

Local TV decision: Change request submitted by Made Television Limited, for seven¹ of its services

Made Television Limited (“Made TV”) is the ultimate holding company for eight Local TV licences. The services provided by this licence holder must meet specific content obligations set out in the licences known as programming commitments.

On 4 July 2018, Made Television Limited made a request to Ofcom for a variation to the programming commitments for seven of the licences it holds. The details are set out here (changes in **red font**):

Programming Commitments for Made in Birmingham - Proposed

Programming output

The service will focus on core news and current affairs output in the initial period of operation.
The service will be as inclusive as possible, forming partnerships with communities to deliver hyper local news coverage.
Producers from the community will be trained to deliver content about their areas on an ongoing basis. Resource and airtime will be provided to hear the voices of these communities.
The majority of news bulletins will be live (debate shows will be pre-recorded) with as many links to events around the Licensed Area as possible.

The proportion of evening feature led and factual/entertainment programming will be high and repeats will be stable once the core news and current affairs schedule is established.

The service’s programme schedule will include:

- daily sports news, business round ups within news programmes and a weekly dedicated business news programme
- a minimum 60 minutes early evening news on weekdays
- a minimum 30-minutes mid evening news on weekdays
- a minimum 60 minutes news on weekend days augmented by current affairs and debate shows
- The news quota to include short news bulletins, at least 10 times per day

¹ The seven services are: Made in Birmingham; Made in Bristol; Made in Cardiff; Made in Leeds; Made in Liverpool; Made in Teesside; and, Made in Tyne and Wear.

Hours of local programming per day/week	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
	41 hours per week	41.5 hours per week	35 hours per week
	40 hours per week	40 hours per week	21 hours per week
First run:			
Repeats:			
Hours of local programming per day/week in peak-time (18:00-22:30)(17:00 – 22:30)²	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
	20 hours per week	23 hours per week	14 hours per week
	4.5 hours per week	4.5 hours per week	7 hours per week 0 hours per week
First run:			
Repeats:			
Hours and scheduling of local news and current affairs programming	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
	27 hours of news and current affairs per week. This includes 5 x 2 minute bulletins per day.	27 hours of news and current affairs per week. The news quota to include regular news headlines or short news bulletins at those points of the schedule where there is a discernible period of time before the	20 hours of news and current affairs per week, with a minimum of 60 minutes per day The news quota to include news headlines or short news bulletins at least 10 times per day
First run:			

² Requested changes to peak hours were excluded from consideration by the Decision-makers. See the statement at the end of this document for more information.

Repeats:		next full one hour or half hour news bulletin	TOTAL PER WEEK: 20 hours
	3 hrs	3 hrs	3 hrs

Programming Commitments for Made in Bristol - Proposed

<p>Programming output</p>	<p>The service's programming schedule will be locally focused.</p> <p>The service will include a blend of exclusively local content with a mix of "home-produced" general interest programming and acquired content that is in keeping with the lifestyle and information style of the service.</p> <p>At a local level news, current affairs, local entertainment and sports will feature heavily in the service.</p> <p>The service will cater for the local audience by including regular local news bulletins, with an average of 25 x 90 second local news and what's on bulletins per day and a regular feed of local fillers including event guides and vox-pops.</p> <p>Local event guides and vox-pops will be filmed periodically and broadcast during the day.</p> <p>The service's output will support local business by providing an affordable platform for advertising.</p> <p>Exclusively local content will make up approximately 40% of the schedule, with programming shared with other L-DTPS licensees contributing approximately 20% and the remaining airtime being a blend of acquisitions and commercial content.</p> <p>First-run programming will make up 2 hours of the evening schedule with a further 7hrs (repeats) of local content throughout the day.</p> <p>The programme output will feature the following topics: celebrity, motoring, health, home improvement, history, crime, cinema, food, recruitment, tourism, council, nightlife, local opinion, property, entertainment, local personalities, sport, current affairs, traffic, weather, events and news.</p>		
<p>Hours of local programming per day/week</p>	<p><u>Year 1</u></p>	<p><u>Year 2</u></p>	<p><u>Year 3 onwards</u></p>
<p>First run:</p>	<p>37 hours per week</p>	<p>37 hours per week</p>	<p>37 hours per week</p>
<p>Repeats:</p>	<p>34 hours per week</p>	<p>21 hours per week</p>	<p>21 hours per week</p>

