



INDICATIVE GUIDE TO SUBMISSIONS

PROVISION OF A

LOCAL SOUND BROADCASTING SERVICE

PURSUANT TO SECTION 65(8) OF THE BROADCASTING ACT 2009

FOR

Franchise Area



The Broadcasting Authority of Ireland (“the BAI”) reserves the right to correct or clarify any part of the *Indicative Guide to Submissions for the Provision of a Sound Broadcasting Service Pursuant to Section 65(8) of the Broadcasting Act 2009 for Franchise Area (“Guide”)*.

Any such corrections, clarifications or supplementary information will be posted on the BAI’s website, www.bai.ie

This Guide is for general information purposes only. The BAI issues a specific ‘Guide to Submissions’ for a sound broadcasting service on the advertising of such a service. Potential applicants should request such a specific ‘Guide to Submissions’ at this time.

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1. INTRODUCTION

This Guide is for information purposes only and in this context, does not refer to any particular sound broadcasting contract. It is an indicative Guide to the competitive application process for the award of a contract for a local sound broadcasting service under Section 65(8) of the Broadcasting Act 2009 (“the 2009 Act”).

The aim of this indicative Guide is to inform potential applicants of the general requirements for making an application for an award of a contract under Section 65(8). This Guide does not purport to be exhaustive and potential applicants should satisfy themselves that they are fully aware of the requirements of the 2009 Act and the various policies of the BAI which are available on request from the Broadcasting Authority of Ireland’s (“the BAI”) offices or on the BAI’s website, www.bai.ie. The Executive Staff of the BAI are also available for consultation.

A licensing round under Section 65(8) commences when the Contract Awards Committee (“the Committee”) of the BAI invites applications for a Sound Broadcasting Contract (“the Contract”) by publishing such intention on its website and in a paper circulating in the relevant franchise area. Concurrent with the advertisement is the publication of the relevant *Guide to Submissions* for making an application for the relevant franchise area. A form may also be made available if it is considered appropriate to do so.

In such Guides, the attention of potential applicants is drawn to the provisions of the 2009 Act and, in particular, to *Section 66* which includes matters to which the Committee shall have regard in determining applications for the award of contract, as well as *Section 69*, which sets out certain contractual conditions that may be imposed on a successful applicant. Applicants should also have regard to, *inter alia*, the BAI’s *Broadcasting Services Strategy*, its *Licensing Plan (2012-2013)* and its *Ownership & Control Policy (2012)*, copies of which are available online at www.bai.ie.

The format for making an application is clearly set out in this document and the Guide also contains other relevant information for applicants.

The following Sections of this Guide are indicative of the type, and format, of the information sought in a competitive application process.



2. PROCEDURES FOR THE SUBMISSION OF AN APPLICATION

This section sets out the procedures for making a submission pursuant to Section 65(8) including:

- Format that the application should be made in, including structure, type-face, presentation and style.
- Number of copies of the application to be submitted.
- How to submit Confidential Information and details of the BAI's obligations concerning the releasing of information. This section can include such content as:
 - Information which an applicant considers to be confidential must be presented in an annex to the application; the annex should be marked "confidential".
 - The applicant's reasons for believing that the public should not have access to the material in question must be outlined in a separate covering letter.
 - Where the BAI believes that material that an applicant has placed in a confidential annex should be made available for inspection, it will enter into discussions with the applicant with a view to reaching an agreement as to the extent of disclosure. If an agreement cannot be reached, within a reasonable period having regard to the BAI's timeframe, the BAI will treat the relevant information as having been withdrawn and consider the remainder of the application as being the submission from that applicant.
 - Each applicant shall be responsible for providing the BAI with such authorisations, waivers and/or indemnities as it may reasonably require in connection with the disclosure to members of the public of material contained in his or her application.
 - **Competition Act, 2002.** Applicants should also be aware of the terms of the Co-operation Agreement between the BAI and the Competition Authority, concluded further to the provisions of Section 34 of the Competition Act 2002.¹ The agreement makes provision for the disclosure of information, by the BAI to the Competition Authority, in certain circumstances.
 - **Freedom of Information:** Information may be made available to the public further to requests under the Freedom of Information Act, 1997 and the Freedom of Information (Amendment) Act, 2003. The BAI will consult with the interested party about the publication of any information treated as confidential at the time of submission, before making a decision on any Freedom of Information request received.
 - Any agreements between the BAI and interested parties regarding confidential and/or commercially sensitive information are without prejudice to the BAI's obligations under law, under the Broadcasting Act 2009 and the Freedom of Information Acts. The BAI therefore cannot warrant that information claimed as confidential by an interested party or treated as such might not be disclosed pursuant to law.

¹ A copy of the Agreement is available on the BAI's website at: www.bai.ie.



3. INFORMATION FOR APPLICANTS

3.1 Statutory and Policy Framework

This Section includes reference to the Broadcasting Act 2009 (“the 2009 Act”) and the Authority’s aims and objectives.

3.2 The Franchise Area

Details on the relevant franchise area are included under this section.

3.3 The Evaluation of Applications

This Section sets out the criteria for the assessment of an application and has regard to Section 66 of the 2009 Act. For the guidance of applicants, the Committee has grouped the Statutory Criteria of Section 66 under four headings: (1) ownership and control; (2) programming; (3) studios and transmission; and, (4) market analysis & financial & business plan. The Committee’s assessment will be under these Headings with reference to the Statutory Criteria.

