



Channel 3 and Channel 5: Statement of Programming Obligations

Amendments to obligations for Channel 3 and
Channel 5 ahead of a new licensing period

Statement

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Section 1

Executive Summary

Introduction

- 1.1 Following the Secretary of State's decision not to block the renewal of the current licences,¹ and having received applications for renewal from the current licence holders, we are required to consider whether or not to renew the licences of the current Channel 3 and Channel 5 licensees, in accordance with our duty under section 216 of the Communications Act 2003 (the '2003 Act'). In preparation for that determination we issued three consultations in relation to the licences in February 2013.²
- 1.2 This statement concludes a consultation on the proposed programming obligations of the licences. Two other statements published in parallel set out Ofcom's position on the methodology for determining the financial terms of the new licences, and on the establishment of a separate Channel 3 licence in Wales.
- 1.3 The licensees told us that, in broad terms and with some amendments, their existing PSB obligations would continue to be sustainable during the next licence period. We consulted on programming obligations that they proposed should carry through into the new licence period. In summary, these were:
- no changes to the network programming and production obligations of the Channel 3 and Channel 5 licensees (news and current affairs, original production, and Out of London production);
 - amendments to the regional programming commitments in Channel 3 licences, to create more localised regional news services, but to offset the cost of this, a reduction in the amount of regional content required;
 - a reduction of regional non-news obligations for UTV; and
 - particular provisions for the Border licensed area, in recognition of the Secretary of State's concerns about viewers in the south of Scotland.
- 1.4 We also sought views on possible amendments to the definition of peak-time across all PSB services.
- 1.5 Ofcom received 72 responses to the consultation, which we have considered carefully. In the light of these responses, the analysis set out in our section 229 report³ and further information we have obtained from the licensees, Ofcom has reached the decisions summarised below, and will reflect these in amendments to

¹ See *Letter from the Secretary of State to Ofcom*, 21 November 2012, at:

http://www.culture.gov.uk/images/publications/Maria_Miller_letter_to_ed_richards.pdf

² See Channel 3 and Channel 5: proposed licence obligations for the next licence term at:

<http://stakeholders.ofcom.org.uk/binaries/consultations/c3-c5-obligations/summary/c3-c5-obligations.pdf>

³ Licensing of Channel 3 and Channel 5: A report to the Secretary of State under section 229 of the Communications Act 2003 (<http://stakeholders.ofcom.org.uk/broadcasting/tv/c3-c5-licensing>)

the current Channel 3 and 5 licences, and the new Channel 3 and 5 licences which will be offered to the existing licensees.

Ofcom's decisions on programming and production obligations

Network Programme and Production Obligations

- 1.6 None of the licensees for Channel 3 and Channel 5 services proposed changes to their network and production obligations. We have decided to maintain the existing Channel 3 and Channel 5 obligations for national and international news and current affairs, original productions, independent productions and Out of London productions.

Nations and regions programme and production obligation for the Channel 3 licensees

Regional News in England

- 1.7 ITV plc proposed that the regional news services that resulted from merging news services in 2009 should again become more localised services. However, to offset the cost of this change, the amount of regional content required in each of its English licences would be reduced (including Border to a lesser extent).
- 1.8 In most English regions, we agree that ITV's proposals strike an appropriate balance between a sustainable service, and one that meets the needs of citizens for a more local and thus more relevant regional news service. Accordingly, we have concluded that the Channel 3 licences for regions other than Border, London and Granada should be amended to reflect ITV's proposals.
- 1.9 In the London and North West England (Granada) regions, ITV's proposals would reduce the volume of regional news without providing more localised coverage. These are large regions with significant populations. Accordingly, we have concluded that the Channel 3 licences for the London and North West England regions should retain regional news obligations consistent with a full 30 minutes of regional news in the early evening, though with shorter news bulletins outside peak.

Regional News in Wales, Scotland and Northern Ireland

- 1.10 The Channel 3 licensees proposed to maintain the current regional news minutage obligations in Scotland (outside of the Border licence), Wales, and Northern Ireland. In Wales, ITV proposed to meet these obligations in part by maintaining a full 30 minutes of news in the early evening, but to reduce the length of lunchtime, late evening and weekend bulletins in line with the proposed provision in England. Ofcom notes that, as a result, ITV would need to provide additional news programming in Wales to meet its regional news minutage obligations.
- 1.11 We consider that the licensees' proposals represent an appropriate balance between a sustainable service, and one that meets the needs of citizens for news reflecting the different constitutional arrangements of their nations and regions. Accordingly, we do not propose to change the Channel 3 regional news minutage obligations for Wales, Scotland (outside of the Border licence) and Northern Ireland.

Regional Non-news in England, Scotland and Wales

- 1.12 The Channel 3 licensees did not propose any changes to the existing regional non-news licence obligations in Wales or Scotland (outside of the Border licence). In

England (outside the Border licence), ITV proposed that regional non-news requirements (currently 15 minutes in a normal week) be met within news programming, as at present.

- 1.13 The current obligations do not prevent the Channel 3 licensees from providing more regional non-news content if they consider it viable. Given this, Ofcom considers that maintaining the current obligations would provide an appropriate backstop. Accordingly, we do not propose to change the Channel 3 regional non-news licence obligations for England, Wales or Scotland (outside of the Border licence) .

Regional Non-news in Northern Ireland

- 1.14 UTV asked that its regional non-news obligations be reduced by 30 minutes to one and a half hours a week to bring it in line with those in the other devolved Nations.
- 1.15 Ofcom notes that UTV is not actually planning to cut the volume of programming and did not argue that the current levels were unsustainable. In addition audience data supplied by UTV indicates that regional programming is more popular in Northern Ireland than in many other parts of the UK. Accordingly, and in the absence of compelling arguments for reductions in the current level of programming, we do not propose to change the Channel 3 regional non-news licence obligations for Northern Ireland.

Regional News and Non-news in the Channel Islands

- 1.16 ITV proposed that the Channel Islands should have a combined regional programming obligation (covering news, current affairs and other regional programming) of 3 hours 20 minutes in a typical week, instead of 4 hours at present. As part of this, ITV proposed to retain a full 30 minute early evening weekday bulletin of regional news, but 'to ensure a sustainable service'⁴ to reduce minutage at other times of the day and at weekends.
- 1.17 Ofcom considers that ITV's proposals reflect a reasonable balance between the demands of a news agenda driven by the specific geographical and constitutional circumstances of the Channel Islands, and the fact that the Channel Islands region has a much smaller population than any other Channel 3 region. Accordingly, we have concluded that the Channel 3 licence for the Channel Islands should be amended to reflect ITV's proposals.