Hours of local programming per day/week in peak-time (18.00-22.30)(17:00 – 22:30)	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
First run:	14 hours per week	14 hours per week	14 hours per week
Repeats:	7 hours per week	7 hours per week	7 hours per week 0 hours per week
Hours and scheduling of local news and current affairs programming	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
First run:	<p>Mon-Fri: 2 x 30 minute news programme per day.</p> <p>Sat-Sun: 1 hour news programme per day.</p> <p>Mon-Sun: 90 second top of the hour and every half-hour news and information bulletins – average of 25 broadcasts per day.</p> <p>1 hour current affairs programming per week.</p> <p>During local, national and</p>	<p>Mon-Fri: 2 x 30 minute news programme per day.</p> <p>Sat-Sun: 1 hour news programme per day.</p> <p>Mon-Sun: 90 second top of the hour and every half-hour news and information bulletins – average of 25 broadcasts per day.</p> <p>2 hours current affairs programming per week.</p> <p>During local, national and</p>	<p>Mon-Fri: 2 x 30 minute news programme per day. At least 1hr of news programming per day</p> <p>Sat-Sun: 1 hour news programme per day. At least 1hr of news programming per day</p> <p>Mon-Sun: Average of 25 x 90 second news and information updates per day.</p> <p>1 hour current affairs programming per week.</p> <p>During local, national and European elections:</p>

Repeats:	European elections: current affairs specials.	European elections: current affairs specials.	current affairs specials.
	5 hours of repeated current affairs programming.	4 hours of repeated current affairs programming.	At least 1 hour of repeated current affairs programming.

Programming Commitments for Made in Cardiff - Proposed

<p>Programming output</p>	<p>The service's programming schedule will be locally focused.</p> <p>The service will include a blend of exclusively local content with a mix of "home-produced" general interest programming and acquired content that is in keeping with the lifestyle and information style of the service.</p> <p>At a local level news, current affairs, local entertainment and sports will feature heavily in the service.</p> <p>The service will cater for the local audience by including regular local news bulletins, with an average of 25 x 90 second local news and what's on bulletins per day and a regular feed of local fillers including event guides and vox-pops.</p> <p>Local event guides and vox-pops will be filmed periodically and broadcast during the day.</p> <p>The service's output will support local business by providing an affordable platform for advertising.</p> <p>Exclusively local content will make up approximately 40% of the schedule, with programming shared with other L-DTPS licensees contributing approximately 15% and the remaining airtime being a blend of acquisitions and commercial content.</p> <p>First-run programming will make up 2 hours of the evening schedule with a further 7hrs (repeats) of local content throughout the day.</p> <p>The programme output will feature the following topics: celebrity, motoring, health, home improvement, history, crime, cinema, food, recruitment, tourism, council, nightlife, local opinion, property, entertainment, local personalities, sport, current affairs, traffic, weather, events and news.</p>		
<p>Hours of local programming per day/week</p>	<p><u>Year 1</u></p>	<p><u>Year 2</u></p>	<p><u>Year 3 onwards</u></p>
<p>First run:</p>	<p>37 hours per week</p>	<p>37 hours per week</p>	<p>37 hours per week</p>
<p>Repeats:</p>	<p>34 hours per week</p>	<p>21 hours per week</p>	<p>21 hours per week</p>