3.3.1 Ownership & Control

The relevant provisions under Section 66(2) of the 2009 Act in respect of ownership and control are as follows:

- Section 66(2)(a): the character, expertise and experience of the applicant or, if the applicant is a body corporate, the character expertise and experience of the body and its directors, manager, secretary or other similar officer and its members and the persons entitled to the beneficial ownership of its shares
- Section 66(2)(g): the desirability of allowing any person, or group of persons, to have control of, or substantial interest in, an undue number of sound broadcasting services in respect of which a sound broadcasting contract has been awarded under this Part (Part 6 of the 2009 Act)
- Section 66(2)(h): the desirability of allowing any person, or group of persons, to have control of, or substantial interest in, an undue number of sound broadcasting services in the area specified in the notice
- Section 66(2)(i): the desirability of allowing any person, or group of persons, to have control of, or substantial interest in, an undue amount of the communications media in the area specified by the notice
- Section 66(4): the overall quality of performance of the applicant under any previous broadcasting contract held by him or her at, or before, the date of making an application and reports of the Compliance Committee



These criteria will be applied in assessing the applicant's proposals, *inter alia*, under the following:

- (i) the composition of the applicant's Board of Directors;
- (ii) the applicant's proposed shareholding structure;
- (iii) the applicant's proposed management structure;
- (iv) staffing matters; and
- (v) track record if a previous and/or a current holder of a sound broadcasting contract.

3.3.2 Programming

The relevant provisions under Section 66(2) of the 2009 Act in respect of programming are as follows:

- Section 66(2)(c): the quality, type and range of programming proposed to be provided by each applicant or, if there is only one applicant, by that applicant
- Section 66(2)(d): the quantity, quality, type and range of programmes in the Irish language and the extent of programmes relating to Irish culture proposed to be provided
- Section 66(2)(e): the extent to which the applicant will create within the proposed broadcasting service new opportunities for talent in music, drama and entertainment and in particular, in respect of Irish culture
- Section 66(2)(f): the desirability of having a diversity of services in the franchise area
- Section 66(2)(j): the extent to which the service proposed –
 - (i) serves recognisably local communities and is supported by the various interests in the community, or
 - (ii) serves communities of interest
- Section 66(3): in considering the suitability of an applicant for the award of a sound broadcasting contract to provide a sound broadcasting service in respect of an area which includes a Gaeltacht area, the Contract Awards Committee shall have regard to the continuance and advancement as a spoken language of the Irish language.
- Section 66(4): the overall quality of performance of the applicant under any previous broadcasting contract held by him or her at, or before, the date of making an application and reports of the Compliance Committee

These criteria will be applied in assessing the applicant's proposals, *inter alia*, under the following:

- (i) the applicant's proposed Broadcasting Philosophy;



- (ii) the applicant's proposed Programme Policy Statement; and
- (iii) the applicant's proposed Programme Schedule.
- (iv) track record if a previous and/or a current holder of a sound broadcasting contract.

3.3.3 Studios and Transmission

- Section 66(2)(k): any other matters which the Contract Awards Committee considers to be necessary to secure the orderly development of broadcasting services
- Section 66(4): the overall quality of performance of the applicant under any previous broadcasting contract held by him or her at, or before, the date of making an application and reports of the Compliance Committee

The Committee considers the development of proper studios and transmission facilities to be relevant to the orderly development of broadcasting services. In this regard, this criterion will be used in assessing the applicant's proposals, *inter alia*, under the following:

- (i) timeframe for the commencement of transmission;
- (ii) adequacy of studio and transmission facilities;
- (iii) suitability of transmission proposals.
- (iv) track record if a previous and/or a current holder of a sound broadcasting contract.

3.3.4 Market Analysis and Financial and Business Plans

The relevant provisions under Section 66(2) of the 2009 Act in respect of market analysis and financial and business plans are as follows:

- Section 66(2)(b): The adequacy of financial resources available and the extent to which the application accords with good business and economic principles.
- Section 66(4): the overall quality of performance of the applicant under any previous broadcasting contract held by him or her at, or before, the date of making an application and reports of the Compliance Committee

- (i) the applicant's **analysis of the marketplace**, including:
 - (a) the existing marketplace;
 - (b) the demand and potential for the type of service proposed;
 - (c) the anticipated performance of the service; and



- (d) the strategies to be put in place for achieving the anticipated listenership and revenue targets.
- (ii) the applicant's **financial & business plan**, including:
 - (a) the overall financial strategy;
 - (b) the applicant's investment proposal; and
 - (c) the applicant's financial projections.
- (iii) track record if a previous and/or a current holder of a sound broadcasting contract

3.4 Scoring Matrix

The Committee will agree a scoring matrix for the assessment of application/s, which will be made available on the advertising of an invitation for applications pursuant to Section 65(8) of the 2009 Act. The criteria in the scoring matrix will be as follows:

Legislative Section	Guide Section	Criterion/Ref.	Available Score	Weight
66(2)(a)		the character, expertise and experience of the applicant or, if the applicant is a body corporate, the character expertise and experience of the body and its directors, manager, secretary or other similar officer and its members and the persons entitled to the beneficial ownership of its shares,		
66(2)(b)		the adequacy of the financial resources that will be available to each applicant and the extent to which the application accords with good business and economic principles,		
66(2)(c)		the quality, range and type of the programmes proposed to be provided by each applicant or, if there is only one applicant, by that applicant,		
66(2)(d)		the quantity, quality, range and type of programmes in the Irish language and the extent of programmes relating to Irish culture proposed to be provided,		
66(2)(e)		the extent to which the applicant will create within the proposed broadcasting service new opportunities for talent in music, drama and entertainment and in particular in respect of Irish culture,		
66(2)(f)		the desirability of having a diversity of services in the area specified in the notice catering for a wide range of tastes including those of minority interests,		
66(2)(g)		the desirability of allowing any person, or group of persons, to have control of, or substantial interests in, an undue number of sound broadcasting services in respect of which a sound broadcasting contract has been awarded under this Part,		



