



## **GUIDE TO SUBMISSIONS**

**VOLUNTARY DISCLOSURE OF  
INTENTION TO EXTEND THE TERM  
of the  
SOUND BROADCASTING CONTRACT  
for  
THE REGIONAL MUSIC-DRIVEN (YOUTH)  
SOUND BROADCASTING SERVICE**

**FOR THE NORTH EAST AND MIDLANDS REGION**



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## 1. INTRODUCTION

- 1.1 The regional music-driven (youth) sound broadcasting contract for the North East and Midlands region, currently held by iRadio North East and Midlands Limited trading as iRadio NEM, (“the Contract”) is due to expire on 2<sup>nd</sup> November 2018.
- 1.2 The Broadcasting Authority of Ireland (“the Authority”) published a Voluntary Disclosure Notice on its website at [www.bai.ie](http://www.bai.ie), on the 6<sup>th</sup> July 2017 advising of the Authority’s intention to extend the term of the Contract to 31<sup>st</sup> December 2019. This would result in an open contractual award procedure for the award of a new Contract for the North East and Midlands Region being deferred until mid-2018.
- 1.3 The Authority’s reasons for the proposed extension to the term of Contract include relevantly:
  - The difficult market conditions in the radio broadcasting sector which have particularly impacted upon newer broadcasting services licensed by the Authority over the past 10 years. These market conditions have been created by a more competitive environment for national advertising revenues, substantial changes in media consumption patterns and uncertainties resulting from the outcome of the Brexit Referendum. In this environment, the Authority is formulating a new Licensing Plan for the 2018/2019 years which is likely to impact upon the structure of future broadcasting services to be provided in the North East and Midlands franchise area.
  - The Authority has also commenced preparatory work on the development of a new Broadcasting Services Strategy which will set out the Authority’s policies and future approach in relation to the licensing of sound broadcasting services. Core parts of this new strategy will include a detailed review of the present sound broadcasting market place, an examination of the viability and sustainability issues which have arisen for broadcasters over recent years and what radio model/models will be best suited to the evolving media landscape. The contents of the Authority’s new Broadcasting Services Strategy will impact significantly upon the considerations which should inform the future licensing of sound broadcasting services including in the regional franchise area of the North East and Midlands. In such circumstances, it is considered necessary and appropriate for the award of a new broadcasting contract for the North East and Midlands regional franchise area to be conducted in the context of the new Broadcasting Services Strategy which should be completed in late 2017.
  - In February 2010, it was necessary for the Authority to approve a number of cost cutting measures to ensure the viability of iRadio NEM and of the regional youth broadcasting service in the North West franchise area (where the current contractor is iRadio Limited, trading as iRadio NW). This included approving the co-location of both services, the sharing of staff and the introduction of a single programme schedule. Further to this, it was necessary for the Authority to approve further integration of the services and a reduction in staffing levels during 2011 so that the two services were effectively authorised to operate on an integrated and shared basis for the remainder of the current broadcasting contracts.



- 1.4** In these circumstances, the Authority considers that the award of a new broadcasting Contract for the North East and Midlands franchise area should be delayed for a period of some 14 months in order to ensure that the Contract would be awarded in a manner consistent with the Authority's new Broadcasting Services Strategy and its Licensing Plan for 2017/2018. To ensure the orderly continuation of broadcasting services in the intervening period, it is considered necessary for the Authority to extend the term of the current Contract to 31 December 2019.
- 1.5** The Authority has published the Voluntary Disclosure Notice of 6<sup>th</sup> July 2017 in order to allow any interested parties to make submissions if they object to or oppose the proposed extension of the current Contract to 31<sup>st</sup> December 2019.
- 1.6** Any such submissions are required to be made within 21 days of the publication of the Voluntary Disclosure Notice, on or before 12 noon 27<sup>th</sup> July 2017.
- 1.7** In its written submissions, the interested party should set out the grounds upon which it objects or opposes the relevant extension of the term of the Contract. In particular, the interested party should identify any adverse impact which the granting of the proposed extension of the term of the Contract would have upon that party, including full details of any adverse financial consequences which are alleged to arise from the proposed Contract extension.
- 1.8** For the assistance of interested parties, the current radio operators in the North East and Midlands franchise area are listed in Appendix I to this Guide to Submissions.
- 1.9** Any written submission in response to the Voluntary Disclosure Notice of 6<sup>th</sup> July 2017 are required to be made in accordance with the format specified in Section 2 of this Guide.
- 1.10** An indicative guide for the consideration of applications for the award of commercial sound broadcasting contract under section 65(8) of the 2009 Act is available on request from the BAI's offices or you may e-mail your request to [licensing@bai.ie](mailto:licensing@bai.ie).
- 1.11** All submissions which are received in response to the Voluntary Disclosure Notice of 6<sup>th</sup> July 2017 will be published on the BAI's website in due course.



