



Comhchomhairliúchán maidir le Dréacht-Straitéis BAI um Sheirbhísí Craolacháin & Bearta Rialála Ceadúnúcháin / Consultation on BAI's Draft Broadcasting Services Strategy & Licensing Regulatory Measures

Tras-scríbhinn an t-aiseolas ón bplé comhchéime / Transcript of feedback from roundtable discussions

1. Nuacht agus Cúrsaí Reatha / News & Current Affairs

Michael Crawley (LM FM): In the derogation that the BAI allow, you make your cases for less than the 20% which is incorporated into law and while we were discussing that as to whether you will actually be ever be able to do 0% news and current affairs it's probably a situation that would be made on a case-by-case basis to the regulator by the prospective licensee and probably as time goes on the will be there will be cases made to do less and less news and current affairs particularly if you had or you were setting up a national jazz station or something like that you'd probably say that you are interested in playing jazz music 24 hours a day or whenever you're happy enough to do a minute on news on the top of the hour and a minute of sport and a little more, you probably could get down to 5%. The same I suppose for community of interest of interest stations. Again if you have an alternative music station or something like that why should you be required to carry news and current affairs. In overall terms we feel this probably has been solved with the 2009 Act or whenever when the derogation was handed out.

Collette Fitzpatrick (moderator): was everyone in agreement Michael? Anyone disagree, are you reflecting the table views in general?

Martina O'Brien (CRAOL); So we have two different types of community stations; community of interest and special interest communities. So in terms of a student radio station and we spoke about maybe changing the hours - a lot of students don't get up till 12 o'clock in the day so they don't listen between 7am and 7pm so we could tweak the hours. Now we did obviously speak about how we do not obviously think be a good idea to put all the news and current affairs after midnight, but loosening of the hours would be a really good point may be that we could tweak that would not take too much effort. Then we spoke about the niche services and you were saying I forget what your point was but I know you had one

Speaker?: yeah, just on the niche stations, I would mention from a cost point of view, diversity of interest as well and less impact for example perhaps on local established radio stations, we were saying for example everyone is doing news and current affairs at 20% the cost base is higher which means if for example you'll have more staffing which means the viability of the service also might not be there, also the diversity of interest for the listener might not be there and may also impact on the local commercial radio station because if a niche station has to do 20% news and current affairs they are probably going to do a similar service to the local service already there which could also impact on the local station by very much doing the same thing and broadening out from a niche station to become viable by doing a broader based radio station so there is a few different reasons there why news and current affairs diversity for niche and music driven stations could be possible in the future

Moderator: Everyone had their say here? I am going to move on because I am conscious of time. We are talking about news and current affairs.

Sinéad Spain (Newstalk); so we had a chat about the importance of news and current affairs and we talked about election coverage, referendum coverage and all that kind of stuff, Storm Emma, that stations do very willingly and very gladly but that it doesn't really give you a return in terms of audience numbers like your JNLR we talked about newstalk in particular the last general election and we went hell4leather invested an awful lot of money in it but it didn't really deliver return in terms of audience but we were very happy to do it

Moderator: You are talking about public service broadcasting

Sinéad Spain (Newstalk); And that is exactly the point that you are doing public service broadcasting it is not part of our remit yet RTE seems to get all the glory not that you're looking for glory but they get all the praise for well done on your amazing Public Service Broadcasting and that there isn't that recognition that may be a lot of us are doing it and investing heavily in terms of capital and infrastructure so the costs are big and it goes unsupported then we talked about news being a 24/7 industry there is changes in behaviour and how people are consuming their news on Google and Facebook and all of that and we're trying to respond to that but for the most part I think I news resources are geared towards 7-2-7 and may be there just needs to be a little bit more flexibility there in terms of how how we are judged on what we do

Moderator: In what sense. How would that flexibility come about Sinéad?

Sinéad Spain (Newstalk); things that you could look at what you're doing online could that form part of your 20% or could it be the we split out news from current affairs and that it's looked at in that sort of way that it there seems to be a very rigid approach to to what we're doing we talked about recruitment and retention just as key questions for the industry just it's very hard to find journalists very hard to find good staff it's very hard to attract people to radio people don't necessarily see radio as it as a good career path anymore and as an industry as a whole I think we do need to look at that and think about how are we going to bring good people in and keep them in the industry because they are going to our digital competitors and that is seen as a more viable, more attractive option we then decided that the questions are actually wrong with the greatest of respect but basically we want a thriving healthy democracy we could feel that we are very much a part of it but that viability has to be a key part of the question and that's just how can the derogation question seem to be how can we get out of it and it shouldn't necessarily be that straightforward so for viability must underpin everything that we do and we talked about the BAI may be taking a developmental role in supporting and strengthening the sector because as the regulator you also have a role I think to advocate for us and for what we do and for all the things that are good about the sector and we may be felt that we would like to see something a little bit stronger there and the final thing was maybe to lead the way for the sector in terms of news and current affairs and not necessarily hide behind the legislation and it seems a little bit of an easy answer for the BAI just to say well that is in the legislation that it is not our problem but it actually is part of your problem is part of all of our problems so just to see a little bit more little action there

