

Accessibility of on demand programme services

Public consultation

**Response from the Commercial Broadcasters
Association to Ofcom**

October 2016



A VOICE FOR COMMERCIAL BROADCASTERS IN THE UK

Introduction

1. The Commercial Broadcasters Association (COBA) is the industry body for multichannel broadcasters in the digital, cable and satellite television sector, and their on-demand services. COBA members operate in a wide variety of channels, including news, factual, children's, music, arts, entertainment, sports and comedy. Their content is available on free-to-air and pay-TV platforms, as well as on-demand.
2. COBA members are critical to the global success of the UK broadcasting sector and its "mixed ecology" of public and private investors. As arguably the fastest growing part of the UK television industry, they are increasing their investment in jobs, content and infrastructure:
 - Scale: In the last decade, the sector has increased its turnover by 30% to more than £5 billion a year. This is rapidly approaching half of the UK broadcasting sector's total annual turnover, and has helped establish the UK as a leading global television hub.¹
 - Employment: As part of this growth, the multichannel sector has doubled direct employment over the last decade.²
 - UK production: In addition, the sector has increased investment in UK television content to a record £725m per annum, up nearly 50% on 2009 levels.³
3. For further information please contact Adam Minns, COBA's Executive Director, at adam@coba.org.uk or 0203 327 4101

¹ Ofcom International Broadcasting Market Report 2013

² Skillset, Television Sector – Labour Market Intelligence Profile

³ COBA 2014 Census, Oliver & Ohlbaum Associates for COBA

Response to consultation questions

Q1. Do you agree with Ofcom's proposed changes to the way we collect data, and do you have any further comments?

- 1.1 UK broadcasters have a strong track record in providing access services on their linear services. As Ofcom's most recent Television Access Services report⁴ shows, the majority of COBA members' linear channels continue to exceed their minimum statutory requirements by a substantial level. We believe this highlights COBA members' readiness to provide access services wherever practicable.
- 1.2 Meanwhile, industry is also working to develop various ways of delivering access services on non-linear services. However, as Ofcom is aware, extending access services to on-demand services presents a number of significant challenges, and it is not the case that linear content with access services can simply be transferred to on-demand. VoD presents particular technological challenges and complexities, which both platforms and services are grappling with.
- 1.3 As a result, the data collected will also vary between linear and on-demand services, requiring time and resources to collect. It would therefore be disproportionate to increase the regulatory burden on on-demand providers by requiring them to submit access service data on a biannual basis on a number of grounds.
- 1.4 For most COBA members, on-demand services are loss making or operate on extremely low margins. Most only carry a limited number of hours of content (catch-up representing in effect a promotional tool for the linear service). Furthermore, some on-demand services are business-to-business and are provided by another third-party outlet or platform.
- 1.5 We therefore ask Ofcom to maintain the status quo, whereby on-demand services will submit access service data on an annual basis.

Q2. Do you agree with Ofcom's proposed changes to the type of data we collect, and do you have further comments?

- 2.1 We are concerned with this proposal. We believe that requiring VoD services to collect accessibility data by branded service would be highly disproportionate, placing an unfair burden on on-demand services.

⁴ [Television Access Services: Report for the first six months of 2015](#), Ofcom, 22nd October 2015

Q3. Do you agree with Ofcom's proposed changes to the way we publish data, and do you have further comments?

- 3.1 We do not agree with Ofcom's proposed change. For more detail please see our response to Q1.