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Baroness Stowell  
Chair of the Lords Communications Committee  
House of Lords  
London  
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12 May 2022

Dear Baroness Stowell

### **BBC Future Funding – Ofcom session**

I am writing to you to highlight a factually incorrect statement made to the Committee by Siobhan Walsh, Ofcom's Director of Content Policy, at the evidence session on 10<sup>th</sup> May.

At 16:27 on the live stream, Ms Walsh stated,

*“we can pause, take stock, and take a view as to whether it is imposing an undue impact on competition, and we did that with sounds last year, we undertook a review which was open, we consulted with stakeholders and we didn't get any evidence at that point that it was currently imposing a negative impact on competition and we certainly didn't get evidence from commercial radio that they were concerned at that point.”*

Contrary to this statement, Global submitted its own response to this review (the 'market positioning of BBC Sounds' consultation), alongside multiple joint responses with commercial radio's trade body, Radiocentre<sup>1</sup>. Indeed, Baroness Buscombe quotes from one of the Radiocentre submissions during the same session (16:28:46 on the live stream).

The responses set out our individual and collective concerns about the way in which BBC Sounds had been able to expand without Ofcom oversight, and the impact it is having on the market. Radiocentre's submission to Ofcom dated November 2020<sup>2</sup> leaves no ambiguity, the first line of the executive summary states that *“Radiocentre and its members have significant concerns about the current and potential future competitive impact of BBC Sounds”*.

Representatives of commercial radio also met with Ms Walsh on 10<sup>th</sup> December 2021 to discuss Ofcom's regulation of the BBC which included a discussion regarding our on-going concerns with BBC Sounds.

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<sup>1</sup> All consultation responses are set out at <https://www.ofcom.org.uk/consultations-and-statements/category-3/bbc-sounds-market-position>

<sup>2</sup> [https://www.ofcom.org.uk/data/assets/pdf\\_file/0020/216371/radiocentre.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0020/216371/radiocentre.pdf)



We were therefore surprised and disappointed to hear Ms Walsh deny the very existence of the valid concerns raised by commercial radio in this way to the Committee. We would respectfully ask that Ofcom is required to withdraw this untrue statement and that a correction is added to Hansard to this effect.

Yours sincerely

Sebastian Enser-Wight  
Chief Strategy Officer

