



Institute of Local Television
Office 13 Bellevue Place Edinburgh EH7 4BS
0131-466 3021
[email: local.TV@virgin.net](mailto:local.TV@virgin.net)

A response to Ofcom's *The Future of Digital Terrestrial Television*

(*United for Local TV* will contribute a more detailed analysis of the DTT proposals made by Ofcom in this consultation.)

In this short note the objective is to re-state that the evidence of citizen and consumer demand for Local Television found by Ofcom in preparation of its DDR (2006) and DDR Statement (2007), in evidence provided by MORI in 1995 for the PSB Review and by Jane Sanchos for the ITC in 2002 (Pride of Place), should be reflected in Ofcom's objective to finesse present spectrum assignments to enable new services for viewers. Ofcom should recommend local TV to Government for PSB status since DCMS claim to be at your mercy waiting for you to provide them with the evidence on this matter.

When asked, the viewer has wanted a localised service that regional TV has been unwilling to provide since the mid 1950s: and today the viewer still wants this local TV to be *on TV*.

The DTT document does not respond to how to accommodate this public demand in present spectrum but instead responds to pressure to accommodate HDTV, and to try to achieve this to save digital dividend spectrum for auction.

The arguments Ofcom deploys, though elegant, are entirely beside the point. Ofcom should marshal its energy to plan for local TV as wanted but missing services and for these to receive PSB access, not to support HD for delivering the same PSB content.

The add/drop solution for local TV has long been with Ofcom and the DCMS awaiting the spectrum benefits of better compression at switchover that Ofcom identifies. So far as the local TV sector has been able we have resisted pressures and steers from Ofcom to push local TV onto broadband and interleaved spectrum and to bid locally against national, global and existing players in competition for access.

Since at least 1993 local and community TV has been envisaged as distinct civic scale of third tier of 'local public service broadcasting', a form of words ratified in 1996 by the Community Media Association and later by the commercial-community Local Independent Television Network, subsequently by ACTO (advisory committee of local television operators) and now by the community-municipal-commercial 'United for Local TV'.



Institute of Local Television

Westminster ministers, shadow ministers and Lords and MPs have for a long time referred to a local civic role to be played by local TV. MSPs representing cultural and economic groups and committees in Scotland have referred to local and community TV – writing to Ofcom to demand the regulator stops speculating on spectrum allocations in the nations, and to ensure provision is made for local and community media access. The public in turn has voted in Scotland's May elections for parties now in a majority at Holyrood that are committed to either local and community media or broadcasting devolution.

Surely the weight of public evidence cannot be ignored by Ofcom as King Canute - favouring a technical fix to drain spectrum away from local determinations – not a technical intervention by a regulator committed to platform neutrality and by statutory requirement to address citizen demand?

The resistance bordering on hostility towards local TV by central Government and state regulator appears born of fear rather than of satisfying demand for economic and cultural equality in broadcasting, perhaps a fear of losing national (state) control of informed expression and debate? Every twist and turn of the DCMS to resist joining public demand to emerging technical capacity on digital platforms (add/drop on spectrum released by 16-64QAM conversion) raises ever-deeper questions about the UK's governance. Ofcom should not be second-guessing DCMS – but providing the same energy apparent in its DTT paper but on behalf of local TV as a service that is in public demand. Instead Ofcom expend considerable effort on shoe horning HDTV into that present spectrum – the place where a technical solution for local TV has long been located. A national hallmark of approval is missing from Ofcom to cement the evidence Ofcom has gained from three exercises in its market research to the technical solution it also approves and believes offers the best overall prospect for the viewer to receive a local channel.

Why has Ofcom put forward a comprehensive national plan to implement HDTV, returning it to command and control, to support a technical platform that as a market favouring regulator its ideology would suggest will surely resolve itself? In turn, Ofcom should accept that since there is a requirement for intervention for local TV – not so much for market failure - as long-standing market suppression and regulatory broadcast and transmission monopoly - to put forward for consultation as public serviced candidate a comprehensive national local TV plan and to present the findings to Government to agree or reject.

With publication of the NGWireless studies interleaved spectrum in-group has been found to be available at 71 transmitter sites (and probably at all 80). As a result of this very recent (December 2007) study a combination of add/drop and in group interleaved can be configured easily to deliver recognisable identity enhancing scales of access and reach for local TV to develop services. The spectrum not required in



Institute of Local Television

(say) ten years might then be reassigned. We've waited 25 years for local TV: Westminster and Ofcom can wait a further ten years to give it a chance to take off.

Ofcom's present position is to ask local TV to prepare on one month's notice - before 14 February – business plans for all possible cases of local service without these services knowing if there is rail track or even its gauge. The transmission companies are reluctant to provide estimates of site costs –perhaps because they plan to bid for the spectrum they will carry. Abdication of national responsibility to deliver a coherent national local plan *on local terms* leaves local services without the means to take control of their own spectrum. National control (abdicated to auction) leaves spectrum free for unknown and unresearched centralised projects to overrun the identified but unable to formalise local needs. Ofcom might allocate out of group spectrum for use by the unknown, unresearched services because in-group's unique feature is that it can be received by existing aeriels and so deliver local content to the home television.

In considering a national local plan, a combination of add/drop on one PSB mux and on two COM muxes with judicious use of interleaved on key transmitters and relays to fill in gaps will offer universal coverage as well as the relatively fine granularity of location that the smaller commercial, municipal and community organisations already address.

The BBC has set aside the PSB spectrum it had proposed using for the Gaelic channel on Freeview (valued at £4m apparently). This spectrum might be used for add/drop, delivering specifically Gaelic language services to those communities seeking to run their own services in Gaelic or in English and Gaelic. There should be no argument that local TV's claim to PSB status so far as the public is concerned is any less important than that of the Gaelic speakers – themselves a fairly localised population being offered £20m of public support.

This once in a lifetime opportunity to address the inequalities, Westminster bias and global abstraction of channel provision must not be allowed to slip away without first addressing in the light of public demand and more local governance the totality of PSB and what it means and what it can mean for the future, what local TV can fulfil economically and socially in national, regional and local terms.

Decisions on spectrum use that are based on confining the PSB conception state perceptions will make future interventions irreversible. Perhaps that is the objective. It should not even be contemplated adjusting spectrum to suit HDTV before determining the full scope of the new PSB – which the Welsh, Northern Ireland and Scottish assemblies and parliament might want to contribute towards (as they have to DDR) – not to mention the inclusion of (eg) Teachers channel or Community channel and Gaelic TV alongside and on equal terms with local TV.



Institute of Local Television

It is daunting to be told that Ofcom cannot interfere in the PSB muxes to direct them to make room for local TV and yet to have Ofcom imagine its role should make provision for technically enhanced versions of present PSB services on HDTV.

It is very far from clear that Ofcom's responsibility stretches to securing multiplicities and repetitive utterances of the same PSB content, soaking up platform after platform

– where is the pressure to innovate and to refresh public service broadcasting? If it stretches this way then surely it stretches to addressing the public's evidenced demand for local services too?

Or is all the pressure that Ofcom responds to coming from the top, directed to keep a lid on anything other than repeating the state's self image and filling up spectrum with endless and repetitious commercial distractions?

Regards,

Dave Rushton
Director, Institute of Local Television
Public Interest Fellow, Department of Geography and Sociology,
University of Strathclyde