles to you	n/a	35	n/a	13	n/a	3	n/a	4	n/a	4
Discovering new things	n/a	35	n/a	29	n/a	1	n/a	5	n/a	4

* In 2003 the survey asked 'News about Britain and the World'. 'Information about my area/region', 'features about my personal interests and pastimes'

** A combination of 'TV on main channels' and 'TV on digital channels', not directly comparable to 2003 which asked about TV overall

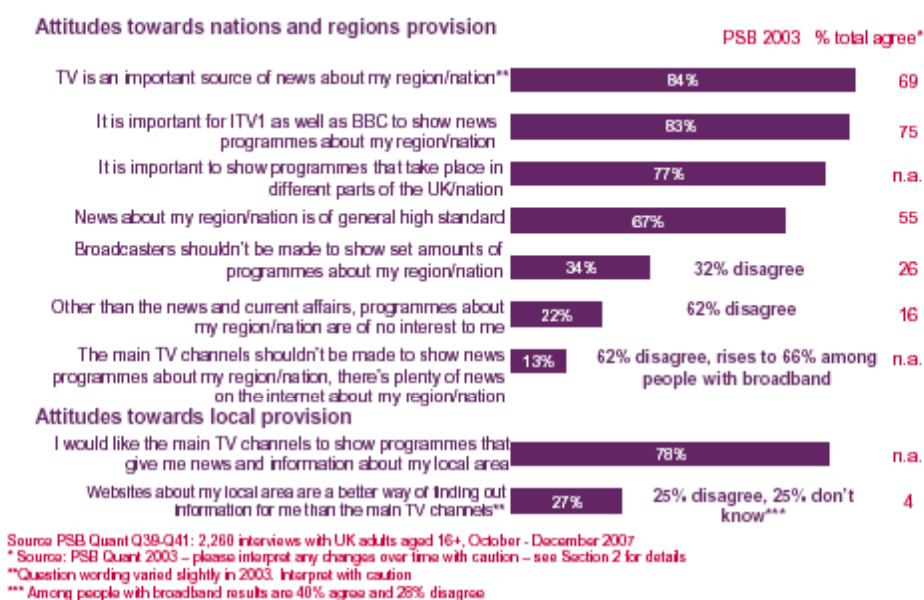
Source: Q12: 2,260 interviews with UK adults aged 16+, October - December 2007, PSB survey 2003

A decline in TV viewing and increase in Internet use is often cited as a switch of allegiance, IM search for a deeper explanation. “Of those people who say they are watching less TV on the main channels, one in three say they have less time

to watch TV generally now because they are too busy or have had a change in circumstance, while 27% say they watch more of digital channels instead. Nearly one quarter, 23%, say they don't find the programmes as enjoyable /interesting as they used to, while one fifth, (20%) say they use the internet more.” (p37) While “three in ten of the over 65s say they are watching more TV than they did four to five years ago, and only one quarter, 26%, say they are watching less. This could be down to them having more time on their hands having raised families and retired.” (p38)

Figure 4.4: Attitude statements about nations and regions provisions

Q39-41 To what extent do you agree or disagree with the following statements about...news about your region? Programmes about your region aside from news and current affairs? Information about your local area?



“As would be expected, there are variations in the way that different groups of people view regional and national content. Older people and those in the devolved nations are more likely to value television as a source of regional or national news. As Figure 4.5, below, demonstrates, nine in ten people from Scotland (90%), Wales (91%) and Northern Ireland (95%) agreed television is an important source of information about their region or nation [how are these distinguished in the nations’ PSB provision?]. The figures are similarly high for the over 65s (90%). The same groups of people are also most interested in regional and national programming in general. That said the majority of people as a whole (84%) thought that television was an important source of information about their region/nation, and still a majority of younger people (76%) thought it important.

“Older people are also most likely to agree that the main TV channels should show programmes that give out news and information about their local area. Despite a marked generational split on these issues, a high number of young people – 68% – still also feel that the main TV channels should broadcast local interest content.” (p53)

Figure 4.5: Attitude statements by nation and region

Percentage agreeing with statement (%)	All (2,260)	England (1,046)	Scotland (411)	Wales (397)	N. Ireland (408)	Tyne Tees (112)	Grampian (100)	Yorkshire (132)	Central (228)	Anglia (82)	London (204)	Mendons* (86)	W. Country (89)
Television is an important source of news about my region/nation	84	82	90	91	95	92	87	88	82	86	71	83	86
It is important to show programmes that take place in different parts of the UK/nation	77	75	89	87	85	86	75	81	70	81	65	83	87
It is important for ITV1 as well as BBC to show news programmes about my region/nation	83	82	94	91	93	90	83	87	84	91	65	83	91
News about my region/nation is of general high standard	67	66	67	79	81	78	79	85	64	66	44	68	75
Broadcasters shouldn't be made to show set amounts of programmes about my region/nation	34	34	37	36	32	31	33	25	37	36	27	40	52
Other than the news and current affairs, programmes about my region/nation are of no interest to me	22	23	9	13	17	15	26	18	21	19	35	17	17
The main TV channels shouldn't be made to show news programmes about my region/nation, there's plenty of news on the internet about my region/nation	13	14	11	14	9	11	28	5	15	10	19	5	5
I would like the main TV channels to show programmes that give me news and information about my local area	78	79	77	80	81	90	83	88	76	77	70	82	81
Websites about my local area are a better way of finding out information for me than the main TV channels	27	26	33	30	28	16	29	16	30	30	32	19	21

Source PSB Quant Q39-Q41: 2,260 interviews with UK adults aged 16+, October - December 2007

“People do not feel that the internet can replace regional or national television news. When asked if they agreed main channels shouldn't be made to show news programmes due to the large amount of regional news on the internet, two in five people (61%) disagreed (even rising to 66% of broadband users). Feeling on this issue was strongest amongst those in the devolved nations, where people from Northern Ireland, Wales and Scotland were more likely than the UK as a whole to think the internet could not replace regional/national news on television.

“The public were also roughly equally divided on the issue of the internet as a source of information about local areas. Just over one quarter agreed that the internet was a better source of information about the local area than the main TV channel, while a similar proportion disagreed. Almost half of those answers were either neutral or had no opinion, perhaps reflecting the portions of the population who have little knowledge or experience of the internet (as we can see by looking at the views of those with broadband access, who do feel the internet is better for information about their local area by 40% to 28%)”. (p54-55)

But this is just as likely to reflect the confusion of regional delivery with more closely defined feelings of localness.

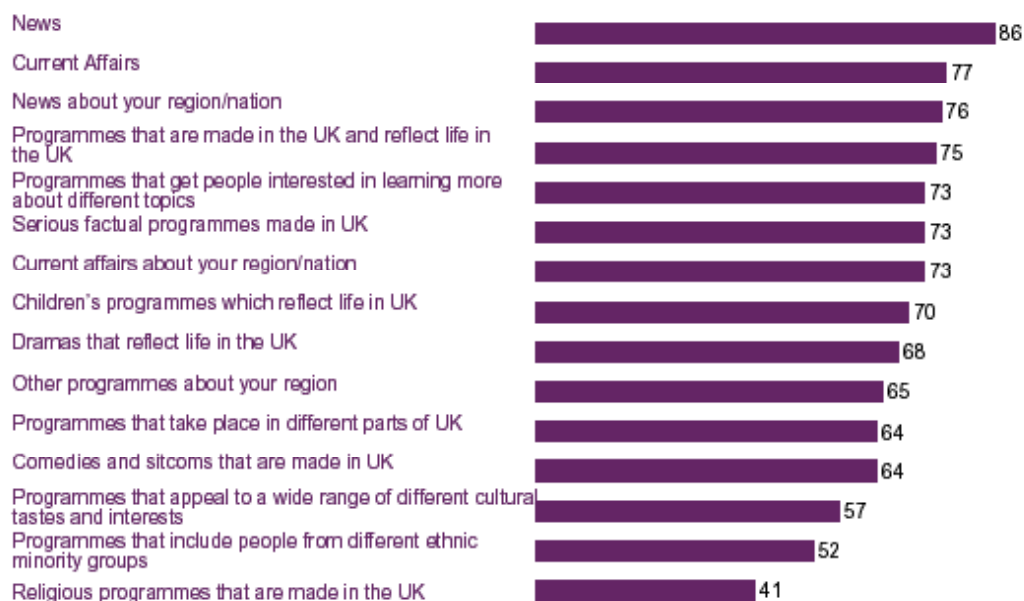
“Participants in the deliberative research felt that national/regional news plays a crucial role in PSB programming. These genres of programming were seen as having more importance in the devolved nations. Many participants outside

of London felt that the UK network news does not portray the issues that affect them and their community, region or nation, concentrating instead on either world events or those specific to London. Given that many felt a strong attachment to the area in which they lived, understanding the latest developments within it was important. It was believed that this gave them a sense of identity and forged strong links between them and the areas where they lived.

This was particularly true for those in the devolved nations. They were of the opinion that there were specific issues facing their nation and devolved administrations. Without the Scottish, Welsh or Northern Irish news, they felt they would be less informed about these developments and, consequently, less in touch with the nation where they lived. This was especially important since the establishment of the devolved parliaments; participants liked to keep up to date with news from Holyrood, the Welsh Assembly and Stormont and felt that these programmes provided an ideal vehicle to enable them to do this easily.” (p55)

“The regional/national news also assumed a level of importance as, with the exception of a few participants in London, many participants felt that this was their *only* source of regional/national. Many stated that the local printed press is not as informative as they would like it to be; participants mentioned how the local newspapers comprise mainly of advertisements. Also, the infrequency of their publication (often, only once a week) meant that this method was not relied on as a means of accessing up-to-date information. However, participants in Scotland were an exception in that they valued the information from their local press.” (p55)

Q34 How important is it that . . . is shown on more than 1 of the main TV channels?



Source Q29: 2,260 interviews with UK adults aged 16+, October – December 2007

IF SMG moves towards offering a Scottish TV profile and – in the absence of

BBC offering a regional service – Scotland will have greater need for local channels.

“The quantitative research (See Figure 5.1) shows that news is seen to be the most important PSB genre for plurality; with 86% of the public saying it is important that it is shown on more than one of the main TV channels – of these, almost half of the public (49%) say that it is *very* important. This does vary by age. As seen throughout this research, older people are more likely to feel it is important that news is shown on more than one of the main TV channels – over nine in ten of 45-54 year olds and the over 65s (although having said that, news is still the top priority for younger people as well). These groups are also more likely to support plurality on the main channels for serious factual programmes, regional/national news and UK made programmes.