Regional Programming options for the Border licence

- 1.18 Part of the Border region lies within Scotland, but receives less regional programming than any other area in the nations. The referendum on the future of Scotland due next year highlights the particular need to ensure that viewers in all parts of Scotland are adequately served by programming of particular relevance to them. We proposed two options in our consultation for the regional programming obligations in the Border area. Option 1 was proposed by ITV, and comprised a 30 minute weekday news bulletin plus a weekly 30 minute current affairs obligation. These programmes would be for the whole of the Border region, but would have a particular focus on Scotland. Option 2 was proposed by Ofcom and went further, with a 90 minute current affairs obligation instead of 30 minutes. This 90 minutes could be shared with the other

⁴ ITV's Proposals for nations and regions news for a new Channel 3 PSB licence:
<http://stakeholders.ofcom.org.uk/binaries/consultations/c3-c5-obligations/annexes/itvs-proposals.pdf>

Channel 3 licensees in Scotland. Under this option, we suggested there should be split transmission for the England and Scotland parts of the licence area. On the basis of estimates, which we required from ITV, of the costs of the two options proposed in our consultation, we have concluded that, while both would be more expensive services on a *per capita* basis than most other ITV regions, neither would be disproportionately expensive.

- 1.19 We consider that the arguments made in favour of Option 2, which could meet consumers' desire for a more local news service and citizens' needs for a plurality of news about Scotland, are stronger than those for Option 1. We have also decided that the licence for Border should require separate DTT transmissions for the English and Scottish areas. This would allow DTT viewers in Scotland to see 90 minutes of regional current affairs in a normal week, while viewers in England would be able to see network programming. It will be a matter for ITV if it decides to provide split satellite transmissions – these are not provided under PSB licences.
- 1.20 Several respondents made clear that, in principle, they favoured an all-Scotland licence. While we recognise that many respondents would find this attractive, it would not be a straightforward option, for the reasons explained in more detail in section 4. In connection to this, we note that, recognising the risk to investment if existing licences are not renewed the Scottish Government was content with renewal of the existing licences, provided that the arrangements for regional news and current affairs in the Scottish part of Border reflected Option 2. An alternative proposed by some respondents – two separate licences for Border England and Border Scotland – is unlikely to be financially sustainable.
- 1.21 In our consultation we proposed to amend the Border licence to reduce the proportion of regional production required to an appropriate and sustainable level, taking account of the costs of provision and the statutory requirement for regional production. We do not consider that consultation responses raised issues that we had not already considered and we will therefore amend the licence as proposed.

Other issues

- 1.22 Our consultation invited views on whether there would be merit in consulting formally on a proposal made by UTV and STV to extend the definition of peak time to 11pm, from its existing period of 6pm to 10:30pm. As we explain in section 5, given the concerns expressed around this specific proposal, and the wider ramifications and complexity of the issues, we do not consider that there is a compelling case for consulting on a specific proposal in the near term.

Section 2

Network Programme and Production Obligations

2.1 This section sets out Ofcom's decisions on the network programming and production obligations for Channel 3 and Channel 5 licensees – national and international news and current affairs, original productions, independent productions and Out of London⁵ productions.

Responses to the consultation

2.2 Respondents to the consultation included:

- a) governments and government departments (the Scottish Government, the Welsh Government, the States of Guernsey, the States of Jersey, and the Communications Commission of the Isle of Man) and one from the Northern Ireland Assembly's Committee on Culture, Arts and Leisure;
- b) individual members of the UK Parliament, the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly [NIA], and from political groups (Democratic Unionist Party [DUP], Ulster Unionist Party [UUP]), and the Social Democratic and Labour Party of Northern Ireland [SDLP];
- c) local councillors and other local bodies in Border (including the Conservative and Scottish National Party [SNP] groups on Dumfries & Galloway Council [D&G], the Scottish Borders Council [SBC], and the Scottish Borders Chamber of Commerce [SBCC]);
- d) bodies representing consumer interests, including Ofcom's Advisory Committees for Scotland (ACS), and for Northern Ireland (ACNI), as well as the Voice of the Listener and Viewer (VLV);
- e) broadcasters, including confidential responses from ITV, STV, and UTV, and non-confidential responses from Channel 4 and Channel 5;
- f) trade unions, including the Broadcasting, Entertainment, Cinematograph and Theatre Union (BECTU), Equity, the National Union of Journalists (NUJ), NUJ's ITV Meridian Chapel, and a confidential response from PACT; and
- g) various other bodies, including the British Film Institute (BFI), Creative Scotland, the International Broadcasting Trust (IBT), and Your TV Ltd (YTV).

2.3 In relation to this section of the consultation, Ofcom asked respondents whether they agreed that these specific programming and production obligations of the Channel 3

⁵ 'Out of London' production refers to programmes made outside the M25 that meet criteria published by Ofcom (http://stakeholders.ofcom.org.uk/broadcasting/guidance/programme-guidance/reg_prod/).

and Channel 5 licensees should be maintained at their current level, and if not we asked them to consider what level of obligation they would consider to be appropriate and why. The majority of the responses refer to the obligations of the two channels collectively.

- 2.4 Of the 36 responses to this question, 27 favoured retaining the present level of network programming and production obligations.
- 2.5 Many respondents suggested that the current level of PSB delivery was appropriate and should be sustained, including governments (the States of Jersey, and the States of Guernsey), consumer groups (ACS, VLV) and others (BFI, 13 individuals). Unions BECTU and NUJ agreed, but noted that the obligations might need to be reviewed in future. The BFI also pointed to the need to maintain a sustainable balance between the obligations and benefits of PSB status, as did ITV.
- 2.6 As regards Channel 5, ACS noted that, although Channel 5 sometimes struggled with its obligations, it also reached a higher proportion of viewers from the DE socio-economic group through its 17:00 news bulletin than any of the other main bulletins. There was general support for Ofcom's proposal not to reduce Channel 5's regional production quota (Creative Scotland, VLV and Equity); indeed, Channel 5 made clear that it no longer wished to pursue this idea.
- 2.7 However, some respondents criticised the decline in public service obligations in recent years (Welsh Government, NUJ). Among suggestions for increased obligations, Equity and some individual respondents wanted to boost Out of London production by amending the criteria to take account of locally-cast on-screen talent. The UUP wanted a specific quota of local production for Northern Ireland, while the DUP argued that UTV should be required to produce and commission drama in Northern Ireland. The IBT suggested a specific quota for the amount of international current affairs delivered by each licensee.

Ofcom's decisions

- 2.8 Ofcom acknowledges that PSB obligations have been reduced in recent years, as a result of the declining value of PSB status.⁶ We explained in our consultation that we believe the current level of obligations will remain sustainable over the course of the next licence period. Having examined financial data made available by licensees and carried out our own analysis, we said in our report to the Secretary of State that, in respect of PSB obligations generally, we considered that their contribution to the fulfilment of public service purposes remains a sufficient contribution when set against regulatory interventions (in particular regulatory assets) which they receive.⁷
- 2.9 While we understand the desire of some respondents to see an increase in PSB obligations, none produced evidence that would enable Ofcom to conclude that a significant increase would be sustainable. More particularly, Ofcom has no powers to impose quotas for investment in children's programmes or drama, or specific requirements for the scheduling of international current affairs programmes.