Moderator: Well Michael was saying earlier that they can't breach the legislation and the Broadcasting Act 2009 is the act as it is but you are talking about lobbying

Sinéad Spain (Newstalk): Yes, lobbying and say this is what we want we want to see this to change and fight for it

Moderator: ok anyone else want to make a point. Well done Sinéad, well said thank you very much. We are done with news and current affairs so we are going to move on to opt-out advertising there was a lot of talk about advertising Geraldine you are the spokesperson

2. Fógraíocht Scar-rogha / Opt-out Advertising

Geraldine O'Leary (RTÉ): In good Irish style I'm glad to say that we have absolutely no consensus on the issue and for a very good reason cos it really depends where you come from and I think if you are a national station looking at top-out advertising you may look at it as an opportunity or if you are representing a number of local radio stations on a national grid I think if you are a local station in an area like Cork you're concerned because you're saying well if one of these if they come in and opt-out in my area then I've got a new Direct competitor.

So really what we said was and I compared it to exactly what I talked about earlier about opt-out television advertising where at a European level the big countries have a view it is great they come into us and all small countries like us Austria and Belgium think it is a really bad idea so I think it's kind of similar so it's difficult to get a consensus because it depends where you are coming from so the only consensus we could kind of get was to say that there should be flexibility around looking at it because the people that are regulated by the BAI will come from different perspectives I think that's probably the fair thing we came to the other thing that would just a small point was that nobody accepts the fact that has to be separate studio we didn't quite understand why there has to be a separate studio so if you want to run a separate ad stream so we thought that that should be taken out.

And then on a broader level we just you know the question you asked on the catch all is there anything that that BAI should be doing and I think that we need to reflect back on what we heard from Mediatique and the one thing I heard from Mathew and Sophie it's in our world every day of the week but what is happening with advertising revenue and funding whether you are dual funded or funded by advertising only we share the same issue which is what is happening with advertising investment in our market and I think there is a big sustainability issue and I presume that is why the BAI commissioned Mediatique in the first place and I think we all need to reflect on that and the BAI has a role in that because I for one would be concerned about the sustainability

Moderator: It is pretty gloomy the figures that you spoke about earlier Mathew down 2017 down 2018 and flat for five years after that

Mathew Horsman (Mediatique): yes, at best

Moderator: at best, that's even more bad news

Geraldine O'Leary (RTÉ): And thing I'd say and meanwhile in the real world the last thing I think linked to our sustainability is the fact that at least 80 cent of every new euro goes to Facebook and Google who are not regulated at present 80% so we need help on the regulation of Google and Facebook

Moderator: are we done with advertising and opt-out does anyone want to get in alright thanks very much folks we are going to move onto regulation who is the spokesperson for regulation hi how are you

3. Rialú / Regulation

Vivienne Flood (RTÉ); I am going to ask for the assistance of the table because we did not get to reach a consolidated approach on what was the answer to these but I am happy to feedback on what we explored we were looking at regulation and there was three questions the first of which was having regard to the BAI's regulatory principles and what is your view on the appropriateness of the listed principles our view was that they are broadly appropriate if not a little operational. One of the themes of the table was that regulation overall could very much benefit from taking a much more strategic approach to what's happening both now and also with a greater sense of the Horizon for the future there is a real recognition of the very important role the regulation plays both in terms of the quality of experience for our audience but also just for the protection in the viability of the sector for the future and there was a real wish that would be reflected more in the kind of principles that were there was also the wish that they could benefit from being a bit bolder in their sense of ambition around what could be achieved and a little bit more explicit and ideally factoring in some sort of the dialogic feedback with actual stakeholders so that you also benefited from more of a sense of well is it your perception that we are sustaining those principles say things like keeping administrative costs low just having a sense of the feedback on on those things

Moderator: is there are feeling that the administrative burden the cost of that is far far too high.

