

Response from the Advisory Committee for Scotland (ACS) to Ofcom's Distribution of BBC Public Services, Requirements and Guidance

*'The Ofcom Advisory Committee for Scotland (ACS) advises Ofcom about the interests and opinions, in relation to communications matters, of persons living in Scotland.'*¹

This response from ACS to the Ofcom Consultation on Distribution of BBC Public Services, Requirements and Guidance, draws on the knowledge and expertise of ACS members, informed by our individual professional experience and through discussion at our meetings. It does not represent the views of Ofcom or its staff.

Response

When considering distribution, it is important to remember that decisions on distribution can have a direct impact on content delivery, particularly in areas already disadvantaged due to infrastructure limitations. For instance, many audiences in Scotland are constrained from take up of online digital services due to limitations in infrastructure, whether that be broadband or mobile data. Any decisions taken regarding distribution must not unfairly impact on delivery of core BBC services using traditional distribution methods; such decisions need to take into account impact on all audiences, rather than focusing solely on competition factors.

1) As a recent example, under the Delivering Quality First (DQF) cuts programme there was a proposal to move BBC2 to HD only, removing all of the SD Nations and Regions variants. This would have meant that there was no BBC2 Scotland SD service. Given that Scotland has the largest number of hours of opts programming and the majority of Scottish opts programming goes out on BBC2 Scotland SD this would have meant a major reduction in the service provided to Scottish viewers (as these programmes would not have moved to BBC1 Scotland). This was raised by the Audience Council Scotland (as it was in Wales) and representations by the BBC Trust to the BBC Executive ultimately led to this proposal being dropped to avoid such a significant reduction in service. Consideration therefore needs to be given to ensuring that a similar mistake would be picked up under the new structures being proposed.

2) There appears to be an assumption in this consultation document that decisions on distribution are about retaining choice for those who will be accessing BBC services via other platforms - generally these will be digital and paid for. The thrust is that BBC services should be available on all these platforms to avoid distorting competition between them.

The ACS is concerned that forcing the BBC to make these services available on all new platforms will have technological implications and possibly cost implications for the BBC. These may in turn result in decisions being made about more traditional distribution which will have a negative impact on those customers not using or not able to access new platforms (either due to lack of broadband or lack of affordability). This will tend to have a disproportionate effect on older people, those in less well off households and those in rural areas with poor connectivity. This would effectively reduce choice rather than increasing it, and have a negative impact on delivery of public purposes in Scotland.

¹ Ofcom - Advisory Committee for Scotland – Functions and Role
<http://www.ofcom.org.uk/about/how-ofcom-is-run/committees/scotland/>

Summary

There should be consideration given to balancing 'competition and access' with 'parity of access for all'.

Decisions taken regarding distribution must not unfairly impact on the delivery of core BBC services using traditional distribution methods. Audiences in much of Scotland are constrained from take up of digital services due to limitations in infrastructure. Any distribution decision therefore needs to take into account the impact on all audiences, rather than focusing solely on competition factors.

**Advisory Committee for Scotland
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