



GUIDE TO SUBMISSIONS

**PROVISION OF A
COMMUNITY SOUND BROADCASTING SERVICE
FOR**

Athlone and its Environs



The Broadcasting Authority of Ireland ("the BAI") reserves the right to correct or clarify any part of this *Guide to Submissions for the Provision of a Community Sound Broadcasting Service for Athlone and its Environs* ("*Guide*").

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

All queries regarding this *Guide* should be emailed the licensing team at the **Broadcasting Authority of Ireland**.

Email: licensing@bai.ie



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1. INTRODUCTION

Pursuant to section 65(8), on 5th May, the Broadcasting Authority of Ireland ("BAI") invited, by public notice on the website of the Broadcasting Authority of Ireland and in the Athlone Advertiser newspaper, applications for a community sound broadcasting contract for the provision of a community sound broadcasting service for Athlone and its Environs.

This Guide details the procedures which will be adopted for the application process in respect of the award of the advertised community sound broadcasting contract, provides guidance to applicants on the requirements of the Broadcasting Act 2009 ("2009 Act") and identifies the relevant policies of the BAI and details the information which should be included in an application. The Guide does not purport to be exhaustive and potential applicants should have regard to the provisions of the 2009 Act, in particular, to sections 64 and 66 thereof which includes matters to which the Contract Awards Committee of the BAI must have regard to in determining applications for the award of a community sound broadcasting contract, as well as section 69, which sets out certain contractual conditions that may be imposed on a successful applicant¹.

Applicants should also have regard to, inter alia, the [BAI Broadcasting Services Strategy 2018](#), the [BAI Ownership & Control Policy \(2019\)](#), the [BAI Community Media Policy 2021](#), the [BAI Social Benefit Framework 2020](#) and the objectives and requirements set out therein when preparing an application. These documents are available on request from the BAI and are available online at www.bai.ie. The Executive staff of the BAI are also available for consultation in the event of potential applicants having any queries in relation to the content of this Guide or the application format herein.

Applicants should pay specific regard to the core principles of Diversity and Inclusion, and of the wider social benefits provided for by Community Media in Ireland, as set out in the BAI's Community Media Policy, e.g.

“Community media content should reflect and celebrate the diversity of the community served and develop the capacity of the community to participate in this process by building on available skills and resources. In addition, the Irish experience has highlighted the value of community media organisations sharing content to provide a culturally and linguistically diverse schedule while community capacity is being developed. There is no limit to the nature and diversity of content that can be produced by community organisations other than their capacity to generate this social benefit for their communities.

The generation of social benefit through content provision requires resources for all aspects of the production and dissemination process. This includes strong governance and evaluation processes to ensure that available resources are deployed effectively to produce content that will maximise the delivery of social benefit to the community served. The Irish experience has shown that community media need to proactively demonstrate the value created by their activities to the community served and among other stakeholders”.

¹ An indicative sound broadcasting contract for the provision of a community sound broadcasting service is available on request from the BAI's office or online at www.bai.ie.



Please note that all applications submitted will be made publicly available after the closing date for the submission of the applications.

Any queries on the licensing process should be addressed to the BAI Licensing team at the e-mail address: licensing@bai.ie





2. PROCEDURES FOR THE SUBMISSION OF AN APPLICATION

All applications submitted for the award of a community sound broadcasting contract for Athlone and its Environs pursuant to section 65(8) of the 2009 Act must comply with all of the requirements set out in this Guide, and in the published Invitation to Apply for the community sound broadcasting contract. Failure to fully comply with the published requirements will make the application liable to be disqualified and, thereby, to not be further considered by the Contract Awards Committee ("the Committee") pursuant to section 66 of the Broadcasting Act, 2009.

- 2.1 Format:** The application must comply **strictly** with the application format in section 4 of this Guide and contain **all** of the information required therein.
- 2.2 Presentation:** The application must be in typed form – preferably in Arial 10 font
- 2.3 Submission:** The application may be submitted in either Irish or English.
- 2.4 Verification of information:** All information submitted as part of an application for a community sound broadcasting contract must be true and correct. You are required to include with your application a declaration by a suitable authorised person that the information contained in the application and in the additional documentation accompanying the application is true and correct to the best of that person's knowledge and belief. Should any amendments need to be made by any applicant to the Application or its accompanying documents, the Committee should be informed immediately. No material alterations will be permitted to the proposals in the Application without the consent of the Committee and the Committee will not agree to any such amendments where it considers that it would be unfair to any other applicant for the relevant community sound broadcasting contract to permit such amendments.
- 2.5 Publication:** Applications will be made available for public inspection at the offices of the BAI and on the BAI's website after the closing date for the submission of the applications.
- 2.6 Closing Date:** The application and all copies thereof must be submitted to the BAI by **12 noon on 4th August 2022**.
- 2.7 Confidential Material:** Information which an applicant considers to be confidential must be presented in an annex to the application which is clearly 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.

- 2.8 Co-operation Agreement:** Applicants should also be aware of the terms of the Co-operation Agreement between the BAI and the Competition and Consumer Protection Commission, concluded



further to the provisions of Section 34 of the Competition Acts 2002-2014.² The said agreement makes provision for the disclosure of information, by the BAI to the Competition and Consumer Protection Commission, in certain circumstances.

2.9 Freedom of Information: Information may be made available to the public further to requests under the Freedom of Information Act, 2014. 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.

2.10 Data Protection: In order to operate this application process effectively, we will require some personal data about the composition of the applicant's Board and management structure. We do not require the personal data of volunteers and would strongly discourage applicants from including unnecessary personal data in their submission.

The BAI shall comply with its obligations under the General Data Protection Regulation Directive, the Data Protection Act 2018 and any other applicable data privacy laws and regulations when handling and processing any such personal information submitted to this licensing process.

The information submitted in an application, including any personal information, will be used to process the application and to liaise with the applicant. Any personal information submitted will only be retained in the event that the application is successful. Such information could be required for a future contract, pending completion of the licensing process.