Vivienne Flood (RTÉ); no, no not necessarily so important but some sort of feedback mechanism on how well the principles were working in operation, just quality feedback overall there was a sense the principles needed to demonstrate greater sense of the reality of international competition and on the role that it is actually playing in this marketplace and the somewhat corrosive element of the level of freedom with which they are operating and that they are not contributing and in ways we also expressed to be that they should be contributing to the costs of the regulation as well it's for entirely reasonable reasons its not possible to extend all of your regulation to all of their activities but the extent to which they are roaming free in the market and so everybody else is paying towards both the honouring and the monitoring and the regulation of those is something of an issue overall also as has been reflected at the other tables sustainability needs to be more upweighted and embedded in those principles and that includes things like the investigation of plurality diversity and also prominence that without actually looking at how is Irish content found reflected experienced within all of the kind of sectors that is going to become more of an issue in terms of the regulatory measures we are suggesting to that there's a little bit more of an interrogation as to what are some of those measures some of them seem to be maybe based on possibly arbitrary reasons but also perhaps based on a certain moment in time so things like why is it two years before you can sell on a licence some of those could benefit from being reviewed look does it the reason that was the barrier or the rationale then does it still hold true and in terms of one of the principles being responsive and flexible really looking at that and saying is there anything more that we could do to actually support more agility in the sector because it's a key part of how the sector needs to operate and the same kind of approach in terms of approach to licensing allocations again it's a little bit more of an interrogation of what was the rationale behind some of those and do they still hold true the other point that was made was the real value of the independent overview of the media landscape which was the Mediatique presentation and ideally that could be done annually we kind of felt that that would benefit the sector overall and especially in terms of relaying a true picture back to the commercial sector in particular as a look this is the independent facts because there is a lot of information out there which is somewhat agenda laden that it would greatly enable the sector overall

Moderator: yearly research was the last time we did research back in 2012?

Vivienne: It would also assist the BAI in developing strategy going forward

Moderator: anyone else what to get in on licensing

Declan Gibbons (CRAOL): just related to licensing its just about how difficult it is for stations it can take ages you've got 30 day licences and 100 day licences and that it can take many many years to go from your first 30 day licence to actually finally getting a full-time licence and the other issue then is a feedback in relation to how you have done on anyone of those licences

Moderator: you want more feedback?

Declan Gibbons (CRAOL): yes

Moderator: you don't get any currently

Declan Gibbons (CRAOL): no

Moderator: anyone else want to get in yes

Jimmy Buckland (Wireless Group): I think just to echo the point that Vivienne made about the strategic principles we talked a bit about the need to maybe said as a principle that a more level playing field with digital media could be advantageous and two areas where there was some discussion number one was around rules on on Commercial references within radio programming and recognising that a new code came in last year and did not go far enough in creating a level playing field when agencies come to different Media owners looking for commercial Solutions a second issue that was raised was around having radio specific rules on concentration of ownership and whether we need to create an environment that could attract new investment to radio broadcasting for example by not putting up barriers to consolidation where it could actually lead to stronger protections for the delivery of diverse content and investment in new technology and innovation

Willie O'Reilly (Wilton Radio): just very quickly you know in terms of diversity in terms of openness and transparency the BAI has had some great success we felt and regulation works to our benefit but I think sustainability is going to be the big question on your mind in future and you know we've been very successful in getting capital to come into our industry since the inception of the irtc and now the BAI you know that's going to be more difficult in the future we've seen falling revenues and we see as described by Mediatique here a very mature industry that is not attractive to outside investors I'm not saying that should be your overarching strategic view but you do need to ask yourself who will fund this will the people who are in the industry stay in it we've already had a radio licence handed back that's a bad omen for the future so bringing new capital bringing a new investors bringing in people who will sustain the radio industry in particular going forward and the sustainability of that we think will be a big agenda in terms of regulation for the sector

Moderator: that word coming up again and again sustainability are we done with regulation guys you guys regulations or licensing licensing alright Chris you are the spokesperson

4. Ceadúnú / Licensing

Chris Doyle (Newstalk): licensing process is broadly deemed appropriate we've got a big representation of commercial radio people on this table as well as community so no TV so we won't be giving feedback on the TV section and I'm afraid that word has come up multiple times at this table again which is sustainability and viability and I think the concept right now of putting another FM licence out to market is being greeted very negatively at this table the feeling is the economy is not as good maybe as has been reported or as being felt on advertising certainly we know over the last couple of years and immediate period of time is not in it in a good place so the message from this table around commercial licensing is not to rush into this at the moment have the consultation with the with the industry and there's a kind of a feeling that there is a conflict possibly between opening up the market and then on the one hand having some of the licences having such tight regulations and others such as the niche broadcasters having looser regulation so something really for the BAI to watch out for

Moderator: and is everyone in agreement Chris in terms of we don't want this FM licence