66(2)(h)	the desirability of allowing any person, or group of persons, to have control of, or substantial interests in, an undue number of sound broadcasting services in the area specified in the notice,
66(2)(i)	the desirability of allowing any person, or group of persons, to have control of, or substantial interests in, an undue amount of the communications media in the area specified in the notice,
66(2)(j)	<p>the extent to which the service proposed—</p> <p>(i) serves recognisably local communities and is supported by the various interests in the community, or</p> <p>(ii) serves communities of interest,</p>
66(2)(k)	<p>any other matters which the Contract Awards Committee considers to be necessary to secure the orderly development of broadcasting services – What about studios and transmission?</p> <p>(i) timeframe for the commencement of transmission;</p> <p>(ii) adequacy of studio and transmission facilities;</p> <p>(iii) suitability of transmission proposals.</p>
66(3)	<p>In considering the suitability of any applicant for the award of a sound broadcasting contract to provide a sound broadcasting service in respect of an area which includes a Gaeltacht area, the Contract Awards Committee shall have particular regard to the continuance and advancement as a spoken language of the Irish language.</p>
66(4)	<p>In considering the suitability of an applicant for the award of a broadcasting contract, the Contract Awards Committee shall have regard to—</p> <p>(a) the overall quality of the performance of the applicant with respect to the provision by him or her of a broadcasting service under any broadcasting contract held by him or her at, or before, the date of the making of the application, and</p> <p>(b) reports of the Compliance Committee.</p>

3.5 Decision Making Process

This Section details the decision making process that will be implemented by the Committee. Such details will include:

- Whether to include private hearings, or public hearings, or both.
- Whether to include the element of written supplementary questions
- The manner in which the Committee will assess the applications, including the scoring mechanism and how it will function.
- How decisions on the award of contract are communicated.



3.6 Contract Award

This Section refers to the contract negotiations that arise if the decision is made to award a contract. This will include reference to the fact that the award of contract is subject to the detailed terms of the contract being agreed between the BAI and a successful applicant, and the applicant fulfilling any necessary conditions attached by the BAI to the award of a contract.

3.7 Supporting Information

This Section will detail information concerning certain terms of the sound broadcasting contract including:

- The term of the sound broadcasting contract.
- The requirements of the BAI Levy Scheme, which the BAI is obliged to operate for the purpose of meeting expenses properly incurred by the Authority, the Contract Awards Committee and the Compliance Committee.
- The Transmitter Site requirements, which includes outgoing interference issues, coverage prediction parameters and the ComReg licence and regulations.



4. APPLICATION FORMAT

This Section details the structure that applicants must follow when compiling an application. **The following content is indicative only and is for the purpose of informing potential applicants of the type, and extent, of information required when making an application.**

The BAI publishes a specific Guide to Submissions for each contract, which details the specific requirements for potential applicants for that particular contract to follow. **In this context, the content hereunder is for general information purposes only and does not purport to be exhaustive.**

The structure of a Guide to Submissions can contain 11 Sections as follows:

- Section 1 Index
- Section 2 Introduction to the applicant
- Section 3 Membership of the Applicant
- Section 4 Ownership, Control and Staffing of the applicant which will operate the service
- Section 5 Programming
- Section 6 Studios and Operations
- Section 7 Transmission Proposals
- Section 8 Market Analysis
- Section 9 Financial and Business Plan
- Section 10 Proposed Commencement of Broadcasting
- Section 11 Summary of Proposals

An indication of the type of information sought under each of these headings is detailed hereunder.

Section 1 – Index

Please include an **Index** setting out the content and layout and referencing page numbers.

Section 2 – Introduction to the applicant

Please provide in relation to the applicant (“the Applicant”) the following information:



- (a) *Applicant's name and contact details (Contact person, address, telephone no., fax no. and e-mail).*

The Applicant will hold the sound broadcasting contract with the BAI and must be a single legal entity: either a body corporate or a named individual person. A copy of the Certificate of Incorporation must be included with the application where the Applicant is a body corporate.

- (b) *Main Contact (For Public Purposes) (Contact person, Address, Telephone, Fax Nos. and E-mail). Please nominate at least one individual to deal with any press or public enquiries.*
- (c) *Proposed Station Name.*
- (d) *Brief Description of Programme Service. Please summarise in one short paragraph the type of programme service proposed.*
- (e) *List of Advisers. Please identify the names and addresses of the Applicant's (i) consultants; (ii) auditors; (iii) solicitors; and (iv) bank.*

Section 3 – Membership of the Applicant

- (a) Please name the members of the Applicant and describe their background and experience.
- (b) Please indicate when the Applicant was formed, its current legal status and financial standing.

Section 4 – Ownership, Control and Staffing of the applicant which will operate the service

For the purposes of this section, the following interpretations apply:

"Control" – is in a position proprietarily, financially or in terms of voting rights to determine or direct the policy of the company, with regard in particular to programme output, that is, sourcing, production, supply or delivery to the audience.