The BAI is obligated and committed to protecting all personal data submitted in response to a call for applications to this licensing plan. The BAI has an appointed Data Protection Officer who is registered with the Data Protection Commission. You can find out more on how the BAI processes personal information in the BAI's published policy at: <https://www.bai.ie/en/about-us/data-protection-policy/> and the BAI's terms and conditions at: <https://www.bai.ie/en/about-us/terms-conditions> .

2.11 Third Party Agreements: 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 Act. 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.

Please note that: -

- ***The application must strictly comply with format in section 4 of this Guide and contain all of the information required therein.***
- ***Applicants are strongly encouraged to only include key information relating to the application. Applicants are encouraged not to include unrequested personal data in the application.***
- ***When setting out objectives, the applicant should apply the S.M.A.R.T.³ goal model.***

² A copy of the Agreement is available on the BAI's website at: www.bai.ie.



- ***Applicants are strongly encouraged to include all the key information in the application and any detailed back-up information in appendices. Appendices should be clearly numbered, cross-referenced and saved in a single PDF document.***
- ***The BAI encourages the submission of applications which are clear, concise and simple in layout and style.***
- ***The BAI discourages the submission of unrequested graphics and insignia. Please do not include any photos, pictures and/or station identity material in the mainstay of the proposal.***

3. INFORMATION FOR APPLICANTS

3.1 Statutory and Policy Framework

The 2009 Act sets the statutory framework for the licensing and regulation of additional television and radio broadcasting services on a variety of platforms, including FM and AM radio bands, Digital Terrestrial Television and Sound Multiplexes and for the development of codes and rules. The Applicant should have regard to the provisions of section 64, section 65, section 66, in particular, subsections 66(2), 66(3) and 66(4) thereof and section 69 of the 2009 Act, the proposed community sound broadcasting contract for the Athlone and its Environs the BAI policy documents including the *BAI Broadcasting Services Strategy 2018*, the *BAI Ownership & Control Policy (2019)*, the *BAI Community Media Policy 2021*, the *BAI Social Benefit Framework 2020* and the BAI codes/rules pertaining to programming and commercial communications content.

The Applicant is expected to provide sufficient information in its application to demonstrate how it can satisfy the requirements and objectives of the 2009 Act and relevant BAI policies and codes/rules. The BAI not only invites applicants to commit to meeting the minimum requirements but also to commit to exceed them.

3.2 The Specified Area

The specified franchise area covers Athlone and its Environs.

3.3 Evaluation of Applications

The statutory criteria to which the Contract Awards Committee shall have regard in determining the most suitable applicant, if any, for the award of the community sound broadcasting contract are set out in section 64 and section 66, subsections (2), (3) and (4) of the 2009 Act ("Statutory Criteria"). For the guidance of applicants, the Committee has grouped the Statutory Criteria under five headings: (1) ownership and control;

³S.M.A.R.T. = Specific, Measure, Achievable, Realistic, Timebound



(2) community to be served; (3) programming; (4) studios and transmission; and (5) financial and business plan. The Committee's evaluation of each application will be under these headings.

The relevant provisions under section 64 provide that the Authority, on the recommendation of the Contract Awards Committee, may enter into a class of sound broadcasting contract ("community sound broadcasting contract") with 2 or more members of a local community or of a community of interest if it is satisfied that: -

- Section 64(a): those members are representative of, and accountable to, the community concerned, and
- Section 64(b): the supply of programme material in pursuance of the contract will be effected with the sole objective of (i) specifically addressing the interests of, and seeking to provide a social benefit to, the community concerned, and (ii) achieving a monetary award of no greater amount than is reasonably necessary to defray the expenses that will be incurred in effecting that supply.

These criteria will be assessed under the six headings hereafter.

3.3.1 Ownership and Control

The relevant provisions section 66 of the 2009 Act in respect of the ownership and control structure of an applicant 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 64(a): those members [of the Applicant] are representative of, and accountable to, the community concerned, and
- 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 in conjunction with the relevant sections of the *BAI Community Media Policy* will be applied in assessing the applicant's proposals, *inter alia*, under the following:



- (ii) the composition of the applicant's Executive Organ;⁴
- (iii) the applicant's proposed membership structure;
- (iv) the applicant's proposed management structure; and
- (v) the track record if a previous and/or a current holder of a sound broadcasting contract.

3.3.2 Community to be served

The relevant provisions under section 64 and section 66 of the 2009 Act in respect of the community to be served is as follows:

- Section 64(b): the supply of programme material in pursuance of the contract will be effected with the sole objective of specifically addressing the interests of, and seeking to provide a social benefit to, the community concerned.
- 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(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 in conjunction with the relevant sections of the *BAI's Community Media Policy and the Social Benefit Framework* will be applied in assessing the applicant's proposals, *inter alia*, under the following:

- (i) the applicant's definition of the community.
- (ii) the applicant's knowledge and understanding of the community.
- (iii) the applicant's proposals for ensuring that the service: (i) serves the interests of the community; and (ii) provides a social benefit to the community.
- (iv) the applicant's proposals for involvement in, and ensuring accountability to, the community.
- (v) the applicant's proposals to achieve participation by the community at all levels of the operation of the service.
- (vi) the applicant's proposals for the evaluation of the service; and

⁴ Board of Directors, Committee of Management or other governing body.



- (vii) the track record if a previous and/or a current holder of a sound broadcasting contract.

The applicant should pay specific regard to the six core Indicators of Social Benefit detailed in the Social Benefit Framework, namely:

1. Individuals, especially minorities and those marginalised, are growing in confidence and creativity and/ or reinforcing a sense of belonging, directly from engaging with the Station
2. Individuals are enhancing their employment prospects through gaining skills and confidence reinforcing community identify
3. Community members are informed and aware of what is happening around their community
4. Community members are responding more effectively to issues–local to global– because they have access to diverse viewpoints and to more and better information
5. Collective actors (CBOs, NGOs etc.) are facilitated and reinforced in their capacity to achieve their goals
6. The community sense of identity and cohesiveness is enhanced through interaction and collective action.

In order to demonstrate Social Benefit, please supply examples on a **maximum of three (3)** out of the six (6) Social Benefits as listed in the Social Benefit Framework and insert the information into the table provided at 4.3(ii) of the Application Form. The Social Benefits listed in the application should follow the S.M.A.R.T model and should be measurable as performance metrics over a set period of time. The Social Benefit aspects will form part of the scoring matrix.