Chris Doyle (Newstalk): Yeah, pretty much to be honest I don't think there was anybody at the table saying rush out right now and do that fairly broad consensus on that community I'm going to skip over coz Declan just mentioned what we were going to say in terms of that you know they're broadly happy with that but they feel there's some feedback issues on compliance and then people are doing short term licences and then taking a long time to get into a full-time licence and not getting feedback so that was the message around community radio the same with temporary and institutional licensing broadly happy the feeling is there good for event based or niche things there are concerns that some of the licensing around temporary stuff is bleeding into very commercial territory 30-day licences at peak times of the year and that mightn't be from the commercial side of the camp here a sort of positive thing I think you know whom I'm talking about without mentioning them jingle bells and all that

Moderator: are you the Grinch Chris

Chris Doyle (Newstalk): the Grinch that stole Christmas but it is a concern that came up across the table around the licensing of community content provision for both radio and TV look the general feeling here is that there could be a lot more support from the BAI the sound and vision funding in terms of the support the guys are given to make programming and they kind of feel that there is only a couple of community TV licences in the country and they are probably missing some key funding licensing happens but the support may not be there afterwards and then we come on to a contentious and thorny issue of digital radio platforms or DAB plus and the like general consensus around the extra FM licence. This is not for us its definitely not for us right now and may not be for us at all there is a camp that would say the horse here has bolted we're struggling with viability and sustainability issues in the industry as it stands. There would be an extra cost no matter what anybody says in transmission on this and there is a worry about the take up in the market on buying new radio sets motorcars all the stuff that goes with it and while there's some international examples people point to even the Mediatique report some of it its not as good news as you might read in some topline report so there is big concerns about that we acknowledge there may be things like the carrot and stick approach with licence extensions etc but the feeling on the table here is that is not enough also in the Mediatique report we know this from a technicality point of view it will probably fundamentally alter the county based franchise or region based franchise setup that the BAI currently we probably end up with regional stations being national locals being heard in regions of the country as well and the feeling right now is that's a huge leap to take and over all the message I think coming from the table is that while we know FM radio is not going to be

around for ever the feeling is it can last until we maybe make that jump to IP in the future and I think that is broadly it from our table

Moderator: Anybody want to add anything to all the good news you gave us there Chris? Alright we are going to continue to talk about licensing at the next table. Let us know who you are

Dan (8radio.com): we had a very very different conversation to be table to the left of us. We dealt with the issues of a) and l) together, commercial radio licensing and digital radio platforms. The view from this table or first in my own personal view, 8radio.com, we wish to encourage the BAI to proceed with the FM licensing wherever the spectrum is available and it has been shown a new tier of licensing needs to be introduced that lives between the community of interest and the full-scale commercial

Moderator: are you talking about more than one licence Dan?

Dan (8radio.com): Yes, particularly for niche broadcasting they need to be able to pitch and be awarded licence or we will end up losing audience and revenue to streaming services and broadcasters not based in Ireland. Holding back on licences does not make sense to us. We don't believe the argument of new licences diluting the revenue pool would come to fruition. As a group so we wanted to see that if there were further licences that they would be made available across the geography of the country and we wanted to look at it from the whole licensing system FM and DAB working together that came about in the sense of migration rather than development from scratch.

So if you licence new stations on FM you encourage broader listening for niche services and then those services could migrate to DAB as you went along bridging the gap between FM and IP currently as we've heard there isn't an appetite from commercial broadcasters but we discussed the possibility of there being the multiple stakeholder approach that was mentioned earlier by Mediatique and we think that is a positive development there is opportunities there in terms of cost around multi city networks lowcost minimux and again that feeds back to the opportunity to have a licence that sits somewhere between community of interest and the full scale commercial

Moderator: Does anyone from the commercial sector want to react to what Dan has said, put you on the spot. No, okay

Dan (8radio.com): In the community sector that thing came up of how you do how do you measure success as a community operator and the issue of funding also came up more regular consistent funding at the same level it is the same amount of money but it's it is a more consistent fashion that would allow the community operators to have a much more sustainable and more surety in what they're doing there's a feeling that the 100 day licence if you operate that say over 52 weekends or 50 weekends across a year and then you go away again you're losing momentum so is there an opportunity to talk about a road map to transition from your 30 day or from your 100 day up to full time or is there a possibility to create something that lives between the 100 day and that the full the full scale licence is there a 6 month or a 12 month or something like that that allows you to grow and develop in tandem with and being able to measure your success as having a road map to do that work with it where the main points stability and surety of funding were definitely top priority for those at the table who had an interest in community services. As far as the section 71 there is conversation at the table about how there are over 1000 stations in London that will potentially seek a new location after brexit happens and there's an opportunity to be a hub here to allow those stations to re-locate here the topic of cultural jumping which came up at the Mediatique speaker earlier on these aren't just UK stations that wouldn't necessarily interfere in that regard. There's a worry that the resources aren't going to be available to

those operators that want to come in from the BAI so if there can be some sort of acceleration policy maybe a possible increase in fees for these new operators coming in but that gets fed back into resourcing at the BAI to allow for this to happen for us to become this hub for those stations outside. Overall a welcome development and a focus on how it was a business to business opportunity rather than a business to customer opportunity and that it is not interfering with the Irish content scenario.

