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8 Dec 1987

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# INDEPENDENT ACCESS STEERING COMMITTEE

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The Rt. Hon. Margaret Thatcher FRS MP  
10 Downing Street  
London SW1A 2AA

8 December 1987

Dear Prime Minister,

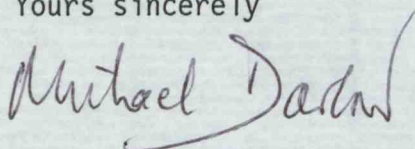
## INDEPENDENT TELEVISION PRODUCERS

During the seminar you held on broadcasting on 21st September you asked whether we independents were having difficulties in our negotiations with the broadcasters. I regret to have to inform you that our negotiations with ITV have continued to go so badly that we have today decided that we have no alternative but to break-off talks with the ITV companies.

I feel sure that when your Government announced its intention to secure that 25% of programmes on ITV and the BBC came from independents your aim went beyond providing a limited stick with which to help them beat their unions. In letters to the Home Secretary and Lord Young in July I said that neither the BBC nor ITV had been willing to offer guidelines as to the principles for the business terms between broadcasters and independents which held out any hope of the independent sector developing into a genuine "third competitive force" in programme supply. The ITV companies, despite our best conciliatory endeavours, have persisted in their refusal to talk seriously and many have used the interval to take advantage of their right to transmit programmes, to force independents into contracts which deny them proper control over their intellectual capital or operating margins that correspond even to those customary in dealings with Channel Four. They have also denied them an equitable right to the benefits arising from exploitation of their programmes in foreign markets. Some ITV companies continue to make it a condition of contract that independents use ITV facilities and crews.

ITV's actions and unwillingness over a period of almost nine months to negotiate in any meaningful way lead us to conclude that they never intended to reach an equitable agreement. If the present conditions persist the 25% access policy could lead not to the emergence of the independent sector as a competitive third force, but to its progressive undermining. We see no alternative therefore but to seek outside intervention to ensure that, in words of the Director General of the IBA, there is a 'level playing field'.

Yours sincerely

A handwritten signature in dark ink, reading "Michael Darlow". The signature is fluid and cursive, with the first name "Michael" and the last name "Darlow" clearly distinguishable.

MICHAEL DARLOW  
Head of Negotiations