3.3.3 Programming

The relevant provisions under section 64 and section 66 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 in conjunction with the relevant sections of the *BAI Community Media Policy* will be applied in assessing the applicant's proposals, *inter alia*, under the following:

- (i) the applicant's proposed programming strategy;
- (ii) the applicant's proposed programming commitments;
- (iii) the applicant's proposed programme schedule; and
- (iv) the track record if a previous and/or a current holder of a sound broadcasting contract.

3.3.4 Studios and Transmission

Section 64 and section 66 of the 2009 Act does not specify requirements in relation to an applicant's studio and transmission facilities. The Committee considers the development and maintenance of appropriate studio and transmission facilities to be a matter necessary to secure the orderly development of broadcasting services.

The relevant provisions under section 66 of the 2009 Act in respect of studios and transmission are, accordingly, as follows:

- 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.

These criteria will be applied 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; and
- (iv) track record if a previous and/or a current holder of a sound broadcasting contract.

3.3.5 Financial and Business Plan

The relevant provisions under section 64 and section 66 of the 2009 Act in respect of financial and business plan are as follows:

- Section 66(2)(b): the adequacy of financial resources available to the applicant and the extent to which the application accords with good business and economic principles;
- Section 66(2)(k): any other matters which the Contract Awards Committee considers to be necessary to secure the orderly development of sound broadcasting services – Management & Staffing.
- Section 64(b)(ii): the supply of programme material will be effected with the sole objective of achieving a monetary reward of no greater amount than is reasonably necessary to defray the expenses that will be incurred in effecting that supply, and
- 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 in conjunction with the relevant sections of the *BAI Community Media Policy* will be applied in assessing the applicant's proposals, *inter alia*, under the following:

- (i) The applicant's **financial and business plan**, including:
 - (a) the overall financial strategy;
 - (b) the applicant's investment proposals;
 - (c) sources of funding and expenditure;
 - (d) the applicant's financial projections; and
 - (e) the strategies to be put in place for achieving the projections.
- (ii) The **staffing structure** of the applicant, including:⁵
 - (a) the proposed staffing structure;
 - (b) the applicant's staffing policies;
 - (c) the applicant's staff training, support and development policy; and,
 - (d) any staff remuneration and benefits.

⁵ The applicant's staffing structure includes both paid posts and volunteers.



- (iii) The applicant's track record if a previous and/or a current holder of a sound broadcasting contract.

3.3.6 Social Benefit

Section 64 of the Broadcasting Act 2009 sets out requirements in relation to, among other matters, the applicant's approach to providing a social benefit to the community concerned. The Committee also recognises the importance of the BAI Community Media Policy and the associated Social Benefit Framework. The Committee considers the development and progress in delivering social benefit to be a matter necessary to secure the orderly development of community broadcasting services. It therefore has, in accordance with Section 66(2)(k), included the Section 64 provisions in consideration and scoring of the application. This is reflected in the scoring matrix provided as part of the application documentation.

The relevant provisions under section 66 and 64 of the 2009 Act in respect of Social Benefit are, accordingly, as follows:

- 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 64(b)(i): seeking to provide a social benefit to the community concerned.

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

- (i) The BAI Community Media Policy;
- (ii) The BAI Social Benefit Framework
- (iii) The assessment and scoring of the applicant's response under Section 4.3.2 in relation to at least three of the six Social Benefits as listed in the Social Benefit Framework.

3.4 Scoring Matrix

Section 65, subsections (10), (11) and (12) of the 2009 Act provides the statutory framework for the consideration and scoring of applications by the Committee:-

(10) In considering applications for the award of a sound broadcasting contract the Contract Awards Committee shall determine applications in accordance with section 66 and assign a score to each, or a combination of, the criteria specified in section 66(2) and the Contract Awards Committee shall inform each person who has indicated his or her intention of being an applicant for a contract of such assignment.

(11) The Contract Awards Committee shall in reaching a decision as to the award of a sound broadcasting contract assign an agreed score to each of the application received in accordance with subsection (10).



(12) The Contract Awards Committee's view on an assignment of a score under subsection (11) shall be determined by a majority of the votes of the Contract Awards Committee.

The Committee believes that some criteria are of greater importance to the achievement of the relevant legislative and policy objectives than others, and so some criteria will carry more weight than others in the evaluation process. Thus, as can be seen from the table overleaf, a criterion with a weighting of eight (8) is considered more important than a criterion with a weighting of six (6) which, in turn is considered more important than a criterion with a weighting of four (4) and so forth.

The Applicant should note that if they do not achieve a minimum of fifty per cent (50%) of the available score under each applicable criterion⁶, they will not be eligible for the award of the community sound broadcasting contract.

SCORING MATRIX:

**Community Licence Application
Franchise area: Athlone and its Environs**

		Weighting	Available Score	Awarded Score
Ownership and Control (130 points)				
66(2)(a)	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	8	40	
66(2)(g)	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	4	20	
66(2)(h)	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	3	15	
66(2)(i)	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	3	15	
66(2)(k)	64(a) Members are representative of, and accountable to, the community concerned	6	30	
66(4)	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 making the application and reports of the Compliance Committee	2	10	
Programming (190 points)				
66(2)(c)	Quality, range and type of the programmes proposed to be provided by each applicant or, if there is only one applicant, by that applicant	8	40	
66(2)(d)	Quantity, quality, range and type of programmes in the Irish language and the extent of programmes relating to Irish culture proposed to be provided	6	30	
66(2)(e)	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	6	30	

⁶ Where an applicant does not currently and has not previously provided a sound broadcasting service under any broadcasting contract, the “overall quality of performance” or “track-record” criterion under section 66(4) of the 2009 Act will be disregarded in calculating whether the applicant has achieved a minimum of fifty percent (50%) of the available score under each criterion.