In terms of community TV, there's a comment about how and it wasn't to disagree with the content that is provided through community TV its 100% Irish content and that it often provides a space for programming that won't be of interest to other broadcasters there's great links to third level as well so you get a lot of students coming through and they migrate to that community space so it's a great training ground for those people and there's a, in a much broader sense, a broader approach to formats allowed in the community TV space which again provides diversity of content. The possibility of removing the distinction in terms of licensing between television and radio was brought up that you can leave it open to the licence holder as to how they wish to put their content out there whether it be through television or radio and that leads onto the opportunities to develop an IP TV that you can possibly skip over the hurdle there that is existing in the middle space the moment and the IP services we believe can co-exist with the current broadcast services although cost was identified as a problem.

We've also discussed although it wasn't explicitly on the agenda we did briefly discuss EPG because there is a lot of interested stakeholders at the table and the main points that came out of that were how to find Irish content through your EPG there is a clear mix of linear and on-demand services being offered through various EPGs at the moment but we want the word surfaced came up and findability came up pushing the Irish content to the top making sure that the Irish content is delivered

Moderator: alright Dan very comprehensive thanks very much for that. Does anyone want to add anything? Yes

Speaker?: like the commercial table there like they mentioned that FM probably has in or maybe 20 years left in it and there is still a lot of free frequency bands I know and they could be given to existing Community Radio and new community radio that wouldn't threaten commercial radio

Moderator: Okay, alright, anyone else want to jump in before we move on? I'm conscious of the fact that we want to finish up as near to half past one as possible before we get to the last table. Thank you all very much for your contributions. Colm you are spokesperson here

Colm Hayes (Radio Nova): there's t-shirts at the back you can choose which one yours is. One says viability the other sustainability. The profitability t-shirts aren't available at the moment. As opposed to the other tables this was a very diverse table here it really was. I'll give you a snapshot of the table I think it's fair to actually just go round and give you it like a sentence of what everyone said because there was no consensus here at the end except about the t-shirts.

Dan Healy of RTÉ spoke about the viability first of all the viability of the industry as it stands at the moment as opposed to even going forward with the licensing. One of the questions is what are we going to licence you know I mean this on the menu but we really need to narrow it down and see what is going to be licensed I suppose this is what this process is about. Dan spoke about revenue, being broke, and we were over in Vienna at Radio Days in Europe where if you went to some of the sessions about revenue and radio you would have never come home you would have taken a job as a taxi driver in Vienna because it was as if there is no future at all and for when I also hear there's 20 years left in

FM I do remember being at conventions 20 years ago and hearing the same thing so I don't know why I'm here.

Kevin Brannigan spoke about oh one of thing Dan said is that there needs to be a serious look at the industry as it is at the moment. This is just a snapshot of what everyone said because it was such a diverse table people will want to just jump up and just take up a few points. Kevin Brannigan spoke about licensing if it's happening how's it going to happen again this question and can we get to a situation with licensing which demands little impact on existing licences as they stand. At the moment and an important thing that Kevin has said is that the population has grown through research done by ourselves huge well not huge but certainly quite a lot in Ireland and there is possibly room for extra radio stations or extra licensing because we are below the licensing if we look at what we had per capita to a degree to a number of years ago which is interesting.

Liam of Clare FM spoke about they actually embrace competition down there, Clare FM, competition came along and you have to embrace it but he did speak about revenue and viability again one of the buzz words coming up across and around the table and did express an opinion that probably new licences in Dublin couldn't exist.

Adrian Serle Communicorp again spoke about saturation point in Ireland. Diversity Adrian said diversity and niche means non profit a lot of disagreement with that at the table but that was his opinion I think one of the interesting things that that Adrian brought up was the fact that the radio in the UK is actually on an upturn now at the moment that they've really had a really serious look at the industry. Grassroots deregulation over the last number of years there and just to take a really serious look at the industry, not giving up on it I suppose and finding how you actually compete in this new digital world which I think was a really good point and I would be really interested to hear more about that. But I think at the end Adrian said that there is too many steak restaurants we don't need any more. That was an analogy.

Padraic of Wireless spoke about the huge structural changes right across the industry which I think was very interesting. The strength the legacy of the industry as well which I think we really need to embrace as well. Historically are we letting these new guys to come in and boot us around the place. We have the legacy, we have the knowledge, we have the experience. I think we give in to easily sometimes and he spoke of the strength of the legacy.