Participants in the qualitative workshops felt that plurality of regional/national news was crucial in order for people to have different perspectives on the same subject available to them. Additionally, this plurality was seen to offer increased accountability and was thought to guarantee that different types of audiences would be catered for within the same topic area. This was reflected in the voting sessions, which supported the quantitative survey, in which nine in ten agreed that it *is important for ITV as well as the BBC to show programmes about and for people in my local area.*

However, the strength of opinion on this was not uniform across the UK with people living in the devolved nations and outside of the South East believing plurality for regional/national programming to be more important than those living in London and the surrounding areas. Plurality of regional and national programmes was a significant issue for these groups as these programmes are of particular importance to them. (p 78) Yet, this plurality is unevenly experienced:

22% believed ITV1's website is a useful source of information about my local area and region (Q24)

44% believed the BBC's website is a useful source of information about my local area and region (Q23)

“The quantitative findings showed that when asked which programme types *need* to be shown on the main TV channels in the future, **news emerged as by far the most supported genre, with 92% saying that it should remain on the main channels. Other genres with high support include news and information about your region/nation (74%), current affairs (73%) and entertainment (72%). These are followed about news about your local area (70%),** dramas that reflect life in the UK (65%) and children's programmes that reflect life in the UK (64%). (p104)

Q43. In the future, it may be the case that the main TV channels may not be able to provide all of the types of content we have been talking about. Which of these statements is closest to your views: **Needs to be shown on the main TV channels**



Source Q43: 2,260 interviews with UK adults aged 16+, October - December 2007

“Television viewers with only the main channels are, perhaps unsurprisingly, generally more likely to say that in future a genre needs to continue to be shown on the main TV channels. This is particularly true of news (95% and local news at 77%), entertainment (79%), drama (74%) and sport (66%). On the other hand, those with access to cable or satellite television are significantly *less* likely to see the need to continue showing public service genres on the main channels: the figures for this group are news (90% and local news 71%), entertainment (68%), drama (61%) and sport (54%) respectively.” (p 106)

“The role of the internet in the provision of PSB content in the future

Participants believed that, certainly in the near future, the internet could complement content provided on the main five channels or digital channels but could not act as a replacement. There were a number of barriers highlighted by participants that led to their opinions on this and these are highlighted throughout the remainder of this section.

Concerns

In the main, participants were concerned about a **lack of access** to the internet. Furthermore, it is important to note that the term ‘access’ had a number of connotations. Firstly, there were questions on the rate of internet penetration and, while participants recognised that this was growing, it was not believed that it would reach the same rates as that of multichannel TV by 2012. Consequently, given how many believed that PSB should try and cater for many different groups in society, participants believed there would be a risk that by providing content solely over the internet certain groups in society (such as the elderly, those with long-term health conditions or the financially

vulnerable) would be automatically excluded from accessing this. To some though, an ability to 'access' PSB content online was not simply a question about whether an individual had the appropriate technology but, moreover, regarded whether they had the **right skills** and **confidence** needed to do this successfully. While this was seen as less of an issue for *It would be good if they could list a website which may be of interest after a programme* (Edinburgh respondent)

"There was a sense that many people would be unable to find the content they wanted simply as they did not know how to. There was also a great deal of **uncertainty** over the extent to which content provided on the internet **can be trusted**. This issue was particularly raised by older participants and those with fewer IT skills. As they did not have the experience of using the internet to search for information, they were unsure what level of detail it would provide and how credible its content would be.

Trust, however, was an issue that was raised more generally by participants. Of those that regularly used a computer, there was a sense that the websites provided by the main five broadcasters could generally be felt to be trustworthy. This, to a large extent, was driven by views of the broadcasters themselves; for example, those who watched the BBC Network News had no issue in turning to the BBC's website for news information as they believed that the data would come from the same source and, in their experience, it could be relied on. There was, however, scepticism about the credibility of other sources of information on the internet. Wikipedia was frequently referenced in relation to this given users' ability to edit content.

In relation to this, there were questions raised by participants about **how they would find content that they trusted and that they wanted to access**.

To mitigate this, some suggested that efforts should be made by the broadcasters to raise awareness of PSB 'destinations' on the internet. It was thought that this could be done by signposting the relevant sites after a programme on the television. Participants not only thought that this would help them find PSB content more easily but, as the website highlighted had been 'endorsed' by the broadcaster, the content on it would be more trusted.

In addition, participants stated that one of the appealing features of the provision of PSB via the TV was that it was possible to simply 'stumble' across a programme which one was not expecting to watch and learn from it. This randomness was considered to be a feature of the platform – and not one which was transferable to the internet. Participants stated that, in order to find content, they would need to use precise search terms. Therefore, the likelihood of having their views challenged or knowledge expanded 'by chance', as can be the case with the provision of PSB on the television, was believed to be minimised.

In spite of these misgivings, however, participants believed that certain types of content could be moved to the internet in the future instead of being shown on the main five channels. Most typically referenced here was schools/educational content. The main driver behind this was that learning

was seen as an interactive process, and something which required user involvement. To this end, the internet was seen as more appropriate than the television which was largely seen as being a passive means of receiving information. It is important to remember that the majority of participants believed that the television has a strong social role to play; it was seen as an ideal vehicle for bringing friends and family together. Conversely, the internet was seen as a more solitary activity; something which was partly driven by where computers were typically located in participants' homes – in a quiet space away from the main family rooms. Learning was also viewed as something which was undertaken alone and, therefore, the internet was viewed as being a suitable tool through which such information could be provided.

Finally, some made the point that those actively learning a subject are often enrolled in a course being run through a school or college. They were of the opinion that these institutions have dedicated IT facilities and, therefore, physical access to the technology would not be an issue. As a result, it was not believed that by providing educational content online that those seeking this would be excluded from doing so." (p107-109)

"Participants felt that, generally, the costs of living within the UK are increasing. Participants spoke of having to pay more tax and, at the same time, how this was not matched by any discernible rise in the quality of public services. Those services provided by Local Authorities were particularly mentioned in this respect." (p109)

Q7 How much do you agree or disagree with the following statement?
Please one box only

"It is important for ITV as well as the BBC to show programmes about and for people in [my local area]."

Base: All respondents from 6 workshops

	Before	After
	%	%
Agree strongly.....	56	52
Agree	33	37
Neither agree nor disagree	5	7
Disagree	6	1
Disagree strongly.....	1	3
Don't know.....	1	1

Q10 How much do you agree or disagree with the following statement?
Please one box only

“News programmes about and for people in [my local area] need to be shown on the main channels.”

Base: All respondents from 6 workshops

	%
Agree strongly.....	35
Agree	33
Neither agree nor disagree	8
Disagree	17
Disagree strongly	6
Don't know	1

Q15 Please choose from one of the following options?
Please one box only

Base: All respondents from 6 workshops

	%
News programmes about and for people in [my area] need to be shown on the main TV channels.....	83
News programmes about and for people in [my area] don't need to be shown on the main TV channels, so long as they are shown on the digital channels	16
News programmes about and for people in [my area] don't need to be shown on the main TV channels, so long as people can get this type of content on the Internet	1

FOUR – OFCOM’S SECOND PSB REVIEW: Executive Summary

In 1.5 the Executive Summary suggests that “Audiences attach high value to content that reflects the UK in all its facets, which they see as essential to maintaining our cultural identity and social cohesion” noting in 1.8 that “not all audiences currently benefit from access to online services, whether by choice or by exclusion. Ensuring easy access to and ‘discoverability’ of public service content is likely to become increasingly important in a digital age”.

In 1.12 Ofcom draws attention to Virgin Media and BT in high speed broadband for new housing (but reaching fewer than 50,000 homes). Yet this research is based upon “the purposes of public service broadcasting ... rooted in the interests of the citizen not the producer. This review is being conducted through the prism of audience needs. It is only against those needs, and public service purposes that the very big questions – is further intervention needed?” If so, on what scale? Is a trial for 50,000 really that

significant given the state of broadband bandwidth throughout the UK?

Ofcom do not draw attention to the large minority of the UK population not using broadband (and more not for TV), or those who, when able to access fast speeds, still prefer public service (rather than private and educational) objectives to continue to be met through broadcasting.

Ofcom's pursuit of platform neutrality has a curious twist in its avowed support for broadband as an alternative platform to current main channel PSB for local TV.

Many viewers hold back from broadband, only some because bandwidth is currently poor, but most seem to retain from reading IPSOS MORI a conception of news and current affairs as social engagement, requiring a simultaneous reflection of points of view in each (local) public arena.

These viewers separate out their objectives for IPSOS-MORI identifying the private from social information requirements, finding broadband better for individuated access and (say) personal education.

There are many examples of this view criss-crossing the IPSOS-MORI research (as illustrated in its Reading above) and perhaps the most striking expression is found in Q15: *Please choose from one of the following options?* (Base: All respondents from 6 workshops)

“News programmes about and for people in [my area] need to be shown on the main TV channels - 83%

News programmes about and for people in [my area] don't need to be shown on the main TV channels, so long as they are shown on the digital channels - 16%

News programmes about and for people in [my area] don't need to be shown on the main TV channels, so long as people can get this type of content on the internet - 1%”

A recent TNS System Three study (May 2008) – sets out with broadly the same exploratory viewer/citizen centred agenda as IPSOS-MORI but begins to identify the granularity of news provision (on television) as an area with which the viewer identifies. The greatest level of dissatisfaction with news provision (in Scotland) lies with the TV regional scale, the highest demand for a new news service would instead reflect the local ‘region’ in televised delivery.

Given that Ofcom themselves developed a methodology to explore localness for the DDR2 study in Summer 2007 (following the high demand for local DTT found in the Holden Pearmain and Orc International study of 2006) the obvious question, is why was their own ‘local and area’ methodology not applied in the IPSOS-MORI PSB 2 survey?

The answer from IPSOS-MORI was they had no knowledge of Ofcom's earlier

work, itself a measure of competency, and were directed by Ofcom to broadband as an alternative to TV.

FIVE - CONSIDERING THE TNS SYSTEM THREE STUDY (2008) as a way of exploring local PSB demand

In a recent study *on Public Attitudes Towards Broadcasting in Scotland* (1) public support for programming on a new Scottish-wide channel is not strongly supported. While the idea of a new Scottish channel is nonetheless welcomed by the viewers, the programmes being proposed are largely provided to satisfaction on the existing public service channels serving either Scotland or the UK and these programmes are considered as equally or more satisfying in their present setting.

However if the System Three study set out to promote a solution and to secure a problem to justify it then what it has achieved instead is identify considerable support for a comprehensive and varied scale of local television to be introduced to replace regional TV throughout Scotland. This new local TV service would consist of several local channels at varied scales broadcasting from Scotland's fifteen main transmitter sites. Each of these transmitters is able to address the administrative 'regions' of Scotland as well as the city areas which TBS System Three shows the viewers strongly identify with and respond to when in search of a more relevant and representative television.

Discomfort with regional TV has been studied almost annually since the 1970s but up until now the public's view has faced a ruthless combination of commercial and UK political pressure to sustain regional TV as it is: the broadcasting cuckoo straddled across two or three local television nests. In spite of its reducing regional programming ITV retains its public service status and occupies the best airtime for viewers keen to see the more relevant news about their area. In regional TV's persistence the public's view has been set to one side by regulators leaving the broadcasters trying to persuade viewers that it is they that really occupy territory as Granada-land or Scottish Television and to accept representation and reflection from a commercial abstraction rather than from the geographic and political scale they otherwise feel more at home with.