66(2)(f)	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	8	40	
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	8	40	
66(4)	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 making the application and reports of the Compliance Committee	2	10	
Transmission and Studio Proposals (30 points)				
66(2)(k)	Any other matters necessary to secure the orderly development of broadcasting services (i) Adequacy of studio and transmission facilities (ii) Suitability of transmission proposals	4	20	
66(4)	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 making the application and reports of the Compliance Committee	2	10	
Market Analysis, Financial and Business Plan (100)				
66(2)(b)	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	6	30	
66(2)(k)	Any other matters necessary to secure the orderly development of broadcasting services; Management & Staffing	8	40	
62(2)(k)	The supply of programme material in pursuance of the contract will be effected with the sole objective of achieving a monetary reward of no greater amount than is reasonably necessary to defray the expenses that will be incurred in effecting that supply. (64(b)(ii))	4	20	
66(4)	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 making the application and reports of the Compliance Committee	2	10	
Social Benefit (50 points)				
66(2)(k)	The supply of programme material in pursuance of the contract will be effected with the sole objective of specifically addressing the interests of, and seeking to provide a social benefit to, the community concerned. (64(b)(i)) Social Benefit is determined with reference to the Community Media Policy and Social Benefit Framework.	10	50	

500

Applicant must score a minimum of 50% under each criterion to qualify for award of contract

3.5 Decision Making Process

All applications submitted for the award of a community sound broadcasting contract for Athlone and its Environs pursuant to section 65(8) of the 2009 Act must comply with all of the requirements set out in this Guide to Submissions, and in the published Invitation to Apply for the community sound broadcasting contract. Failure to fully comply with the published requirements will make the application liable to be disqualified and thereby to not be further considered by the Contract Awards Committee pursuant to section 66 of the Broadcasting Act, 2009.

The following procedure will be followed by the Committee in determining the most suitable applicant, if any, for the award of the community sound broadcasting contract:-

3.5.1 An initial evaluation will be made of the qualifying applications by Members of the Committee. This will include consideration of the application submitted and an evaluation of the application prepared



by the Executive. The Evaluation will be structured using the headings set out in section 3.3 *Evaluation of Applications* of this Guide and will highlight issues of relevance with reference to the statutory criteria set out in section 64 and section 66 of the 2009 Act.

3.5.2 If the Committee members consider that there are any issues requiring clarifications and/or if they require any further information from an applicant, then such information may be sought by either or both:

- **Supplementary Questions:** The applicant/s may be requested to complete a list of supplementary questions by the Committee to address queries or to provide clarification on any aspect(s) of an application. Written responses to any such queries will be publicly available, on the same basis as the written application.
- **Oral Presentations:** The Committee may request that applicants make an oral presentation of their proposals for the sound broadcasting service the subject of the contract award which presentations may be made publicly or in private. The purpose of such oral presentations will be to allow the provision of further information in respect of the proposals made in the application in order to assist the Committee in considering the viability and merits of the relevant applications.

3.5.3 Following any requested oral presentations and/or responses to supplementary written questions deemed appropriate by the Committee, the members of the Committee, following collegiate discussion, will score the application under each of the statutory criteria set out in the Scoring Matrix at section 3.4 of this Guide.

3.5.4 The Committee's view on an assignment of a score shall be determined by a majority of the votes of the Members.

3.5.5 If an application does not achieve a qualifying score under each criterion, the Committee shall exclude the application from the application process. If none of the applications achieves a qualifying score under each of the statutory criteria, the Committee shall conclude the licensing process.

3.5.6 The application that receives a qualifying score under each criterion and the highest overall score will be deemed the most suitable applicant for the award of the community sound broadcasting contract and the Committee may recommend that the Authority enter into a community sound broadcasting contract with the most suitable Applicant. The Authority will specify such terms and conditions as it thinks appropriate to be included within any such sound broadcasting contract.

3.5.7 The Committee shall notify an unsuccessful applicant of the reasons for the decision to refuse to recommend the award of a community sound broadcasting contract to him or her, the applicant's score and the score of the successful applicant.

3.6 Contract Award

The award of a community sound broadcasting contract will be subject to the successful applicant agreeing and signing the proposed community sound broadcasting contract which contains the terms and conditions



as determined by the BAI. Upon selection of the most suitable applicant for the relevant community sound broadcasting contract, the Committee may require the successful applicant to agree detailed terms and conditions for inclusion in the community sound broadcasting contract which the Authority may think appropriate to specify pursuant to section 69 of the 2009 Act. Should a successful applicant fail to agree to or fulfil any terms or conditions sought by the Committee within such a time-frame as specified by the Committee, the Committee may decline to make any recommendation to the Authority to enter into a community sound broadcasting contract pursuant to section 65(8) of the 2009 Act with respect to that licensing award round.

The successful applicant will also be required to agree and to sign such community sound broadcasting contract as may be determined by the Authority pursuant to section 69 of the 2009 Act. A copy of the proposed community sound broadcasting contract is available on the BAI's website or on request from the offices of the BAI. Applicants should note that the content of the Schedules to this contract will be largely determined by the information, commitments and undertakings contained in the successful application. Thus, the details of the ownership and control structure, the programming commitments and indicative programme schedule and the transmission and studios will ordinarily be transposed from the successful application.

Further to the signing of a community sound broadcasting contract, such a contract will be open to inspection by members of the public at the offices of the BAI⁷.

3.7 Duration of Contract

Community sound broadcasting contracts may be granted for a period of up to ten (10) years. The term of the contract will be specified in the terms and conditions thought appropriate by the Authority.

3.8 Changes in Composition

The BAI reserves the right to revoke a community sound broadcasting contract after it has been awarded or granted if material changes take place which affect the nature or characteristics of the successful applicant or in the persons having control or an interest in the community sound broadcasting contract, where such changes may have affected the decision to award the community sound broadcasting contract had those changes occurred before the award was made.

⁷ Section 69(5) of the 2009 Act.



3.9 Transfer of the Contract

A community sound broadcasting contract can only be transferred from one body to another with the prior consent of the BAI. The BAI generally looks unfavourably upon material changes in the ownership and control structure of a contractor within a two-year period after the award of a contract⁸.

3.10 BAI Annual Levy

Pursuant to Section 33 of the Broadcasting Act 2009, the Broadcasting Authority of Ireland is funded through the charging of a levy on public service broadcasters and certain categories of broadcasting contractors.

