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Dear Nicholas,

### **BBC Trust Content Syndication Consultation**

We welcome the BBC Trust's publication of its draft content syndication policy. The attractiveness of the content offered through iPlayer makes syndication of this content a very important issue for the future of competition in on-demand TV and related services.

Our primary concern in this area is to ensure that consumers have access to a wide range of quality services and enjoy a positive user experience of on-demand content. Supporting this, we consider it appropriate for broadcasters to continue to take a strong interest in ensuring that they are comfortable with the way their content is presented, which in this case could include the BBC seeking ways to safeguard its public service broadcasting activities. On the other hand, we recognise that a quality experience is not only about streaming quality and picture fidelity, but also quality of the user interface. We see potential for significant consumer benefit arising from platform operators being able to offer innovative ways of integrating on-demand content with their platforms, for instance through search or navigational tools.

Beyond this overall principle, there are three specific issues relating to the Trust's draft content syndication policy on which we would like to offer comments: bespoke development, metadata and the Trust's role.

**Bespoke development.** Our letter to the Trust in relation to the previous consultation on this issue highlighted the need to prioritise development of non-standard versions of iPlayer in a way that minimised the risk of foreclosing competition. It appears from the draft policy that the intention now is that bespoke development will be only be considered where a stakeholder is "unable" to take a standard version. This appears not to allow for the possibility that there might be instances where a better consumer proposition and greater public value could be delivered through bespoke development, with the costs borne by the stakeholder.

This position also appears to sit in contrast to the "Provisional conclusions on platform policy", at page 37 of the discussion document that accompanies the draft policy. That sets out a view that requests for bespoke versions "could be considered on an exceptional basis,

with a high public value requirement which must be met”, without restricting such development only to cases where a standard version is not viable.

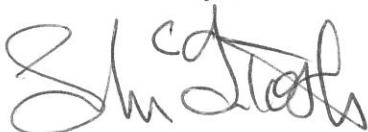
**Metadata.** Programme-related metadata refers to information which describes the individual programmes – for example, the name of the programme, the genre it falls in, or the time when it was broadcast. Access to this metadata is critical for stakeholders to be able to integrate iPlayer content more closely with other services on their platforms. For example, stakeholders might wish to include iPlayer content within programme search functions or other navigational tools, which could be of significant benefit to consumers.

It seems from the discussion document that the Trust agrees with the Executive’s suggestion to treat “linking and metadata” separately from syndication. However, the reasons for doing so are unclear; the issues of syndication and metadata appear sufficiently closely related that it would be constructive to include some level of commentary on metadata in the draft policy, even if this issue is to be addressed more fully elsewhere.

**The Trust’s role.** We assume that one of the Trust’s aims is to set up the principles of content syndication in a way which ensures that the BBC contributes to a good consumer experience in relation to on-demand catch-up content. It would be helpful if the draft policy were to set out more clearly what the Trust’s role is expected to be in ensuring that the BBC’s interests are safeguarded and that the Executive follows the principles set out in the policy. For example, we might expect the Trust’s role to include oversight of key syndication agreements.

We would encourage the Trust to explore the issues set out above and would be pleased to discuss these further with the Trust.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stuart McIntosh', written in a cursive style.

Stuart McIntosh