The regional TV scale of news and debate has always been too big, but we are now at a point when the nations have begun to assert their own distinctive identities and to make claims for better representation in broadcasting. The false representation of TV regions is becoming exposed by the shifting political dynamics, with regional TV being neither local nor national, not one scale or the other, fighting instead to assert value in their independent regional identity over and above the public demand for better representation and reflection of the democratic realms of nation and council.

Ofcom has identified the opportunity cost for regional TV programming as far too great a commercial burden for the ITV companies to carry forward into digital. Ofcom are right to conclude that regional programming is not

particularly wanted in comparison with national UK alternatives, while single acquired or entertainment programmes are less expensive to produce than fifteen or so regional public service alternatives. But Ofcom are wrong to identify this opportunity cost with the state wide and commercial alternatives: regional television has always obscured the local terrain with which viewers have identified and about which they want television programmes. The appropriate alternative to loss of unwanted regional public service programming is not to replace this with further state wide entertainment but to introduce local public service broadcasting where the public service in broadcasting relates expressly to the delivery of local public services. For fifty years there has been an arrogant denial in regional TV's conviction that its ever more arbitrary commercial footprint should obliterate democratically configured and culturally distinctive local areas. Like the nations before they reasserted themselves 'localness' – while clearly less ambitious - has been poorly valued, misrepresented by regulators and rendered mostly invisible by television. In the System Three study once again (and to the apparent surprise of those conducting the research) the viewers reclaim their own territory once more and demand in no uncertain terms that their 'local area' be properly represented. To introduce a new Scotland wide channel just now would ignore the demand for localness, and avoid rather than respond to the evidence of the public's view of relevance in the scale for news delivery and to recognise its importance to local representation.

Tinkering with additional channels on the large scale is not what's required, it is necessary and overdue that Scotland delivers a more democratic and locally sensitive reinvention of the public service broadcasting commitment. As an alternative, proposals for a Scottish channel offering local opt-outs would not solve the fundamental problems that System Three raises because the variety and scale of local demand and diversity can't be addressed by simply switching between Scotland-wide and local opt-outs. A mini-me ITV for Scotland won't provide the necessary flexibility or variety. The availability and configuration of digital spectrum from 2008 onwards permits a more sophisticated though not particularly complex alternative to be proposed.

The starting point for a new Scotland television channel should be that first and foremost it is recognised by the viewer as their 'local service', serving 'your local area' as System Three identifies. It is local scale that characterises the arena for wanted news and debate and in itself is the unique and distinguishing television proposition of a new channel offered amongst a plethora of additional channels introduced more widely with digital switchover. This local 'brand' offers news as a cornerstone, promoting local identity and securing viewer engagement with the service. But this local channel would not stand in splendid isolation but import and export programming to satisfy the wider demands of the communities of interest shared in various permutations across Scotland (and the UK).

A network of local TV channels across Scotland would syndicate programming between themselves, sometimes sharing a programme with a neighbouring area, possibly at a different time, while in other parts of its schedule offering programmes of a wider interest for transmission up to and

including several to all local outlets and in some cases achieving a Scotland wide scale. These additional 'opt-in' programmes could occupy somewhere between 50 and 80% of local schedules depending on the local capacity and finance to support programme making and the extent to which local interests are satisfied by local rather than shared content. With a variable scale of audience at transmitters available from 100,000 to 5 million production companies do not have to choose between work in a single local or national arena but can develop programme ideas for audiences across several local areas, ranging from the one community up to the Scottish (or UK) audience. A programme might be shown on one channel, on two, several or from all transmitters – so that it becomes Scotland wide or even UK wide on the local network. Local TV in Ireland and in European cities are already sharing local programmes, while elements of a local Scotland service would exchange programmes with local and regional stations in Canada, USA, South Africa, Australia and New Zealand. From local TV in Europe there is a clearer understanding that public service broadcasting stripped of its state dominance will wither, partly as a result of global markets but also in struggling to work with the reassertion of nations and regional identities. Local TV introduces an opportunity to discuss a more universal as well as local approach to the pursuit of public service broadcasting.

The Scottish Broadcasting Commission's agenda sits uneasily alongside Ofcom's pursuit of the market to replace public service broadcasting and the Westminster government's objective to auction spectrum to the highest bidder irrespective of service or scale. Meanwhile it is in Scotland and in the Welsh Assembly Broadcasting Committee or at the European Parliament that there are demands to reassess the monopoly of public service broadcasting rather than to reduce its function in favour of commercial ambitions.

Public service broadcasting is not then yet a faded vision, and it should not be concluded that if the public no longer wants regional TV it should be replaced with national or acquired commercial content, hollowing out what was once a public service remit but leaving left behind channels still possessed of prominent positions on programme guides and the benefits of reach of the public service multiplexes. The public may not want regional TV but they certainly do want local TV. It is the State regulators and the complicity in commercial falsification to retain the broadcasting advantage of regional monopoly that is corrupting broadcasting's public purpose. The characterisation of commercial public service television as satisfying commercial ends is not merely inadequate, it is inexcusable, a highly corrosive proposition that assiduously avoids addressing the nation's needs, the European or the local news and public service agendas, asserting instead their own purpose as public purpose while clinging vainly to the mismatch and arbitrariness of the regional TV footprint.

Without the interconnection between public service broadcasting and civil society at the scale at which local channels should function - without viewers having a right to see themselves and to represent themselves on public television in their own local and civic political arena – both broadcasting and

democracy become weakened in a damaging coalition to maintain misrepresentation.

Over the last three years it is local television associations that have made proposals to the EU suggesting that European issues might become better reflected in debate on a local scale through local television and community radio. The European Community, like the local community, is disconnected from television viewers by state-centred and commercial television. The Gaelic programme Eorpa is but one of very few public service programmes that remind viewers that there is a broader and a more focused perspective and that we live and work between narrow and wide boundaries of imagination and political discussion.

Studies of the public's view conducted for the IBA/ITC (1989) and by MORI for Ofcom (2005) identified similar demands to those found by System Three in 2008. There remains over fifty years a strong interest in local TV, while the earlier studies show an appetite in rural areas and among younger viewers for entertainment news and programming from nearby cities and, in more recent times, among older viewers for political news and information from Holyrood.

The Book Show series filmed at the Edinburgh International Book Festival was originally produced for Edinburgh Television and Channel Six Dundee. The series continues in production screening on European local TV channels and each sound track provides a popular programme for community radio in Scotland. If authors in Edinburgh can provide the subjects for interesting programmes, so too will authors at the Wigtown Book Festival, both able to interest viewers and listeners on a local and European scale. In this ambition, local television is not identified solely with local representation *within each local area* but equally and where appropriate with exporting that representation, to raise the local profile as a visible contributor to the 'national' culture, as seen both here in Scotland and abroad. While on the democratic front, coverage of a relevant Holyrood, Westminster or Strasbourg debate can be shown on local TV to go before or to be mixed within a programme involving key local players – MSPs, MPs, MEPs, discussing issues that are relevant for their area.

With local TV configured on a civic or city scale it is the local audience as participants that will determine the pattern of national and shared coverage, so that across Scotland different programmes become shown simultaneously in different areas according to their local relevance. The resulting combination is that each area offers its viewers a unique locally conceived but nonetheless Scottish channel, placing the viewer centre stage, enabling the viewer to participate in establishing the character of their local channel and influencing the 'map' of Scotland they have chosen to view.

The TNS System Three study was conducted among a representative sample of the adult Scottish population to 'assist the Scottish Broadcasting Commission in their investigation of the role for broadcasting in Scotland's cultural life and broadcast journalism in Scotland'.

The research objectives were to:-

Investigate perceptions of and satisfaction with the way Scotland is currently covered by broadcasters, with particular emphasis on the way current broadcasting reflects life in Scotland and Scottish identity; and coverage of Scottish news and different aspects of Scottish news in network news programmes; and

Examine behaviours and expectations in relation to broadcasting with specific reference to:

- Importance of seeing Scottish news on television
- Regional level at which respondents would like news to be based
- Importance of choice of channels in provision of Scottish news on television
- Use of different media to find out about world/UK/Scottish/local news
- Use of different platforms to find out about different aspects of news
- Interest in a new Scottish digital channel and views on what this might look like
- Views towards 'topical' Scottish broadcasting issues.

The research invited viewers to consider the importance and satisfaction with different aspects of television broadcasting in Scotland:

- Include everyone living in Scotland
- Reflect Scotland's character
- Inform and teach you about Scotland
- Do not stereotype Scotland
- Reflect Scotland's arts
- Represent the way people in Scotland live their lives today
- Represent your local area (1)

Viewers considered all seven of these aspects to be important with a significant minority claiming that each was 'very important', with the combined ratings of 'very important' and 'fairly important' among all respondents (1021)

%	
81	Include everyone living in Scotland
82	Reflect Scotland's character
84	Inform and teach you about Scotland
72	Do not stereotype Scotland
78	Reflect Scotland's arts
76	Represent the way people in Scotland live their lives today
71	Represent your local area.

In particular, the relatively high level of satisfaction with news about Scotland (65%) as it appears on existing channels contrasts with the interest among respondents in seeing the 'missing' news on television about their own local area (79%) with over a third claiming to be very interested' in television

serving their area. In contrast, there was only a 58% interest in a new channel that would show news in one part of the study (against the 65% satisfaction with present channel news provision elsewhere). And finding news on a new channel scored the highest level of interest for any genre proposed.

The Scottish Broadcasting Commission's press release highlights the findings as if to favour a new Scottish channel. This is not surprising because a new channel was a prospect being canvassed. But it is a little disingenuous to suggest, as the press release implies (2), that local news presently resourced through local newspapers (77%) is satisfactory, since 79% of viewers want their local news to be shown on TV. There was "widespread opinion in favour of local news coverage on TV ... evident across all age and standard socio-economic groups." (1)

In addition the highest level of dissatisfaction recorded towards television in Scotland was reserved for criticism of the current scale of TV broadcasting, focusing on the missing representation of local area (36% dissatisfied). While the System Three study identifies the qualities that might be represented on a new Scottish channel all of these would run equally well, if not better, if delivered on local channels and/or a combination of local channels based on local evidence of common purpose. For example the public's desire for programming to represent 'the way people live in Scotland' would find greater self-representation and participation if undertaken on a local scale, allowing viewers to see each other as they wish to be seen through an exchange of programmes or a magazine of local views collected area to area.

Local TV would also be much better placed to 'avoid stereotyping' by working in local languages, respecting dialects, involving rather than ignoring more recent incoming populations.

Local TV would certainly 'provide information and educational programming' that relates to information and educational provision and (in total) would offer a finer grained rather than monopolised interpretation of what 'Scotland' means.