The Broadcasting Act 2009 (Section 33) Levy Order 2010 and the Broadcasting Act 2009 (Section 33) Levy (Amendment Order) 2020 , will be binding on the successful applicant for the term of the community sound broadcasting contract.

⁸ BAI's *Ownership and Control Policy (2019)*



4. APPLICATION FORMAT

The application must adhere to the format set out in the Application Form that is available on the BAI website or on request from the BAI.

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 and e-mail).*

The Applicant will hold the community 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 and Memorandum and Articles of Association must be included with the application where the Applicant is a body corporate.

(b) *Main Contact (For Public Purposes) (Contact person, Address, Telephone 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 – Ownership and Control

The members of the Applicant, being members of a local community, must be representative of, and accountable to, the community concerned.⁹ A community sound broadcasting service must be "owned and controlled by a not-for-profit organisation whose structure provides for membership management and operation and programming primarily by members of the community".¹⁰ The information provided in this section should clearly demonstrate how the ownership and control structure of the Applicant will comply with these requirements at all levels of the operation of the service.

⁹ Section 64(a) of the 2009 Act.

¹⁰ BAI Community Media Policy.



The applicant's approach to Ownership and Control should pay specific regard to, and where possible directly reference, the Social Benefit indicators set out in the Social Benefit Framework. Social Benefit indicators included in the application should follow the S.M.A.R.T model, and be verifiable and measurable as key performance indicators over a specific period of time.

3.1 Organisational Structure and Governing Body

- i)** Please describe the type of corporate structure established or proposed for the community sound broadcasting service (e.g., a company limited by guarantee with no share capital, a co-operative society or other not-for-profit organisation).
- ii)** Please state the type of Executive Organ proposed for the applicant (e.g., Board of Directors or Committee of Management).
- iii)** Please provide the following details in relation to the membership of the Executive Organ:
 - (a)** the number of members proposed;
 - (b)** the number of members who will be appointed in a representative capacity and provide details of such representation;
 - (c)** the nomination, election and/or appointment procedures for members; and
 - (d)** the categories of membership. Where the categories comprise community groups or organisations, please provide details of the groups or organisations concerned, the manner in which they are representative of, and accountable, to the community and their relevance to the community and the service.
- iv)** Please provide the following details in relation to each member of the Executive Organ:-
 - (a)** name, home address, age and occupation;
 - (b)** background and experience (including but not limited to media/broadcasting, community and management experience);
 - (c)** other business, community and/or media interests held (please specify); or/and
 - (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);
- v)** Please provide the same information as in iv) above for any other individual whom the Applicant is considering appointing a member of the Executive Organ.
- vi)** Please indicate who will be the appointed Chairperson.

3.2 Membership Structure

- i)** Please state the current number of members of the Applicant.



- ii)** Please identify and describe the categories of membership proposed and explain how the overall membership will be representative of the community to be served.
- iii)** Please set out, where applicable, the categories of shares and the prices of such shares or any other fees associated with membership.
- iv)** Please detail the strategies to source and increase membership over the term of the contract proposed.
- v)** Please provide the names and home addresses of Directors/Key Management of the Applicant and identify the categories of membership to which such members belong.
- vi)** Where a member of the applicant is a corporate body, please provide the following details in respect of the directors and "significant" members of that body:¹¹
 - (a) Name and address, age and occupation
 - (b) background and experience (including but not limited to media/broadcasting, community and management experience);
 - (c) other business, community and/or media interests held (please specify); or/and
 - (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).
- vii)** Please state the rationale for the involvement of the corporate body in the Applicant.
- viii)** Please outline any proposed procedures, in addition to those specified in the Applicant's Articles of Association, for ensuring that the Applicant (its Executive Organ and members) will be accountable to the community to be served.

3.3 Management Structure

- i)** Please describe, in the form of a chart/diagram and narrative, the existing or proposed management structure of the Applicant, clearly indicating the roles and status of management staff to be appointed (full-time, part-time and/or volunteers).
- ii)** If the management structure proposes the use of sub-committees, please detail the proposed membership of such sub-committee, the procedures for nomination and election and the rationale for their inclusion in the management structure.

¹¹ A person will be deemed to be a "significant" member 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.



- iii) Please detail the proposed reporting structure between the management team, including any sub-committees, and the Executive Organ of the Applicant;
- iv) 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 community and/or broadcasting:
 - (a) Station Manager; and
 - (b) Compliance Officer.
- v) Please specify the Applicant's policy¹² in respect of:
 - (a) management remuneration and benefits;
 - (b) employment contracts;
 - (c) industrial relations;
 - (d) management training and development.
- vi) Please provide details of any employment support, grant or training schemes and detail any arrangements entered to and commitments provided or received under such schemes.

3.4 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, secretary or other similar officer and "significant" members. 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?

¹² An overview of the policies and procedures should be set out. The Policy Documents do not need to be provided at application stage but may be sought by the BAI Executive at a future point. Applicants must provide a list of the appropriate policies with details of when they were introduced and last reviewed.



- (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 4 – Community and Audience Relations

The Applicant should demonstrate knowledge and an understanding of the needs of the community concerned and present appropriate proposals for the active participation by that community at all levels of the operation of the service. The Applicant should demonstrate that the service will address the interests of and provide a social benefit to the community and submit any supporting documentation and research. The applicant's approach to Community and Audience Relations should pay specific regard to, and where possible directly reference, the Social Benefit indicators set out in the Social Benefit Framework. Social Benefit indicators included in the application should follow the S.M.A.R.T model, and be verifiable and measurable as key performance indicators over a specific period of time.

4.1 Geographic Community to be served

- i) Please define and provide a profile of the community to be served.
- ii) All relevant documents should be cited indicating, where relevant, the source, author/s, publisher and year of publication.

4.2 Community Access and Participation

- i) Please set out how the proposed service will be promoted and developed among the community to be served in line with the *BAI Community Media Policy*.
- ii) Please set out how community access will be promoted and facilitated in the various aspects of the service; for example, the location of, and accessibility to, studios.¹³
- iii) Please set out the applicant's proposals or involvement in, and ensuring accountability to, the community.
- iv) Please outline the applicant's proposed approach to the issue of community and audience evaluation, including the methodologies to be relied upon and the frequency with which such evaluations will be conducted. Please indicate the budget to be allocated to this activity.