⁶ See Ofcom's Second Review of Public Service Broadcasting at: http://stakeholders.ofcom.org.uk/consultations/psb2_phase2/statement/

⁷ See section 3, *Licensing of Channel 3 and Channel 5 – A report to the Secretary of State under section 229 of the Communications Act 2003*, Ofcom, 23 May 2012 (<http://stakeholders.ofcom.org.uk/consultations/c3-c5-obligations/>).

- 2.10 Although a number of respondents advocated the enhancement of PSB obligations, Ofcom does not consider that the arguments or evidence that were advanced in response to the consultation undermine the reasoning set out in our consultation⁸ nor provide sufficient grounds to reach a different view. As regards the points made by Equity about amending regional production criteria to take account of on-screen talent, Ofcom notes that this could have unintended effects, particularly where the costs of on-screen talent dominate total production costs. However, Ofcom is prepared to talk to stakeholders about this issue.
- 2.11 We have therefore decided to maintain the existing Channel 3 and Channel 5 obligations for national and international news and current affairs, original productions, independent productions and Out of London productions. Annex 2 summarises both the current and future network programming obligations.

⁸ Paragraphs 2.6 to 2.42 of the consultation document

Section 3

Nations and regions programme and production obligations for the Channel 3 licensees

Introduction

3.1 This section sets out Ofcom's decisions on the programming and production obligations for Channel 3 licensees in respect of the nations and regions (except Border, which is dealt with in section 4), in the light of responses to the proposals set out in the consultation document. The Channel 3 licence areas, including sub-regions, are shown in Annex 1.

Regional news and non-news

3.2 Ofcom sought views as regards:

- a) the English regions (excluding Border), on the proposals from ITV to retain two news regions in their current form (London and Granada), but to reinstate many of the smaller news regions that existed before 2009. To offset the extra cost, ITV proposed reductions in off-peak news bulletins and a cut from 30 to 20 minutes in the local content of all early evening news bulletins; the total weekly regional minutage of 2 hours 30 minutes would include 15 minutes of non-news (including current affairs);
- b) Wales, on the proposals from ITV to maintain current news and non-news minutage obligations. This would allow the retention of a full 30 minutes of local news in the main early evening news bulletin. Although off-peak news bulletins would be shortened as for the English regions, the overall regional news minutage obligations would be met in other ways;
- c) the Channel Islands, on the proposals from ITV to retain 30 minutes of regional news, but to reduce off-peak regional news bulletins as for the English regions, and to include non-news content (including current affairs) within total weekly regional minutage of 3 hours 20 minutes;
- d) central and northern Scotland, on STV's proposals to maintain the current levels of regional news and non-news obligations for its two licences;
- e) Northern Ireland, on UTV's proposals to maintain the current level of regional news requirements, but to cut non-news programming from two hours a week to 90 minutes, in line with obligations applying to the licences for Wales and central and northern Scotland; and
- f) the Borders – this is dealt with separately in the next section.

England

Regional news and non-news in England

- 3.3 Of the 27 responses that commented on regional news and non-news for England, 20 respondents were in favour of the more localised services (ITV, BFI, VLV, ITV Meridian NUJ, BECTU and 13 individuals). Some argued that there was merit in striking a new balance that might provide a better quality service, coupled with a reduction in regional news minutage (BFI, VLV). However, concerns were expressed by unions that job cuts might affect ITV's ability to produce the more localised services (NUJ, ITV Meridian NUJ Chapel). One successful local TV licence applicant (Your TV) was concerned that more localised TV services might create problems for new local TV businesses.
- 3.4 Not all respondents were convinced that it was necessary to reduce regional news minutage (STV, YTV and 13 individuals) in order to provide more localised services. MPs from the North West of England who met Ofcom during the consultation period pointed out that viewers served by Granada would not benefit from greater localisation, and did not see why the regional news content of the early evening bulletin should be reduced from 30 minutes to 20. The Isle of Man Communications Commission argued that coverage of Isle of Man issues, already limited, would be affected even more if the Granada licence was amended as proposed, and the NUJ made similar points about both the Granada and London regions.
- 3.5 A few respondents (VLV and two individuals) suggested that ITV's regional non news obligations should be increased; VLV suggested the cost of this could be reduced through some pan regional or shared provision.
- 3.6 We also had representations from MPs in Yorkshire who pointed out that in some areas, particularly in parts of Sheffield, viewers may be obtaining coverage from a transmitter serving the sub-region that they are not resident in, rather than the main transmitter for their sub-region. The effect of this would be that under ITV's proposals such viewers would have the greater local focus in their regional news, but for the neighbouring area.

Ofcom's Decisions

- 3.7 Having considered the points made in response to our consultation, Ofcom has concluded that:
- a) ITV's proposals in respect of Channel 3 licences for England (other than Border, London and North West England) represent an appropriate balance between a sustainable service, and one that meets the needs of citizens for a relevant regional news service. Accordingly, the Channel 3 licences for regions other than Border, London and Granada will be amended to reflect ITV's proposals;
 - b) ITV has proposed that regional non-news content should be included within the 2 hours 30 minutes it proposed for all regional programming commitments. Consistent with ITV's programming proposals, Ofcom will require that the licensee include a minimum of 15 minutes of non-news (including current affairs) within this total, and that it be shown in peak; and
 - c) in light of the facts that London and North West England (as well as the Isle of Man) would not benefit from more localised services, and that they are large areas with significant populations, it would be appropriate to retain regional news obligations consistent with a full 30 minutes of regional news in the early evening, though with shorter news bulletins outside peak. We consider that this is likely to

be a sustainable obligation, having regard amongst other things to the significant advertising revenues generated from these regions.

- 3.8 The next licence period will run from the start of 2015 to the end of 2024. It is important to note that the licences (as now) will not specify how the regional news and non-news minutage requirements should be met, other than to specify (as now) the amount that should be shown during the peak period of 6pm to 10.30pm. The pattern of regional news and non-news programming currently operated by the Channel 3 licensees may change over time.
- 3.9 In relation to the Sheffield coverage issue raised, Ofcom acknowledges that the particular topography of Sheffield and the frequency availability in that area may result in some households receiving a signal carrying programming targeted at the neighbouring area. Our preliminary assessment is that this is likely to affect a relatively small number of households, some of whom may be able to obtain the right service from a weaker but still serviceable signal by manually retuning their set top boxes or by re-orienting their TV aerials. Ofcom will publish advice for consumers affected by this issue.

