

Local TV Award: Middlesbrough

Ofcom's Broadcast Licensing Committee ('BLC')¹ awarded a local digital television programme service (L-DTPS) licence on 11 November 2013.

Applicant awarded a licence

The licence was awarded as follows:

Applicant: Made Television Ltd

Contact: Jamie Conway

Public address: 17-19 Cockspur Street, London SW1Y 5BL

Email address: info@madetelevision.tv

Phone number: 0208 1234613

Website: www.madetelevision.tv

Licence award process

Further to the publication of an invitation to apply for an L-DTPS licence,² Ofcom received two applications for a licence for Middlesbrough from:

- Made Television Ltd
- TeesVision CIC

The applications and supporting evidence were considered by the BLC. The BLC considered each application in light of the statutory criteria for the award of a licence and Ofcom's relevant duties.

The BLC has decided to award the L-DTPS licence for the Middlesbrough area to Made Television Ltd for the reasons set out below.

Reasoning for the award decision

Local Digital Television Programme Service ('L-DTPS')

In deciding whether or not to award the licence, Ofcom must consider whether the proposed service falls within the description of a local digital television programme service as set out in Article 3 of The Local Digital Television Programme Services Order 2012 (the 'Order').

After discussion, the BLC concluded that the service proposed by each of the applicants met the description of a local digital television programme service in article 3 of the Order and could therefore be considered for the award of the licence in the Middlesbrough area.

Statutory Criteria

The BLC went on to consider both applications, having regard to the statutory criteria set out in Section 18 of the Broadcasting Act 1996 (as substituted and modified by the Order).

¹ <http://www.ofcom.org.uk/about/how-ofcom-is-run/committees/broadcast-licensing-committee/>

² <http://licensing.ofcom.org.uk/tv-broadcast-licences/local/apply/>

Those criteria require Ofcom to have regard to (i) the extent to which a proposed service would meet the needs of the local area (ii) the extent to which a proposed service would be likely to broaden the range of television programmes available for viewing by persons in the local area (iii) the extent to which a proposed service would increase the number and range of programmes made in or about the local area and (iv) the ability of the applicant to maintain the service for the licence period.

In carrying out its functions, Ofcom is required to secure the maintenance of a sufficient plurality of providers of different television and radio services. The BLC was of the view that it was unlikely that the award of the Middlesbrough licence to either applicant would adversely affect the sufficiency of plurality of providers of services.

The BLC considered that TeesVision's application demonstrated local knowledge and was credibly rooted in the community. However, the BLC had concerns about the ability of TeesVision Ltd to maintain the service for the licence period, based on the advertising assumptions and the experience of the applicant.

The BLC considered that Made Television Ltd made a coherent and credible proposition that showed that the proposed service would meet the needs of the local area, broaden the range of television programmes available for viewing in the local area and increase the number and range of programmes made in or about the area. In relation to these criteria, the BLC noted the local partnerships established by Made Television Ltd, in particular with higher education and news partners. In relation to the ability of Made Television Ltd to maintain the service for the licence period, the BLC further noted the experience of the Made Television Ltd team as a whole and the experience of individual members (including previous experience of delivering local television broadcasting in the area).

Finally, the BLC considered that, assuming that the required funding will be confirmed, the business plan submitted by Made Television Ltd was sustainable for the licence period. The BLC noted the cautious approach followed by Made Television Ltd in terms of advertising revenue, and was satisfied by Made Television Ltd proposals to mitigate any risks identified in the business plan.

Taking into account all the above factors, the BLC decided to award the L-DTPS licence for Middlesbrough to Made Television Ltd.

Next steps

A L-DTPS licence will be granted to Made Television Ltd before the service begins broadcasting. The L-DTPS service will be carried on the local television multiplex, for which a separate licence has been awarded.

The Programming Commitments proposed by the successful applicant will be written into the licence and become binding requirements, and Ofcom will not allow these to materially change, as these commitments were part of the reason for licence award.

All L-DTPSs must begin broadcasting within two years of licence award otherwise Ofcom may re-advertise the licence.