

Consultation 1/2024: Operating Budget for The Office of the Adjudicator- Broadcast Transmission Services

The Office of the Adjudicator-Broadcast Transmission Services (OTA-BTS) was set up as one of the requirements of the Competition Commission’s report into the merger of Arqiva and NGW in 2008. The purpose and functions of the Office are set out in the Undertakings [<https://www.ota-bts.org.uk/undertakings.html>].

Paragraph 17(b) of Appendix 1 to the Undertakings requires Ofcom to set an annual budget for the operation of OTA-BTS. Among other matters, the Undertakings set out that the “budget will be for an amount sufficient in the view of Ofcom alone to enable the Adjudicator properly to discharge his functions in an effective and timely manner”. They also require Ofcom to consult with the Adjudicator, Arqiva and its customers in ways it considers appropriate.

In preparing the budget for the year 1 April 2024 to 31 March 2025 Ofcom consulted with the Adjudicator and OTA-BTS. Ofcom then consulted with Arqiva, which bears the cost of this budget, in parallel with continuing discussions with OTA-BTS and the Adjudicator.

Ofcom now wishes to broaden the consultation to include Arqiva customers. The budget is composed of two parts. The first is the operational budget which reflects staff costs, rental of office and IT facilities, book-keeping and the provision of legal and economic advice for work that can be anticipated and is necessary for the functions of the Adjudicator. The second is a contingency sum that will be called on for the additional expense relating to the determination of disputes and any non-budgeted investigation work. None of the contingency has been needed to date.

The operational budget for 2023/24 was **£497,188**, with a contingency sum of **£470,000**.

For the 2024/25 the operational budget is **£698,402** with a contingency sum of **£470,000**

Any person wishing to comment should do so either in writing to the address below or by emailing a PDF or Microsoft Word document to contact@ota-bts.org.uk, marking the response with the reference Consultation 1/2024. The response should be in answer to the question “Do you consider the proposed budget is adequate to allow The Adjudicator to fulfil his functions as set out in The Undertakings?”. The responses will be forwarded to Ofcom for their consideration.

The closing date for responses is 5.00pm on Monday 18 March 2024. Responses may be published on the OTA-BTS website. If you would prefer your response to remain confidential to OTA-BTS and Ofcom then please mark your response as “Not for Publication”.

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