## 2. PROCEDURE FOR MAKING WRITTEN SUBMISSIONS

2.1 There is a template “*response form*” available for use by potentially interested parties from the BAI’s website at [www.bai.ie](http://www.bai.ie), or can be obtained on request from the BAI’s offices at (01) 644 1200 or e-mail [licensing@bai.ie](mailto:licensing@bai.ie) which is able to be used to make written submissions to the Authority in response to the to the Voluntary Disclosure Notice of 6<sup>th</sup> July 2017. If you elect not to use this template form, please ensure that your submissions adhere to the format outlined hereunder and that you provide all the information requested.

By submitting your response you are confirming the following to the Authority: -

- that you have read and understand the “*Guide to Submissions: Voluntary Disclosure of Intention to Extend the term of the Sound Broadcasting Contract for the regional music-driven (youth) sound broadcasting service for the North East and Midlands region*”;
- that you or the entity that you represent are in a position to bid for the Contract; and,
- that you consent to your response/submissions being made public.

2.2 The format for a response is to be as follows: -

2.2.1 Respondent:

2.2.1.1 Please provide a general description of the person/entity making the submission.

2.2.1.2 Please provide your contact details (name of contact person, address, telephone and e-mail).

2.2.2 Details of your Submissions:

Each Respondent must set out in detail the grounds upon which he/she objects or opposes the relevant extension of the term of the Contract. In particular, the interested party should identify any adverse impact which the granting of the proposed extension of the term of the Contract would have upon that party, including full details of any adverse financial consequences which are alleged to arise from the proposed Contract extension.

2.2.3 Each Respondent must sign and date their submissions/response.

2.3 The signed and dated submissions/response must be received by the BAI no later than **12 noon, 27<sup>th</sup> July** and can be submitted by e-mail to [licensing@bai.ie](mailto:licensing@bai.ie), or by post or by hand delivery, to:



Jill Caulfield,  
Contract Awards,  
BAI,  
2 – 5 Warrington Place,  
Dublin D02 XP29.



## Appendix I

### North East & Midlands Region Radio Operators

Franchise Area Type	Current Station/s	Typical Content
National	RTÉ Radio 1	Speech-driven, news & information, music and arts programming (significant sports content on weekends)
National	RTÉ 2FM	Music & entertainment service for 20 - 44 year olds
National	RTÉ Lyric FM	Music-driven with classical bias
National	RTÉ Raidió Na Gaeltachta	Irish language service for the Gaeltacht regions and Irish speakers in Ireland
National	Today FM	Broad-format service aimed at 15+ with a focus on 20 44 year olds
National - Quasi	Newstalk	Speech driven service aimed at 25+
National - Quasi	Spirit Radio	Christian driven service aimed at 15+
Multi-city	4FM	Music-driven service aimed at 45+
Regional	iRadio North East & Midlands	Music-driven service aimed at 15 - 34 year olds in the region
Local & Commuter Belt	Radio Nova	Music-driven classic rock aim at 25+
Local Broad-format	Midlands 103 LM FM KFM Northern Sound	Wide-breadth of content including local news and information aimed at the local adult audience, including minority groups and interests, in the relevant franchise area
Community / Community of Interest	Dundalk 100 FM, Athlone Community Radio	Services that are owned and operated by the communities they serve; standard area of coverage would be a central hub with a five mile radius
Section 71	Eg. Raidió Rí Rá, UCB	Content provision contracts for services carried on the DAB trial platform.



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