Hours of local programming per day/week in peak-time (18:00-22:30) (17:00 – 22:30)	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
First run:	14 hours per week	14 hours per week	14 hours per week
Repeats:	7 hours per week	7 hours per week	7 hours per week 0 hours per week
Hours and scheduling of local news and current affairs programming	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
First run:	<p>Mon-Fri: 2 x 30 minute news programme per day.</p> <p>Sat-Sun: 1 hour news programme per day.</p> <p>Mon-Sun: 90 second top of the hour and every half-hour news and information bulletins – average of 25 broadcasts per day.</p> <p>1 hour current affairs programming per week.</p>	<p>Mon-Fri: 2 x 30 minute news programme per day.</p> <p>Sat-Sun: 1 hour news programme per day.</p> <p>Mon-Sun: 90 second top of the hour and every half-hour news and information bulletins – average of 25 broadcasts per day.</p> <p>2 hours current affairs programming per week.</p>	<p>Mon-Fri: 2 x 30 minute news programme per day. At least 1hr of news programming per day</p> <p>Sat-Sun: 1 hour news programme per day. At least 1hr of news programming per day</p> <p>Mon-Sun: Average of 25 x 90 second news and information updates per day.</p>

Repeats:	During local, national and European elections: current affairs specials.	During local, national and European elections: current affairs specials.	1 hour current affairs programming per week. During local, national and European elections: current affairs specials.
	5 hours of repeated current affairs programming.	4 hours of repeated current affairs programming.	At least 1 hour of repeated current affairs programming.

Programming Commitments for Made in Leeds - Proposed

<p>Programming output</p>	<p>The service's programming schedule will be locally focused.</p> <p>The service will include a blend of exclusively local content with a mix of "home-produced" general interest programming and acquired content that is in keeping with the lifestyle and information style of the service.</p> <p>At a local level news, current affairs, local entertainment and sports will feature heavily in the service.</p> <p>The service will cater for the local audience by including regular local news bulletins, with an average of 25 x 90 second local news and what's on bulletins per day and a regular feed of local fillers including event guides and vox-pops.</p> <p>Local event guides and vox-pops will be filmed periodically and broadcast during the day.</p> <p>The service's output will support local business by providing an affordable platform for advertising.</p> <p>Exclusively local content will make up approximately 40% of the schedule, with programming shared with other L-DTPS licensees contributing approximately 15% and the remaining airtime being a blend of acquisitions and commercial content.</p> <p>First-run programming will make up 2 hours of the evening schedule with a further 7hrs (repeats) of local content throughout the day.</p> <p>The programme output will feature the following topics: celebrity, motoring, health, home improvement, history, crime, cinema, food, recruitment, tourism, council, nightlife, local opinion, property, entertainment, local personalities, sport, current affairs, traffic, weather, events and news.</p>		
<p>Hours of local programming per day/week</p>	<p><u>Year 1</u></p>	<p><u>Year 2</u></p>	<p><u>Year 3 onwards</u></p>
<p>First run:</p>	<p>37 hours per week</p>	<p>37 hours per week</p>	<p>37 hours per week</p>
<p>Repeats:</p>	<p>34 hours per week</p>	<p>21 hours per week</p>	<p>21 hours per week</p>

Hours of local programming per day/week in peak-time (18:00-22:30) (17:00 – 22:30)	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
First run:	14 hours per week	14 hours per week	14 hours per week
Repeats:	7 hours per week	7 hours per week	7 hours per week 0 hours per week
Hours and scheduling of local news and current affairs programming	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
First run:	<p>Mon-Fri: 2 x 30 minute news programme per day.</p> <p>Sat-Sun: 1 hour news programme per day.</p> <p>Mon-Sun: 90 second top of the hour and every half-hour news and information bulletins – average of 25 broadcasts per day.</p> <p>1 hour current affairs programming per week.</p>	<p>Mon-Fri: 2 x 30 minute news programme per day.</p> <p>Sat-Sun: 1 hour news programme per day.</p> <p>Mon-Sun: 90 second top of the hour and every half-hour news and information bulletins – average of 25 broadcasts per day.</p> <p>2 hours current affairs programming per week.</p>	<p>Mon-Fri: 2 x 30 minute news programme per day. At least 1hr of news programming per day</p> <p>Sat-Sun: 1 hour news programme per day. At least 1hr of news programming per day</p> <p>Mon-Sun: Average of 25 x 90 second news and information updates per day.</p>

Repeats:	During local, national and European elections: current affairs specials.	During local, national and European elections: current affairs specials.	1 hour current affairs programming per week. During local, national and European elections: current affairs specials.
	5 hours of repeated current affairs programming.	4 hours of repeated current affairs programming.	At least 1 hour of repeated current affairs programming.