Again the viewer's interest in having television 'reflecting Scotland's arts' is without doubt a public service that local TV (in analogue) has undertaken far more convincingly and with greater richness and integrity than either BBC Scotland or SMG. There is every reason to suppose that local TV's future contribution to disseminating and screening the arts, in supporting education, in providing relevant and useful information or in support of social inclusion and democratic purpose will be very strong elements of each channel's public role.

What this System Three study recommends through its evidence is the introduction of a comprehensive local public service television: it does this with far greater clarity in the public view than in recommending a new Scottish channel. The System Three research identifies clearly what is wrong with large-scale monolithic broadcasting – old or new - and has the foresight to consider and explore a variety of 'local scales'. The evidence gathered

provides the grounds to adopt a new approach to public service broadcasting in Scotland, to introduce a new type of public television channel, one that does not duplicate the satisfaction already found with programming on the current UK and nation scales, a channel that is locally configured in each area to allow with confidence the nation to reinvent itself as the sum of its parts.

Proposing a new Scottish channel as a local TV network is not a hostile or competitive ambition, either for viewer attention or for spectrum, but the means through which a new Scottish channel emerges as the combination of local channels brought together to provide programmes that represent our shared interests locally identified.

References:

1) *Public Attitudes Towards Broadcasting in Scotland* – a study by TNS System Three for the Scottish Broadcasting Commission and published as Scottish Government Social Research on 9th May 2008.

<http://www.scotland.gov.uk/Topics/Research>

2) <http://www.scottishbroadcastingcommission.gov.uk/news/publicviews>

SIX - EVIDENCE OF DEMAND FOR LOCAL TELEVISION AS PUBLIC SERVICE BROADCASTING

In 2007 a consortium of public interest agencies working together as 'Public Voice' (1) proposed that Ofcom/DCMS:-

- Makes a sufficient amount of spectrum available for public, citizen, social and community uses.
- Facilitates universality/access to services for all.
- Ensures that digital services are available for all at a national, regional and local level.

Lord McIntosh, Minister for Media and Heritage at DCMS, in his Address (2) to the Scottish Local TV Forum in March 2005 affirmed that:-

The Government are committed to supporting local television and we very much hope to see an expansion of services in the future. We envisage that local television will play a valuable role in keeping communities informed and in particular, help keep in touch those most socially isolated members of the community who may not have access, or are uneasy about using new technology. Local television will also bring economic benefits to areas in terms of employment and training....

and yet ...

Local public service television

.... remains the missing element in the UK's public service broadcasting.

Since 1974 regular surveys for the commercial broadcasting regulators have found viewers wanting a more 'local' TV news and 'identity enhancing programming' about the people they know and the area where they live.

That year the Director General of the IBA responded to the technical possibilities that were necessary to satisfy viewer interest by establishing a working party on ITV sub-areas:-

to consider the case for and against a contractor providing separate local interest programmes after 1979 for separate parts of its area; to consider the programming, technical and financial effects of *the introduction of a second ITV service*; and to suggest which, if any, of the existing areas might be so divided, and in what order of preference (para 1.2) (IBA submission to Crawford Committee 1974) (my highlight) (3)

Since the 1980s evidence from local areas has continued to be gathered. For example, an independent survey for Edinburgh found that in 1989:-

93% of respondents were interested in watching a locally made programme about one of their interests
 92% of respondents were interested in watching Local News on a local television channel ...
 80% of respondents were interested in watching Local Current Affairs on a local television channel
 81% of respondents were interested in watching Local Special Interest Programmes on a local television channel
 75% of respondents were interested in watching local entertainers and Local Neighbourhood and City Festivals on a local television channel

 60% of respondents were interested in watching Local Amateur and Professional Sporting Events on a local television channel
 (Kitchenman, 1993)

And fifteen years later, a study (Francois, 2004) for Merthyr TV found a similar level of support for local programming including news and other identity enhancing programming (figures in %):

	Very Interested	Fairly Interested	Not very Interested	Not at all interested
Local news	50	34	11	5
Local documentaries	37	44	14	6
Local music	24	28	19	30
Local entertainers	23	49	16	13
Local art groups	20	32	35	13
Local environment projects	29	47	15	9
Local sport	33	23	15	28

In addition, the Edinburgh and Merthyr studies identified that over 50% of respondents would be interested in participating in local and community programming.

Consumer research conducted for the Ofcom PSB reviews (MORI, 2005) also addressed the scale and variety of viewer interests from television across a broader scale of rural and urban area. This study also found that Local TV remains - **wanted as TV**.

For its *Digital Dividend Review* Consultation (Ofcom 2006a) found:-

5.26 Respondents were asked to rate the importance of a series of statements that assessed the importance for UK society of new digital services. Statements that had the highest level of agreement tended to be focused on local issues.

5.27 The issues that were ***most often rated as most important*** were:

- Computers in public buildings are able to connect to the internet at low cost.
- **Local news and information available on TV at home**
- Local news and information about your area available from at least one media source
- **Programmes about community, local people and events are available on TV at home** (my highlights)

SEVEN - LOCAL TV AND EUROPE

Since the 1980's many European countries have supported the introduction of Local TV on cable and terrestrial platforms - or not stood in the way of their introduction, growth and subsequent licensing and prosperity:-

- ***Positive engagement of local administration in regulation and support***

In the Netherlands the better regulated cable networks have resulted in 300 community and 2-300 commercial TV channels – with cable delivery adopted by 80-90% homes

The German Lande receive a percentage of the licence fee to establish 'open channel' media – Offener Kanalen are to be found in 80+ areas

- ***State support for Local DTT***

France's broadcasting ministry - the CSA - are considering *introducing 1000 local digital TV channels via add/drop on GR1 - the French PSB mux*

- ***State failure to regulate in transfer of role to regions administrations***

In Spain the transfer of regulatory responsibility for local and regional broadcasting to the regions 'encouraged' 1000 local TV stations to become established – *because the regions did not act to introduce regulations*. These services are to become with Spain's digital switchover

- ***No regulation***

In Serbia after the national TV service collapsed 300 local TV stations were set up by journalists, editors and programme makers.

Yet in the UK, the state's large-scale commercially focused presumption for broadcasting has *excluded Local TV*.

Over five decades the UK regulation has almost exclusively benefited the monopoly of existing large scale supply - regional, national and commercial broadcasters as well as cable companies. A 'policy of exclusion' for Local TV has persisted regardless of the volume and strength of demand for a smaller scale of television service and for an engagement in these services by viewers as citizens to serve the local public.

RECENT EUROPEAN SUPPORT FOR 'COMMUNITY TV'

On 4th June 2008 the Community Media Forum Europe (CMFE) welcomed the vote on the report promoted by Karin Resetarits (Member of the European Parliament, Austria, Alliance of Liberals and Democrats for Europe –ALDE), which calls on the European Union **to encourage alternative media in**

Europe in order to promote pluralism and cultural diversity. adopted by the European Parliament's Committee on Culture and Education on 2nd June 2008.

"Alternative media does not result in isolating people. on the contrary they allow a community to integrate. informing them of their rights. especially in the area of education and access to public services but also promotes citizens to take part in active life and listens to their problems and concerns. This type of media is a community tool and serves as a cultural and social integration project". says Karin Resetarits.

The support measures recommended by Mrs Resetarits are mostly of a technical nature, legal (attribution of frequencies) and financial (possible financing by the EU and member states). *"I hope that when the European Commission publishes in 2009 their Communication on the indicators of pluralism in the media. it will take into account our proposals on alternative and community media which obviously contributes and promotes pluralism"*, concluded Mrs Resetarits.

"This initiative is of great importance to our sector and helps gaining more acknowledgement for the thousands of CM around Europe and hundreds of thousands active citizens participating in these media projects." said Pieter de Wit, president of CMFE, in a first comment.

Voting in the European Parliament plenary session is expected to take place in September 2008.

The English version of the draft report (without the adopted amendments) can be found at [http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-](http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-402.919+01+DOC+PDF+V0//EN&language=EN)

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The report builds the KEA-study on 'The state of Community Media in the European Union'. September 2007 (available at

<http://www.europarl.europa.eu/activities/committees/studies/download.do?file=17791>

The Motion itself reads:

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION on measures to support alternative media in Europe in order to guarantee a pluralistic media environment and cultural diversity
(2008/2011(INI))

The European Parliament,

- having regard to Articles 150 and 151 of the EC Treaty,
- having regard to Article 11 of the Charter of Fundamental Rights of the European Union,
- having regard to Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for

electronic communications networks and services (Framework Directive)(1),

- having regard to Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive) (2),
- having regard to Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive)(3),
- having regard to Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive)(4),
- having regard to Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities(5),
- having regard to Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision)(6),
- having regard to the White Paper presented by the Commission on a European communication policy (COM(2006)0035),
- having regard to the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a European approach to media literacy in the digital environment
- having regard to the Commission Staff Working Document on Media Pluralism in the Member States of the European Union (SEC(2007)0032),
- having regard to its resolution on the risks of violation, in the EU and especially in Italy, of freedom of expression and information (Article 11(2) of the Charter of Fundamental Rights),
- having regard to the study 'The State of Community Media in the European Union', commissioned by the European Parliament,
- having regard to the Council of Europe Recommendation Community Media/Rec(2007) (8) of the Committee of Ministers to member states on media pluralism and diversity of media content,

- having regard to the Council of Europe Declaration (Decl-31.01.2007E) of the Committee of Ministers on protecting the role of media in democracy in the context of media concentration,
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Culture and Education (A6-0000/2008),

A. whereas community media are non-profit organisations and accountable to the community that they seek to serve,

B. whereas non-profit means that the primary objective of such media is to engage in activities of public and private interest without any commercial or monetary profit,

C. whereas accountable to the community means that community media must inform the community about their actions and decisions, justify them, and be penalised in the event of any misconduct,

D. whereas community media are open to participation in the creation of content by members of the community,

E. whereas community media very often do not represent a majority of those in society but serve instead a variety of smaller specific target groups which are in many cases locally based,

F. whereas community media are obliged to present a clearly defined mandate, such as providing a social gain, which also has to be reflected in the content they produce,

G. whereas one of the main weaknesses of community media in Europe is their lack of legal recognition by many national legal systems,

H. whereas moreover so far none of the relevant legal texts of the European Union addresses the issue of community media,

I. whereas the World Wide Web has propelled the sector into a new age with new possibilities and challenges,

J. whereas transition costs from analogue to digital transmission put a considerable burden on community media,

1. Stresses that community media are an effective means to strengthen cultural and linguistic diversity, social inclusion and local identity, which explains the diversity of the sector;

2. Points out that community media help to strengthen the identities of specific communities of interest, while at the same time enabling members of those

communities to engage with other groups in society, and therefore play a key role in fostering tolerance and pluralism in society and contribute to intercultural dialogue;

3. Stresses that community media are a tool for the integration of immigrants and also enable disadvantaged members of society to become active participants by engaging in debates that are important to them;

4. Points out that community media act as a catalyst for local creativity, providing artists and creative entrepreneurs with a public platform for testing new ideas and concepts;

5. Considers that community media contribute to the goal of improving citizens' media literacy through their direct involvement in the creation and distribution of content;

6. Points out that training people in digital, web and editorial skills through their participation in community media activities provides useful and transferable skills;

7. Stresses that community media help to strengthen media pluralism, as they provide additional perspectives on issues that lie at the heart of a given community;

8. Welcomes the fact that community media can make citizens more aware of existing public services and can help to foster civil participation in public discourse;

9. Notes that the financial resources of community media vary a lot but are in general rather scarce;

10. Notes that the sector lacks the support to make major efforts to improve its representation to and contact with the European Union and national decision-makers;

11. Urges the Commission to collaborate more actively with community media to enter into a closer dialogue with citizens;

12. Calls on the Commission to define community media as media that are:

a) non-profit, engaging primarily in activities of public or private interest without any commercial or monetary profit;

b) accountable to the community which they seek to serve, which means that they are to inform the community about their actions and decisions, to justify them, and to be penalised in the event of any misconduct;

c) open to participation in the creation of content by members of the community.

