



Minutes of Meeting of the Authority of Broadcasting Authority of Ireland

Date 15/12/2016 **Time:** 2.00 pm **Venue:** BAI Offices

Minutes

Attendance

Authority: Pauric Travers (Chairperson), Alan McDonnell, Grace Smith, Séamus Martin, Seán Ó Mórdha, Rosemary Day, Denis Wolinski.

Apologies: Maeve McDonagh

Executive: Michael O'Keeffe, Celene Craig, Aoife Clabby (Secretary), Ciarán Kissane, Stephanie Comey, Anne O'Brien (item 3.1), Philip Cooper (item 3.1).

1. Minutes of Previous Meeting and Matters Arising

The minutes of the previous meeting of the Authority, held on 11th November 2016, were approved by the members and signed by the Chairperson. Matters arising were as follows:

a. Board and Committee Vacancies

Members were updated with regard to the application process, being run by the Public Appointments Service, in respect of vacancies on the Board and Committees. It was noted that the Chairperson of the Authority would represent the BAI on the assessment panel, which was scheduled to convene early in the New Year.

b. UTV Ireland Limited

Members were advised that the sale of UTV Ireland to Liberty Global Plc had been completed on the 1st December. It was noted that the service would re-launch as be3 on the 9th January 2017, as part of a three channel strategy, incorporating TV3 and 3e, details of which had been announced by the TV3 Group on the 6th December.

c. BAI Guidance on a Code of Fair Trading Practice for Public Service Broadcasters

The Authority was advised that the revised BAI Guidance on a Code of Fair Trading Practice for Public Service Broadcasters was being deferred for consideration to an early meeting of the Authority in 2017.

d. Report on Industry Trends: Commercial Radio Sector

[REDACTED]



e. Report on the Concentration of Media Ownership in Ireland

Members were advised that copies of the reports on the Concentration of Media Ownership in Ireland, and the Eurobarometer Special Report on Media Pluralism and Democracy had been circulated, as requested at the November meeting. Following brief discussion, it was agreed that both reports would be tabled for discussion at the January meeting of the Authority.

f. Death of Ms. Gillian Bowler

The Chief Executive advised the Authority of the death of Ms. Gillian Bowler, which had been announced on the morning of the 15th December. It was noted that Ms. Bowler had served two terms on the Board of the Independent Radio and Television Commission and had been an effective and valued member during her terms of office.

2. Codes, Rules & Policy

2.1 Draft BAI Strategy Statement 2017-2019: Consultation Outcomes

The Authority was presented with an Executive note, identifying key issues raised by respondents to the public consultation process on the BAI's draft Strategy Statement 2017-2019. Arising from the consultation process, the Authority was presented with a number of proposals for revisions to the document for consideration and decision. A summary of the matters discussed and the related decisions was as follows:

- *Vision:* It was noted that there was general support for the proposed Vision, as drafted. Following discussion and consideration of the responses received, the Authority was satisfied that no further changes to the draft Vision were required.
- *Mission:* The Authority was advised that there was broad-ranging support for the three elements of the Mission statement. Following discussion and consideration of the responses received, the Authority was satisfied that no further changes to the draft Mission statement were warranted.
- *Values:* Members had regard to a small number of proposals made for changes to the organisation's values. While noting the validity of the suggestions received, the Authority was satisfied that its proposed values could adequately encompass these suggestions, particularly in the context of the supplementary text to accompany each value. Accordingly, the Authority approved the Values, as drafted.
- *Promoting Diversity & Plurality- Irish language and culture:* The Authority was apprised of the consultation responses relating to the perceived lack of reference to the Irish language in the draft Strategy Statement. The Authority noted that, in the process of developing the new statement, it had been envisaged that, while not explicitly referenced, the Irish language would be captured under the strategic objectives relating to diversity and plurality. Furthermore, the Authority recalled that it had been planned that specific reference to the Irish language would



be captured in the envisaged outcomes for 2019, together with specific yearly actions, which were, as yet, to be published. However, having considered the submissions received, the Authority acknowledged that reference to the Irish language would require more direct articulation in the final Strategy Statement.

The Authority then considered and discussed, in detail, a range of options to appropriately address the consultation feedback received. Following lengthy and comprehensive debate, the Authority agreed, by a majority vote, that an additional objective would be added under the strategic theme of promoting diversity and plurality, with the aim of fostering and promoting quality programming in the Irish language. In addition to this, it was further agreed that the Chairperson's introduction to the Strategy Statement would specifically reference the Irish language, in the context of culturally relevant content.