¹³ The community's involvement in ownership and control and programming should be addressed in those sections of the application.



4.3 Community Interest and Social Benefit

- i) Please set out how the proposed service will ensure that it responds to and serves the interests of the community.
- ii) Please set out how the proposed service will continue to develop and enhance its social benefit role over the lifetime of any contract. This should be demonstrated in terms of at least three of the six areas identified in the Social Benefit Framework¹⁴ with timeframes and sources of evidence as set out in your application as per the table in the BAI Application Form.

Section 5 – Programming

The Applicant should clearly set out how the service will:

- (a) Serve the community and/or communities within the franchise area;
- (b) Promote and support active participation by the community in its programming output;
- (c) Add to the diversity of programming available in the franchise area; and
- (d) Operate in accordance with the ethos or value system that underpins community activity.

The applicant's approach to Programming should pay specific regard to, and where possible directly reference, the Social Benefit indicators set out in the Social Benefit Framework. Social Benefit indicators included in the application should follow the S.M.A.R.T model, and be verifiable and measurable as key performance indicators over a specific period of time.

5.1 Programming Strategy

- i) Please detail the ongoing strategies which the Applicant proposes to implement in relation to:
 - programme research;
 - programme production;
 - quality control;

¹⁴ BAI Social Benefit Framework: http://www.bai.ie/en/media/sites/2/dlm_uploads/2020/06/Community-Radio-Delivering-Social-Benefit-.pdf

BAI Community Media Policy: <https://www.bai.ie/en/download/136264/>



- ensuring compliance with the statutory requirements and the sound broadcasting contractual obligations for programme content;
 - ensuring the service will operate in accordance with the ethos or value system that underpins community activity.
- 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 and Community Ethos.

- i) Please detail in the form of a statement the Applicant's overall broadcasting philosophy and vision for the radio service and how the quality, range and type of programming will serve the community.
- ii) Please describe the means by which community access and active participation will be facilitated and encouraged in the programming of the service.

5.2.2 Broadcasting Day.

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

- i) the total number of broadcasting hours per day;
- ii) the hours of live programming (start and end) per day;
- iii) the hours of repeat programming (start and end) each day;
- iv) the hours of pre-recorded programming (start and end) each day;
- v) the percentage of broadcasting hours dedicated to:
 - (1) music programming;
 - (2) speech-based content;
 - (3) news and current affairs; and
 - (4) commercial communications as defined in the BAI's General Communications Code



5.2.3 *Presentation Style.*

Please describe the main features that will distinguish the service in terms of presentation style.

5.2.4 *News.*

Please set out the approach envisaged for news programming, and in particular:

- (a)** The types of news to be broadcast (local, community etc.) and their relevance to the community;
- (b)** The sourcing of the various types of news;
- (c)** The number and duration of news bulletins and programmes (weekday and weekend)

5.2.5 *Current affairs programming.*

Please set out the approach envisaged for current affairs programming, and in particular:

the format, duration and frequency of such programmes (weekdays and weekend); and

the relevance of these programmes to the community and how the same will contribute to diversity of current affairs and/or programming in the specified area.

5.2.6 *Statutory News and Current Affairs requirement.*

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).

5.2.7 *Sports programming.*

Please set out the approach envisaged for sports programming, and in particular:

the types of sports to be covered and their relevance to the community; and

how the sports programming will add to the diversity of sports programming already available in the specified area.



5.2.8 *Speech programming.*

Please set out the approach to general or specialist 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:

the format (documentary, magazine etc.), language, duration, content and frequency (weekly, monthly, etc.) of such programmes;

the relevance of these programmes to the community and how the same will add to the diversity of speech and/or programming available in the specified area.

5.2.9 *Irish language and Irish Culture programming.*

Please indicate the amount and type of programming to be broadcast:

in the Irish language;

bilingual programming, indicate the approximate amount of Irish therein;

relating to Irish culture.

5.2.10 *General and Specialist/Niche Music programming.*

Please set out the proposed policy in respect of the music programming, in particular

the range and type of music proposed across the broadcast day with reference, where applicable, to genres, charts, origins and/or eras detailed the percentage to be represented by each type;

the relevance of the music policy to the community and how the music programming will add to the diversity of music and/or other programming in the specified area.

5.2.11 *Irish Music Policy.*

Please define the Irish music that will be aired and, as a percentage of the total music output, the approximate amount of Irish music that will be played across the total broadcast day.



5.2.12 Promotion of Irish talent.

Please detail how the proposed service will create new opportunities for Irish talent having regard to music, drama and entertainment through programming, production or sponsorships etc.

5.2.13 Purchase and sale of broadcast material.

Please detail the proposed policy in relation to the purchase and sale of broadcast material, both from other broadcast organisations and independent producers.

5.2.14 Other programming proposals.

If relevant, please describe any other programming proposals which are proposed to carry on the service.

5.3 Programme Schedule.

Please provide a typical weekly 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 specified area.

Section 6 – Studios and Transmission -

6.1 Studios

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: -

- 6.1.1** 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.
- 6.1.2** 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.
- 6.1.3** 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.

- 6.1.4** Outlines of the proposed heating, ventilation and standby power plant should also be provided and where such equipment is to be located.
- 6.1.5** The security mechanisms proposed to guard against unauthorised access to the on-air studio.
- 6.1.6** Please provide a list, including costs, of the principal technical equipment that is to be installed, together with available test and deviation limiting equipment.
- 6.1.7** Please provide a list of the itemised costs for building refurbishment, studio construction, office fixtures, fittings and IT.
- 6.1.8** 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.
- 6.1.9** Please set out how community access will be promoted and facilitated in the various aspects of the service, for example, the location of, and accessibility to, studios.

Note:-

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 submit the details as requested in this section for any proposed additional / opt out studios.

6.2 Transmission Proposal

The transmission proposal shall be on the basis of a single site, within the franchise area, with a nominal ERP of 50 watts. The site should be at an appropriate, but not excessive, height and when combined with the antenna radiation pattern, provide coverage to the majority of the proposed area while minimising overspill coverage to areas outside of the proposed franchise area.



