

**Title:**

**Forename:**

**Surname:**

**Representing:**

Organisation

**Organisation (if applicable):**

LBC

**Email:**

**What additional details do you want to keep confidential?:**

No

**If you want part of your response kept confidential, which parts?:**

**Ofcom may publish a response summary:**

Yes

**I confirm that I have read the declaration:**

Yes

**Additional comments:**

**Question 1: Do you agree with amending Rule 11 of the PPRB Rules and Section Six of the Code by inserting the proposed wording set out in paragraph 3.19 above? If you do not agree with this approach, please explain why and, if appropriate, suggest alternative wording.:**

**Question 2: Do you agree with amending Rules 10 of the PPRB Rules by inserting the proposed wording set out in paragraph 3.31 above? If you do not**

**agree with this approach, please explain why, and, if appropriate, suggest alternative wording.:**

**Question 3: Do you agree with amending Rule 9 of the PPRB Rules by inserting the proposed wording set out in paragraph 3.40 above? If you do not agree with this approach, please explain why, and, if appropriate, suggest alternative wording.:**

**Question 4: Do you agree with amending Rules 7 to 9 of the PPRB Rules by inserting the proposed wording, including new Rule 9A, set out in paragraph 3.51 above? If you do not agree with this approach, please explain why, and, if appropriate, suggest alternative wording.:**

**Question 5: Do you agree with either Option (A) or Option (B) in relation to inserting new Rules 17A and 17B, as set out in paragraph 3.68 above? If you do not agree with either of the proposed options, please explain why and, if appropriate, suggest alternative wording.:**

**Question 6 : a) Do you agree with the ?one sixth? threshold set out in Rule 13 of the PPRB Rules? If you do not agree with the threshold, please explain why, and, if appropriate, suggest an alternative.:**

**Question 6 : b) Do you agree with amending Rules 12 14 and 17 of the PPRB Rules by inserting the proposed wording, including new Rule 13A, set out in paragraph 3.83 above? If you do not agree with this approach, please explain why, and, if appropriate, suggest alternative wording.:**

**Question 7: Do you agree with: a) Any of the Options (C1), (C2), (D1) or (D2) in relation to amending Rule 20 of the PPRB Rules in relation to television, by inserting the proposed wording as set out in paragraph 3.93 above? :**

**Question 7: Do you agree with: b) Either Option (E1) or Option (E2) in relation to amending Rule 20 of the PPRB Rules in relation to radio, by inserting the proposed wording as set out in paragraph 3.93 above. If you do not agree with any of the proposed options, please explain why, and, if appropriate, suggest alternative wordin:**

**Question 8: Do you agree with the scheduling requirements set out in Rules 21 and 22 of the PPRB Rules? Please give reasons for your response.:**

**Question 9: Do you agree with amending Rules 9 and 18 by inserting the proposed wording set out in paragraph 3.101 above? If you do not agree with this approach please explain why and, if appropriate, suggest alternative wording.:**

**Question 10: Do you agree with amending Rules 8, 9 and 19 by inserting the proposed wording set out in paragraph 3.110 above? If you do not agree with this approach, please explain why and, if appropriate, suggest alternative wording.:**

**Question 11: Are there any other issues arising from the PPRB Rules, not already covered, which you wish to raise?:**

**Question 12: a) Are the provisions of the Proposed Code Guidance set out above appropriate?:**

We welcome the movement to expand the existing guidance in what can be a complex and unwieldy area of the Code. The Proposed Code Guidance should prove to be a helpful tool in interpreting the rules, in particular by providing easily accessible examples of Ofcom's previous rulings in each section. However, we would like to seek clarification and amendments on the points raised in question 12 b).

**Question 12: b) If you do not agree that any provisions of the Proposed Code Guidance are appropriate, please explain why and suggest alternative wording:**

Opinion polls in devolved nations

Rule 6.10 prescribes that when broadcasting a constituency or electoral area report we must offer the opportunity to take part to parties and independent candidates with 'previous significant electoral support' or 'significant current support'.

In interpreting the phrase 'significant current support', we would request further guidance with reference to the type of polls that would be considered relevant, given that the political landscape in the devolved nations may be different to that of the UK as a whole. For example, for a Westminster election should we still look to UK-wide polls or look at evidence within each nation individually?

Politicians as presenters

Rule 6.6 stipulates that candidates in UK elections cannot be presenters during an election.

We have carried several politicians as presenters on LBC and have, of course, always complied with this requirement. However, we have at times removed presenters who are standing as candidates far in advance of the specified period following feedback from other candidates that to do otherwise would compromise the general due impartiality requirements of Section 5.

Whilst we appreciate press coverage and campaigning begins before the election, we are keen not to impose unnecessary restrictions on our output. It would therefore be extremely helpful if the guidance could indicate how Ofcom might interpret such a challenge on the grounds of due impartiality if outside the election period.

Significant mistakes in news

Rule 5.2 requires that significant mistakes in news should be acknowledged and corrected on air quickly.

The proposed guidance does not appear to address the issue of what might be considered a 'significant' mistake. In the absence of recent rulings in this area we are seeking further clarification of where a mistake might be deemed to have triggered this requirement.

#### Talk radio and impartiality

Talk radio is a unique format. LBC, in particular, offers an unrivalled opportunity for listeners and presenters to express opinions on the topical issues of the day on a rolling basis. Given that our focus and overall output differs so greatly to other non-talk stations and TV channels we believe the guidance should go further than merely taking into account the type of programme when assessing the amount of impartiality 'due'.

We do not consider the above negates our need to have regard to the rules on due impartiality. We do, however, believe the guidance should contain a specific acknowledgement reflecting our position in the broadcasting landscape and providing any extra guidance Ofcom may be able to offer in this area.