Programming Commitments for Made in Liverpool - Proposed

<p>Programming output</p>	<p>The main emphasis of the service will be on local news and entertainment content.</p> <p>From Year 1: The service will include four and a half hours per week of locally-produced features on topics ranging from current affairs and politics to gardening and cycling.</p> <p>One new local feature programme will be added to the schedule each weekday. These local feature programmes will be repeated in a variety of dayparts.</p> <p>On Friday the service will extend its hours adding an hour each of sport, a chat show and topical debate.</p> <p>On Saturdays between 9am and 5pm the service may include repeats of its features.</p> <p>Religious groups will be featured regularly across news and entertainment programming.</p> <p>From Year 2: The broadcast hours of the service will be extended and the number of new local features will be doubled. The service will also include a daily 30 minute talk programme Mondays to Thursdays.</p> <p>At a variety of time slots cross the week, the service will additionally feature performances by local bands.</p> <p>By Year 3: The broadcast hours of local programming will be extended further.</p>		
<p>Hours of local programming per day/week</p>	<p><u>Year 1</u></p>	<p><u>Year 2</u></p>	<p><u>Year 3 onwards</u></p>
<p>First run:</p>	<p>17 hours per week</p>	<p>23 hours per week</p>	<p>35 hours per week</p>
<p>Repeats:</p>	<p>33 hours per week</p>	<p>48 hours per week</p>	<p>21 hours per week</p>

Hours of local programming per day/week in peak-time (18.00-22.30 (17:00 – 22:30))	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
First run:	3 hours per week	3 hours per week	14 hours per week
Repeats:	0 hours per week	0 hours per week	7 hours per week 0 hours per week
Hours and scheduling of local news and current affairs programming	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
First run:	<p>Mon-Fri:</p> <p>3 x 30 minute news and current affairs programme per day (morning, lunchtime and early evening). 1 x 60 minutes sports news coverage per week (on Friday).</p> <p>Sat-Sun:</p> <p>2 x 3 minutes news bulletins per day.</p>	<p>Mon-Fri:</p> <p>4 x 30 minute news and current affairs programme per day (morning, lunchtime, early and mid evening). 1 x 60 minutes sports news coverage per week (on Friday).</p> <p>Sat-Sun:</p> <p>2 x 3 minutes of news bulletins per day.</p>	<p>Mon-Fri:</p> <p>At least 8 hours of local news programming between Monday and Friday, with at least 60 minutes of news on each day</p> <p>Sat-Sun:</p> <p>At least 60 minutes of local news programming on both Saturday and Sunday</p> <p>TOTAL PER WEEK: 10 hours</p>
Repeats:	Two repeats per day of current affairs programme	Two repeats per day of current affairs programme	Two 30 minutes repeats per day of news/current affairs programming. TOTAL PER WEEK: 7 hours per week

Programming Commitments for Made in Teesside - Proposed

<p>Programming output</p>	<p>The service will broadcast a blend of exclusively local content with a mix of general interest programming and acquired content that is in keeping with the lifestyle and information style of the channel.</p> <p>At a local level, news, current affairs, local entertainment and sports will feature heavily, supplemented by content shared with other L-DTPS channels and acquired programming.</p> <p>The service will cater for the local audience by including regular local news bulletins, with an average of 25 x 90 second local news and what's on bulletins per day and a regular feed of local fillers including event guides and vox-pops.</p> <p>Local businesses will be afforded the chance to advertise on a medium previously out of their reach, consistently reminding the viewer that this is a channel produced locally, by a local production team for a local audience that supports local business.</p> <p>The content mix will contain local programming, shared content with other local licensees, acquired lifestyle and factual entertainment and commercial content that includes a small amount of teleshopping.</p> <p>First-run programming will make up at least 2 hours of the daily prime-time schedule</p> <p>The morning breakfast show will run each morning providing up to the minute local news, traffic and weather content. This is further complemented with an average of 25 x 90 second local news and what's on bulletins per day.</p> <p>Local event guides and on-the-street vox-pops will be filmed throughout the week and broadcast across the day.</p>		
<p>Hours of local programming per day/week</p>	<p><u>Year 1</u></p>	<p><u>Year 2</u></p>	<p><u>Year 3 onwards</u></p>
<p>First run:</p>	<p>37 hours per week</p>	<p>37 hours per week</p>	<p>37 hours per week</p>
<p>Repeats:</p>	<p>34 hours per week</p>	<p>21 hours per week</p>	<p>21 hours per week</p>