6.2.1 Please provide 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.

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

Site Name	Site Coordinates	Site Height ASL	Antenna Height AGL	ERP per pol
Cnoc Beag	123456E 123456N	120m	20m	17dBW per pol

The site coordinates must be provided in either:

- Metric format, i.e., Eastings and Northings. These can be easily determined from a 1:50000 scale map.
- Latitude/Longitude format. These must be provided in Degrees, Minutes and Seconds, e.g., 52° 14' 56" North, 7° 45' 34" West.

6.2.3 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?

6.2.4 The following additional information should be provided:-

- (a) The antenna radiation pattern proposed for the transmitter station.
- (b) Details of the band pass filter / combiner system and directional coupler proposed to ensure compliance with the licence terms.
- (c) Details of the audio feed.
- (d) Confirm if an emergency backup generator or other standby power supply will be provided for use by the applicant at the transmission facility.
- (e) 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.
- (f) Please indicate if a planning application has been made and/or approved for the transmission facility.

6.2.5 A computer predicted coverage plot, superimposed on a suitable map, must be provided in the application in an A4 format and image file.

This should clearly demonstrate the composite coverage that can be achieved using the transmission site 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.

- 6.2.6 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.
- 6.2.7 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.
- 6.2.8 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.

- 6.2.9 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 7 – Market Analysis, Financial and Business Plan

7.1 Overall Financial Strategy. Please detail the proposed financial strategy over the first three- to five-year period. The strategy must detail how the applicant proposes to meet all pre-operational and subsequent funding requirements.

7.2 Investment Proposal. Please provide details of the total funding requirements, and how these will be met, completing Tables A and B.

Table A – Funding	€
Share Capital / Members' subscriptions	
Medium / Long Term Borrowing	
Leasing/HP Facilities (capital value)	
Grants	
Fundraising	
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	



7.3 Sources of Funding and Expenditure. Please detail:

- i)** The strategies for generating revenue from the various sources of funding outlined in Table A.
- ii)** In respect of proposed or existing borrowings:
 - (a)** The amount, type and duration of the facility;
 - (b)** The drawdown schedule;
 - (c)** Any security or guarantee required in support of the facility;
 - (d)** Principal covenants / Conditions precedent;
 - (e)** Warranties/undertakings in the event default;
 - (f)** The timeframe for putting the facilities in place.
- iii)** Please specify the amount of funding which will be put in place prior to contract, prior to launch and after the launch of the service; and
- iv)** Please outline the proportion of the capital expenditure provision that has been allocated to transmission, studio buildings, studio equipment, office fit out and other costs.

7.4 Financial Projections.

Please provide:

- i)** detailed projected income and expenditure accounts for the first three years clearly identifying the various sources of revenue (e.g. advertising, sponsorship, fundraising, grants etc.) and expenditure by the area of operation or activity (staffing, programming etc.);¹⁵
- ii)** projected balance sheets for the first three years;
- iii)** projected monthly cash-flow statements showing gross inflows and outflows for the first three years;
- iv)** a full listing of the underlying assumptions on which the financial projections are based, relating such assumptions clearly to other sections of the application;
- v)** the measures that will be taken if the financial projections are not achieved (e.g. to address a deficit or increased borrowings over the term of the contract).

¹⁵ Expenditure projections must include the BAI levy. The calculation of this levy is based on the qualifying income of a broadcasting Contractor, the qualifying income of the Industry in addition to the expenditure of the BAI and incorporates different accounting periods. Accordingly, deriving a projected level for the levy fee may be arbitrary for potential applicants. In this regard and for indicative purposes for this licensing process only, in circumstances where the income is under €550,000, a levy charge of €250 + VAT per annum for levy expenditure will apply..



- vi) Set out the basis for complying with the provisions of Section 64(b)(ii) of the 2009 Act in relation to : *“The supply of programme material in pursuance of the contract will be effected with the sole objective of achieving a monetary reward of no greater amount than is reasonably necessary to defray the expenses that will be incurred in effecting that supply.”*

7.5 Staffing Matters.

Please set out the proposed staffing structure in diagrammatic form, clearly indicating the number and categories of staff employed for the operation of the proposed service and the basis of their employment (e.g. full-time, part-time and whether paid or on an unpaid/volunteer basis).

7.6 Paid Staff

Please provide a brief overview of:¹⁶⁻

- i) the proposed salary level for each full-time and part-time paid post identified under 7.5 above.
- ii) the applicant's proposals in relation to the sourcing and recruitment of paid staff;
- iii) the applicant's industrial relations policy, including its policy on recognising trade union membership;
- iv) the applicant's proposed policies in relation to staff remuneration and benefits, including pension and insurance schemes, etc;
- v) the applicant's proposals for staff training and development policy and strategy, including the proposed annual budget;
- vi) any other employment support or training schemes and information on any arrangements entered into or commitments provided or received under such schemes; and
- vii) the applicant's proposals or policies, if any, for the involvement or representation of paid staff in the ownership, control or management of the applicant (e.g. membership of the Executive Organ, Subcommittees etc.)

¹⁶ An overview of the policies and procedures should be set out. The Policy Documents do not need to be provided at application stage but may be sought by the BAI Executive at a future point. Applicants must provide a list of the appropriate policies with details of when they were introduced and last reviewed.



7.7 *Volunteers*

The applicant's approach to working with Volunteers should pay specific regard to, and where possible directly reference, the Social Benefit indicators set out in the Social Benefit Framework. Social Benefit indicators included in the application should follow the S.M.A.R.T model, and be verifiable and measurable as key performance indicators over a specific period of time.

Please provide details of¹⁷:-

- i)** the number of volunteers required to operate the service proposed;
- ii)** the Applicant's strategies for sourcing and recruiting volunteers over the term of the contract;
- iii)** the Applicant's proposals for involving volunteers in all areas of operation of the service (e.g. programme planning, production, presentation, fundraising etc.)
- iv)** the Applicant's proposals or policies (list of policies or online links will suffice), if any, for the involvement or representation of volunteers in the ownership, control or management of the applicant (e.g. membership of the Executive Organ, Subcommittees etc.)
- v)** the Applicant's proposals for the training, support and development of volunteers, including the proposed annual budget; and
- vi)** any other employment support or training schemes and information on any arrangements entered into or commitments provided or received under such schemes.

