



House of Commons  
Scottish Affairs Committee

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# Public broadcasting in Scotland: Government Response to the Committee's Fifth Report

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**Sixth Special Report of Session  
2022–23**

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## The Scottish Affairs Committee

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### Committee staff

The current staff of the Committee are Stephen Aldhouse (Senior Committee Specialist), Gabriel Byrne (Inquiry Manager (Apprentice)), Samantha Colebrook (Committee Operations Officer), Nerys Davies (Committee Specialist), Kay Gammie (Committee Operations Manager), Colin Harrison (Finance Specialist), Simon Horswell (Committee Specialist), Chloe Jago (Senior Media and Communications Officer), George James (Second Clerk), Leoni Kurt (Clerk), Duncan Sim (Committee Specialist) Chloe Smith (Committee Specialist), and Calum Trenaman (Senior Digital Content Producer).

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## Sixth Special Report

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The Scottish Affairs Committee published its Fifth Report of Session 2022–23, [Public broadcasting in Scotland](#) (HC 1048) on 2 March 2023. The Government response was received on 19 April 2023 and is appended below.

## Appendix: Government Response

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### Introduction

The Government welcomes the publication of the Scottish Affairs Committee's report into public broadcasting in Scotland. The Government is grateful to the Committee for its consideration of the state of broadcasting and the creative economy in Scotland, the particular challenges faced by viewers in Scotland, and the work of the UK and Scottish Governments to improve access and promotion of Scottish content.

The Government recognises Scotland as a vital creative hub for UK broadcasting, forming a key strand of the UK's world-renowned broadcasting landscape. We also understand the power that TV – and the wider creative industries – has to enrich the lives of people across the UK, bringing communities together, and increasing pride in place.

Television broadcasting plays an economically important role in Scotland – the screen sector was worth an estimated £568 million to Scotland's economy in 2019, and the Government believes that it will continue to play a unique role in supporting levelling up, and promoting different lives, experiences and cultures on screen.

To support the creative economy across the UK, the Government is working to deliver our Creative Industries Sector Vision, which will outline our plans to maximise the impact of the UK's creative industries. The Sector Vision outlines how the Government will seek to capitalise on the sector's major economic and social contribution to drive inclusive growth and create a diverse and resilient workforce by 2030. We will continue to work with the Devolved Governments on how we can support the UK's creative industries.

The Government will continue to encourage our public service broadcasters to ensure that Scotland plays a key role in future commitments and investments in television production capacity outside of London. For example, the BBC's Across the UK strategy commits it to increasing the proportion of its TV production budget spent outside of London to 60% by 2027, an increase of around £80 million in out-of-London spending per year. Specifically for Scotland, the strategy also said the BBC would expand its production studios operations in Glasgow.

According to the BBC's Across the UK strategy, these plans will ensure that the BBC is seen to be more reflective of the nations that it represents, and will boost public support for the BBC as an institution across the UK.

In Scotland, STV's production arm, STV Studios, has reaffirmed their ambition to become a "world-class" content producer for global networks and streaming services, which will serve to boost the creative economy in Scotland, and will ensure that culturally distinctive

Scottish content remains at the heart of their production. In recognition of the valuable role STV continues to play within the PSB system, the DCMS Secretary of State also confirmed she does not intend to block the renewal of the Channel 3 (C3) and Channel 5 (C5) (STV provides the C3 service in Central and Northern Scotland - licence to expire end of 2024).

Since the Committee's report on public broadcasting in Scotland was published, the Government has published its Media Bill in draft. The Media Bill, which reforms decades-old obligations for broadcasters, introducing measures that are necessary to ensure the future sustainability of public service broadcasting across the UK – this includes reforms relating to prominence, and greater recognition of the public service nature of programmes broadcast in UK's indigenous regional and minority languages, including Scottish Gaelic. These measures will ensure that broadcasters can tackle the challenges they currently face, whilst equipping them with the tools to thrive in an increasingly competitive and digital age.