13. Urges Member States to give legal recognition to community media as a

distinct group alongside commercial and public media where such recognition is still lacking;

14. Calls on the Commission to take into account community media as an alternative, bottom-up solution for increasing media pluralism when designing indicators for media pluralism;

15. Calls on Member States for more active support of community media to ensure media pluralism;

16. Recommends that Member States appoint a member of the community media sector to their national regulatory authorities so that community media's concerns can be addressed;

17. Asks Member States to include specific provisions for community media activities when defining 'must carry' obligations;

18. Asks the Commission to take into account the notion of community media in the ongoing reform of the telecommunication sector's regulatory framework as well as in the future legislation of the media sector;

19. Acknowledges that on the one hand only a small portion of the sector has the knowledge and experience to apply for and benefit from EU support, while on the other hand funding officers are not aware of community media's potential;

20. Encourages the sector to make more use of EU funding schemes, such as the European Regional Development Fund, the European Social Fund, Lifelong Learning Programmes and others;

21. Proposes that the Commission establishes a European Internet platform through which to spread useful and relevant information for the sector, to facilitate networking and exchange of best practices;

22. Calls on the Commission for a regular dialogue with the sector at European level given the added value of community media for the implementation of the EU's objectives and to support the sector's participation in such discussions;

23. Instructs its President to forward this resolution to the Council, the Commission, the European Economic and Social Committee, and the Committee of the Regions, and to the governments and parliaments of the Member States.

1 OJ L 108, 24.4.2002, p. 33.

2 OJ L 108, 24.4.2002, p. 7.

3 OJ L 108, 24.4.2002, p. 21.

4 OJ L 108, 24.4.2002, p. 51.

5 OJ L 332, 18.12.2007, p. 27.

6 OJ L 108, 24.4.2002, p.1.

Nb: The Community Media Association and ACTO contributed evidence to the preparatory study '*The state of Community Media in the European Union*', September 2007 on behalf of UK community and local TV interests. At meetings of local and community TV held in Kosice in Slovakia in 2005, 2006 and 2007 evidence was compiled from national associations drawn from across the majority of EU states and representatives and forwarded to the Commission.

EIGHT - Regulation and legislation are not always in step

In the broadcast regulator studies there has often been confusion between the 'scale of available supply' offered by regional TV and the viewers' more 'local requirements' - that is between *regional capacity* and *local identification*. (Rushton, 1993)

At times when Government policy has appeared to be favourable towards Local TV, the regulators have interpreted the legislation to actively encourage operators to ignore their local and public commitments.

The 1984 Cable and Broadcasting Act introduced requirements for cable companies, then applying for city/borough-scale franchises, that they source programming from independent suppliers as well as provide access for citizen participation and for programmes provided by community and voluntary associations:

(d) to include programmes of an educational nature, programmes calculated **to appeal specially to the taste and outlook of persons living in the area and programmes in which such persons are given an opportunity to participate:**

(e) to include programmes **provided otherwise than by himself or by associates of his:**

(f) to include programmes **provided by local voluntary associations and to assist such organisations in the preparation and production of programmes** (Part 1 Section 7 1984 Cable and Broadcasting Act, HMSO)

Adrian Friedli (Friedli, 1993) summarised the cable company commitments at a time when a separation of the functions of *channel* and *content* were being strongly endorsed by the Macdonald Report of 1988.

Also in 1988 the White Paper *Broadcasting in the '90s* outlined MVDS, a local microwave video distribution option, as well as two further terrestrial channels - all in their own ways offering platforms that could readily be used to deliver 'local TV'.

All bar one of these 'local' options - the fifth channel - were quickly withdrawn and while the Cable Authority advised cable companies to ignore the 1984 Act's requirements so far as 'local and community' contributions were concerned.

We had a statute that imposed no requirements for mandated services but merely required whatever proposals were made to be taken into account in franchise decisions. John Davey, Director of Cable and

Satellite, Independent Television Commission (formerly Director General of The Cable Authority) (4)

Faced with poor cable growth, the 1990 Broadcasting Act set out to rescue cable from the earlier political misjudgement that markets could supply (nearly) all. Cable investors were encouraged by excluding MVDS from becoming an independent source of 'local competition' and by relaxing European investment rules. The sixth channel was abandoned as an alternative for local TV for its apparent 'lack of spectrum' – and its frequencies (reaching one third of the UK population) were allocated to support the fifth channel. In short - the climate surrounding the 1990 Act attempted to save face for failed cable investment by adjusting cable build targets and by distorting cable's objectives to suit the demands of reluctant investors. The withdrawal of controls by the local authority as highways authority' to supervise public utility rights of way for cable build in effect offered cable companies 'utility' impunities in access to public and private land and to (eq) tenement properties and flats. (5)

By 1991 the viewer's preference for a more localised TV service for ITV in the regional franchise rounds was dismissed by the ITC to favour a more manageable bid package constructed around the existing ITV regions. The ITC maintained its preference for the 'large scale' (commercial) channels of ITV and suggested that the new fifth channel should be 'essentially national' even when viewers' had indicated preference for city scale TV and in spite of legislation that did not require the ITC to take a view on the fifth channel's 'scale'.

The ITC withdrew its stipulation the fifth channel be 'essentially national' following legal advice, there being no foundation in the 1990 Act for the ITC to maintain a preference for 'national' over 'local' in the use of the fifth channel spectrum. Yet this admission 'the ITC should not have taken a view' was too late for the preparation of a competitive Local TV plan.

Proposed legislation weakened in Government amendment then poorly introduced

Yet when opportunity has allowed, reasonable and well thought out 'Local TV' amendments have been introduced to Westminster on behalf of Local TV. Several amendments to the 1995 Broadcasting Act were proposed by Lord Dubs, Baroness Dean and Lord Thomson of Monifieth – the former Chair of the Independent Broadcasting Authority. And these made practical provision for urban and rural forms of Local TV in:

(a) an area of the United Kingdom in which the population is not greater than 800,000 adult residents which includes one centre of population with more than 350,000 adult residents, or

(b) an area of the United Kingdom in which the population is not greater than 500,000 adult residents which includes no individual centres of population with greater than 150,000 adult residents.

In resisting these proposals Lord Inglewood for the Government was prompted to reply:

The amendment that **we shall bring forward will enable such services to develop**. I hope, in the light of my assurances that the Government agree with the principles behind the noble Baroness's amendment and that we will bring forward a considered amendment, that she will agree to withdraw the amendment before us today. (my highlight)

Throughout the debate support was evident from both Houses of Parliament for workable Local TV provisions to be introduced:-

Local television, by connecting citizens to one another, could regenerate a sense of community and shared identity. We are promised many dozens of channels [with digital] yet again there is a gaping hole in the Government's proposals to provide local services rather than more of the same. In Bruce Springsteen's words: "two hundred channels and nothing to watch". Graham Allen MP, Shadow Minister for Broadcasting, Hansard 7 December 1995.

It has always seemed rather a paradox that ... there has never been the encouragement to move on from regional television to genuinely local television – city television and voluntary local channels of one kind or another. Lord Thomson of Monifieth, House of Lords, Hansard 15 February 1996.

The 1995 Opposition amendments were withdrawn in favour of the Conservative Government's own version of the 'RSL' alternative. But even when this was belatedly presented by the Government it was interpreted to serve 'special events or university campuses' and to restrict Local TV's 'defined locations' to (eg) *the racetrack at Silverstone*. The intention was clearly **not** to offer an amendment that would **'enable such services [as had been outlined by Baroness Dean] to develop'**

The ITC's involvement from 1997 in constructing the terms of the RSL licences included offered spectrum regardless of poor reach, with a weak signal and where transmission would not be in the prevailing aerial group or same polarisation as existing local reception. Central indifference to these important engineering factors further restricted the usefulness and success of the RSLs. Local TV began to develop its own competency in engineering.

Public communications regulation for less than all the public

Over the last two and a half decades the state's monopoly of communications legislation and regulation has not benefited all or served to renew public purpose. For over two decades Conservative and Labour Governments have failed – indeed have thwarted - the strong, consistent demand from urban and rural communities for local variations of *public service broadcasting*. Ofcom describe public service broadcasting not as a *universal service* but as having 'wide availability'. So who now represents the public *that do not and will not receive a public service*?

Impact of spectrum trading

The current commitment by the Labour Government and Ofcom to establish auctions and to trade spectrum in the broadcast bands and to encourage regulation through markets and secondary trading is not in the public interest. This form of regulation will not achieve local channels for all failing to address the continued public demand for universal access. Only a universal network of small, medium and large local TV channels serving urban and rural areas will be able to share community of interest programmes (see Institute of Local Television submission(s) to Ofcom Digital Dividend Review) and address advertising in competition with the established broadcasters to serve a public purpose.

Among respondents (Ofcom, 2006a) the 'market' approach has not found support to replace a more responsible 'intervention'

8.16 It was also a common opinion that as the airwaves are a national resource, some control should remain with the Government. If this does not happen, then what was once available as a 'public' resource may be used for services that do not benefit society. The groups held the strong opinion that an independent body is required to ensure that a good quality service is provided to *the maximum number of people*.

8.17 Emphasis was placed on the quality of services, rather than the quantity of channels. It was unanimously thought that ensuring universal coverage should come before additional channels. Many of the current Freeview channels were thought to be of poor quality, and so adding more would be a waste of resources, unless some kind of regulation was in place to ensure the quality of new content. However, there was a balance to be struck, and it was felt that a regulatory body should not become so interventionist that it bordered on, for example, content control and censorship.

