

News Broadcasting's response to Ofcom's Call for Evidence on Listed Events

News Broadcasting welcomes the opportunity to respond to Ofcom's Call for Evidence on the Listed Events regime. News Broadcasting is the broadcasting division of News UK, home to the national broadcasting brands talkSPORT, Times Radio, Virgin Radio and Talk.

talkSPORT is the world's biggest sports radio station and together with our live sports station talkSPORT 2, it reaches 3.7 million listeners every week.¹ In 2023, we broadcast over 2,200 hours of live sports coverage across the talkSPORT network, including live coverage of Group A and B events (e.g. FA Cup Final, The Ryder Cup, The Open). talkSPORT and talkSPORT 2 are available on DAB and online via the talkSPORT website and app and on smart speakers, while talkSPORT is also carried on AM.

While the Listed Events regime to date has been of limited direct relevance to talkSPORT in securing the audio rights to Group A and B events, the regime plays a wider role in shaping the market for sports rights in the UK. Below, we have provided views on two areas of the Code relevant to the talkSPORT network.

Question 3: Adequate alternative coverage for Group B events

The Call for Evidence seeks views on how audiences engage with radio coverage for Group B events, and whether the Code should be amended to reflect changes in behaviour.

We have two key observations about how radio listeners engage with live sports coverage. Firstly, live sports coverage is critical in driving listening to the talkSPORT network and listening is particularly high when live audiovisual coverage sits behind a paywall. As a free-to-access service, talkSPORT plays an important role in ensuring that live coverage of key sports events are available to all audiences, regardless of their ability to pay. Secondly, while more listening now takes place on online platforms, the vast majority of listening is still via AM and DAB. Over 70% of talkSPORT's listening hours are on AM and DAB.

There is value in live radio coverage being promoted and protected by the Listed Events regime. We support a definition of "adequate alternative coverage" that requires live radio commentary of the event to be acquired by a UK radio station with national coverage on AM or DAB. This would help to ensure the broad availability of live commentary of key events to audiences across the UK.

At this stage, we do not consider it necessary to broaden that definition to include online audio distribution because of potential unintended consequences in the audio-only sports rights market. For example, if the "adequate alternative coverage" requirement could be met in part by distributing live audio coverage online, the audio rights for key sports events could be acquired by a TV broadcaster or streaming service who could meet the requirement by creating a pop-up audio stream, potentially hidden away on their website.

This could create a disadvantage for radio broadcasters bidding for audio-only sports rights; more TV broadcasters or streaming services could bid for audiovisual and audio rights as a

¹ RAJAR, Q2 2024.

package, which radio broadcasters cannot do. In addition, while the technology is improving, online streams still suffer from large timing delays and buffering. These characteristics are highly undesirable for live sports broadcasts. Including online audio distribution in the definition could therefore have unintended ramifications for the audio sports rights market and the audience experience.

Question 1: Live coverage of Group A and B events

While we understand that Ofcom may want the definition of 'live coverage' to be sufficiently broad to reflect the variety of ways audiences now watch live sports events, we caution against that definition going beyond the intention of the Listed Events regime. For example, while it is likely that any broadcast of a sporting event would include some pre-, mid- and post-event analysis, the core focus of the regime should be on protecting and promoting free-to-air access to the actual live sports event (e.g. the whistle-to-whistle period) and that event should form the bulk of the broadcast.

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