"Substantial interests" – has sufficient proprietary, financial or voting strength within a relevant company or companies to be able to influence directly or indirectly to an appreciable extent the strategic direction or policy (which shall include editorial policy) of the company (companies), with regard in particular to programme output, that is, sourcing, production, supply or delivery to the audience.

"Communications Media" – includes all broadcasting services (including sound broadcasting services) in the State and/or the provision of a broadcasting services platform/s in the State (i.e. the transmitting or re-transmitting of programme material by means of wireless telegraphy, a cable



system, an MMD system, a satellite device or any other transmission system) and/or the publication of any newspaper, magazine or journal consisting of news and comment on current affairs.

4.1 Board of Directors

- i)** Please provide the following details in relation to each Director:
- Name, home address, age, nationality and current occupation;
 - Background, media and other relevant experience (in the context of the service proposed);
 - Substantial Interests held (directly or indirectly) in relation to any communications media (please refer to interpretation above); or/and
 - Control (held directly or indirectly) of any communications media (please refer to interpretation above).
 - Involvement in any sound broadcasting service including the name of the service, the nature of involvement (i.e. position/role held); and period of involvement (commencement date and date of departure).
- ii)** Please indicate who among the Directors is or is envisaged to be appointed Chairperson.
- iii)** Please provide the same information as in i) above for any other individual whom the Applicant is considering to appoint a Director.

4.2 Shareholding Structure

- i)** Please detail the existing or proposed shareholding structure of the Applicant, specifying the total number of authorised and issued share capital, the class/classes of shares (i.e. voting, non-voting, preference, other etc.);
- ii)** Please set out the total value of loan stock;
- iii)** Please state:
- (a) The names and home addresses of all the shareholders of the Applicant;
 - (b) The names and addresses of the beneficial owners, where shareholdings are in the name of a trustee or nominee;
 - (c) The total number of shares (per class where relevant) and the issue price subscribed by each shareholder (including details of any premium paid) and the percentage each shareholding represents of the total issued share capital of the Applicant;



- (d) The percentage of the voting rights attached to each such shareholding as a percentage of all the votes which may be cast by the shareholders of the Applicant at general meetings;
 - (e) The amount of loan stock subscribed to by each shareholder;
 - (f) If the Applicant is not yet constituted, please indicate the number, class/classes and price of shares to be issued to each investor, and the amount of loan stock to be subscribed by each investor.
- iv)** Where a shareholder of the Applicant is a body corporate/entity, please provide the names, addresses and percentage of shares held by the shareholders of that entity.
- v)** Please indicate in relation to each of the existing or proposed shareholders of the Applicant:
- (a) Substantial Interests held (directly or indirectly) in relation to any communications media (please refer to interpretation above);
 - (b) Control (held directly or indirectly) of any communications media (please refer to interpretation above); and
 - (c) Recent financial history/ current financial status
 - (d) Involvement in any sound broadcasting service including the name of the service, the nature of involvement (i.e. position/role held); and period of involvement (commencement date and date of departure).
- vi)** Where there are shareholders' or other agreements in existence or proposed in respect of the Applicant, please provide details of the provisions of such agreement relating to the ownership and control of the Applicant i.e. Board of Directors, transfer of shares and pre-emption rights, additional rights conferred by share class, envisaged exit mechanisms and conditions etc.

4.3 Management Structure

- i)** Please describe the proposed management structure of the Applicant.
- ii)** Please provide in relation to each of the following individuals, or their equivalents, their full name, home address, age, qualifications and experience to date, in particular that which relates to the broadcast media:
 - (a) Chief Executive Officer;
 - (b) Programme Controller; and



(c) Financial Controller.

iii) Please specify the Applicant's policy in respect of:

- (a) management remuneration;
- (b) employment contracts;
- (c) share options;
- (d) pensions and benefits; and
- (e) any other relevant commitments (financial or otherwise).

4.4 Staffing Matters

- i)** Please describe the proposed staffing structure of the Applicant in diagrammatic form, clearly indicating the number and categories of staff to be employed in the station and the basis of their employment (e.g. full-time, part-time, contract). The chart may be accompanied by an appropriate commentary on the overall approach to structuring the Applicant.
- ii)** Please indicate the proposed salary level for each full-time and part-time post identified under **i)** above.
- iii)** Please indicate the Applicant's plans in relation to the sourcing and recruitment of staff.
- iv)** Please describe the Applicant's industrial relations policy, including its policy on recognising and negotiating with trade unions.
- v)** Please detail the Applicant's proposals in relation to staff remuneration and benefits, including pay agreements, pension schemes, etc.
- vi)** Please detail the Applicant's staff training and development policy and strategy, including budgets.
- vii)** Please set out the Applicant's proposals, if any, for the involvement of staff in share option schemes.

4.5 Character of the Applicant

Please answer the following questions "yes" or "no", on behalf of the applicant, to include, if the applicant is a body corporate, its directors, manager, secretary or other similar officer and "significant" shareholders. A person will be deemed to be a "significant" shareholder if s/he is the



legal or beneficial owner of shares in the applicant to which are attached ten percent (10%) or more of the voting rights exercisable at a general meeting of the applicant. If the answer is “yes” to any of the following questions, please provide full details.