The Government hopes that the Committee will welcome the new reforms outlined in the draft Media Bill. Whilst broadcasting policy is reserved to the UK Government under the terms of the Scotland Act 1998, the Government will continue to engage the devolved administrations as policy and legislation progresses and will also continue to work closely with the devolved administrations on areas of shared responsibility, and looks forward to the establishment later this year of a Culture and Creative Industries Inter-ministerial Group.

The Government has outlined its responses to the seven recommendations from the Committee below.

***Recommendation one: We recommend that the UK Government signal that it will maintain Freeview beyond 2034. To support this, the UK Government should fully capitalise on the upcoming World Radiocommunication Conference in November and place Freeview high up the agenda to help address this uncertainty as soon as possible.***  
(Paragraph 35)

**Government response:**

The Government remains committed to the future of digital terrestrial television (DTT), the technology underpinning the popular Freeview platform.

We know that millions of households across the UK, including in Scotland, rely on DTT and we expect this to continue over the next decade. We also recognise the crucial role that DTT plays in the wider UK broadcasting system, in particular in helping ensure that public service content continues to be widely available to all audiences.

As the Committee notes, we have legislated to secure continuity of the platform for at least another eleven years. We believe this strikes the right balance between giving certainty to audiences, platform operators and broadcasters on the one hand, while recognising that – in a decade's time – the landscape might look very different.

In line with this approach, the UK's preference at this stage is for 'no change' to international spectrum allocations at the upcoming World Radiocommunication Conference as they relate to terrestrial television. This approach is intended to provide the certainty

referenced in the Committee's recommendation. As Ofcom noted in their recent Call for Input, "our priority will be to ensure that, following the outcome of [this year's World Radiocommunications Conference], DTT services can continue to operate".

Before any decisions about the future of terrestrial television beyond 2034 are made, the Government will give close consideration to how any changes would impact audiences, especially those who rely on DTT as their primary means of watching television, including in Scotland. To support this consideration, we will continue to evaluate the future distribution of television as the sector evolves over the next decade, and have asked Ofcom to undertake an early review, before the end of 2025, on market changes that may affect the future of content distribution over the next decade and beyond.

***Recommendation two: The UK Government should communicate a clear expectation to public service broadcasters in Scotland that they should be regularly and proactively approaching subscription services which have purchased the rights to broadcast major Scottish sporting events, to explore options for sharing those rights. It should also clearly communicate to subscription services and the national sporting bodies that act as rights holders that it expects them to carefully consider the public interest benefits of public service broadcasters having a share in these rights in this way.*** (Paragraph 44)

***Recommendation three: The UK Government should also establish a review to consider options to improve free-to-air access to Scottish international football. This should involve representatives from Viaplay and Sky as the current and former purchasers of the rights to broadcast Scottish international football, the Scottish Football Association as the rights holder, and public service broadcasters. If the review is unable to come up with effective solutions within the existing commercial rights framework, it should recommend interventions the UK Government should make to ensure more Scottish international football is available to watch free-to-air, potentially including expanding the specific Scottish events covered under the listed events regime to include not just the Scottish FA Cup final but also Scotland's World Cup and European Championship qualifiers.*** (Paragraph 45)

### **Government response:**

Under the new legislative framework for public service broadcasting set out in the draft Media Bill, public service broadcasters (other than the BBC)<sup>1</sup> will be required to contribute to the fulfilment of the public service remit for television. This remit will include programmes which reflect the lives and concerns of different communities and cultural interests and traditions within the United Kingdom. With respect to recommendation 2, given the operational and editorial independence of our public service broadcasters, the Government does not believe it would be appropriate to be more prescriptive about which specific rights they should seek to acquire and from whom they should seek to acquire them.

The Government is keen to ensure sporting events are made available to the public throughout the UK's nations and regions which is why we have the listed events regime. Our objective for the regime is to ensure that key sporting events of national interest are widely available and free-to-air for all audiences, particularly those who cannot afford

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<sup>1</sup> Under the terms of its Charter, the BBC has a corresponding obligation to "reflect, represent and serve the diverse communities of all of the United Kingdom's nations and regions".

to watch sport behind a paywall, insofar as is practicable and reasonable. Sports rights holders use income from the sale of broadcast rights to the benefit of the wider sporting sector, so it is important that the regime continues to strike the right balance between accessibility, and the ability of sporting organisations to generate revenues to invest in their sports at all levels.