One of the points that was made and I think it was made at another table over there digital is getting more revenue but digital is not being regulated I mean we've seen in the last couple of months how they get away with terrible s*** you know there is nobody standing-up and saying guys we couldn't do that on radio. I couldn't do that on my morning show, do some of the stuff that goes on or say some of the stuff that goes out on Facebook and Google and what not. I think for us we have to stand up and take a look at the regulation and force somebody in their hand to say regulation is absolutely necessary because it's gonna go crazy and that's a point that Padraic made and it's really important. Scott of Q102 spoke about reach, that radio companies should become digital companies it's a really important point we need to embrace the digital world we have something to offer that the digital companies don't have an FM licence they don't have that Google don't have that.

I'm sure they're going to buy them soon but you know at the moment you know in small areas and small markets we can give digital and we can give something else as well and that is the point Scott is making, we can be digital companies as well. He spoke about the population growth in Dublin and that radio needs to live on many, many platforms. We're starting to get used to those platforms but I don't know whether we're monetising them enough. Mike Ryan from Easy Broadcasting I am skipping over Martin

Block because Martin was the Chairman and he did a fantastic job Miriam O'Callaghan look out. Martin would be very much the same as Mike in respect Mike spoke about identifying audiences who want radio and there is a lot of stations that don't do that and there's a lot of people that are advertising in different mediums that would advertise on radio they've never advertised already before and they should be sought after and maybe researched a little bit more.

There is one thing that Mike said that listeners are not going digital money is going digital so if money goes so first do listeners follow or do listeners go digital first and money follow? It's an interesting discussion to have a little bit further on as well. Now one thing that came up from all of the table was criticism of the BAI. You'll love this, that it's a very slow process and the consensus at this table was we need to know an end date on this whether good for some of us or bad for others we just need to know.

Moderator: Are you talking about the Services Strategy date, timeline?

Colm Hayes (Radio Nova): Yeah, the licensing, they were talking about its been a 10 month process already to get to this point

Moderator: We will go to that at the very end

Colm Hayes (Radio Nova): There was just one consensus from the table why do things take so long but again and there was no consensus on licensing around the table everybody had different views. But I think viability, sustainability and profitability again were the buzzwords around the table.

Moderator: You're wearing the t-shirt again Colm. Anyone else want to add anything? Yes, Kevin

Kevin Brannigan (Radio Nova): If I could ask, a point about DAB. It is presented in the consultant report as something that is very exciting which is essential and you know from being over in Vienna you know the people coming in mentioning DAB, you know they mentioned about Ireland being behind and there seems to be this spectre about DAB that if we aren't engaged in DAB it means we're falling behind. I don't concur with that at all and I would argue that if the BAI's role is to promote diversity from what I understand there is an abundance of FM spectrum available so if they are going to licence diversity why do we need to even talk about DAB at all if there is space on the FM band. It should be used. If there's an argument to be made for sustainability and viability I would agree with that, sustainability and viability, I don't think for a second the whole FM band should be full of radio stations because we're all experiencing challenges but just when we've seen there's been page after page after page in the consultant's report about DAB and about how exciting it'll be that there could be 50 stations available to every single person in the country I would, the question I would have for the BAI is a what is the availability of FM spectrum b will the BAI release some information so we can see what are the frequencies available, what can be done, what can't be done and then is it possible for the BAI then to come back and communicate what the decision making process has been. If the final result is that none of it is used then at least we know there is sound reasons for it but I think there's a question in my mind about what can be done on the basis of what is available. The second point I would make is that there has been a very long process with this. We were asked to make submissions. The people made submissions last June in relation to the licensing. It's now April. What we're hearing in the Sunday Business Post is that there might be a further submission process. For me it seems to be very vague as to what the BAI's plan is and I would ask that they clarify this pretty much straight away if they can. What is the follow on process for the people who have submitted interest in further radio licences and if I could ask on last question. There appears to be a distinction in what the BAI has said in the

submission when they came out with their PDF of the evaluation as to what constitutes a new service and to what constitutes a franchise extension and I would also ask would they clarify when they say they're going to issue at least one new licence a is that one, is that two, is it three and can they also clarify what way does a submission like what we made for Radio Nova which is regarded as a franchise extension under the BAI's communications, what way does that fit in their plans in relation to future licensing

Moderator: that's probably a good point, sorry I was going to go to the panel, we'll have one more quick point