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
Hours of local programming per day/week in peak-time (18:00-22:30) (17:00 – 22:30)			
First run:	14 hours per week	14 hours per week	14 hours per week
Repeats:	7 hours per week	7 hours per week	7 hours per week 0 hours per week
Hours and scheduling of local news and current affairs programming	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
First run:	<p>Mon-Fri: 2 x 30 minute news programme per day.</p> <p>Sat-Sun: 1 hour news programme per day.</p> <p>Mon-Sun: 90 second top of the hour and every half-hour news and information bulletins – average of 25 broadcasts per day.</p> <p>1 hour current affairs programming per week.</p>	<p>Mon-Fri: 2 x 30 minute news programme per day.</p> <p>Sat-Sun: 1 hour news programme per day.</p> <p>Mon-Sun: 90 second top of the hour and every half-hour news and information bulletins – average of 25 broadcasts per day.</p> <p>2 hours current affairs programming per week.</p>	<p>Mon-Fri: 12hrs per week first-run</p> <p>60 mins of news programming per day Mon-Sun. In addition to this, an average of 25 x 90 second news and information updates per day.</p> <p>At least 1 hour first-run current affairs programming every week</p>

Repeats:	During local, national and European elections: current affairs specials.	During local, national and European elections: current affairs specials.	
	5 hours of repeated current affairs programming.	4 hours of repeated current affairs programming.	Current affairs programming repeated at least once a week Total: 2 hours per week

Programming Commitments for Made in Tyne & Wear - Proposed

<p>Programming output</p>	<p>The service's programming schedule will be locally focused.</p> <p>The service will include a blend of exclusively local content with a mix of "home-produced" general interest programming and acquired content that is in keeping with the lifestyle and information style of the service.</p> <p>At a local level news, current affairs, local entertainment and sports will feature heavily in the service.</p> <p>The service will cater for the local audience by including regular local news bulletins, with an average of 25 x 90 second local news and what's on bulletins per day and a regular feed of local fillers including event guides and vox-pops.</p> <p>Local event guides and vox-pops will be filmed periodically and broadcast during the day.</p> <p>The service's output will support local business by providing an affordable platform for advertising.</p> <p>Exclusively local content will make up approximately 40% of the schedule, with programming shared with other L-DTPS licensees contributing approximately 15% and the remaining airtime being a blend of acquisitions and commercial content.</p> <p>First-run programming will make up 2 hours of the evening schedule with a further 7hrs (repeats) of local content throughout the day.</p> <p>The programme output will feature the following topics: celebrity, motoring, health, home improvement, history, crime, cinema, food, recruitment, tourism, council, nightlife, local opinion, property, entertainment, local personalities, sport, current affairs, traffic, weather, events and news.</p>		
<p>Hours of local programming per day/week</p>	<p><u>Year 1</u></p>	<p><u>Year 2</u></p>	<p><u>Year 3 onwards</u></p>
<p>First run:</p>	<p>37 hours per week</p>	<p>37 hours per week</p>	<p>37 hours per week</p>
<p>Repeats:</p>	<p>34 hours per week</p>	<p>21 hours per week</p>	<p>21 hours per week</p>

