

CEPH



*Prime Minister
Content to proceed in
this way?*

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AT 618

2 August 1990

*I should prefer to
reinsert the additional -*

*Dear Barry The idea of "social action" programmes
being compulsory will give us a load of hassle.*

BROADCASTING BILL : QUALITY THRESHOLD

The Broadcasting Bill successfully completed its Committee Stage in the House of Lords on 26 July. Although pressed hard by the Opposition parties on a number of issues, the Government in the event suffered only one reverse. This was on a group of amendments, put forward by Baroness David with all-party support, which were designed to strengthen the quality threshold for Channel 3. The Home Secretary has been considering what response the Government should make.

The amendments have two essential purposes. First, they add to the list of programme types which must be included in Channel 3 services three further categories: documentaries, educational programmes, and "social action" programmes (i.e. programmes encouraging active citizenship and promoting community initiatives and charity fundraising). Second, they require all the stipulated programme types to be shown at appropriate times of the day and week, having regard to the potential viewers for programmes of each type.

The Home Secretary is clear that the second of these amendments must be reversed. As it stands it is inconsistent with the Government's clear view that scheduling should be left entirely to licensees to determine; and it would inevitably draw the ITC into scheduling policies in a way that he and other colleagues have been very anxious to avoid.

The first of the amendments raises greater difficulties. In principle it is undesirable to place more and more required categories of programming on the face of the Bill, since this risks imposing an excessive degree of regulatory control. On the other hand the Bill already contains a general requirement for a diversity of programming appealing to a wide range of tastes and interests, and Ministers have argued in both Houses that in practice this is likely to mean that most if not all of the existing programming strands offered by ITV will continue to form part of the Channel 3 output. Against this background it would not be easy to justify seeking to reverse the addition to the Bill of the further categories specified in the amendments.

The Home Secretary is inclined, therefore, not to seek to reverse these amendments, but instead to come forward on Lords Report with a more general form of words, which retains the essential components of the extended list but avoids the presentational unattractiveness of the "laundry list" approach now embodied in the Bill. This tactic should make it easier to resist demands for yet further additions to the list of prescribed programme types, while at the same time making it easier to secure agreement in both Houses to the reversal of the scheduling provision in the other amendment.

We understand that it would not be acceptable to the House of Lords to seek to reverse the scheduling amendment on Lords Report. What we therefore envisage is to deal then only with the reformulation of the list of programme types; and to vote down the scheduling amendment when the Bill returns to the Commons at the end of the spillover.

The Home Secretary would be grateful to know whether colleagues are content for us to proceed accordingly.

I am copying this to the Private Secretaries to other members of MISC 128 and to the Lord Privy Seal, and to Sonia Phippard (Cabinet Office).

y
Jans,
Saz.

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