

Ofcom's Advisory Council for Northern Ireland

Ofcom – Call for Evidence on the Future of TV Distribution – 2023.

The Communications Act 2003 requires Ofcom to establish and maintain Advisory Committees for the different parts of the United Kingdom.

Ofcom's Advisory Committee for Northern Ireland (ACNI) advises Ofcom on the interests and opinions of citizens and consumers in Northern Ireland in respect of communications matters.

We are independent and our views do not represent the views of Ofcom or its staff.

Please accept this document as the Committee's submission to the Ofcom Call for Evidence regarding the Future of TV Distribution.

Submission

ACNI understands – and research clearly shows - that viewer habits are changing as technology develops. More and more viewing is taking place away from the traditional television screen and even viewing through TV's is often "streamed" rather than "broadcast".

Already the amount of spectrum used for broadcast has been reduced in recent years and repurposed for other uses, and technology – through signal compression – has allowed for more channels to be broadcast in the remaining spectrum.

Now the UK Government has requested Ofcom to look at the future of TV Distribution.

ACNI believes while at some point it is inevitable that the DTT service will be turned off, before this can happen, with regard to all viewers but especially those in Northern Ireland a number of areas of any process of DTT switch-off and IP migration require (in some cases significant) attention.

Responses to Questions

1. How are audience demands and expectations evolving, and how does that vary for users of different TV platforms and different demographics?

Audience preferences have been shifting towards on-demand and streaming services. This trend is observed across different age groups, with younger demographics showing a stronger preference for streaming platforms compared to traditional linear TV. In Northern Ireland, as in the rest of the UK, the adoption of streaming services has been steadily increasing.

However not everyone in Northern Ireland will have the necessary devices and knowledge to access television through broadband.

Ofcom's own data shows that less than 30% of NI population access the BBC iPlayer weekly as opposed to over 95% accessing television services.

Of an adult population of approximately 1.5million there are just over 300thousand iPlayer accounts in Northern Ireland according to the BBC Annual Report. ACNI would be interested to understand the reach of other PSB online players in NI and across the UK.

There is a long way to go before a tipping point in consumption is reached.

In addition, programming from the nations and regions is of significant audience and societal value and makes a distinct and weighty contribution to delivery of the public purposes. However, finding this content in a digital world is currently much harder than on a linear service.

Indeed, on some digital platforms it is impossible to currently watch or watch in catch up local news bulletins as the platforms do not or cannot regional their service.

For example, viewers in Northern Ireland watching the BBC iPlayer through an Apple TV device cannot watch the Newsline (NI) bulletins and instead receive BBC London News.

As part of any move to an IP only world – PSB broadcasters much be encouraged and where necessary Operation Licences or Contracts amended to ensure the discoverability of nations / regions news, current affairs and other programming.

2. What do audience trends mean for the financial prospects and sustainability of TV distribution platforms, and what are the key decision points over the next ten years?

Other stakeholders will have far more relevant knowledge in regard to the financial and investment decisions regarding the future of DTT.

However, as an important note, in any transition public service broadcasters' roles as trusted intermediaries in providing news and the sense of national identities should be safeguarded.

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ACNI would argue that increased marginalisation of major PSB brands is likely to result as they lose prominence on electronic programme guides or app-based TVs.

It is important during any changeover period, and in this current period of changing consumer patterns that any decisions ensure that we build and fund an all-IP future that supports high quality, relevant and distinctive UK media and ensure that it is not relegated to the side lines. This is particularly important for national / regional services – who as we have already said are increasingly challenging to discover / find on digital services.

3. How do broadband networks and supporting infrastructure need to evolve to support resilient delivery of TV over the internet in the future?

The move to broadband-based television distribution could potentially exacerbate the digital divide. While NI is very well served with broadband, as Ofcom is fully aware, some rural and remote areas do not have the same level of high-speed broadband access as urban areas. This could result in some communities being left with limited or no access to television services, creating a disparity in access to information and entertainment.

As the consultation document states, DTT offers a reliable and stable broadcast signal, especially during adverse weather conditions. Broadband-based television may be more susceptible to outages or disruptions, which could impact on PSB's ability to reach all audiences with important public service information at times of national or local emergency, as well as leading to viewer frustration during important events.

In addition, attention needs to be taken to ensure there is enough "broadband network capacity" for peak time viewing especially when major programming, key national or sporting events or major news events such as Covid "style" national briefings are taking place.

There is an opportunity to seek greater more specific assurance on current and future resilience from platform providers. This was envisaged under the Network and Information Systems (NIS) Directive with Ofcom having a specific role as the designated Competent Authority for digital infrastructure.

The Digital Regulation Cooperation Forum will also have a role to play in ensuring future resilience.

4. In what ways might different types of 'hybrid' terrestrial and internet services deliver benefits for audiences and what risks may arise?