Hours of local programming per day/week in peak-time (18:00-22:30) (17:00 – 22:30)	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
First run:	14 hours per week	14 hours per week	14 hours per week
Repeats:	7 hours per week	7 hours per week	7 hours per week 0 hours per week
Hours and scheduling of local news and current affairs programming	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3 onwards</u>
First run:	<p>Mon-Fri: 2 x 30 minute news programme per day.</p> <p>Sat-Sun: 1 hour news programme per day.</p> <p>Mon-Sun: 90 second top of the hour and every half-hour news and information bulletins – average of 25 broadcasts per day.</p> <p>1 hour current affairs programming per week.</p>	<p>Mon-Fri: 2 x 30 minute news programme per day.</p> <p>Sat-Sun: 1 hour news programme per day.</p> <p>Mon-Sun: 90 second top of the hour and every half-hour news and information bulletins – average of 25 broadcasts per day.</p> <p>2 hours current affairs programming per week.</p>	<p>Mon-Fri: 2 x 30 minute news programme per day. At least 1hr of news programming per day</p> <p>Sat-Sun: 1 hour news programme per day. At least 1hr of news programming per day</p> <p>Mon-Sun: Average of 25 x 90 second news and information updates per day.</p>

Repeats:	During local, national and European elections: current affairs specials.	During local, national and European elections: current affairs specials.	1 hour current affairs programming per week. During local, national and European elections: current affairs specials.
	5 hours of repeated current affairs programming.	4 hours of repeated current affairs programming.	At least 1 hour of repeated current affairs programming.

Statutory framework

Under the Broadcasting Act 1996 (“1996 Act”) licences for local digital television programme services (“L-DTPS”) must include such conditions as appear to Ofcom to be appropriate for securing, amongst other things, that the character of the licensed service, as proposed by the licence holder when making the application, is maintained for the duration of the licence.³ This requirement is reflected in Condition 5(1) of the Licence and the programming commitments set out in the Licence. Ofcom has power to vary the conditions of a licence by notice.⁴

The statutory framework provides that conditions included in an L-DTPS licence may authorise Ofcom to consent to a departure from the character of the service if four statutory grounds are met, and sets out a procedural requirement for a public consultation before Ofcom can decide to consent to a departure from the character of the service.⁵ These requirements only apply where the change requested is a departure from the character of the service.

Ofcom decision

The Ofcom Board has delegated the discharge of some of its broadcasting service functions to a number of senior Ofcom executives in the Content and Media Policy Group and Legal Group. Those individuals, on their own or together, have responsibility for deciding on the award of, and proposals for variations to, L-DTPS licences.

On 19 September 2018, Ofcom’s Director of Content Standards, Licensing and Enforcement and Ofcom’s Head of Radio & Broadcast Licensing Policy met to consider the variation requests (the “Decision-makers”).

First, the Decision-makers noted that part of each variation request submitted to Ofcom included a proposed change to the peak hours stated in the licence. The Decision-makers concluded, however, that this should not be considered as a programming commitment, because this was not a commitment proposed by the licence holder when they originally applied for the licence(s). Instead, this was a specification imposed by Ofcom on all licensees in the Local TV sector. As such, this aspect of each request was excluded from consideration.

In relation to the remaining proposed variations, the Decision-makers noted that they are almost identical across each of the seven licences: none of the variations would affect the volume of hours of first-run local programming which the services are required to provide, but there would be a reduction in the total volume of repeat programming to ensure consistency between the services. The Decision-makers acknowledged that although scheduling detail for first-run local news and current affairs programming would be changed in the Licence with short news bulletins replacing scheduled content (thereby providing Made TV with greater flexibility when scheduling this programming), the quantity of local news and current affairs programming would likely increase as a result of this variation.

After careful deliberation, the Decision-makers considered that, in respect of each licence, the character of the service overall would still be maintained following the requested variation. In particular, there would be a small increase in the overall volume of first-run local programming, including local news and current affairs programming, to be provided. Accordingly, on 19 September 2018, the Decision-makers decided that, in respect of each licence, the requested variation would not constitute a departure from the character of the service, and that it should be allowed.

³ Section 19(3A)(c) of the 1996 Act as modified by the Local Television Programme Services Order 2012

⁴ Section 4(4) of the 1996 Act

⁵ Section 19 of the 1996 Act as modified by the Local Television Programme Services Order 2012