Wales

Regional news and non-news in Wales

- 3.10 Of the 17 respondents, most (13) favoured the retention of the current regional news and non-news obligations (including the ACS and NUJ, as well as several individuals). The Welsh Government considered maintenance of the existing coverage to be an 'absolute minimum condition', but argued for increased provision, as did an individual respondent.

Ofcom's Decision

- 3.11 Ofcom notes that most respondents supported the proposal to retain the current level of regional obligations. We appreciate the desire of the Welsh Government to see enhanced provision of both news and non-news programming, although we note that it did not advance specific proposals, or provide evidence that would lead us to a different conclusion than that set out in our section 229 report, which was that ITV's estimates of the costs and benefits of PSB status were reasonable (paragraph 633), and that the benefits were likely to continue to secure the proposed revised obligations for a significant proportion of the next licence period (paragraph 684).
- 3.12 We do not believe that there are reasonable grounds for concluding that this would be true if there were significant increases in these obligations. Accordingly, we propose to maintain ITV's obligations for regional news and non-news obligations in Wales. ITV has said that it intends to discharge this in ways that would retain a full 30-minute early evening regional news bulletins, but reduce the length of lunchtime and weekend off-peak bulletins in line with the rest of the Channel 3 network. ITV has told Ofcom that it intends to extend the length of its late evening news bulletins in order to meet its unchanged regional news obligations.

Scotland

Regional news and non-news in Scotland

- 3.13 We received 19 responses relating to the regional programming minutage in Scotland, six organisations and 13 individuals. Of these 16 were supportive, including

the Scottish Government, STV, ITV, the NUJ, ACS and 11 individuals. ACS noted that both STV Central and STV North have consistently broadcast higher levels of regional programming than is required under their licences. ACS also suggested that it would be important to monitor the impact of local television on STV's regional programming.

Ofcom's Decision

- 3.14 In discussions with Ofcom, STV pointed out that, if Channel 3 slots for off-peak news bulletins were revised in line with the proposals made by ITV, it would need to shorten off-peak news bulletins at lunchtimes, and at week-ends. It proposed that, in line with Ofcom's guidance on regional programming and production, it should be permitted to count some Scottish news and current affairs in *Scotland Tonight* towards its regional news quotas for central and northern Scotland.
- 3.15 Ofcom accepts that this proposal would be consistent with its guidance, and that it would facilitate STV meeting the current levels of regional news and non-news obligations. Accordingly, though STV's obligations will be maintained at their current level, in practice there will be a reduction in off-peak regional news programming to reflect the reduced length of regional news slots across the Channel 3 network at lunchtimes and at weekends (see paragraph 3.2(a) above).

Northern Ireland

Regional news and non-news in Northern Ireland

- 3.16 We received 25 responses to the consultation, comprising 11 from interested organisations and 14 from individuals. Of these, 12 of the responses were in favour of the reduction, including ITV, STV, UTV and nine individuals. Those in favour of the proposed reduction of regional non-news provision argued that UTV should have the same obligations as ITV Wales and STV, considering the change proposed to be both fair and proportionate. ITV also noted that the medium term risk is that the obligation might make it harder for the Northern Ireland licensee to deliver a sustainable PSB service.
- 3.17 However, 13 responses were opposed, including the Northern Ireland Assembly's Culture, Arts & Leisure Committee, the SDLP, the UUP, ACNI and VLV, as well as several individuals. Among these:
- a) the Northern Ireland Committee for Culture, Arts and Leisure and some individuals commented on the distinct politics and culture of Northern Ireland, emphasising the need to retain its cultural diversity and traditions. It was appropriate for UTV's output to have a local dimension to satisfy the Northern Ireland audience. Local TV production helped to support the creative industries in Northern Ireland;
 - b) the UUP noted that UTV is an essential competitor to BBC Northern Ireland, with a broad audience reach that enabled it to inform the Northern Ireland population on a scale that cannot be met by other broadcasters;
 - c) the SDLP argued that commercial pressures should not be allowed to dilute the quality or quantity of PSB services delivered in Northern Ireland;

- d) VLV said evidence is needed on the audience impact and the value of a reduction to non-news regional programming before any change is made to UTV's existing quota; and
- e) ACNI pointed out that there was no necessity for a 'one size fits all' set of obligations. It noted that UTV over-delivered on its obligations, and had offered to continue doing so if changes were made to the definition of peak time (see section 5). It suggested that this indicated that current requirements were not unduly onerous.

Ofcom's Decision

3.18 Ofcom notes that, although UTV sought a reduction in the amount of regional non-news programming required in the licence, it has no current plans to cut the volume of programming and did not argue that the current levels were unsustainable. As noted in paragraph 6.17 of the section 229 report, the principal purpose for its request relates to parity with other licensees rather than commercial sustainability. We have given this more weight than ITV's unsubstantiated assertion of a potential risk and remain of the view that the current regional obligations of UTV's service should be sustainable in the next licence term. Ofcom also notes the representations from respondents against reductions in non-news obligations, and audience data supplied by UTV that indicates that regional programming is more popular in Northern Ireland than in many other parts of the UK. Against this background, and in the absence of compelling arguments for reductions in the current level of programming, Ofcom has decided to maintain the current level of obligations.

Channel Islands

Regional news and non-news in the Channel Islands

- 3.19 There were 17 responses on this issue, five of which supported the reduction in minutage (STV, ITV and three individuals). Amongst them, ITV pointed to the importance of sustainability of the overall licence settlement and the need for ITV to have the freedom in all regions to decide its own schedule within broad licence obligations.
- 3.20 The remaining 12 responses opposed ITV's proposals. In particular, though the States of Jersey and the States of Guernsey welcomed the intention to retain a dedicated 30 minute early evening bulletin, they were concerned that a reduction would have a detrimental effect on viewers and that in the medium term there was no suitable replacement. They noted that there were no proposals for local TV in the Channel Islands, a point also made by BECTU. The NUJ argued that the Channel Islands have a specific geographical and constitutional identity and therefore any reduction in minutage will have an impact on the public understanding of the community's issues.

Ofcom's Decision

3.21 Ofcom considers that ITV's proposals to retain a full 30 minute early evening regional news bulletin while reducing the length of off-peak bulletins reflects a reasonable balance between the need for regional news to reflect the specific geographical and constitutional circumstances of the Channel Islands, and the fact that the Channel Islands region has a much smaller population than any other Channel 3 region and therefore generates lower revenues for the licensee. ITV has proposed that regional non-news content (including current affairs) should be included within the 3 hours 20

minutes it proposed for all regional programming commitments. Consistent with the approach taken to non-news minutage in English regions, Ofcom will require that that the licensee include a minimum of 15 minutes of non-news within this total, and that it be shown in peak.