- (i) Has the applicant ever been convicted of an offence involving fraud or dishonesty?
- (ii) Has the applicant ever been restricted or disqualified as a Company Director, or convicted of any offence under the Companies Acts 1963-2006 (as amended) in this jurisdiction or under equivalent legislation in any other jurisdiction?
- (iii) Has the applicant ever been adjudicated a bankrupt, become insolvent or entered into a voluntary arrangement with creditors, or had a receiver appointed to any of his assets, in this or any other jurisdiction?
- (iv) Has the applicant ever been a director of a company to which a receiver was appointed, which went into compulsory liquidation, creditors' voluntary liquidation, examinership or which made any arrangement with its creditors or class of creditors?
- (v) Has the applicant ever been convicted of an offence under any legislation by which Broadcasting and/or Wireless Telegraphy is regulated in this or any other jurisdiction?
- (vi) Has the applicant ever had a licence or contract issued by a broadcasting licensing body or any other statutory body suspended or revoked in this or any other jurisdiction?
- (vii) Is the applicant aware of any reason why it may not be a fit and proper person to be awarded a contract?

Section 5 – Programming

5.1 *Programming Strategy*

- i) Please detail the strategies which the Applicant proposes to implement in relation to:
 - programme research;
 - programme production;
 - quality control; and
 - ensuring compliance with programming elements of statutory and contractual obligations.
- ii) Please set out the criteria upon which, in the view of the Applicant, the success of programming is to be assessed.



5.2 Programme Policy Statement

The Programme Policy Statement sets out the commitments that the Applicant is willing to make to the BAI in respect of key aspects of the programme service. It will serve as a yardstick against which the successful applicant's future performance is measured and assessed and as such will form part, subject to further negotiations between the BAI and the successful applicant, of the contract between the BAI and the successful applicant.

5.2.1 *Broadcasting Philosophy.* Please detail in the form of a statement the Applicant's overall broadcasting philosophy and vision for the radio service.

5.2.2 *Target audience.* The service will target a general audience aged 15+, with a focus on 25+ year olds in the franchise area. Please explain why, in your view, the proposed service will be of relevance to the target audience.

5.2.3 *Broadcasting day.* Please indicate:

5.2.3.1 the total number of broadcasting hours per day;

5.2.3.2 the hours of live programming (start and end) per day;

5.2.3.3 the hours of automated programming (start and end) each day;

5.2.3.4 the percentage of broadcasting hours dedicated to:

(1) music programming;

(2) speech-based content;

(3) news and current affairs; and

(4) advertisements.

for the 07.00 – 19.00 period **and** for the total broadcast day.

5.2.4 *News.* Please set out the approach envisaged for news programming, and in particular:

5.2.4.1 The types of news to be broadcast (local, national, international, etc.) and their relevance to the target audience;

5.2.4.2 The sourcing of the various types of news;

5.2.4.3 The number and duration of news bulletins and programmes (weekday and weekend)



Please demonstrate with reference to the above how the Applicant will comply with the statutory news and current affairs requirement (2 hours of broadcasting time between 07.00 – 19.00 and 20% across the total broadcast day). An applicant seeking a derogation from this requirement should detail the type of derogation being sought, and the reasons why the Applicant believes it should be permitted, with reference to the BAI's policy on this matter.²

- 5.2.5** ***Sport.*** Please set out the approach envisaged for sports programming, and in particular:
- 5.2.5.1** The types of sports to be covered and their relevance to the target audience; and
 - 5.2.5.2** The format, duration and frequency of sports coverage (weekdays and weekend).
- 5.2.6** ***Current affairs programming.*** Please set out the approach envisaged for current affairs programming, and in particular:
- 5.2.6.1** The format, duration and frequency of such programmes (weekdays and weekend); and
 - 5.2.6.2** The relevance of these programmes to the target audience.
- 5.2.7** ***Speech programming.*** Please set out the approach to speech-based programming that does not have news, current affairs or sport as its focus (arts and entertainment, culture, history, education, minority interests etc). In particular, please detail:
- 5.2.7.1** The format (documentary, magazine etc.), duration, content and frequency (weekly, monthly, etc.) of such programmes.
 - 5.2.7.2** In the case of a special/documentary series, the minimum number envisaged per month/ annum.
 - 5.2.7.3** The relevance of these programmes to the target audience.
- 5.2.8** ***Irish language programming.*** Please indicate the amount and type of programming to be broadcast in the Irish language.

² The BAI's Broadcasting Services Strategy 2012 details its policy on derogations from the Statutory News and Current Affairs Requirement and is available on request from the BAI's offices and on its website at <http://www.bai.ie> – this policy states local BF stations not likely to be considered for derogation – so remove?



- 5.2.9 Music Policy.** Please describe in detail the station's policy in respect of the music programming to be provided and how it will be of relevance to the target audience. A clear definition for each music type / genre or category should be included.

The information should be sufficiently detailed so as to provide the Committee with a clear profile of the range and type of music proposed by the Applicant and in a manner which facilitates the measurement of the performance of the Applicant were it to be awarded the Contract.

Please detail the music to be broadcast for the 07.00 – 19.00 period **and** the total broadcast day. This should be done by reference to definable music categories **and** definable time periods for the overall music output.

- 5.2.10 Irish Music Policy.** Please set out your definition of Irish music and, as a percentage of the total music output, the amount of Irish music that will be played in the 07.00 – 19.00 period **and** in the total broadcast day.

- 5.2.11 New Opportunities for Irish talent.** Please detail how the proposed service will create new opportunities for Irish talent.

- 5.2.12 Purchase and sale of broadcast material.** Please detail the station's policy in relation to the purchase and sale of broadcast material, both from other broadcast organisations and independent producers.

- 5.2.13 Other programming proposals.** If relevant, please describe any other programming proposals which you intend to carry on the service.

