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A (bh) charaid chòir

OFCOM CONSULTATION OF DRAFT BBC OPERATING LICENCE

Thank you for the opportunity to comment on the Draft Operating Licence to be issued to the BBC for the provision of its UK Public Services.

I refer particularly to the elements of the draft licence which impact on BBC Alba and BBC Radio nan Gàidheal and I consider that an opportunity has been missed to improve services to viewers and audiences. There is a worrying trend to consider that “repeats” fulfil the terms of the licence and indeed that will probably be the case as this draft licence does not require BBC Alba to broadcast first run originations, indeed the only prescription within the licence (2.23) is that it should programme no less than 5 hours Gaelic language learning each week. It would be beneficial to indicate that the language learning material broadcasted should not be more than 5 years old; language learning techniques have progressed significantly in the last few years and Gaelic learners viewing BBC Alba should be able to benefit from these new techniques. It is also worth mentioning that, while there is no reason that BBC ALBA should not have obligations towards learners of Gaelic, as a language learning tool evidence suggests that television is considered to be too passive a medium and that online and on-demand audio-visual language learning resources are the best way of delivering these requirements. I would also be grateful if Ofcom would clarify its reasoning for selecting this particular obligation over any other, bearing in mind that BBC Alba also plays a hugely important entertainment role for children, young people and their parents – particularly those who are in Gaelic medium education – and as you will be aware there are considerable gaps in the current provision.

BBC Alba has a very loyal audience, and has accepted that due to language marginalisation it may have a more limited access to new programmes. No doubt this acceptance will have an expiration date and viewers will want to see a greater variety of genres delivered by the channel. I feel that Ofcom has missed an opportunity to impose a regulation within the licence which would see a commitment in first run originations for BBC Alba, as it has done for BBC 1, BBC 2, CBBC and Cbeebies. I would urge Ofcom to consider including within the licence a regulation seeking an increase to 3 hours of first run originations a day, or 1,095 per annum. Given that the Welsh language output of first run originations is 2,900 hours per annum, I do not consider that just over a third of that figure is a disproportionate request for a Gaelic public service television channel that is required by the BBC Framework Agreement to provide a wide and diverse range of high quality programmes in Gaelic.

I note from Section 1.3 of the draft Licence that *in the first operating licence we (Ofcom) are required to seek to increase the current requirements set by the BBC Trust to secure the provision of more distinctive output and service.* In terms of BBC Alba I would suggest that this draft licence has made no attempt to increase distinctive output or service. It would be disingenuous of Ofcom to set a principle that sought to treat BBC ALBA output and service as already being distinctive as a consequence of being in a language that is not English. The combined imperatives of Article 11 of the European Charter for Regional or Minority Languages, Paragraph 40 of the BBC Framework Agreement and MG ALBA's statutory remit (s208(3) Communications Act 2003) – as well as Ofcom's settled treatment of BBC ALBA as a public service broadcasting channel – argue persuasively that BBC ALBA should not be treated any differently to other multi-genre Public Service Broadcasting channels whether in English or Welsh (or even Irish, if you take the case of TG4 in the Republic of Ireland). I would therefore suggest that Ofcom is obliged to apply the same general principles to BBC ALBA as to BBC One, even if the operations are different in scale.

In relation to Radio nan Gàidheal, I can only emphasise the huge importance of the service to the Gaelic diaspora, but particularly to the Western Isles where many rely on it for access to local, national and international news but more especially for local information. The present combination of programmes is extremely popular and I know that the commitment and enthusiasm of the team is greatly appreciated by the listeners in the Western Isles. I feel it is critical that the current level of service is retained and indeed enhanced, and I would urge Ofcom to further consider including in the regulations an increase in programmes for young people and for learners of the language.

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