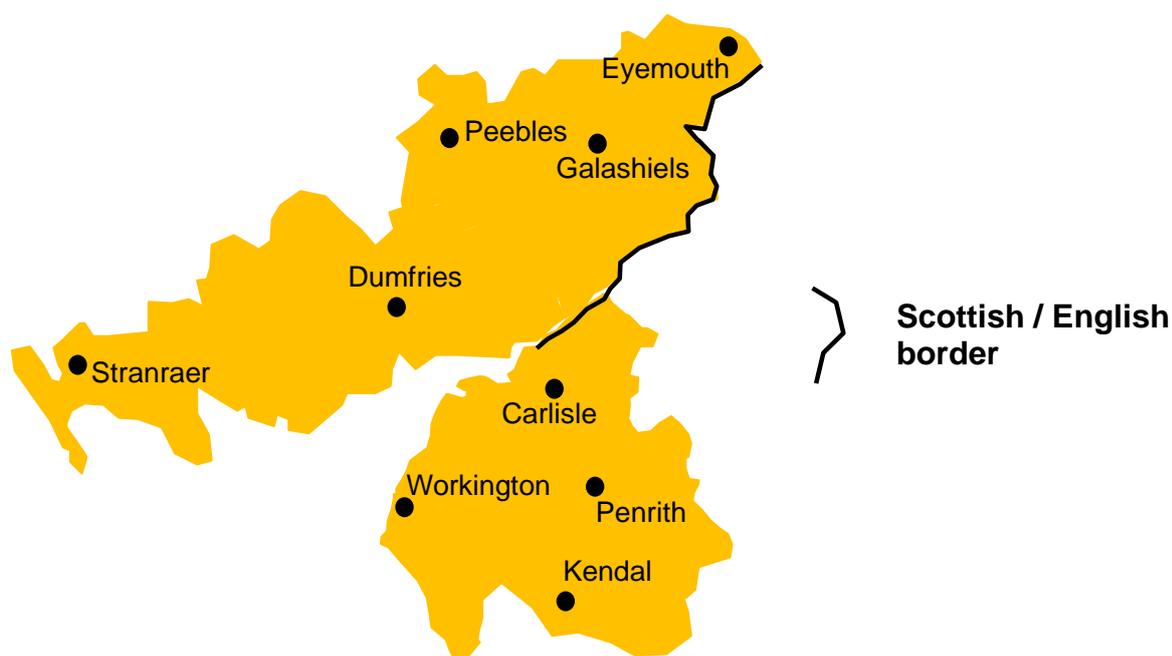
Section 4

Regional programming for the Border licence area

Introduction

- 4.1 This section sets out Ofcom's decisions on regional programming obligations for the Border Channel 3 licence area, which straddles the border between Scotland and England and comprises most of the administrative areas of the Scottish Borders, Dumfries and Galloway and most of Cumbria (see map below).
- 4.2 The part of the Border region that lies within Scotland receives less regional programming than any other area in the nations. The referendum on the future of Scotland due next year highlights the particular needs to ensure that viewers in all parts of Scotland are adequately served by programming of particular relevance to them.

Figure 4: map of Border Channel 3 licence area



- 4.3 Ofcom consulted on two main options, both of which provided for a main early evening regional news bulletin which would comprise of 30 minutes of news of specific interest to viewers in the whole of the Border region. In addition, Option 1 provided for 30 minutes a week of regional current affairs for the whole region, but with a particular focus on Scottish issues; Option 2 would require 90 minutes of non-news regional programming (including current affairs) a week, in or near peak-time, also with a particular focus on Scottish issues, but this programming could be shared with the other Channel 3 licensees in Scotland. We pointed out that Option 2 could be met by retransmitting *Scotland Tonight* (which currently runs from Monday to

Thursday), but that the licence could not mandate this. Under Option 2, we also asked whether DTT transmission should be split between England and Scotland, so as not to unduly disadvantage viewers in the English part of the region, who would have less interest in the Scottish content of the programming.

Responses to the Consultation

- 4.4 We received a total of 42 responses on this issue, including 12 from interested organisations, seven from MPs/MSPs and 23 from individuals. There were 14 responses in favour of Option 1, 15 responses in favour of Option 2 (including STV and eight that gave Option 2 as an alternative to their overall preference for an all Scotland licence), six individuals who only wanted an all Scotland licence and four individuals who suggested an alternative option.
- 4.5 Those advocating Option 1 suggested that:
- a) it would restore the popular regional news programme, *Lookaround*, (as would Option 2). It would also satisfy local aspirations for a more local regional news and current affairs service than viewers have from the Tyne Tees-based news programming, but would not replace the Tyne Tees service with one dominated by Central Belt news (Rt. Hon. David Mundell MP, Rt. Hon. Michael Moore MP, Alex Fergusson MSP, John Lamont MSP, Paul Wheelhouse MSP, Conservative group on D&G Council, Cllr Andy Ferguson, Cllr Tom Mcaughtrie, Cllr Zandra Elliot, VLV, Westerkirk Community Council, and several individuals responded on this point).
 - b) it would result in coverage of more local issues in and around southern Scotland and Cumbria than would Option 2, as it would include a weekly current affairs programme featuring local people and politicians (Cllr Archie Dryburgh, D&G);
 - c) it would provide greater employment for local people (Cllr Archie Dryburgh, D&G), and enable *Lookaround* to draw on a wider pool of journalists (Paul Wheelhouse MSP, Cllr Archie Dryburgh); and
 - d) it would enhance a service that was already popular with viewers and would be better resourced in *per capita* terms than other ITV regional and national news services, given the small size and population of the region. A focussed 30-minute programme would be likely to be more attractive to viewers than the retransmitting *Scotland Tonight* in the Scottish part of the Border region, since the latter could result in programming dominated by the central belt of Scotland, which attracted lower shares of viewing in Scotland than network programming did in the Border region (ITV).
- 4.6 VLV described ITV's proposals under Option 1 as 'both imaginative and realistic in respect of costs' while Rt. Hon. Michael Moore MP noted the consistently high audience share of regional news bulletins in Border and argued that Option 1 allows for local stories to be covered in more detail than at present. Several responses note their preference for the more local focus of Option 1, opposing the perceived more national, pan Scotland interest of Option 2.
- 4.7 Those arguing for Option 2 suggested that:
- a) it was the only option that would allow Border Scotland viewers a greater choice of news and current affairs coverage of Scotland (ACS), providing coverage on a broadly comparable basis to Scottish viewers elsewhere, which was vital to

inform democratic debate, particularly in light of the forthcoming referendum (Scottish Government, Joan McAlpine MSP, Aileen McLeod MSP, SNP group on D&G Council, several individuals);