- 5.3 Programme Schedule.** Please include a typical seven-day programme schedule setting out the proposed hours of broadcasting and details of programme content with explanatory notes as to how the programmes meet with the various commitments as outlined in the PPS and generally, the diversity of programming in the franchise area.

The incumbent only should answer the following question:

- 5.4** In what ways, if any, are your programme proposals for the new licence period different from the programme service you currently broadcast? Please outline the reasons for any such differences from the current service.



Section 6 – Studios and Operations

Please provide a detailed scaled drawing of the studio area together with an overall plan of the studio and office complex that is proposed. Please include the following information: -

- i) The proposed location (including the name and address) and total floor area available. In cases where it is proposed to locate on a number of floors or in separate buildings, please specify the floor area of each section.
- ii) A description of the proposed building including details of its construction, age of building, permitted classes of use, level of access to people with disabilities and why in the applicant's view it is suitable for use as a radio studio and/or office location.
- iii) A detailed drawing that includes the dimensions of the proposed studios, technical facilities, news, office and administration areas. In particular, details of the manner by which it is proposed to construct the studios, together with details of the acoustic treatment are required.

Please note that the studio layout, equipment and studio worktop heights should be so designed to facilitate full access and use by all without the need for temporary structures. The drawing should include an overlay of all studio and office furniture and include the dimensions of all door openings, corridor widths and circulation and movement areas around studio and office furniture. The drawings should clearly demonstrate compliance and understanding of building regulations, in Particular Part M and the NDA Buildings for Everyone Guidelines.

- iv) Outlines of the proposed heating, ventilation and standby power plant should also be provided and where such equipment is to be located.
- v) The security mechanisms proposed to guard against unauthorised access to the on-air studio.
- vi) Please provide a list, including costs, of the principal technical equipment that is to be installed, together with available test and deviation limiting equipment.
- vii) Please provide a list of the itemised costs for building refurbishment, studio construction, office fixtures, fittings and IT.



- viii)** In cases where an applicant proposes to use existing studio, office or computer equipment or buildings, please specify the age of the equipment / facilities proposed, the life expectancy of the equipment and the plan to replace and refurbish such equipment / facilities during the lifetime of any new contract, in addition to all of the information requested above.

Applicants should note that no guarantee is given that studio premises currently in use by any sound broadcasting contractor will be approved for use under any new contract. In proposing premises, applicants must strictly adhere to the requirements set out in this section.

Applicants should also note that you should submit the details as requested in this section for any proposed additional / opt out studios.



Section 7 – Transmission Proposals

This Section details the transmitter requirements for the provision of a sound broadcasting service and will refer to the approval from ComReg to advertise the sound broadcasting service in question. Information will be provided on the current transmitter structure in use for the existing service. Reference will also be made to the fact that transmission proposals may be based on the use of alternative transmission locations and that any alternative transmission locations may require co-ordination with neighbouring countries and/or additional restrictions to protect existing or planned radio services.

Incumbent:

Only the current licence holder should answer the following questions: -

7.1 Provide details of any alterations you propose, if any, to the current transmission arrangements for the new licence period.

7.2 If an alternative transmission site is proposed please provide the information requested under **Section 7.5** below.

New Applicant:

A new applicant only should respond to the following questions:

7.3 Have you entered into negotiations with the owner/operator of the site/s regarding arrangements for the licence period? If so provide details. If not, state what arrangements are anticipated / envisaged?

7.4 If a new applicant is proposing to use a different transmission network to the one being used for the existing service, please provide the information requested under **Section 7.5** below.

7.5 If you are proposing to use a different transmission network to the one being used for the existing service, please provide all the following information: -

7.5.1 The rationale for the transmission plan that includes a general description of the proposed coverage and of areas that may receive marginal or unsatisfactory reception.

7.5.2 A table of the main technical characteristics of the proposed main transmitter station should be provided in the following format:-

Site Name	Site Coordinates	Site Height ASL	Antenna Height AGL	ERP per pol



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The following additional information should be provided:-

- The antenna radiation pattern proposed for the transmitter station.
- Details of the band pass filter / combiner system and directional coupler proposed to ensure compliance with the licence terms.
- Details of the audio feed.
- Confirm if an emergency back up generator or other standby power supply will be provided for use by the applicant at the transmission facility.
- A letter of consent from the transmission site owner / operator.
- In cases where the applicant group proposes to locate on or in close proximity to an existing mast, information regarding the owner and principal users of said mast is required.
- Please indicate if a planning application has been made and/or approved for the transmission facility.

7.5.3 Computer predicted coverage plots, superimposed on a suitable map, must be provided in the application in an A4 or A3 format and as a high resolution image file on an accompanying CD. A total of five images are required.

- An image of the composite coverage that can be achieved using all of the transmission sites proposed by the applicant. The level of coverage should be clearly demonstrated by using a suitable colour palette that is based on an incremental step of between 3 and 6 dB μ V/m. The prediction model, clutter attenuation, resolution of the terrain database, height of the receive antenna above ground and the consequential minimum signal level required for mono reception in urban and rural areas must be provided.
- An image of the “best server” coverage based on the defined minimum field strength for mono reception. This should clearly identify which transmitter station provides the best coverage to a particular area.
- An image of the “best server” coverage based on the defined minimum field strength for stereo reception. This should clearly identify which transmitter station provides the best coverage to a particular area.
- An image of the level of “simultaneous coverage” that is provided and an indication of the number or percentage of the total number of transmitters that serve an area based on the minimum value for mono reception.