8.18 In addition to the concerns about the quality of programming, there were also concerns that the proliferation of channels was potentially at odds with providing value to society. (my highlight)

Campaign for Local TV

In 2006 the Campaign for Local Television conducted an e-survey on alternative uses for some of the little watched commercial digital TV channels broadcast on Freeview – finding *all* respondents keen to give up at least one quiz or shopping channel so that its spectrum could be diverted to deliver a Local TV channel.

Spectrum cannot be used efficiently if it is being used to deliver unwatched services. (see <http://www.commentonline.co.uk/survey/>)

Speaking in a House of Commons debate on Community Radio and Television Peter Holmes for the Liberal Democrats said:-

There has been a proliferation of TV channels, and of quiz and shopping channels, all of which are of low quality. There have been two

or three recent scandals about quiz programmes, which have been a rip-off involving conning consumers who telephone into thinking that they can win prizes when the results have been decided in advance. The Government must look again at how some of the spectrum could be more usefully allocated to community TV. Hansard Column 214-215
14 April 2007

Timetable for introducing Local TV with *public purpose*

As spectrum scarcity was to disappear with digital switchover Lord McIntosh, Minister at the DCMS, wrote in his Letter of Address to the Scottish Local TV Forum on 23rd March 2005:

...we need to start thinking **now** about what we want local television to be in the future as we need to have a licensing regime in place for when spectrum does become available.

And a year later in January 2006 Ofcom's *Digital Local* proposed the following timetable:-

- If required, Government consults on an order for local TV licensing regime for digital terrestrial services: early 2007
- If required, Ofcom develops licensing regime according to terms of Government order and consults on spectrum allocation process for local digital terrestrial services: first half 2007
- If required and where appropriate, first DTT local licences advertised and awarded in selected areas: second half 2007

When did these stop being required – when did the public stop wanting local TV *on TV*?

The local public service/public purpose role

Ofcom took the view in *Digital Local* that past regulators had not been interested in Local TV – *because channels could not then have been made widely available*.

In this study Ofcom recognised that for Local TV to be widely available it should serve a **public purpose**:-

[Ofcom] propose five public purposes for local content services, based on a version of the wider purposes of **public service broadcasting** identified in the PSB Review, adapted for local content. (my highlight)

...

- To inform ourselves and others and to increase our understanding of the world through news, information and analysis of current events and ideas, **with particular focus on issues relevant to our locality**
- To stimulate our interest in and knowledge of arts, science, history and other topics, particularly those relevant to our locality, **through content that is accessible and can encourage informal learning**
- To reflect and strengthen our cultural identity, particularly that based on shared local

identities, through original programming at local level. **on occasion bringing audiences together for shared experiences**

- To make us aware of different cultures and alternative viewpoints, through programmes that reflect the lives of other people and other communities. **especially those within our local area**
- To support and enhance our access to local services. **involvement in community affairs, participation in democratic processes and consumer advice and protection** (P4) (my highlight) Ofcom's *Digital Local*, January 2006

Without all homes having access to a Local TV channel - at little or no additional cost - Local TV will be unable to fulfil its 'public purpose'. Ofcom's key points (above) can only be realised through Local TV's delivery to the home on a universal platform and – **for bringing audiences together for shared experiences** digital terrestrial television is that platform.

The Add/Drop Solution for Local Public Service Television

The 'add/drop solution' was first proposed at the Scottish Local TV Forum in March 2005.

Add/drop '**offers the most consistent and convenient solution, and potentially offers the widest reach for Local TV of all the terrestrial options**'. (Ofcom, 2006b) The add/drop option converts a new national channel introduced into PSB mux (a so called – 'local network channel') into a local channel at each main transmitter site. At each site the signal is then 'localised', replaced by the Local TV channel for all or part of the day. The new channel is remodulated with the national PSB channels and transmitted to each Freeview home directly or via relays causing no interference and requiring no new transmitter or reception equipment by the operator or the householder. It is a simple and elegant solution guaranteeing 'Local TV for all'.

The most efficient point at which to introduce Local TV is during digital switchover, area by area, when spectrum is 'gained' in the PSB muxes during conversion from 16QAM to 64QAM.

Interleaved Spectrum

Since 2007 Ofcom has sought to identify spectrum in the interleaved bands suitable for delivering an in group local TV signal. By March 2008 Ofcom (and now wireless) had identified spectrum suitable for local TV at all 80 main transmitter sites – offering access for local TV to over 80% of homes on Freeview.

By one of both of these means local public service television can fulfil the public demand. It will not do so if the means of carriage is sold to the highest bidder. Local TV needs to work on a federal basis with security of access to spectrum.

Digital UK – local TV 'a valuable potential benefit from DSO'

Local TV offers a service of interest to many who are not keen on converting from analogue to digital just for the sake of a few extra 'national' channels. Local TV is a different type of service offering a new dimension to public service broadcasting. Digital UK wrote in their response to Ofcom's DDR consultation:-

Digital UK believes that local television services will be perceived by viewers as a valuable potential benefit from DSO and therefore help to underpin the process. Ofcom should ensure that some of the available spectrum ends up being used for new television services (local or otherwise) in order to deliver on public expectations from DSO. Failure to do so may create negative sentiment towards the programme. (DigitalUK, 2007)

Public Service Publisher

The Public Service Publisher (PSP) was initially identified as a possible new source of public finance in Ofcom's PSB Reviews as a way of addressing (ameliorating) a public programming shortfall as the commercial TV companies withdrew from PSB responsibilities – nationally but also *regionally*. £70m of this 'public loss' was identified as *lost regional programming*. This sum of £70m should be earmarked to support the introduction of Local TV – in particular to support local news and identity enhancing programming as regularly identified since 1974.

Draft Order of Licence

Section 244 of the Communications Act 2003 makes provision for a licensing regime for digital Local TV being introduced by order of the Secretary of State. Together with Public Voice, the Community Media Association and the views of those we have been canvassed and represented in the ACTO directories (<http://www.maccess.org.uk/members/ilt.html>) the level of demand and qualities required from Local TV **on TV** warrant its introduction on DTT as *local public service television*.

244 Local digital television services

(1) The Secretary of State may by order provide for

(4) Services fall within this subsection if the Secretary of State considers that they are services in relation to which all the following conditions are satisfied-

(a) they are intended for reception only within a particular area or locality;

(b) their provision meets, or would meet, the needs of the area or locality where they are received;

(c) their provision is or would be likely to broaden the range of television programmes available for viewing by persons living or working in that area or locality; and

(d) their provision is or would be likely to increase the number and range of the programmes about that area or locality that are available for such viewing, or to increase the number of

programmes made in that area or locality that would be so available.

(5) Services shall be taken for the purposes of subsection (4) to meet the needs of an area or locality if, and only if-

- (a) their provision brings social or economic benefits to the area or locality, or to different categories of persons living or working in that area or locality; or
- (b) they cater for the tastes, interests and needs of some or all of the different descriptions of people living or working in the area or locality (including, in particular, tastes, interests and needs that are of special relevance in the light of the descriptions of people who do so live and work).

(6) In subsections (4) and (5), the references to persons living or working in an area or locality include references to persons undergoing education or training in that area or locality.

(7) An order under this section in relation to a description of services may, in particular, impose prohibitions or limitations on the inclusion of advertisements in services of that description and on the sponsorship of programmes included in the services.

(8) The power, by an order under this section, to make incidental, supplemental or consequential provision in connection with provision authorised by subsection (1) includes power to make incidental, supplemental or consequential provision modifying provisions of the 1990 Act, the 1996 Act or this Act that are not mentioned in that subsection.

(9) No order is to be made containing provision authorised by this section unless a draft of the order has been laid before Parliament and approved by a resolution of each House.

In the passing of the 2003 Act the Government considered Ofcom had been given sufficient powers and the necessary encouragement to introduce local and community TV. In rejecting Lord Thomson of Monifeith's amendments to better secure local and community TV on 6 May 2003 Baroness Blackstone's responded for the Labour Government:

Given that the powers will exist to license access radio and local TV [in the Communications Act], it is not clear what point is served by giving Ofcom an additional duty to promote those services. **Ofcom already has a number of general duties that one would expect to encourage the development of local TV and access radio. I am confident that that will happen. Ofcom's duty in Clause 3(1) is to further the interests of consumers and the community as a whole.**

Put in the context of Ofcom's duty in subsection (2)(c), to secure, "a wide range of television and radio services which . . . are both

of high quality and calculated to appeal to a variety of tastes and interests” and one can see the relevance of Ofcom supporting and encouraging the development of community TV and radio. In the light of Ofcom’s existing powers and duties there is not, in my view much, if anything, to be gained by adding yet another duty to promote community media. Hansard Column 1059 (my highlight)

Parliamentary and electoral support in 2007

Five years on from the Baroness’s assurances political support for community media, community radio and local TV on DTT continues to be strongly demonstrated and made available throughout Ofcom’s consultation on the Digital Dividend Review. 147 MPs signed Ian Stewart’s Early Day Motion (922) which included:

This House ...calls on the Government to introduce secondary legislation to ensure that community and local television has access to the digital spectrum and also that sufficient space on digital spectrum is reserved for community media when considering Ofcom’s Digital Dividend Review.

Ian Stewart’s Adjournment Debate in the House of Commons on 24th April was supported by MPs from all the main parties (6).

Edward Vaizey for the Conservatives

Community TV is, however, set to change radically during the next few years, and the switch to digital will present a huge challenge, so I await with great interest the outcome of the digital dividend review consultation. It is clear that there are advantages and drawbacks both to the interleaved option, which the Community Media Association favours, and to the add/drop method, which my local television station SIX TV favours. I do not want locally auctioned channels to be block-bought and turned into gaming or shopping channels; there must be a system to ensure that local television continues (Column 217)

And again from Ian Stewart (Labour)

...the potential impact of community media fully lives up to the prediction made about the pilot community radio scheme by Ofcom’s assessor, Professor Anthony Everitt, who said that the sector’s arrival would be

“one of the most important cultural developments that this country has seen in recent years”.

Despite the barriers faced by the sector, however, I stress that the solutions are available and achievable. They lie in bandwidth, recognition and funding. I propose that the DCMS and Ofcom put community media on a par with that other public service broadcaster, the BBC, and follow the line of the must-carry provision as the media hurtle onward from analogue to digital transmission. Auctions, market forces and light-touch regulation simply will not do when the interests of the millions of beneficiaries of community media are under

consideration. There can be a digital dividend for community media, if bandwidth is reserved for community media groups. We should not be dependent on the whims of media corporations or slithers of frequency that are deemed not to be commercially viable. Community media is too economically and culturally valuable simply to be left to feed off scraps from the media table. (Column 203)

In the May 2007 election to the Scottish Parliament the SNP, Liberal Democrats and Greens supported the devolution of communications regulation and/or establishing local and community TV. Some 47% of the votes cast during the election were for political parties making a manifesto commitment in favour of a devolved or a more autonomous and localised public service broadcasting.