- b) it would also contribute to providing a plurality of news about the rest of Scotland (ACS, Aileen McLeod MSP, Joan McAlpine MSP, Cllr Alistair Witts); and
 - c) it would provide more choice for Border's Scottish viewers of local, regional and Scottish national programming (ACS); in particular, it would allow the retransmission of *Scotland Tonight* (Aileen McLeod MSP, Joan McAlpine MSP, SBC, SBCC).
- 4.8 Some respondents indicated that they would prefer an all Scotland licence, either now or in the future, and that a cross-border licence area was an anomaly (ACS, Creative Scotland, SBC, SBCC, several individuals). Some argued that, as an interim step, Ofcom should renew STV's existing licences, and auction a separate licence for the Scottish part of the Border licence area, or split the Border licence between STV and ITV (several individuals).
- 4.9 The Scottish Government said that, in principle, there should be an all-Scotland licence, but recognised that there were pragmatic considerations about ensuring continuity of investment, were existing licences not renewed. It was therefore content with renewal of 10 year licences, provided that Option 2 was adopted with split transmission.
- 4.10 In relation to Option 2, we also asked whether ITV should be required to split the Border transmission between the English and Scottish portions, so that viewers in England could see more relevant networked programming in place of current affairs programming with a greater focus on issues of interests to Border Scotland viewers (as the PSB licence is for DTT transmission only, it would be for ITV to decide whether to offer separate satellite transmissions).
- 4.11 Most respondents who preferred Option 2 to Option 1 were strongly in favour of splitting transmissions, allowing viewers in England to see network programming and viewers in Scotland to watch current affairs programming covering Scottish matters (including the Scottish Government, SBC and SBCC, and ACS). Two respondents did not think split transmission should be required.

Ofcom's Decision

- 4.12 We have explored the potential costs of both options with ITV (including split transmissions), and concluded that in terms of cost, there was little difference between Options 1 and 2. While both would be more expensive services on a *per capita* basis than most other ITV regions, neither would be disproportionately costly given the special characteristics of the Border licence area, including the differing constitutional arrangements on either side of the border.
- 4.13 We consider that, from a consumer and citizen perspective, the arguments made in favour of Option 2, which could meet consumers' desire for the restoration of a more local news service and those of citizens seeking a plurality of news about Scotland comparable to that available in the rest of Scotland, are stronger than those for Option 1. Accordingly, we have decided that the licence for Border should provide for 90 minutes of current affairs in a normal week for viewers in Scotland, but that programming could be shared with other Channel 3 licensees in Scotland. Given the relatively low additional cost and the benefits for viewers in the English part of the

licensed area, it will also be a requirement of the licence to provide separate transmissions for the English and Scottish areas. It is important to note that the decision as to whether ITV meets this by broadcasting bespoke programming for Border or seeks to share programming with STV is a matter for ITV, and not one that Ofcom could prescribe in the Border licence.

- 4.14 Although Ofcom understands the desire of many respondents for a pan-Scottish licence, this is not a straightforward option since it would entail redrawing the licence map and auctioning a new licence covering the whole of Scotland, in place of the three that currently exist. In addition, since ITV indicated that it did not wish to see changes to the Border licence area, the introduction of an all Scotland licence would also be likely to necessitate the redrawing and auctioning of a licence south of the border.⁹ For the following reasons, we consider the disruption that this would cause for viewers and licensees is not justified:
- a) adding the English part of Border to a neighbouring English licence would require ITV's consent, which ITV indicated would not be forthcoming;
 - b) it would prevent the renewal of the two Scottish licences, the Border licence, and at least one neighbouring English licence, probably the Tyne Tees licence. Ofcom's advice to the Secretary of State (in the section 229 report) concluded that each of the Channel 3 licensees would be able to make a sustainable contribution to PSB purposes if their licences were renewed, and the Secretary of State decided not to block renewal;
 - c) STV has consistently delivered more regional programming in its licensed areas than required by its regulatory obligations, and did not propose any reduction in these obligations. There is no guarantee that a different licensee would maintain the same level of regional coverage – indeed there is some risk that changes to the licensee could disrupt coverage at an important time for Scotland; and
 - d) Ofcom's research showed that residents of the Border licence area favoured the restoration of a 30-minute *Lookaround* news programme for the Border area, rather than a pan-Scottish approach. ITV had offered to restore *Lookaround*, as well as to enhance coverage of Scottish issues of relevance to residents in Border Scotland.
- 4.15 Accordingly, we have not pursued the idea of a pan-Scottish licence. In addition, the alternative that was floated by some respondents – two separate licences for Border England and Border Scotland – would be difficult as these smaller areas are unlikely to be financially sustainable on a stand-alone basis.

Regional production requirements

- 4.16 Unlike most other Channel 3 licence areas, the Border region lacks a regional production hub, which makes it more difficult to comply with its regional production obligations. We therefore proposed to amend the regional production requirement in the Border licence, which currently requires that 96%¹⁰ of regional programming broadcast by time is made in the licensed area.

⁹ The English part of the Border licence area could only be added to a neighbouring English licence with ITV's consent.

¹⁰ As specified in the latest version of the Border Television licence https://licensing.ofcom.org.uk/binaries/tv/itv/border/var_16_border_attachment.pdf

Responses to the Consultation

- 4.17 We received 26 responses in relation to this proposal, from seven organisations, 16 individuals and three MPs/MSPs. Of these, 16 disagreed with the proposal, including the Scottish Government and SBC. Those disagreeing were generally opposed to any reduction in regional obligations and therefore felt the current obligation was appropriate.
- 4.18 Ten responses were in favour, including ITV, VLV, Paul Wheelhouse MSP, John Lamont MSP and six individuals). Those in support of the proposal agreed with Ofcom's proposition, that the physical location of production centres is less relevant than local news-gathering (John Lamont MSP, VLV).

Ofcom's Decision

- 4.19 Ofcom notes that the consultation responses did not raise issues that we had not already considered, and remains of the view that news-gathering and the production of local packages for insertion in regional programmes are essential components of the production process, and contribute more to the regional focus of the content than other aspects of the production process carried out in the studio. Further, if ITV had to establish a regional production hub for a licence area serving a relatively small population, this could significantly reduce the resources that could be devoted to local news-gathering, and could have a detrimental effect on the service made available to viewers. Accordingly, Ofcom will amend the Border licence as proposed.

Section 5

Definition of peak-time viewing

Introduction

5.1 This section:

- a) summarises responses to a call for inputs on a proposal by STV and UTV to extend the definition of peak-time from the current 6.30pm to 10.30pm, to run from 6.30pm to 11pm; and
- b) explains Ofcom's decision that a further consultation on changes to the definition of peak time would not be appropriate.

5.2 Alongside the consultation on proposed programming obligations for Channels 3 and 5, we sought views on proposals by UTV and STV that peak time should be extended to run from 6pm to 11pm, so that they could meet some of their regional peak-time obligations by showing programmes between 10.30pm and 11pm. Ofcom said that, in the light of the responses, it would assess whether there was a case for consulting on alternatives to the current definition, and if so, on the scope and nature of any revised definitions.