- An image of the level of “simultaneous coverage” that is provided and an indication of the number or percentage of the total number of transmitters that serve an area based on the minimum value for stereo reception.

7.5.4 A description and diagram of the link network should be provided that includes an indication of the level of protection or back-up systems that will be deployed. The total capital cost and associated annual charges should be provided.

7.5.5 Itemised capital costs for the proposed transmission equipment including VHF transmitters, receivers, RDS encoders, band pass filters, directional couplers, feeder cable and antenna system, modulation limiter, radio links, building, heating, ventilation, standby power plant, antenna support structure and installation of all of the above. In cases where an existing transmission company is providing facilities, the capital and annual cost and details of the level of equipment and service is required. In cases where an applicant proposes to use existing transmission equipment, the age of the equipment proposed to be used, the life expectancy of the equipment and a plan, that includes costs, to replace and refurbish such equipment during the lifetime of any new contract must be provided.

7.5.6 Details of the technical expertise available to the applicant group.

Note: -

The BAI is not bound to accept any aspect of a transmission proposal and it is open to the BAI and ComReg to require alterations to any part of the transmission plan as part of contract negotiations with any successful applicant.

Care should be taken in selecting transmitter locations, particularly in urban areas, to avoid de-sensitising domestic receivers in the immediate area. Transmitters should therefore be located on elevated positions away from residential areas.

All VHF-FM transmitter installations must conform to the technical conditions set out in ComReg Technical Document 12/04a which is available on ComReg’s website at www.comreg.ie.

Section 8 – Market Analysis

8.1 *Analysis of Existing Marketplace.* Please set out, with supporting documentation and research, your analysis of the radio market in the proposed franchise area in relation to:

- i)** the performance of existing operators;
- ii)** audience ratings;
- iii)** advertising revenue;



- iv)** market trends; and
- v)** any other issues which you consider to be relevant to the competitive assessment of the marketplace.

8.2 Demand and Potential for the Type of Service Proposed. Please explain, providing supporting documentation and research, the reasons why you consider that there is a demand for the service proposed and how the service will contribute to the diversity of broadcasting services and programming available in the proposed franchise area. Reference should be made in particular to the following:

Incumbent:

Only the current licence holder should answer the following questions: -

8.2.1 Provide evidence of the listenership attracted by the current service.

8.2.2 To what extent do you believe that the current programme service has achieved the potential maximum listenership in the franchise area? Indicate any audience objectives for the new licence period.

8.2.3 If you propose to alter your programme schedule and/or your programme policy statement for the new licence period, please detail any findings from original market research, or analysis of existing audience research, that supports such proposals.

New Applicant:

A new applicant only should respond to the following:

8.2.4 Anticipated Performance of Service. Please detail your strategy with a view to becoming established and developing the service within the current radio market, in particular:

- i)** The target audience for the proposed service;
- ii)** The nature of the market which it is anticipated can be achieved;
- iii)** Projected listenership ratings over the first three years of the service;
- iv)** Advertising and other revenue potential for the first three years on air; and
- v)** The expected impact of the proposed service on existing services, both in the short and medium term, in terms of listenership **and** revenue.



8.2.5 Strategies for Achieving Proposed Listenership and Revenue Targets. Please set out your sales and marketing-related strategies, including:

- i)** channels of distribution;
- ii)** sales methods and representation;
- iii)** proposed rates (single unit and package; local and national), discount and credit terms; and
- iv)** promotion and marketing policy.

Section 9 – Financial and Business Plan

9.1 Overall Financial Strategy. Please detail your financial strategy over the first three- to five-year period. The information provided will be used as a benchmark against which the financial performance of the service will be measured at a later date.

9.2 Investment Proposal. Please provide details of the total funding requirements, and how these will be met, completing Tables A and B. Where borrowings form part of the funding plan please indicate how these will be secured.

Table A – Funding	€
Share Capital	
Loan Stock	
Medium / Long Term Borrowing	
Leasing/HP Facilities (capital value)	
Bank Overdraft	
Other (please specify)	
TOTAL	



Table B – Expenditure

	€
Capital Expenditures (including capital value of leases)	
Other Pre-operational Expenditure	
Working Capital (at on-air date)	
TOTAL	

9.3 Sources of Funding and Expenditure. Please detail:

- i) the various sources of funding outlined in Table A above;
- ii) the timeframe for capitalisation of the Applicant, specifying where relevant, what funding will be put in place prior to contract, prior to launch and after the launch of the service and please set out the agreed terms that demonstrate the commitments and/or copies of any agreements in this regard; and
- iii) the proportion of the capital expenditure provision that has been allocated to transmission, studio buildings, studio equipment, office fit out and other costs.

9.4 Projections. Please set out:

- i) Detailed projected profit and loss accounts for the first three years;
- ii) Detailed projected expenditure accounts by area of activity;
- iii) Detailed projected balance sheets for the first three years;
- iv) Detailed projected monthly cash-flow statements showing gross inflows and outflows for the first three years;
- v) A full listing of the underlying assumptions on which the financial projections are based, relating such assumptions clearly to other sections of the application;
- vi) The timeframe for achieving profitability; and,
- vii) Indicate what measures will be taken if the financial projections are not achieved (for example, commitments from shareholders for additional funds).



Section 10 – Proposed Commencement of Broadcasting

10.1 Readiness Date. Please indicate the commencement date envisaged for the service.

10.2 Critical path analysis. Please identify all actions and decisions and their timescale that the Applicant must carry out from the time of the award of the contract to the on-air date.