Some content, especially locally produced or public service broadcasts, are far harder to find or access through broadband-only distribution, via streaming serves of the major PSB's, impacting access to news, current affairs and regional/cultural programming.

(please refer back to the ACNI response to Q1 for additional relevant comments)

Broadband and data usage – especially on mobile phones - can be subject to data caps, and streaming television in high definition can quickly consume a significant amount of data. This may lead to additional costs for consumers, which they would not have incurred with DTT.

We note that, at present, some households mitigate these costs by relying on DTT for second or third TV sets.

5. Given the sharing of infrastructure, what would the implications for other sectors be if there was a change to the use of digital terrestrial television (DTT)?

Currently under the Good Friday Agreement, RTE and TG4 services are available across Northern Ireland via DTT.

This is a valuable – and well used – addition to the choice of viewers and particularly important culturally and politically. Protection for these services would be required in any DTT switch-off.

There also would be coordination required with the DTT platform in Ireland, Saorview, and Irish broadcasters if there was not to be a simultaneous switch-off in the UK and Ireland.

Saorview boxes and smart TVs are readily available and can be bought and brought back over the border between Northern Ireland and the Republic of Ireland easily. So many viewers will still get “free at point of use” DTT services without needing to pay for potentially higher cost and less reliable broadband delivered TV services. Ofcom should note that by its very nature, much of the border area is rural and may have lower broadband speeds.

6. What coordination and planning across the value chain might be necessary to secure good outcomes for audiences and key providers over the long term?

ACNI strongly believes that a change to the highly valued and much used Freeview DTT service needs clear communication with viewers.

If a decision is taken to amend or close the service in favour of a hybrid or IP only solution then a detailed, timely and comprehensive audience information and education programme is required. Similar to the Digital UK process for the closure of the analogue television system.

Platforms and broadcasters will need create and deliver a similar programme of support as was delivered in the lead up to the digital switchover.

In Northern Ireland during DSO, BBC NI and UTV came together to produce a programme explaining DSO as a simulcast – so viewers of both channels received timely, quality information about a digital only future. Similar joint / shared messaging should be considered for any change to DTT.

It is crucial that communication around any changes is highly publicised and communicated in a variety of ways to make sure all audiences understand whatever change is coming.

DTT users need time – and information – to understand the change, purchase new equipment or broadband services and understand where and how their favourite programmes can be found.

Particular protections should be considered for groups who are vulnerable and may not have the means or skills to transition easily to IP delivery, or to exercise consumer choice. It would be expected that some members of the community would not actively engage in the broadband market for any other reason and may need assistance to continue to access PSB services without undue cost.

There may also be some complexities relating to the migration to IP phone services (VOIP). For example, it is likely that a small proportion of households will only have a broadband

router to enable VOIP and may be disinclined to consider other providers and packages for fear of undue complexity or disruption.

Platforms and broadcasters should – through licence obligations or legislation – be made to carry clear messaging of the changes.

Platforms and services must also ensure that PSB content and especially regional nations PSB content can be found and be available to the relevant audience in the relevant geographical area.

However, before all this service providers (and central and devolved government) need to ensure that networks provide comprehensive coverage at a level at least equivalent to the current DTT coverage, and speeds and capacity to ensure a smooth transfer of service from through the air, to through the internet.

Also, consideration need to be given to how low-income families can receive television services via broadband via reasonable and accessible social tariffs to ensure the digital divide does not grow, and, for example, all children have access to programming that can educate and inform as well as entertain.

It is imperative that a digital divide does not turn into an even greater “information and opportunities divide” than currently exists.

One option may be to reduce the number of multiplexes operating over time and eventually use only enough spectrum capacity to broadcast the main PSB channels on DTT with all other channels migrating to IP. This would ensure that those unwilling or unable to take commercial services or pay for greater bandwidth / data retain access to quality news, current affair and other programming. It is important to have assurances that 'free-to-air' services would remain accessible to all and that the universality of PSB's remains in place.

One other element of DTT services that will require protection is a streaming works is “access services”. While there are obligations on streamers now - signed and audio-description services are crucial for many and any changes should ensure technology is used to improve accessibility and ease of use for all audiences, not reduce or diminish this provision.

Finally – and importantly – currently the main access mechanism in the UK for the distribution and consumption of UK television is UK owned through the major PSB's being shareholders in Freeview.

This role of gatekeeper becomes fragmented in an IP world with many international players controlling the access to the UK market through OTT boxes, operating systems and smart TVs that do not necessarily have the same interests in both prominence in visibility and operability as exists now.

While Freeview's recently announced Freely service and the prominence provisions of the Media Bill may address this, once again ACNI would view that additional protections for the consumer may be required.

Ends

ACNI – December 2023