Summary of responses

5.3 Some 11 respondents favoured the proposals or saw no objection to them (including those listed below, and a number who gave no specific reason, including John Lamont MSP and a number of individuals). Not all gave reasons, but amongst those who did:

- a) the Scottish Government considered that the proposals were justified on the basis of its understanding that there is no marked difference in viewing figures at 10.30pm and 11pm;
- b) Equity thought it unlikely to give rise to significant problems;
- c) ITV said that it would help to facilitate the delivery of substantial nations obligations for non-news content which are likely to be the most challenging to sustain in the long term;
- d) STV said that, in relation to regional programming obligations, there is scope for Ofcom to set different definitions of peak-time for different Channel 3 services;
- e) an individual pointed out that those with digital video recorders could record programmes shown late in peak to watch at a more convenient time; and
- f) an individual suggested that the extension of peak time would provide greater opportunity for the coverage of local news and events as they happen.

5.4 There were 27 respondents opposed to the proposal who gave reasons, they argued variously that:

- a) it could lead to the national news being moved to 10.30pm and that audiences would drop off (several individuals), as the end of peak-time would be too late (UUP, Joan McAlpine MSP, Aileen McLeod MSP, five individuals);
- b) there was a risk that a later peak would dilute the impact of regional programming (States of Jersey, States of Guernsey, UUP, VLV, BECTU), by allowing it to be placed in so-called 'graveyard' slots (Alex Fergusson MSP, NUJ, two individuals); this might ultimately lead to broadcasters asking to be relieved of regional programming obligations because of declining audiences (an individual);
- c) it would enable UTV to meet their peak-time non-news (including current affairs) obligations with the existing *UTV Live* news and current affairs programme at 10.30pm, and could lead to other non-news programming being scheduled even later, to the detriment of audiences for this type of content (ACNI);
- d) it could cause confusion if different definitions of peak-time were adopted in different parts of the UK (ACS); and
- e) viewing patterns to different channels varied, and their schedules were constructed with this in mind. Changes that might make it easier for some broadcasters (e.g. UTV) to meet their obligations might make it more difficult for other broadcasters. In particular, given that some peak-time obligations were cast in terms of a proportion of total peak-time, an extension to peak-time would have the effect of increasing obligations (a broadcaster).

5.5 Six other respondents who did not object outright to the proposal nonetheless counselled caution:

- a) a number noted that, assuming any changes were adopted for all PSB licensees, it could have ramifications for obligations relating to news, current affairs and original programming, so would need to be considered in that context (BFI); and that more research was needed into the potential repercussions (Creative Scotland, Paul Wheelhouse MSP);
- b) the Northern Ireland Assembly's Committee for Culture, Arts and Leisure, while not objecting in principle, expressed concern that it would negatively impact on UTV's obligations towards regional programmes. The Committee was opposed to any reduction in non-news regional programmes; and
- c) an individual suggested that any change should await the next relicensing exercise, and made subject to a requirement to demonstrate that sufficient viewers were watching regional content broadcast in late peak.

Ofcom's views

5.6 Ofcom notes that there are differences between the peak-times for the purposes of advertising and some programming obligations. Given the potential repercussions for changes to the amount and distribution of advertising revenue that might ensue from changes to peak-time for advertising, Ofcom does not consider that it makes sense to make such changes at this point.

- 5.7 Ofcom also considers that any change to peak-time for the purposes of programming obligations needs to be justified on its own merits, not simply for the purpose of securing consistency with advertising peak-time.
- 5.8 Ofcom considers that the present definition of peak-time is broadly reflective of viewing patterns, and notes that the same definition is applied to all Channel 3 licensees, and to other commercial public services. Ofcom does not see strong arguments for moving away from a consistent approach to defining peak-time.
- 5.9 In those circumstances, any extension of peak-time would:
- a) enable the Channel 3 national and regional news to move from 10pm to 10.30pm, with the likelihood that it would attract a significantly lower audience. This would tend to work against the underlying purpose of peak-time obligations, which is to ensure that public service content is shown when most people are available to view it;
 - b) result in more onerous peak-time obligations in respect of original production and independent production than assumed hitherto, or require that they be recalibrated to reflect the longer peak-time period. There would also be consequential effects for 'shoulder peak' obligations placed on some regional Channel 3 licensees.¹¹ For example, in Wales, ITV plc must broadcast 30 minutes of content of particular interest to Welsh viewers each week during the periods 5pm to 6pm and 10.30pm to 11.30pm. Without amendment, extending peak time could either curtail the flexibility of the licensees to meet their shoulder peak obligations (if the period of shoulder peak time is simply reduced to half an hour) or could have an impact on the ability of viewers to access this content, if the shoulder-peak is time-shifted to very late in the evening.
- 5.10 In the absence of clear evidence, Ofcom is not persuaded by the arguments that the changes are necessary to secure the sustainability of regional programming in the nations, nor that there are benefits to consumers. Accordingly, Ofcom does not believe that there is a compelling case for consulting on a specific proposal in the near term.

¹¹ Section 287 of the 2003 Act requires that a suitable proportion of regional programmes appear at peak viewing times and at times immediately preceding or following these times. It is these latter periods which are referred to as 'shoulder peak'.

Annex 1

Channel 3 licence areas¹²

¹² With effect from renewal at 1 January 2015. Some regions are further divided into sub-regions, in which, to varying degrees, Channel 3 licensees are currently required to provide some regional news specifically tailored to the sub-region. The sub-regional obligations in respect of licences held by STV will continue unchanged. Current and future obligations in respect of licences held by ITV for English regions are summarised in Annex 2.



Annex 2

Regional programming: current and future licence obligations

Region (Licensee)	Obligation	Current Quota (hours: minutes per typical week ¹³)	Future Quota (hours: minutes per typical week)
Wales (ITV Wales)	Regional requirements	News 4:00 Other 1:30 (of which current affairs is 00:47) Total 5:30	News 4:00 Other 1:30 (of which current affairs is 0:47) Total 5:30 (no change)
	Regional news in peak	2:30	2:30 (no change)
	Peak non-news	0:45	0:45 (no change)
	5pm to 11:30pm	At least 0:14 of programmes other than news	At least 0:14 of programmes other than news (no change)
	Regional production	99% produced in the licensed area	99% produced in the licensed area (no change)
Northern Ireland (UTV)	Regional requirements	News 4:00 Other 2:00 (of which current affairs is 00:26) Total 6:00	News 4:00 Other 2:00 (of which current affairs is 0:26) Total 6:00 (no change)
	Regional news in peak	2:30	2:30 (No change)
	Peak non-news	0:45	0:45 (No change)
	Between 5pm to 6pm and 10:30pm to 11:30pm	0:30	0:30 (No change)
	Regional production	90% produced within the licensed area	90% produced within the licensed area (No change)

¹³ Weeks excluding bank holidays and Christmas.

