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Local TV and EPG Prominence in the UK

Recent local TV developments in the UK

- Up to 2010 Restricted Service Licences
- 2010-2011 New Government initiative, policy debate and public consultation
- December 2011 Final Government policy position, followed by legislative change
- February 2012 Ofcom given new powers

Recent local TV developments in the UK

- May 2012 Ofcom sets out approach to licensing and regulation of local TV
- 2012 onwards Ofcom awards the local TV licences
- Current status 19 local licences awarded plus the multiplex licence; around 30 more licences may be awarded

For more information see:

http://old.culture.gov.uk/what_we_do/broadcasting/7235.aspx

Government policy on Local TV

- Four main interventions by Government to create a new market:
 1. Reservation of spectrum for local TV broadcasters
(‘geographically interleaved’ spectrum for a new multiplex)
 2. New powers and duties for Ofcom to create a licensing framework
(a new type of broadcasting licence, criteria for competitive award)
 3. Financial assistance through the BBC
(capex for the transmission network; opex until 2017 for local services)
 4. EPG prominence for discoverability and to enable advertising revenue
(designation of Public Service Broadcasting status)

Ofcom's approach to local TV

- Licensing, policy and programmatic work:
 - Devising the licensing system (competitive process, mux vs. local)
 - Advertising and awarding licences (may be commercial or community models – criteria are sustainability and local content)
 - Programme management (with Government and the BBC)
 - Content regulation of local TV (local requirements, advertising deregulation)
 - EPG regulation, now including local TV

<http://stakeholders.ofcom.org.uk/consultations/local-tv/statement>

How EPG prominence was achieved for local TV

- EPG regulation in the UK
 - EPGs are licensed and ‘appropriate prominence’ for PSB is required by Ofcom EPG Code (also access services and fair competition)

<http://stakeholders.ofcom.org.uk/binaries/broadcast/other-codes/epgcode.pdf>

- How EPG prominence was achieved for local TV
 - ‘Soft power’ as well as regulation
 - Designation of PSB status to licensees through a change in law
 - PSB but economically fragile: implications for regulation
 - Broad approach taken by EPG providers: highest vacant slot (8/34 on DTT, 117 Satellite, 159 Cable)

Ofcom's EPG Code

Section 310(2) requires that Ofcom's EPG code oblige EPG providers to give the degree of prominence that Ofcom considers appropriate to the listing and promotion of public service channels [...]

Ofcom considers that 'appropriate prominence' permits a measure of discrimination in favour of PSB channels. However, it does not propose to be prescriptive about what appropriate prominence means, as there are many possible ways in which EPGs could display information about programmes included in PSB services. Accordingly, EPG providers are required to comply with the following general principles:

a. EPG providers should ensure that the approach they adopt to the requirement for appropriate prominence is objectively justifiable and should publish a statement setting out their approach;

b. Ofcom will have regard to the interests of citizens and the expectations of consumers in considering whether a particular approach to listings public service channels constitutes appropriate prominence; and

c. in giving appropriate prominence to PSB channels, EPGs should enable viewers in a region to select the appropriate regional versions of those channels through the primary listings for those channels provided the PSB in question has secured services that enable this.

EPG prominence: challenges and future directions

- Challenges on local TV
 - Different TV platforms, different parts of the UK, new devices
 - Genre allocation for local TV – news or entertainment?
 - The limits of this solution and of Ofcom's powers
- EPG regulation more broadly: challenges and new thinking
 - Existing regime aimed at SD, linear services – needs to adapt
 - Different approaches to prominence (e.g. genres vs. status?)
 - Licensing vs. authorisation?

<https://www.gov.uk/government/publications/connectivity-content-and-consumers-britains-digital-platform-for-growth>

In conclusion...

- EPG prominence has been one of a range of interventions for local TV
- Some good outcomes have been achieved in terms of EPG positions but there are limits to what can be delivered under the current framework
- Local TV is one of several issues in broader EPG policy consideration, and Government is currently looking at EPGs
- Local TV services launch from November 2013 onwards – we will see the effects of this intervention

Questions?

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