- *Promoting Diversity & Plurality-additional responses:* The Authority noted that a number of respondents had highlighted the link between this strategic theme and the theme "Enhancing Innovation and Sectoral Sustainability" and that a number of specific implementation actions were proposed. While noting that some of the proposed actions were not directly relevant to the draft Strategy Statement, it was agreed that a number of the submissions received under this heading were relevant at a policy or operational level and should be considered in the context of implementing the Strategy Statement. Following discussion, the Authority was satisfied to approve the three strategic objectives, as drafted, and to include an additional strategic objective on the Irish language, as referenced above.
- *Achieving Excellence & Accountability:* The Authority considered a number of proposals for amendment of the strategic objective relating to 'leadership in sustainable development'. Following discussion, a minor wording change to this objective was agreed to make its intent clearer. The Authority was further satisfied to agree a proposed amendment to the strategic outcome associated with the BAI's working environment.
- *Empowering Audiences:* The Authority noted the broad support received for the strategic objectives under this heading. Having regard to feedback received on the proposed strategic outcomes, it was agreed that the scope for delivering these outcomes would be more clearly articulated in a related set of actions, to be delivered over the strategic period.
- *Enhancing Innovation and Sectoral Sustainability:* Members had regard to the broad support received for the inclusion of this strategic theme, and the related objectives and outcomes. It was noted that the capacity for the BAI to play a positive role with regard to sustainability in particular, was endorsed. A number of proposed amendments were considered. Following discussion, it was agreed to retain the use of 'sustainability' and the reference to 'the Irish audio-visual sector'. The Authority was further satisfied to approve the inclusion of an additional outcome to ensure an increased focus on creativity and innovation across all BAI activities.



Following decision on the various elements of the draft Strategy Statement, the Authority went on to consider the next steps in the finalisation of the strategy and the development of a draft 3-year work-plan to support its implementation. It was noted that the draft work-plan would be presented to the Authority and its meeting on the 26th January 2017 and that the BAI Strategy Statement 2017-2019 would be launched in early February.

2.2 Report on a Strategy for the Development of Skills for the Audio-visual Industry in Ireland

At the outset of the item, Members were provided with a reminder of the background to the establishment of a partnership between the BAI and the Irish Film Board (IFB), with a view to addressing legislative and strategic objectives of common interest. The Authority was also provided with a brief overview of the work undertaken by Crowe Horwath, on behalf of both agencies, to gather data to support a Strategy for Skills Development in the Audio-visual Industry.

[REDACTED]

[REDACTED]

[REDACTED]

3. Broadcasting and Contractual Matters

3.1 Recording & Storing of Programme Material by the Holder of a Sound Broadcasting Contract

The Authority was presented with an Executive note, outlining work undertaken to date with regard to developing a draft Archiving Policy and procedures for sound broadcasting contractors, further to the requirements of section 69(6) to 69(12) of the Broadcasting 2009. The Authority was asked to approve the draft Policy and the proposed approach to its implementation.



Following discussion, the Authority was satisfied to approve the Archiving Policy and associated Guidelines, including the categories of programming identified. [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

Members Grace Smith, Séamus Martin and Celene Craig of the BAI Executive declared an interest in this agenda item by virtue of their membership of the Contract Awards Committee and recused themselves from discussion and decision in relation to the matter.

The Authority then considered 1 application for a temporary sound broadcasting contract, received from Erris FM, to operate a pilot community service. The Authority was satisfied to accept the recommendations of the Committee and to enter into a temporary sound broadcasting contract with Erris FM.

4.1 Sound & Vision 3: Round 27 Recommendations

The Authority was presented with the outcomes of the assessment process for Round 27 of the Sound & Vision Scheme. Approval was sought for a package of recommendations comprising 126 projects to a value of €5.569m. It was noted that the package, as recommended, would be an increase of €820k on the indicative allocation for the round.



In considering the request for approval, the Authority had regard to summary details of the applications received; an overview of the assessment process; an analysis of the package of recommendations, with reference to the Scheme's objectives and emerging trends in Sound & Vision 3; and, an executive comment on round 27, in the context of the delivery of the Scheme over the previous two-year period.

Following discussion, the Authority was satisfied to increase the indicative allocation for Round 27 to €5.569m and to approve the package of funding recommendations, as presented.

5. Organisational Matters

5.1 BAI Staff Resources

Members were presented with proposals in respect of the structure for the BAI's finance function. Following discussion, the Authority was satisfied to approve a proposal to regrade the current HEO (Finance) position to Accountant Grade 2 and to appoint the present incumbent to the role. [REDACTED]

[REDACTED]

[REDACTED]

6. For Information

6.1 Minutes of Compliance Committee Meeting

Members were circulated with minutes of the Compliance Committee meeting, which took place on the 12th October, 2016.

6.2 Minutes of Finance, Audit and Risk Committee Meetings

Members were circulated with minutes of the Finance, Audit and Risk Committee meetings, which took place on the 22nd July and the 26th September.

6.3 Contractual Variations-Executive Approvals

In accordance with the approved decision-making framework, the Authority was notified of 16 contractual variations that had been approved at executive level since June 2016.

6.4 BAI Sponsorship 2017

The Authority was circulated with details of the BAI's sponsorship programme for 2017. It was noted that funding totalling €142,700 had been allocated to a total of 20 projects.



6.5 BAI Media Research Funding Scheme 2016

The Authority was circulated with details of the successful applicants to the BAI Media Research Funding Scheme, which had been launched earlier in the year. It was noted that three of the eleven applications received were successful in obtaining funding and all three had accepted the offers of funding.

6.6 Annual Statements of Interests 2016

Further to the Ethics in Public Office Acts 1995 and 2001, the Members were reminded of their disclosure obligations, as holders of designated positions for the purposes of the Acts. Members were circulated with copies of Statement of Interest Forms and advised that any completed statement should be provided to the Standards in Public Office Commission by the 31st January 2017, and a copy statement provided to the Secretary of the Authority.

7. Date of Next Meeting

The next meeting of the Authority will be held on the 26th January 2017 at 11am in the BAI offices.

Professor Pauric Travers,
Chairperson.
26th January 2017