

*“Working for quality  
and diversity in  
British broadcasting”*



**PO Box 401, Gravesend, Kent DA12 9FY**

Telephone: 01474 338716

Fax: 01474 325440

E-mail: [info@vlv.org.uk](mailto:info@vlv.org.uk)

Web: [www.vlv.org.uk](http://www.vlv.org.uk)

**Founded in 1983 by Jocelyn Hay CBE**

## **Response from Voice of the Listener & Viewer to Ofcom's Channel 3 and Channel 5: proposed programming obligations**

### **Proposals for amendments to obligations for Channel 3 and Channel 5 ahead of a new licensing period**

**2 May 2013**

**Response from Voice of the Listener & Viewer to Ofcom's  
Channel 3 and Channel 5: proposed programming obligations**  
Proposals for amendments to obligations for Channel 3 and Channel 5  
ahead of a new licensing period

*Voice of the Listener & Viewer (VLV) is an independent, non-profit-making association, free from political, commercial and sectarian affiliations, working for quality and diversity in British broadcasting. VLV represents the interests of listeners and viewers as citizens and consumers across the full range of broadcasting issues. VLV is concerned with the structures, regulation, funding and institutions that underpin the British broadcasting system.*

In response to the request from Ofcom for comments on these proposals, Voice of the Listener & Viewer submits this paper.

VLV welcomes the fact that Channel 3 and Channel 5 have not proposed any changes to their national and international news and current affairs obligations.

We also welcome that no changes have been proposed to the original production or independent production quotas by either channel. It is especially important to encourage and require investment in original programming in the British public service broadcasting sector. In their report to the Secretary of State on the *Licensing of Channel 3 and Channel 5* in July 2011 Ofcom note that – at 2010 prices – investment by PSBs in original programming reduced from £2.7 billion in 2004 to £2.3 billion in 2010.

VLV does have concerns about the extension of 'peak time' to 11pm. This is too late for many viewers and will allow broadcasters to move regional programming into a less popular slot, depriving many viewers of the opportunity to view it at a reasonable hour.

*Q1 Do you agree that the existing obligations on Channel 3 and Channel 5 licensees in respect of national and international news and current affairs, original productions, and Out of London productions should be maintained at their current levels? If not, what levels do you consider appropriate, and why?*

We are in agreement with Ofcom that the current level of programme and production obligations required from Channel 5 should remain the same. We agree that Channel 5's Out of London quota should not be reduced.

VLV agrees that there should be no reduction in the existing obligations on Channel 3 and Channel 5 licensees in respect of national and international news and current affairs, and original productions should be maintained at their current levels.

*Q2 Do you agree with ITV's proposals for changes to its regional news arrangements in England, including an increase in the number of news regions in order to provide a more localised service, coupled with a reduction in overall news minutage?*

Yes, on balance we agree with these proposals since they appear to offer enhanced quality of service through greater localism. It is perhaps regrettable that there is a reduction in hours of provision but this is matched by plans to provide a more diverse and targeted service. The pan-regional proposals seem to be carefully thought out - but the delivery of this type of service should be monitored for quality and effectiveness.

*Q3 Do you agree with UTV's proposal for non-news obligations should be reduced to 90 minutes a week? If not, what alternative would you propose and why?*

We would wish to see evidence of independent research into the audience use and valuing of non-news regional programming in Northern Ireland before a reduction in quota is considered. These programme hours are important for economic development reasons as well as for the promotion of cultural diversity and civil society. On a separate but related matter we think it regrettable that the quota for English regions in this programme category appears to be set at a lower figure than that established for the other UK nations. This seems to be based on a mistaken assumption that audiences in the English regions have less need for the cultural opportunity and resource of non-news regional programming. We believe that this should be reconsidered for England and that the costs involved could be contained by some element of pan-regional provision in non-news regional programming. See also our concluding point on this.

*Q4. Do you agree with the proposals by STV to maintain overall minutage for regional content in the northern and central licence areas of Scotland at 5 hours 30 minutes a week, as detailed in Annex 3? If not, what alternative would you propose, and why?*

It is not clear to us whether or not STV has considered the option of enlarging its licence boundaries to include Scottish viewers currently in the ITV Border region. Given the proposal to create a separate Welsh licensing area for Channel 3 it would seem logical for this option to be considered both by Ofcom and by the current relevant licence holders (STV and ITV Border).

*Q5 Do you agree with the proposals by ITV to maintain the overall minutage for regional content in Wales at 5 hours 30 minutes a week, as detailed in Annex 3? If not, what alternative would you propose, and why?*

No response.

*Q6. Do you agree with the proposals by ITV to reduce the overall minutage for regional content in the Channel Islands from 4 hours a week to 3 hours 20 minutes as detailed in Annex 3, while maintaining the present provision of a 30 minute early evening regional news programme? If not, what alternative would you propose, and why?*

No response.

*Q7 Do you have any views on any other aspects of the nations and regions programming and production obligations of the Channel 3 licensees?*

Yes, as indicated above we believe that the level of non-news regional programming in England should be re-considered and increased while costs are contained through some element of pan-regional or shared provision.

*Q8. Which option would you prefer in respect of the news and current affairs in the Border region, and why?*

Option 1 appears to be the one most likely to meet the very different needs of the Scottish and English as well as the urban and rural inhabitants of the ITV Border region. ITV's own proposals for change appear both imaginative and realistic in respect of costs.

*Q9 If option 2 were to be adopted, should ITV be required to provide separate transmission for the Scottish and English parts of the region on DTT?*

No response.

*Q10. If you would prefer a different option to those set out in Questions 8 and 9 above, please explain what, and why .*

Clearly a major re-think will be required if the result of the Scottish independence referendum in 2014 is the creation of an independent Scotland. But, at present, the Scottish inhabitants of Border region seem to be relatively content with the BBC services available – in respect of Scottish national and political news - and appear to have expressed some preference for enhanced regional/local services to be provided by ITV, with an emphasis on a distinctive shared locality rather than on nationality. In this regard the ITV proposals may offer a more appropriately tailored package than that currently or potentially available from STV for Scottish viewers in this region. But the research conducted into these preferences is limited and, in any case, the situation and viewers' perceptions and preferences could change quite rapidly as the political context changes.

*Q11 Do you agree that the Border licence should be amended to reduce the proportion of regional production required to a sustainable level? If not, what proposals would you like to make?*

While any diminution of provision is regrettable the proposals from ITV seem to be practical and realistic – as well as sensitive towards local preferences – in combining an enhanced quality of diversified local coverage with fewer hours of output.

*Q12 What views do you have on the proposal by STV and UTV to extend peak time to 11pm, which would extend the window in which they could schedule regional content that must be shown in peak time?*

As already indicated we do not favour this proposal. Any relocation of regional programmes to a late night slot - after 10.30pm – will make it difficult or impossible for regional viewers to find and enjoy these programmes. This is especially the case for working people.

### **In conclusion**

Finally, we wish to make two additional points. Firstly, Section 3.17 of Ofcom's consultation document (*Channel 3 and Channel 5: proposed programing obligations*) indicates that ITV proposes to move from a total of four hours of regional programming in an average week - comprising three hours 45 minutes of news, and 15 minutes of non-news' to a new total of two hours and 30 minutes. This is designed to cover the increased costs of a reversion to more opt-out sub-region services. However there appears to be no mention of how 'non-news' programming will be included in the new totals. We ask Ofcom to clarify what has happened to this non-news provision in England.

Secondly, in respect of Ofcom's consultation on licence area boundaries for ITV/Channel 3, we support the proposal to create a separate licence area for Wales.

2 May 2013