Mike Ryan (Easy Broadcasting): Just one thing I want to clarify. Colm mentioned we asked a question as a new entry into the radio market. We have shareholders etc. we started a process last July when we applied for an analogue service on the FM band. We're now 10 months into this and we see no end in sight with very little communication and very confusing information from the newspaper that there may be another round of expressions of interest. and we are now thinking that we might have an FM licence we would ask that the BAI finish the process that they started back in July and have a look at those submissions of interest and make a decision one way or the other either a that there is no need or they don't believe they should provide a licence or b finish and give out a licence. Now on the basis that you've already said that there is going to be at least one radio station we would ask that you finish this thing that you started last July rather than skipping onto another round of expressions of interest and more insecurity. We like everyone else are trying to provide jobs. We have shareholders to answer to and it is amazing to sit at the table to tell people who are putting money into this project that 10 months later we cannot tell you where we stand because of little or no communications from the broadcasting authority since we put in that expression back in April and in actual fact we had to go in quite recently myself and Martin into the office of the BAI to try find out what was going on because you're getting no replies to emails or phone calls

Moderator: Adrian do you want to follow on that or do you want to make a different point

Adrian Serle (Communicorp): I just think my overriding point is lots of people talking about sustainability and viability and if we really serious about that then we need to be dealing in reality. The reality is that the market is in serious terminal decline. This year we'll be down 6% overall, down at 120 million for the industry. That's a 10-year low. I know that Mediatique suggests that the revenue over the next five years is going to be flat but I think that is completely disconnected with reality and I think that we shouldn't be discussing new licences until we've sorted out what we've currently got. My view is that we need to be dealing in evidence and I've not heard much evidence today that new licences coming into the market via FM platforms or DB are either going to grow audience or they are going to grow revenue. My experience of the UK is that over the last 17 years there have been 103 new licences issued across the market, some of those on DAB, some of those on FM, some of those community stations and audience the total listening to commercial radio in that market is almost identical to what it was 17 years ago. So this myth that new services are going to grow audience does not exist I've not heard any evidence to suggest that this is the case in fact the UK gives me the evidence to say it will stay the same. This will not fix our revenue problem we have to address the revenue problem to address the sustainability and viability of independent radio in Ireland. If we don't we won't have more stations in five years time will have a lot less because what I can see is that a lot of stations a lot of stations I talk to around Ireland are underwater they're under severe pressure to make money and that has to be the basis on which any review of this strategic position for the Bai needs to be grounded in. So if we're going to talk about sustainability and viability and my view is that they should be the top priorities for any sector any business that we do actually understand and appreciate what those words mean and

address those in the context of all of our businesses otherwise the landscape in five years time will be content coming from America the loss of Irish owned media organisations the loss of Irish jobs and the loss of Irish journalism. That's what we have to deal with morning.

Moderator: Adrian thank you very much. I think because we are coming up to half past one there was a couple of issues particularly on that last table that we want to your reflections on Michael and indeed Sophie and Mathew I suppose probably the clarification around the licence issue that Kevin and others mentioned there and the timeline and is there going to be more expressions of interest or what is going to happen Michael can you clarify as much as you can today around that particular area is it one is it more

Michael O'Keeffe (BAI): I can't clarify that. I can clarify the timeline though because we did say, look it's a very divisive issue as you can see the whole question of licenses new or otherwise. We did say that the expressions of interest that we ran last year was to feed into this process. We made that very clear that that would feed into the process that Mathew was doing with Mediatique and then we would take that on board in the devising the strategy this year. So we've done that.

Moderator: but is there another expressions of interest:

Michael O'Keeffe (BAI): I'm going to finish the point. We're now in a public consultation phase so that kick starts today that is finished in June we will bring the results of that with options to the Board in July and generally speaking I would say that the Board will take a couple of meetings, July and September, to make decisions on what they're going to do and as you can see one of the critical decisions they're going to have to make is what will they do in licensing. We've given a view as to what we might do and some of that was based on some of the research that was undertaken by Mediatique but we made no determination on that and won't do that until we complete the public consultation phase. So once those decisions are made which as I said will be either in July or September I would say realistically it will probably be in September we will then finalise the Broadcasting Services Strategy and emerging from that will be a series of licensing plans covering the six or seven licensing areas that you had. I would say that there will be a licensing plan for commercial radio in 2019 we will announce that towards the end of this year and that will outline what the licensing processes will be in 2019. I can't say at this stage what that will be

Moderator: but at least one means one, possibly 2, possibly 3, possibly 4 , what does at least one mean

Michael O'Keeffe (BAI): At least one is a proposal which we've said, we've indicated that the Authority favours but we are, we will review what comes back from the consultation before making a final decision on that

Moderator: does that answer your question down at that table or do you want to get in on it?