The Government wants to ensure the listed events regime continues to ensure accessibility for all audiences. We are conducting a digital rights review, acknowledging that data suggests audiences are increasingly engaging with sport through digital platforms.

The draft Media Bill aims to protect the availability of rights for live coverage of listed events to free-to-access public service broadcasters. However, listing does not guarantee that an event will be broadcast live or free-to-air. Rights holders are not required to sell live rights and broadcasters are not obliged to purchase them or to show the events. The draft legislation sets out that to ensure that where live rights to a listed event are made available, they must be offered for purchase by public service broadcasters - it does not require that a public service broadcaster is the final purchaser.

The Government believes that the current list of events works well to deliver the best outcome and that it strikes an appropriate balance and therefore we have no plans to undertake a full review of the list.

As sports policy is devolved, it would be for the Scottish Government to consider in the first instance whether there is currently the right balance between Scottish rights holders' ability to generate sufficient income and access for Scottish audiences to those sporting events. The UK Government would then take those considerations into account.

For sporting events not within the listed events regime, the competition organisers have, as rights holders, the discretion to consider this balance in the context of their sport. Broadcasting rights provide essential income, which enables sports national governing bodies to invest in better facilities for spectators, improve elite performance, hire the best coaches, and keep-up with mounting competition from rival sports and tournaments.

***Recommendation four: The UK Government should remain committed to legislating for [broadcasting policy] reforms before the end of this parliamentary session. We recommend that the UK Government schedule parliamentary time to begin considering the Media Bill within the next two months.*** (Paragraph 49)

***Recommendation five: The UK Government should bring forward this reform within the next two months, in line with our recommendation on the timing of debate on the wider Media Bill.*** (Paragraph 54)

#### **Government response:**

The Government shares the Committee's view on the critical importance of the Media Bill measures to the broadcasting and radio industry. In the context of rapid technological and market changes posing new challenges, measures in the Media Bill offer a much needed boost to our public service broadcasters.

On 29 March 2023, the Government published the Media Bill in draft. This is an important milestone towards introduction of the Bill, which the Government remains committed

to doing when Parliamentary time allows. Publishing in draft will allow for a period of technical engagement with industry prior to introduction, ensuring the Bill delivers the right outcomes for audiences and listeners.

***Recommendation six: The UK Government's prominence reforms should specifically require that TV platforms being used in Scottish households must carry STV's on-demand services and feature them prominently.*** (Paragraph 55)

**Government response:**

The Government recognises the need to ensure high-quality public service content UK audiences value – including much-loved programming provided by STV – remains easy to find as viewers increasingly shift online.

In our Broadcasting White Paper, Up Next, the Government set out its intention to legislate so that public service content is made available and given appropriate prominence across major online TV platforms. This includes a commitment to legislate to ensure any designated on-demand services provided by STV are carried and given regional prominence.

DCMS recently published its proposals for the new online prominence framework as part of the wider draft Media Bill, which included online prominence for STV.

***Recommendation seven: We recommend that such a group should be established this year, and that its terms of reference should include skills in the UK screen industry. We also call on the Scottish Government to further prioritise its work on screen industry skills in Scotland, to work in tandem with the inter-ministerial group.*** (Paragraph 59)

**Government response:**

The Government is pleased to confirm that a Culture and Creative Industries Inter-ministerial Group will be set up this year. Officials from across the four nations have been working together on this. The Group aims to provide the space for collaboration and knowledge exchange on all areas of culture and creative industries policy, including the screen industry. Ministers from all of the four nations will be able to table agenda items.

DCMS commissioned the British Film Institute (BFI) to undertake the Film and High-End TV Skills Review, which was published in June 2022. The Government has supported the BFI's review, and welcomes the establishment of an industry-led Task Force to respond to its recommendations.

While the Government has a role to play in addressing the skills shortage in the sector, it is important that industry takes the lead in recruiting and training new talent and creating the best working conditions to retain staff and support them throughout their careers. We will continue to work closely with the BFI and the industry-led Task Force to help our screen industries to thrive and develop the UK's outstanding workforce.