¹⁷ An overview of the policies and procedures should be set out. The Policy Documents do not need to be provided at application stage but may be sought by the BAI Executive at a future point. Applicants must provide a list of the appropriate policies with details of when they were introduced and last reviewed.



Section 8 – Proposed Commencement of Broadcasting

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

8.2 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 community sound broadcasting contract to the on-air date.



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

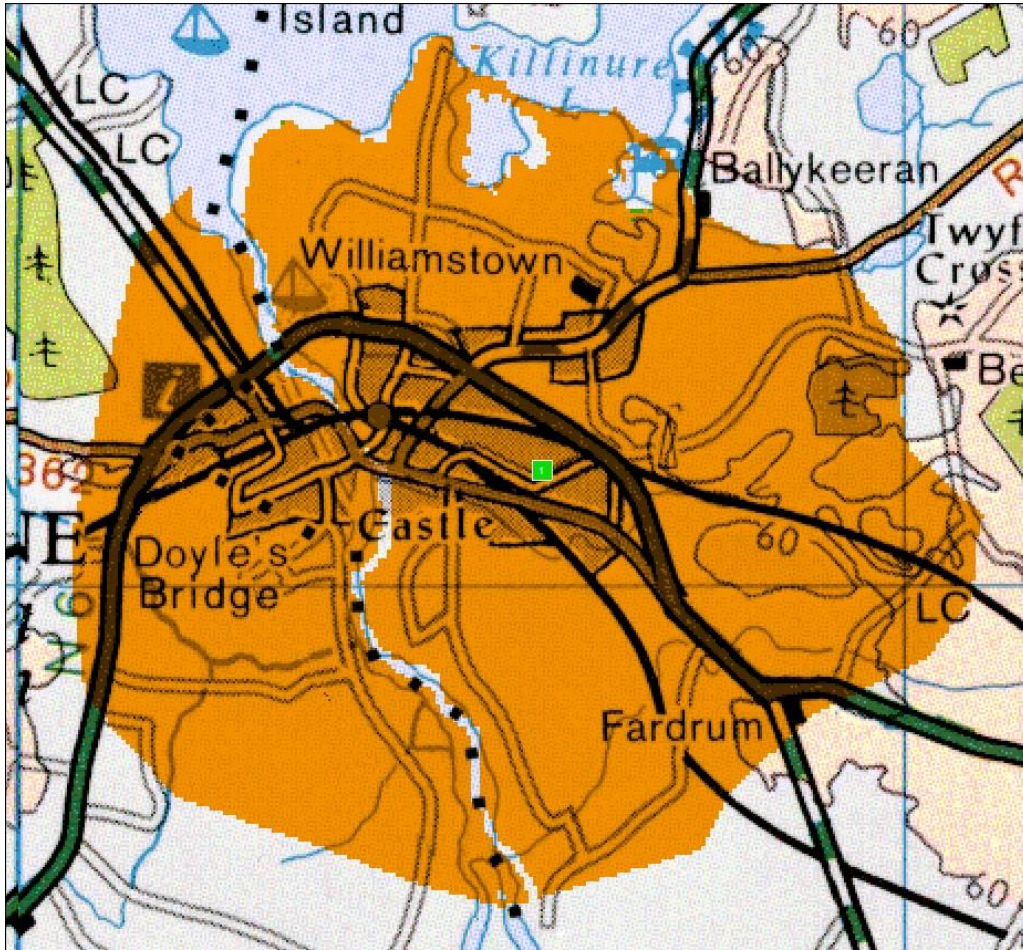


Figure 1: Predicted coverage based on current transmission network

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.

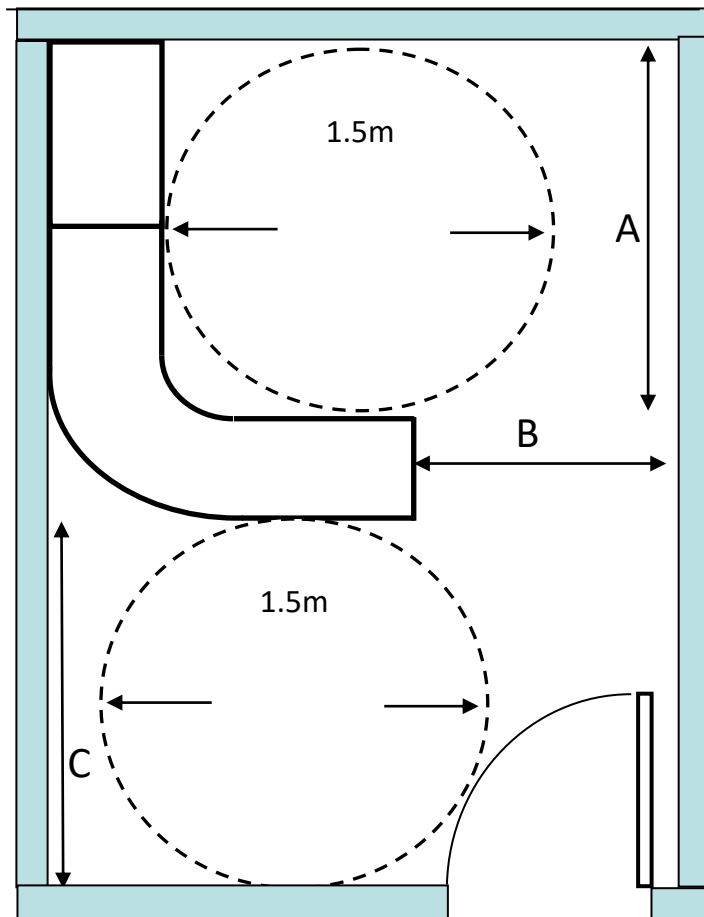


Figure 2: Studio circulation requirements



The Broadcasting Authority of Ireland

2-5 Warrington Place

Dublin 2.

Telephone: 01 644 1200

Email: info@bai.ie

Website: www.bai.ie