Mike Ryan (Easy Broadcasting): I just want to clarify this and what Michael said then that the expressions formed part of the Strategy that's correct but the advertisement was for the provision of an analogue service on the FM band and as part of that it would be used as a strategy so that's the start of the process. Now in the past when the Broadcasting Authority put out that expression of interest within the space of a year the results came out whether we had a radio station or we didn't. It either moved onto licensing or it didn't. We're now 10 months in and you're talking about 2019 which is another year. So people who put in the expressions in 2017 will be waiting two years before that licence comes about

Moderator: when in 2019, is it at the beginning of 2019?

Michael O’Keeffe (BAI): The licensing plan will be determined for 2019 and that will run through the year 2019. But what I am saying is very clearly we have made a recommendation in the consultation around having potentially one additional licence but this is now going to public consultation and we won’t make a determination you can see the strength of feeling from those who don’t support any additional licences. I think Adrian articulated those probably best of all and indeed the group that Chris Chaired. There is a very strong division between the three tables as to whether there should be any additional licensing and I think the Authority when it comes to decide on this issue is going to have to take those on board.

Moderator: but I guess that is separate from the length of time the decision-making process is taking whether you are for or against is a different argument

Michael O’Keeffe (BAI): I would be confident that the decision on the revised strategy will happen either in July or September with my instinct being it would be September.

Moderator: does that answer the question?. Yes, Kevin

Kevin Brannigan (Radio Nova): If I could ask what was sent out last week where it broke down the submissions of interest that had been sent in there was a very clear distinction between what the BAI described as submissions for new licences and submissions for franchise extensions. So is that just the way they’ve been described in the submission or is it the BAI’s view that there is a big difference between franchise extensions and proposals for new licences?

Michael O’Keeffe (BAI): It’s a difficult one to answer Kevin and I’m not trying to pass the buck here but the thing is if the Board decide to have one licence it has to decide where that licence might be so that’s, so there’s a couple of steps that have to be taken. You know they’ve said one. They made decide on foot of the submissions that the viability case has been made so strongly by the other side that we should defer it for a couple years that maybe a decision. This is open. Our leaning at this point is that there should be an additional licence but it is dependent on the outcomes of the decisions that are taken when we review the public consultation documents.

Kevin Brannigan (Radio Nova): but from a definition point of view, Is a franchise extension potentially a new licence or is it regarded as

Michael O’Keeffe (BAI): Sorry that’s a different question. I would see a franchise extension as being a separate licence I would have to say. I am sorry Kevin, apologies I didn’t get the question

Moderator: Do you want to get in there Mathew?

Mathew Horsman (Mediatique): just to clarify the point on the growth rates, what we said in the report is that 2017 down 2018 down and at best flat after that. Just to say that we’re very aware its harder going out multiple years as you all know hopefully in favour of the radio industry in Ireland I do hope you return to some semblance of growth year on year after you get through this period that’s the hope that we’ve got but we agree that there’s a difficulty its single digit down other places have suffered more in recessions than that but it’s been a long recession here the radio recession has been very long so

don't get me wrong I just wanted to clarify though that we're not saying some halcyon recovery in the five year time there isn't as indeed our slides show with that arrow still pointing down

Moderator: Okay, anyone else want to throw a question or make a point before we wrap up whether it is about sustainability or viability those buzzwords that came up today about licensing, regulation, anything anyone else wants to say?

Niamh Ni Cróinín (Raidió Rí-Rá): just a quick question I don't think it was included I just have the e-mail printed out I don't have the Irish language version in front of me but the sentence I have here is '.....nach bhfuil déanta faoi láthair.....' 'from the different radio stations from the submissions that went in last Summer what I understand is that 3 of them were for national stations and this is saying that that is not doable technically at the moment. Why is that not doable technically?

Michael: I think the FM band is, a national frequency band would be difficult to plan because of the amount of frequency, spectrum used at present. My engineering colleague would assist me on that particular one but there wouldn't be sufficient space to licence a national service. I think there would be potential for regional services potentially and a number of those potentially but national would be difficult.

Niamh Ni Cróinín (Raidió Rí-Rá): so it's that there is not one frequency right across but there may be would be potential to have a few different frequencies?

Michael O'Keeffe (BAI): Potentially and specifically national would be very difficult

Moderator: Anyone else with a question before we wrap up to anybody on the panel or to each other, no? Any point you want to make? Everyone happy enough that they got enough face time with the BAI? Yes, we'll get a mic to you

Speaker?: Like is it the case Michael that RTE still use a lot of offline repeaters of the FM band? And if RTÉ were to replace these off-air repeaters with digital lines there would be more FM band freed up?

Michael O'Keeffe (BAI): I genuinely don't know, I will certainly ask for that to be examined

Moderator wraps up

Michael O'Keeffe (BAI) thanks and wrap up.