Section 11 – Summary of Proposals

Please note that information provided in this section should be consistent with information provided elsewhere in the application.

11.1 Staff

- Please complete the information requested in the table below.

All Staff	Full Time	Part Time	Staff Costs	% of Total Expenditure

11.2 Programming

- Programme Categories

Please outline the percentage of programming under each category for both the 7am-7pm and Total Broadcast Day time periods.

Category	7am-7pm	Total Broadcast Day
News & Current Affairs		

Category	Total Broadcast Day
Music	
Speech	
Advertisements	

- Music Output



Please give an indicative list of the categories of music that will be aired and an average percentage for each having regard to the type of sound broadcasting service (i.e. broad-format local sound broadcasting service which must cater for a wide audience of all adults 15+, with a particular focus on 25+ year olds).

Category	%

- Irish Music

Please indicate the percentage of Irish Music that will be broadcast, in the 7am-7pm period and across the total broadcast day.

Total Broadcast Day

11.3 Market Analysis

- Daily Reach Projections

Please indicate the daily reach projections for the target audience and for all adults during the first three years of operation.

	Target Audience (35 – 55)	All Adults (15+)
Year 1		
Year 2		
Year 3		

- Market Share Projections



Please indicate the market share projections for the target audience and for all adults during the first three years of operation.

	Target Audience (35 – 55)	All Adults (15+)
Year 1		
Year 2		
Year 3		

- **Ratio of Local/Direct to National/Agency Sales**

Please indicate the ratio of Local:National Sales for the first five years of operation.

	Local	National
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

- **30” Spot Rate**

Please indicate the cost of a basic 30” Spot from 7am-7pm and for the Total Audience Package

7am-7pm	Total Audience Package

11.4 Financial

- **Investment Proposal**

Please indicate the amount of funding that will come from the sources indicated below.

Source	Amount ‘000
Share Capital	



Loan Stock	
Leasing/HP	
Bank Overdraft	
Other (Please Specify)	
Total	

- Application of Funds

Please indicate the amount of funding that will be allocated to the categories below.

Category	Amount '000
Capital Expenditure	
Other Pre Operational Expenditure (Please	
Working Capital	
Other (Please Specify)	
Total	

- Projected Profit and Loss (Summary)

Please provide the information requested in the table below.

'000	Year 1	Year 2	Year 3	Year 4	Year 5
Turnover					
Cost of Sales					
Operational					
Net Profit (Loss)					



Annex 1

Technical Characteristics and Coverage of licensed transmitter locations.

Site Name	Frequency (MHz)	ERP per polarisation (dBW)	Easting	Northing	Site Height (m)	Antenna Height (m)	Antenna Pattern

Table 1: Technical characteristics of licensed transmitter stations for current operator

ERP Effective Radiated Power
 VP Vertical Polarisation

Figure 1: Predicted coverage based on current transmission network



Annex 2

Studio Circulation Requirements

Figure 2 shows the important dimensions for accessibility purposes in a typical studio. The minimum and recommended values of A, B & C are as follows.

The minimum values of A & B are 750mm.

A & B should be at least 1.2m.

If either A or B are less than 1.2m then a 1.5m turning circle is required at the presenter's position behind the desk.

The minimum value of C is 1.2m.

Ideally there should be a 1.5m turning circle in front of the desk.

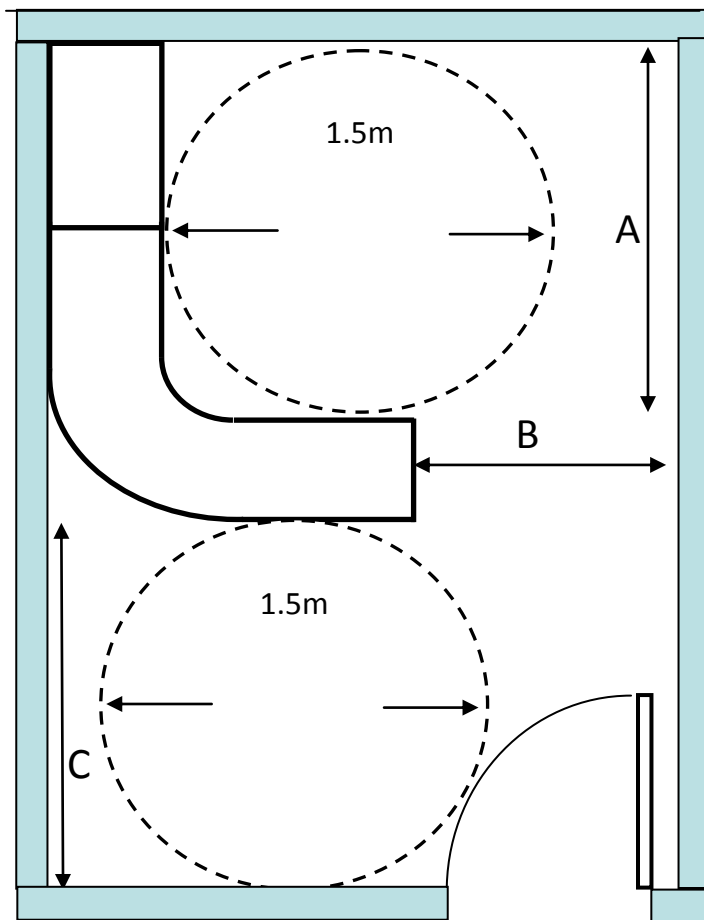


Figure 2: Studio circulation requirements



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