Scottish Liberal Democrat Manifesto 2007 P82

Digital broadcasting offers enormous potential for the development of local and mobile television broadcasting, wireless broadband and other technologies as a result of the frequencies being released from digital switchover. We will work to ensure that Scotland has its fair share of the benefits provided by this 'digital dividend' and we will work with stakeholders to realise the potential of community media to bring communities together and share information.

Scottish Green Party Manifesto 2007 P12-13

The switchover from analogue to digital broadcasting should be an opportunity for local community broadcasting, not just ever-increasing numbers of commercial channels. We will continue to press Westminster for more powers over broadcasting.

Scottish National Party Manifesto 2007

An SNP government will push for the devolution of broadcasting powers to the Scottish Parliament.

The numerical majority of MSPs in the recently elected Scottish Parliament support devolved regulation, appropriate use of spectrum and/or local television broadcasting. To this majority can be added many from among the Scottish Labour group who for the Scottish elections observed a strict unionist line offering no further concessions on powers reserved to Westminster. The Cross Party Media and Culture Group chaired by Cathy Peattie (Scottish Labour) had presented its Motion to the Parliament before the recess:

Short Title: *Future of the Digital Spectrum* S2M-05721 Cathy Peattie (Falkirk East) (Lab):

That the Parliament notes the proposals for the disposal of the digital spectrum, largely by sale to the highest bidder, when it is released as a result of the cessation of analogue television; is concerned about the inadequacy of proposed safeguards regarding its future use; notes that, among the potential uses of this digital dividend, there are many which have significant implications for devolved issues, particularly for the cultural content of programming, for news coverage of Scottish

current affairs, for Scottish creative industries and for other aspects of the Scottish economy; further notes that there is great potential for use of the digital spectrum at a more localised level, and believes that the digital dividend should be used to strengthen and extend the public service use of the spectrum by ensuring that capacity is reserved on digital multiplexes throughout Scotland to enable the growth of local and new Scottish television channels.

Welsh Liberal Democrat Manifesto 2007 P52

Examine the opportunities created by digital switchover and greater spectrum availability for more community and regional television stations, including increased Welsh language provision.

Don Foster, Liberal Democrat MP for Bath and his party's spokesman on broadcasting, said that concerns similar to those raised in Scotland had been echoed in other parts of the UK. He is lobbying for a national debate on the future use of spectrum. He proposed that some spectrum should be reserved for wireless broadband, "because of the inabilities of cable in some parts of Wales."

Lembit Opik, Liberal Democrat MP for the Welsh constituency of Montgomeryshire, told *New Media Markets* that he wanted to see more local involvement in the decision-making process. What we don't want to do is to allocate everything now "it would be an unwise move," Opik said.

"Politicians should be involved in what we want to happen, not how it's delivered. I'm agnostic in auctioning it off - there is risk of a monopoly." He added: "I'd like to see more local programming and access to do that."
(*New Media Markets* Vol 26 No 12 23 March 2007)

In the debate at Westminster on powers to be devolved to the Welsh Assembly Adam Price (Plaid Cymru) drew attention to a comparison of provisions for Wales with devolved broadcasting powers to the Spanish regions (7)

The amendments seek to expand the competency of the National Assembly in various areas. On broadcasting, there is an anomaly in the devolution settlement: cultural policy is devolved and will continue to be so, but broadcasting remains entirely a reserved matter. That is not acceptable, because broadcasting is arguably one of the most important and far-reaching cultural media we have In the European Union, local television and radio are not reserved under the Spanish constitutional settlement and that has allowed the Basque region some flexibility in developing a Basque medium television service in the different regions of the Basque country. Broadcasting will need to remain a competency at the UK level, but these proposals do not even allow for the possibility of shared competency. Given the likelihood of further developments, such as television through the internet, the clear dividing line in legislative competence in this Bill will not be conducive to such developments. 30 Jan 2006 : Column 60

Cathy Peattie (Labour) and Stewart Maxwell (SNP) were also interviewed by Verity Adams for *New Media Markets* (Vol 26 No 12 23 March 2007) in an article headed:

Scottish and Welsh MPs call for spectrum devolution

Members of Parliament representing constituencies in Scotland and Wales this week called on Ofcom to devolve responsibility for spectrum allocation and management. The request came as the regulator closed the three-month public consultation on its Digital Dividend Review (DDR), which will set the framework for the allocation of spectrum freed by analogue switch-off.

Much of the debate on the future use of the frequencies has so far been on whether they should be used to provide high-definition television (NMM March 2, 2007) or mobile television (NMM February 2, 2007).

Several members of the Scottish Parliament and the Welsh Assembly used the consultation to request that spectrum should not be allocated by a central UK organisation but on a devolved basis. Stewart Maxwell, Scottish National Party MSP for the West of Scotland, said that media policy-making power should be moved away from Westminster and a Scottish equivalent of Ofcom created.

"There is great scope for local TV in Scotland because of the diversity of the geography," Maxwell told *New Media Markets*. Cathy Peattie, Labour MSP for Falkirk East, added: "Scotland and its regions have distinctive cultures that are inadequately served through UK-wide media." She said that there would be "many potential economic benefits arising from more devolved broadcasting", including employment.

In her submission to Ofcom, Peattie said: "The digital dividend should be used to strengthen and extend the public-service use of the spectrum by ensuring that capacity is reserved on digital multiplexes throughout Scotland to enable the growth of local and new Scottish television channels."

Ian Stewart's 2008 EDM 1013 has so far achieved 158 signatures and Cathy Peattie's similar Scottish Parliament motion has secured 33.

LOCAL PUBLIC SERVICE TELEVISION

21.02.2008 That this House congratulates Ofcom in finding a means to deliver local television to every household across the UK on Freeview; and looks to the Department of Culture, Media and Sport to introduce a licence for the provision of local public service television during the rollout of digital switchover.

Jeremy Hunt, Shadow Conservative, writing in their April 2008 Public Service Broadcasting Green Paper:

9. The most significant failure of British public service broadcasting is the lack of proper local TV stations for our major towns and cities. The opposition to ITV's plans to rationalise regional news demonstrated how

much people value local news. Rectifying the lack of local broadcast output should be an important policy objective.

Introducing 'local public service television'

Section 244 powers of the 2003 Communication Act should be used to create a new licensing regime for local public service television for the delivery of local channels with licensing requirements based on identified geographic areas and Ofcom's 'Public Purposes' as outlined in *Digital Local*.

Fulfilling local public purpose should be required of local television broadcasters in exchange for access to digital spectrum on the PSB muxes or with one interleaved mux at each of the UK's 80 transmitter sites.

If a Public Service Publisher (PSP) fund is created, the £70m identified as representing the regional programming lost in the course of the switchover transition should be allocated to Local TV PSB programming and channel delivery. If the fund is not created funding local TV as PSB should come before enhancing Channel 4 or supporting regional TV to continue to provide the wrong scale of regional television.

The Draft Order of Licence should be presented to Parliament in time for local channels to launch with digital switchover arriving in each area (2008 onwards).

NOTES

1 Public Voice submission open letter to the DCMS and DTI.

2 Letter of Address to the Scottish Local TV Forum in Edinburgh March 2005

3 Report of the Committee on Broadcasting Coverage, HMSO, 1974.

50. ... an interest in regional programme variations grows in importance, as viewers become more selective and more aware of local loyalties and interests. The latter is an increasingly prominent feature of our national life, both politically and culturally, and there is a demand for it to be reflected in television, for the present regional variations to be developed and for programme-making to become less dominated by the metropolis. These points figured prominently in the representations made to us.

In conclusion the Committee recommended:-

9. The BBC should also experiment with sub-opt-out programmes within their English regions. (Paragraphs 57 (c) and (e).) P 75

15. The BBC in Scotland should, when resources allow, introduce an element of regional diversification in programmes, eg in Northern Scotland, by sub-opt-outs from BBC Scotland. (Paragraph 57 (b).)

and for the use of the VHF 405-line spectrum released after switching to UHF 625-line the Committee recommend: -

37 ... two services with some 85% of national coverage, for regional services if required, or for a single national service and some local services, or for other combinations, and we consider that it should be reserved for these purposes. (P 18)

The Committee reached conclusions pointing towards cable's contribution and local government involvement in future localised provisions:-

48 (b) ... where appropriate any local government or other authorities concerned, to examine whether, in particular areas of whatever size which

are brought forward by any of those taking part, [Home Office, Post Office, Broadcasting Authorities and 'where appropriate local government'] wired distribution should be adopted rather than a transmitter for the coverage of a community, and to lay down the technical and financial conditions under which it should be set up and maintained. (P 24)

64 (b) ... there would be an advantage in the number of areas into which the United Kingdom is divided by the BBC and the IBA for regional programme purposes being increased, but we accept that for good practical reasons this is not likely to be possible in the near future. The disadvantages of the present structure can, however, be mitigated by the provision in some areas of local interest programmes put out from particular transmitters. (P 36)

4 John Dovey in his Introduction to Roger Wilson, *Local Television, Finding a Voice*, Dragonflair, (1994) (P4)

5 Looking back to 1984, cable television failed to find commercial interest among UK investors. The programming available from satellite was of poor quality and video cassettes offered a growing and popular access for those who wanted to watch movies at home.

To recover the lost ground of its ambitious cable plans in 1988 the government encouraged inward investment from mostly US and Canadian cable and telecommunications companies. Their interest appeared to salvage something of the earlier promise but at the expense of maintaining a majority European ownership as required by the legislation and so these companies were to enter on terms favouring the investors rather than the public. The regulatory bodies responsible for supervising the programming and telephony in the introduction of cable - the Cable Authority and OfTel respectively - loosened their grip, withdrawing investment restrictions upon the cable investors in order to secure their commitment. OfTel permitted completion targets for cabling to slip further and further into the future - in order to sustain the companies' waning interest in the teeth of a recession. The Cable Authority supported the cable companies' demands for the control of channels as well as for their delivery. This 'light touch regulation' as it was officially known became ethereal and played entirely into the hands of investors who were pleased at being able so easily to squeeze the regulators with threats of withdrawal and loss of economic momentum for a second time. (P2) Dave Rushton, *Cabling Edinburgh's New Town: Trick or Treat?*. Planning Committee New Town, Broughton and Pilrig Community Council, 1994

6 Community Radio and Television,

<http://www.publications.parliament.uk/pa/cm200607/cmhansrd/cm070424/halltext/70424h0001.htm>

7 Acts of the Assembly.

<http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm060130/debtext/60130-16.htm>

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NINE - Devolving Broadcasting, Wireless Broadband and Spectrum Allocation

As outlined in the review submitted to Ofcom on the Terms of Reference for this Second Public Service Broadcasting Review (reprinted above) Ofcom should give consideration to a tiered approach to communication responsibilities (including broadcasting and wireless broadband) based on the principles of devolution and subsidiarity (or double-devolution): state, nation, local.

