



**BBC  
TELEVISION LICENSING**

**NO LICENCE NEEDED POLICY**

## Index

1. Purpose .....	3
2. Scope .....	3
3. Definitions.....	3
4. General Principles .....	4
5. Processing declarations .....	4
6. Visiting addresses .....	5
7. Guards.....	5
8. Changes in No Licence Needed Claims Status (including transfer of No Licence Needed Claim to a new address) .....	6
9. Detection and Search Warrant Procedures.....	7

## 1. **Purpose**

- 1.1 To state the BBC's policy with respect to those places, occupied as residential accommodation and non-residential premises, whose occupier has declared that there is no television receiving equipment being used at the address to receive live broadcasts (known as making a No Licence Needed claim).
- 1.2 Note that 'television receiving equipment' refers to any apparatus used for receiving (by any means) any television programme service as defined in the Communications (Television Licensing) Regulations 2004.
- 1.3 Note also that "received" means receiving a TV programme as it is being broadcast on TV. It does not include receiving programmes by means of a DVD or the on-demand elements of services such as i-Player.

## 2. **Scope**

- 2.1 This policy sets out the procedure for:
  - processing and maintaining No Licence Needed claims
  - contacting addresses which have made a No Licence Needed claim and
  - visiting addresses which have made a No Licence Needed claim
- 2.2 This policy applies to premises being used for the purposes of both residential accommodation and non-residential arrangements.

## 3. **Definitions**

- 3.1 **NLC** – a residential address is categorised as No Licence Needed Claim (NLC) when TV Licensing receives an oral or written (including email) declaration that television receiving equipment at the address is not being used to receive television programme services.
- 3.2 **NLCC** – a residential address is categorised as No Licence Needed Claim Confirmed (NLCC) following a visit where the visiting officer has verified that television receiving equipment at the address is not used to receive television programme services.
- 3.3 **NLSG** – a residential address is categorised as No Licence Needed Claim Short Guard (NLSG) when TV Licensing receives a No Licence Needed claim and is informed that the individual or occupier intends not to use television receiving equipment at the address for a period of time less than one year<sup>1</sup>.
- 3.4 **BNLC** – a non-residential address is categorised as Business No Licence Needed Claim (BNLC) when TV Licensing receives an oral or written (including email) declaration that television receiving equipment at the address is not being used to receive television programme services.

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<sup>1</sup> Note that this circumstance only applies to residential addresses and not to non-residential addresses. In practice, it is most likely to apply to student accommodation.

- 3.5 **BNLCC** – a non-residential address is categorised as Business No Licence Needed Claim Confirmed (BNLCC) following a visit where the visiting officer has verified that television receiving equipment at the address is not used to receive television programme services.
- 3.6 **NLE** – an address (residential or non-residential) is categorised as No Licence Needed Expired when a No Licence Needed Claim (or No Licence Needed Claim Confirmed) has expired. This is an internal classification designed only to provide a full history of the address for the TV Licensing Field Operations team.
- 3.7 **Place** – refers to a licensable place, as defined by the BBC's Licensable Places Policy.
- 3.8 **Occupier** – incorporates both domestic residents and non-residential premises representatives (e.g. the manager of a business).

#### **4 General Principles**

- 4.1 Addresses which claim No Licence Needed shall be dealt with in accordance with the principles set out in this policy. The BBC has an obligation under the Communications Act 2003 to enforce the TV Licensing system. Consequently, the rationale behind TV Licensing's monitoring of residential No Licence Needed Claims is based on the fact that figures from the Broadcasters' Audience Research Board (BARB) estimate that the percentage of households in the UK without a television is under 3%<sup>2</sup>.
- 4.2 In line with the obligations outlined above, TV Licensing reserves the right to visit addresses which have claimed No Licence Needed. This is because, although the majority of No Licence Needed claims received by TV Licensing are genuine, latest figures show that a quarter of such addresses are found to need a licence when TV Licensing makes contact with them.
- 4.3 This policy will be reviewed regularly and may be adapted on receipt of suitable evidence for change.

#### **5. Processing declarations**

- 5.1 TV Licensing's policy process for dealing with No Licence Needed claims is outlined at Appendix I<sup>3</sup>.
- 5.2 After an individual has made a No Licence Needed claim to TV Licensing, written acknowledgement and an explanation of the NLC process will be sent to the individual. The address will be given NLC status, mailings to the address will cease for a specified period of time and the premises will become available for visiting in order to confirm that television receiving equipment at the address is not being used to receive television programme services.

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<sup>2</sup> More information on BARB can be found on their website at <http://www.barb.co.uk/>

<sup>3</sup> The BBC considers the information in the policy appendices to be confidential.

## 6. **Visiting addresses**

- 6.1 TV Licensing will visit a sample of NLC addresses to confirm that there is no television in use at that address or that television receiving equipment at the address is not used to receive television programme services. A methodology will be used to determine which addresses will make up the sample for visiting. This methodology is outlined in Appendix II<sup>4</sup>.
- 6.2 However, in some circumstances NLC addresses will be specifically excluded from the sample for visiting, in the interests of fairness. These circumstances are set out in Appendix III<sup>5</sup>. In these circumstances, any confirmation on expiry of the NLC guard that the relevant circumstances remain unchanged will result simply in the maintenance of its NLC guard and the address will remain within the exceptions from visiting.
- 6.3 A No Licence Needed visit may have a variety of outcomes. A list of these outcomes is set out in Appendix IV<sup>6</sup>.

