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Sir Kenneth Calman
Commission on Scottish Devolution
c/o Scottish Parliament
Edinburgh
EH99 1SP
2nd June

Dear Kenneth,

Devolving Broadcasting Wireless Broadband and Spectrum Allocation

Thank you for this opportunity to consider the division between reserved and devolved matters.

The Commission might give consideration to a tiered approach to communication responsibilities (including broadcasting and wireless broadband) based on the principles of devolution and subsidiarity (or double-devolution): state, nation, local.

Under this principle England, Scotland, Wales and NI would have responsibility for terrestrial communications services for reception and transmission internally. A third less formal local tier supervised by broadcasting trusts - comprised of voluntary bodies - would oversee wireless communications requirements that benefit primarily the region/city local audience and subscribers. Mobile phones and other services without geographic focus would be overseen by a combined representation - transferring responsibility up from local area, through nation to state.

The devolution and subsidiarity of spectrum management follows satisfaction of state-wide public service broadcasting with the as yet incomplete high-speed broadband network. Each nation would licence services while focussing spectrum use to address any real or perceived state-wide deficit. The remaining spectrum would address as first priority local area demand for service.

After state, nation and local public service requirements are fulfilled surplus spectrum might be leased by the local trusts and nation agencies to incoming commercial services (of a large but not state-universal scale and without PSB value). Incoming services would be licensed according to demand in the nation and locality. The leasing of spectrum by nations and local area provides revenue to support nation and local services. Satellite services would continue to operate across frontiers although increasingly influenced in what they carried by the greater critical mass of nation and local service this regulatory model would encourage.

The regulatory model would conform to European principles for cross border terrestrial and satellite transmission while transforming - in the light of devolution and subsidiarity - our understanding of the scope of public service broadcasting by introducing equity for local civic as well as nation demands.

With regards,

Dave Rushton
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