Under this principle England, Scotland, Wales and NI would have responsibility for terrestrial communications services for reception and transmission internally. A third less formal local tier supervised by broadcasting trusts - comprised of voluntary bodies - would oversee wireless communications requirements that benefit primarily the region/city local audience and subscribers. Mobile phones and other services without geographic focus would be overseen by a combined representation - transferring responsibility up from local area, through nation to state.

The devolution and subsidiarity of spectrum management follows introduction of state-wide public service broadcasting with the as yet incomplete high-speed broadband network. Each nation would licence nation scale services including focusing spectrum use to address any real or perceived state-wide deficit.

The remaining spectrum would address as first priority local area demand for service.

After state, nation and local public service requirements are fulfilled surplus spectrum might be leased by the local trusts and nation agencies to incoming

commercial services (of a large but not state-universal scale and without PSB value). Incoming services would be licensed according to demand in the nation and locality.

The leasing of spectrum by nations and local areas would provide revenue to support nation and local services. Satellite services would continue to operate across frontiers although increasingly influenced in what they carried by the greater critical mass of nation and local service this regulatory model would encourage.

The regulatory structure would conform to European principles for cross border terrestrial and satellite transmission while transforming - in the light of devolution and subsidiarity - our understanding of the scope of public service broadcasting by introducing equity for local civic as well as nation demands.

TEN - Ofcom's Second Public Service Broadcasting Review Consultation: Phase One Response

Section 3. How well are the public service broadcasters delivering public purposes?

i) Do you agree with Ofcom's assessment that television continues to have an essential role in delivering the purposes of public service broadcasting?

Public service television continues to be a major source of national, regional and local news and information. In recent years as the nations received devolved responsibilities the scale of television has moved the further way, with loss of regional programming ITV moves towards consolidation as a supplier to a UK audience. The nation ITV services – SMG in particular – are left caught between regional, nation and UK supply roles. With commercial non PSB channels only reaching 80-90% of the UK audience in a non-specific but mostly urban centred reach from the 80 transmitters selected, these channels as the main competition for the commercial PSB channels may pull the commercial PSBs away from universal delivery (or at least in addressing content for the more peripheral viewers). The service provision in the nations and regions (especially in the nation and the regions of Scotland) is particularly poor. The long-standing demand for a more localised TV news and information provision has not been satisfied. Both Ofcom and DCMS should address this gap in local licensing before switchover commences.

ii) Do you agree that UK-originated output is fundamental to the delivery of public service broadcasting purposes?

Yes, but the delivery of television as an 'either-or' – either national or regional/local programme - is too simple to reflect society and, as importantly, to address common issues to take forward UK wide.

The federal proposals for local TV on a universal basis offers a varied

distribution of programming in scale and relevance with programmes shown in one, many or all local areas. The federal structure offers a new and distinctive dimension to 'national' public service delivery. Society is made up of communities and the collection of those communities does not always fit the 'whole' of society. Society too can be a nation as well as the UK, just as citizenship commands loyalties on differing scales, while consumption is centred on the consumer in a location (mobile or fixed).

Section 4. The changing market environment

i) Do you agree with Ofcom's conclusions about the way that other digital channels and interactive media contribute towards the public purposes?

Internet and broadband at a reasonable speed combined with DTT offers a rich prospect for delivering services of a linear and non linear character. Both local TV and local public services need to reach the public on a civic scale they wish to serve and the synergy between DTT and broadband will provide a powerful tool.

Section 5. Prospects for the future delivery of public service content

i) Do you agree with Ofcom's assessment of the implications of different economic scenarios for the UK TV market for the future prospects for delivery of the public purposes?

The viewing of television and the demand for news delivered on television is not receding to the extent that innovative new and local services should not be introduced for fear of being overtaken. These new services will evolve and respond – and as many local services offer many local variations and responses to change. But programming making in many areas needs the boost of a strong platform now on which to build and to experiment further on.

ii) Do you agree with Ofcom's analysis of the costs and benefits of PSB status?

Local television has in the past received a very high audience share and on the audience estimates provided by Spectrum for Ofcom in 2005 relatively small areas are able to achieve one third to three quarters of their income based on Spectrum's estimates. Delivery of public services by television and the internet enables other cost centres – those supporting council magazines, newspaper advertisements, leaflets – to be redirected. TV adds the security that reach can be universal, so enabling public funds to be used. Ofcom has indicated the possible need for public support for public service broadcasting and local television is the primary candidate for such support. As the newest service its needs should be the first to be answered.

Section 6. Meeting audience needs in a digital age

i) Do you agree with Ofcom's vision for public service content?

Local TV and the internet – digital platforms – will provide a cost effective

base for distributing information, sharing cultural identity and enabling democratic engagement.

ii) How important are plurality and competition for quality in delivering the purposes of public service broadcasting, and in what areas?

Plurality is important to ensure a wide public have access to critical and alternative sets of views. There is an assumption that competition is reflected best by commercial mechanisms rather than by a framework in which striving for excellence and accuracy prevails. Competition for public funds on the basis of service relevance as local excellence in delivering public services is important. So too competition for (eq) best arts programme among local providers is another mechanism to help ensure quality. It is important for editorial independence to be sustained so that not all local news sources are shared or commonly owned.

iii) In maximising reach and impact of public service content in the future, what roles can different platforms and services play?

In the local setting local TV provides the production framework and with commercials some of the revenue for news and programming. The Internet provides the follow-up platform for further information. The interaction between linear and non-linear will probably be enhanced as high speed broadband delivery becomes universal. That said, in holiday cottages, in hospitals, in care homes, pubs, gyms and other locations a linear non-interactive version of a local service provides a representation of an area and its activities and this will probably prevail. Broadband and mobile phones will help news stories to be compiled remotely and forwarded to local TV stations for transmission.

iv) Do you agree that the existing model for delivering public service broadcasting will not be sufficient to meet changing needs in future?

Yes – but the current model is inadequate not for technological reasons but because PSB thinking reflects a redundant cohesion of state-wide public service when public purpose now resides at three or more layers. There is a need to recognise PSB on an equal footing in the nations in speaking to themselves, and in local areas speaking inwardly and to each other.

It is the concept of public service that doesn't meet future needs. When the three-tiers of PSB are recognised as being of equal importance democratically the technologies to support this fresh understanding fall into place. The problem for DCMS and Ofcom is they remain stuck too long with a centralising view offering an over-arching statist and monopoly view of PSB.

Section 7. Future models for funding and providing public service content

i) What are your views of the high-level options for funding public service broadcasting in future?

The BBC should remain the cornerstone of the statist PSB. See Section Nine for thoughts on devolved regulation.

If there were a new Scotland wide channel the BBC would compete with this for viewers whereas at present STV represents neither a fully Scottish nor a Scottish regional service – with regions far too large and irrelevant and bits of Scotland missing.

The proposed use of licence fee funds currently earmarked for DSO in the licence settlement should be open to consideration in restructuring PSB on three scales, as Ofcom's PSB scenarios mature.

Channel 4 or the regional ITV companies be kept out of public funding until a full appraisal of the benefits of a restructured PSB at all scales has been agreed.

ii) Are the proposed tests of effectiveness for future models for public service broadcasting the right ones?

Yes but the scales of 'local, regional/nation, and UK' are of equal importance but equity needs to be established before defensive funding by present commercial PSBs evacuates funds needed for the more innovative and flexible new local and possible new nation services.

iii) Of the four possible models for long term delivery of public service content, which, if any, do you consider the most appropriate and why? Are there any alternative models, or combination of models that could be more appropriate, and why?

Model Four but go further, see Section Nine above.

State scale regulation is at the root of the problem of failing to understand the needs of the nations and local areas as equal and independent.

Nation TV needs to influence decision makers at its scale of operation and so too does local TV. The services need to emerge out of the nation and local perceptions of representation.

Future public service content should be regulated at the most appropriate scale and commercial channels regulated to provide income for PSB use at each scale.

Section 8. Options for the commercial PSBs

i) What do you think is the appropriate public service role for Channel 4 in the short, medium and long term? What do you think of Channel 4's proposed vision?

Channel 4 is a UK wide channel anticipating future financial difficulties. When regulation has been devolved to the nations and localities and funding found to deliver nation and local services then is the time to compare Channel 4's future as a state service alongside service delivery on the smaller scales.

Currently the unequal prospects leave local TV as imminent – while Channel 4 already seems comforted that its future has DCMS and Ofcom's attention.

ii) Which of the options set out for the commercial PSBs do you favour?

Model Four.

Section 9. Scenarios for the UK's nations, regions and localities

i) To what extent do you agree with Ofcom's assessment of the likely future long term issues as they apply to the nations, regions and localities of the UK?

Ofcom's terms of reference for IPSOS-MORI were a curtailment of seeing the way forward for local DTT. That needs to be understood and access to spectrum provided on a PSB basis before switchover commences in six months. If Ofcom propose to look 'in future' at local TV this future must be before spectrum auctions. As PSB local TV would not be facing auctions.

ii) Which model(s) do you think will be most appropriate in each of the nations and in the English regions in the long term, and why?

A federal local TV network in Scotland, in turn linked to the other nations and local areas.

A Scottish channel that is locally constructed, opting in a differing scale of Scottish (and English) programming according to each area's preferences. See Section Five above.

iii) What are your views on short/medium-term issues referred to, including the out-of-London network production quotas?

Out of London is a conceit. Area by area quotas would be a better assumption. The redistribution of broadcasting effort from London outwards should be in proportion to the renewed emphasis for PSB to work from the local upwards.

The target for London production over time should be no more than its regional need plus the state's requirement to locate centrally. This will still ensure London is the largest the centre of production but the idea of London and out of London is fundamentally flawed.

Each area – region and nation – has integrity. On the 2005 figures the North East benefitted least of all from production spend – but out-of-London hides 'out of London' disparity.

iv) What are your initial views on the preliminary options set out relating to ITV plc's regional news proposal? (Please note that Ofcom will put forward firm options on these issues, and consult also on ITV plc's regional news proposal, in phase 2 of this Review.)

The regional news proposition is corrosive – an imposition over recognised civic areas. DTT and broadband offers the chance to correct regional TV as regional TV succumbs to a UK model. Television is the means of engagement – look to the areas we identify with and build the network as close as possible to reflect that.

Regional TV in England may not work. What's missing is the sense of an English nation on TV around which programming should be made.

There are possible ties between the Celtic 'nations' – programmes that run from Scotland through Ireland and Wales to Cornwall.

There are programmes linked by industry.

Local TV can build the nation's programming upwards – although an England channel would establish firmly that passing off programming for England as if for the UK is no longer an option.

Section 10. Prospects for children's programming

i) Do you agree with our assessment of the possible short term options available relating to children's programming: are there any other options available?

Yes a children's channel with children's internet and educational programming.

Section 11. Timetable for implementing a new model

i) Do you agree that new legislation will need to be in place by 2011 in order to ensure continued delivery of the public purposes in the medium and long term?

2011 may be too late. Provisions for the introduction of services into the Borders need to be ready this summer.

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