Channel 3 and 5: Statement of Programming Obligations

Central Scotland (STV Central)	Regional requirements	News 4:00 Other 1:30 (of which current affairs 0:33) Total 5:30	News 4:00 Other 1:30 (of which current affairs 0:33) Total 5:30 (No change)
	Regional news in peak	2:30	2:30 (No change)
	Non-news peak	0:45	0:45 (No change)
	Between 5pm to 6pm and 10:30pm to 11:30pm	0:30	0:30 (No change)
	6pm each weekday	0:05 of regional programmes within the East and West sub-regions	0:05 of regional programmes within the East and West sub-regions (No change)
	Regional production	90% of regional programmes made within the licensed area	90% of regional programmes made within the licensed area (No change)
Northern Scotland (STV North)	Regional requirements	News 4:00 Other 1:30 (of which current affairs 0:33) Total 5:30	News 4:00 Other 1:30 (of which current affairs 0:33) Total 5:30 (No change)
	Regional news in peak	2:30	2:30 (No change)
	Between 5pm and 11:30pm	0:30	0:30 (No change)
	6pm each weekday	0:05 of regional programmes within the North and South and sub-regions	0:05 of regional programmes within the North and South and sub-regions (No change)
	Regional production	70% of regional programmes made within the licensed area	70% of regional programmes made within the licensed area (No change)
Channel Islands (Channel TV)	Regional requirements	Regional News 3:09 Current Affairs 0:22 Other 0:29 Total 4:00	Regional News 3:05 Other 0:15 Total 3:20
	Regional news in peak	1:40	2:15
	Regional non-news in peak	14 minutes between 5pm and 11.30pm	0:15 between 6pm and 10.30pm
	Regional non-news in shoulder peak (5pm and 11:30pm)	0:49 of regional programmes other than news	nil
	Regional	99% of all regional	99% of all regional

	production	programming made within the licensed area	programming made within the licensed area (No change)
All English Regions: with the exception of Border, North West and London. ¹⁴	Regional requirements	News 3:45 Other 0:15 Total 4:00	News 2:15 Other 0:15 Total 2:30
	Regional news in peak weekly average ¹⁵	2:15	1:25
	Regional non-news in peak	14 minutes between 5pm and 11.30pm	0:15 between 6pm and 10.30pm
North West England and Isle of Man region and London region ¹⁶	Regional requirements	News 3:45 Other 0:15 Total 4:00	News 3:05 Other 0:15 Total 3:20
	Regional news in peak weekly average	2:15	2:15
	Regional non-news in peak / shoulder peak	14 minutes between 5pm and 11.30pm	0:15 between 6pm and 10.30pm
Borders (Border TV)	Border England: Regional Programmes	News 3:45 Other 0:15 Total 4:00 (non-news material can be delivered in programmes that otherwise consist of news)	News 3:05 Other 0:15 Total 3:20
	Border Scotland: Regional Programmes	News 3:45 Other 0:15 Total 4:00 (non-news material can be delivered in programmes that otherwise consist of news)	News 3:05 Other (Border only) ¹⁷ : 0:15 Other (Scotland) ¹⁸ : 1:30 Total 4:50
	Regional news in peak	2:15	2:15

¹⁴ East of England (Anglia TV), North East England (Tyne Tees), East and West Midlands (Central TV), Yorkshire (ITV Yorkshire), South and South East of England (ITV Meridian), South West of England (ITV Westcountry), West sub-region.

¹⁵ Non-news programming obligation is currently 15 minutes per week, of which 14 minutes is to be scheduled between 5pm and 11:30pm and may be part of programming that otherwise consists of news. There is no change to this commitment proposed for all the English regions.

¹⁶ North West England and Isle of Man (Granada) and London (ITV London Weekday and Weekend),

¹⁷ Non-news, which may include current affairs, relating to the Border region, and which may be included in a news bulletin.

¹⁸ News and current affairs relating to Scotland, including the Border region, which may be shared with other Channel 3 licensees in Scotland.

	Regional non-news in peak	14 minutes between 5pm and 11.30pm	0:15 between 6pm and 10.30pm
	Regional Production	96% of all regional programming made within the licensed area	96% of all regional programming made within the licensed area
Sub regional commitments in English licences			
East of England	Sub-region commitment ¹⁹	The Licensee shall include in the East and West sub-regions a weekly (weekday) average of 1:15 (1:04 annual average to account for holidays)	All news will be sub-regionalised for the East and West sub-regions
North East England (Tyne Tees TV)	Sub-region commitment	Weekly weekday average of at least 2:00 of news programmes of particular interest to those living in the Licensed Area Weekly average of at least 1:45 shared with ITV Border region	All ITV news in ITV Tyne Tees will be fully regionalised
East and West Midlands (Central TV)	Sub-region commitment	Each of the East and West sub-regions and the sub-region served by the Oxford transmitter (and associated relays) have a weekly average of 1:15.	All news will be sub-regionalised for the East and West sub-regions
Yorkshire (ITV Yorkshire)	Sub-region commitment	Shall include in the Licensed service in each of the West (Emley transmitter) and East (Belmont transmitter) 1:15 of news of interest to persons living in these sub-regions	All news will be sub-regionalised for the North and South sub-regions
South and South East of England and the Thames Valley (ITV Meridian)	Sub-region commitment	Shall include in the West and East sub-regions at least 2:00 of news of particular interest to persons living in that respective area News programmes in the Meridian West sub-region may be shared with the sub-region of the ITV Central service that is served by the Oxford transmitter and sub-relays	All news will be sub-regionalised for the South and East sub-regions Thames Valley sub-region will have a 0:10 opt out specific for that region, delivered within the main news bulletins from the South sub-region
South West of England	Regional Programming	At least 2:00 of news programmes must be of	All news will be sub-regionalised for the

¹⁹ All news for that region will be sub-regionalised, but In rare and exceptional cases a whole programme might be shared across the whole of the region when the topics being covered are relevant everywhere.

(ITV Westcountry)		particular interest to persons living within the Licensed Area 1:45 of news programmes may be shared with ITV West region	Westcountry region
West ²⁰	Regional Programming	At least 2:00 of news programmes must be of particular interest to persons living within the Licensed Area 1:45 of news programmes may be shared with ITV South West region	The West sub-region, currently part of the Wales & West licence area, will become a sub-region of the West & South West licence area. All news for the West will be sub-regionalised.

²⁰ This region is currently part of the ITV West and Wales region. Subject to the outcome of a separate consultation, it may be removed from the Wales licence and attached to the South West of England licence.