



Cristina Nicolotti Squires
Group Director for Broadcasting and Media
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Objections to Proposals in Ofcom's Consultation on Revised PSB Commissioning Codes of Practice

Dear Ms Nicolotti Squires,

I am writing to express my deep concern regarding the proposals set out in Ofcom's current consultation on the Revised Guidance for Public Service Broadcasters on Commissioning Codes of Practice. I believe that the proposed removal of prohibitions on 'matching rights' and linking conditional offers to the bundling of primary and secondary rights will pose a significant threat to the financial health and sustainability of the UK's independent production sector, and ultimately, to the diversity and quality of UK public service broadcasting.

The proposals will drastically shift the balance of negotiating power in favour of the PSBs, squeezing independent producers and hindering their ability to retain and exploit their intellectual property.

The result will be a decline in diverse supply and reduced working capital for SMEs, stifling innovation in the UK content market and ultimately restricting the range of content available to PSB commissioners and viewers.

- Scripted television is becoming increasingly more difficult to fund, as has been very publicly discussed only very recently, and closing finance is very challenging. Strong's key fear is that this will ultimately lead to a reduction in both volume and range of content.
- Specifically, these changes could lead to a 'warehousing' of rights, limiting the availability of content to audiences and stifling innovation within the sector.
- In my business I focus on scripted and over the last 2 years since Strong started I have found it harder to raise the finance to make programmes. The ability to exploit my secondary rights is vital and if broadcasters have the ability to last matching rights I would not get the required funding for my project.
- On bundling the vast majority of producers such as Strong will be under immense pressure to acquiesce to this "request" as they will be concerned that if they don't agree they may not get the commission and that someone else will.

I strongly urge Ofcom to maintain the existing safeguards that protect independent producers that also ensure a fair and competitive market. I believe that a strong and vibrant independent production sector is essential for the continued success of public service broadcasting in the UK.

Yours Sincerely,

Matt Tombs

Managing Director, Strong Film + Television