## 7. **Guards**

- 7.1 The relevant residential guard lengths are as follows:
- NLC Two years from end of calendar month in which claim received
  - NLCC Two years from end of calendar month in which visit took place
  - NLSG Any length up to one year from end of calendar month in which claim received<sup>7</sup>
- 7.2 When a NLCC guard expires, confirmation that the circumstances remain unchanged will lead to the address returning to NLC status and becoming available for a further visit. When any guard expires, TV Licensing will maintain a “No Licence Needed Expired” category on its database in order to provide a full history for the TV Licensing Field Operations team.
- 7.3 It is the BBC’s view that two years is a reasonable length of time for residential guards, given that residential circumstances frequently change. For example, occupiers may move house or decide to watch live TV programmes on a computer. As noted above, latest figures show that a quarter of such addresses are found to need a licence when TV Licensing makes contact with them, hence it is important to ensure TV Licensing’s data is accurate in order to assist in the efficient use of the licence fee.
- 7.4 The relevant non-residential guard lengths are as follows:

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<sup>4</sup> The BBC considers the information in the policy appendices to be confidential.

<sup>5</sup> The BBC considers the information in the policy appendices to be confidential.

<sup>6</sup> The BBC considers the information in the policy appendices to be confidential.

<sup>7</sup> Please note that TV Licensing’s systems process data according to 12 end-of-month dates, rather than on a 365-day-per-year basis. For this reason, all NLC/NLCC guards will be set and re-set from the end of the nearest relevant calendar month.

- BNLC Three years from end of calendar month in which claim received.
- BNLC Three years from end of calendar month in which visit took place.

7.5 It is the BBC's view that non-residential addresses should have longer guards because they are likely to change their status regarding receiving television programmes less often than residential addresses. TV Licensing is also more likely to receive regular external data for non-residential addresses which informs them of a change of status<sup>8</sup>. Hence where this has not occurred, an assumption can more easily be made that there has been no change of status regarding receiving television programmes.

7.6 The relevant short guard lengths are as follows:

- Student addresses Nine months
- Non-student addresses Dependent on information volunteered by Occupant, up to one year.

7.7 It is anticipated that the majority of short guards shall relate to student addresses. They shall only be applied to non-student addresses where the occupant has informed TV Licensing that they intend to occupy the property for less than one year.

## **8. Changes in No Licence Needed Claims Status (including transfer of No Licence Needed Claim to a new address)**

8.1 The status of a NSC address may change in the following circumstances:

Trigger	Change
Visit	See Appendix IV <sup>9</sup>
Purchase of TV Licence	Address loses NLC/NLCC status and returns to standard mailing cycles
Notification received of new occupant at address which has previously been given NLC/NLCC status <sup>10</sup>	Address loses NLC/NLCC status and returns to standard mailing cycles (or to start of NLC cycle if new occupant claims NLC).
Dealer notification received in relation to address which has previously been given NLC/NLCC status.	TV Licensing will write to check whether the status remains the same. NLC/NLCC guard will not be affected as long as TV Licensing receives confirmation the circumstances remain unchanged (although address may be "fast-tracked" for visiting). If no confirmation received, address enters standard process.
Change of address	Length reset (see 8.3)

<sup>8</sup> For example, when a business changes name and the Postal Address File linked to it changes correspondingly; TV Licensing will be informed of this circumstance.

<sup>9</sup> The BBC considers the information in the policy appendices to be confidential.

- 8.2 In such cases, TV Licensing will maintain a “No Licence Needed Expired” category on its database in order to provide a full history for the TV Licensing Field Operations team.
- 8.3 In the event that the occupant(s) of premises notifies TV Licensing that they have moved, an existing No Licence Needed Claim will be transferred to the new address. This is equally true for both residential and business premises. For practical reasons, the guard will be reset, thereby guarding the new address from further mailings for a full period of either two or three years, as applicable (depending upon whether the premises concerned is residential or business).
- 8.4 In the case of those premises listed as NLCC or BNLCC on the TV Licensing database (i.e. where a visit has confirmed the veracity of the No Licence Needed Claim), that status will be retained at the new address, and the occupant(s) will therefore continue to be protected from the possibility of a further visit *as well as* from mailings until their status reverts to NLC or BNLC at the end of the guard period (i.e. in two or three years respectively from the move to the new address).

## **9. *Detection and Search Warrant Procedures***

- 9.1 Detection and search warrants will be used as a means of last resort where:
- there is reason to assume that television receiving equipment at the address is being used to receive television programme services AND
  - it is believed that access to the premises will never be gained.
- 9.2 Detection will be carried out in accordance with the BBC Policy on the Authorisation and Operation of Detection Equipment under the Regulation of Investigatory Powers Act 2000. Search warrants will be executed in accordance with the relevant TV Licensing search warrant policy.

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<sup>10</sup> Examples of such notifications will include (but not be limited to): contact with a new occupant, receipt of a “returned post undeliverable” or confirmation from another third party source such as the electoral roll.