

**GUIDELINES FOR THE SUBMISSION OF**  
**EXPRESSIONS OF INTEREST**  
**SEPTEMBER 2008**

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## 1. INTRODUCTION

In accordance with Section 5 (1) of the Radio and Television Act 1988, the Broadcasting Commission of Ireland (“the Commission”) is inviting Expressions of Interest, from parties interested in securing a community or community of interest sound broadcasting contract on the FM band.

This document has been produced to assist respondents in preparing an Expression of Interest. It provides general information on the relevant statutory and policy context, details on the process itself and guidelines for those preparing submissions. The document is divided into the following sections:

- Community Licensing Overview;
- Format for Expressions of Interest, and;
- Criteria for Assessment.

All submissions should be presented in electronic and hard copy format in the manner set out in Section 3 of this document. Please note that an Expression of Interest in response to this invitation **will not be** regarded as an application for a sound broadcasting contract. The submissions received will inform discussions by the BCI Board about a new licensing plan for community and community of interest services.

Parties interested in submitting Expressions of Interest should do so before **5pm on Thursday the 23<sup>rd</sup> October 2008**. Please note that all Expressions of Interest will be made available publicly following consideration by the Commission. Expressions of Interest should be forwarded to the address below:

The Head of Broadcasting  
Broadcasting Division  
Broadcasting Commission of Ireland  
2-5 Warrington Place  
Dublin 2  
Email: hmadden@bci.ie

It has been the Commission’s experience to date that community groups have underestimated the challenges involved in establishing community radio services. This has led to significant delays in the conclusion of previous community radio licensing rounds and/or poor quality applications being submitted. Therefore, the Commission is only seeking submissions from respondents whose plans are sufficiently developed at this point.

## 2. COMMUNITY LICENSING OVERVIEW

Community sound broadcasting contracts on the FM band are issued by the Commission further to the provisions of the *Radio and Television Act, 1988* (“the 1988 Act”), as amended by the *Broadcasting Act, 2001* (“the statutory framework”), and the *BCI Policy on Community Radio Broadcasting, 2003*. Interested parties submitting an Expression of Interest are advised to familiarise themselves with these documents which are available on the BCI website [www.bci.ie](http://www.bci.ie) or from the offices of the Commission. A summary of the key provisions are provided here.

### **(i) Statutory Framework**

The key legislative provisions with regard to the licensing of community radio services are as follows: -

*The 1988 Act:*

- *Section 5* sets down the application process which the Commission must follow. This involves seeking Expressions of Interest and based on these deciding, following consultation with COMREG on spectrum matters, the areas for which applications will be invited. Applications are then sought, again by public notice, for contracts to provide particular sound broadcasting services in identified areas;
- *Section 6* sets down the criteria that the Commission shall have regard to when considering applications received, and;
- *Section 14* sets down the powers of the Commission in relation to the terms and conditions of sound broadcasting contracts.

*The Broadcasting Act, 2001:*

- *Section 60* provides that the Commission will take into account the track record of applicants, with regard to previous sound broadcasting contracts that have been awarded to an applicant.

### **(ii) BCI Policy on Community Radio Broadcasting**

The *BCI Policy on Community Radio Broadcasting* was developed in 1997 in consultation with community broadcasters. The Commission views Community Radio as a distinct strand in Irish Broadcasting and this is reflected in the following definition of Community Radio:

*“A community radio station is characterised by its ownership and programming and the community it is authorised to serve. It is owned and controlled by a not-for-profit organisation whose structure provides for membership, management, operation and programming primarily by members of the community at large. Its programming should be based on community access and should reflect the special interests and needs of the listenership it is licensed to serve”.<sup>1</sup>*

The community-centred approach which underpins this definition is further developed in the Policy under the following headings:

- Ownership and Management;
- Funding and Finance;
- Staffing and Training;
- Programming, and;
- Community and Audience relations.

Adherence to the Policy is a key requirement for community broadcasters and all respondents will be expected to demonstrate in their submissions that their proposals are consistent with the Policy.

### **(iii) Spectrum Planning and Studio requirements**

Community radio stations that serve towns or parts of cities are normally permitted to operate a single transmitter station with an ERP of 25 watts. Community stations serving cities or a geographic area are typically licensed with an ERP of 200 watts. The franchise area proposed should take into account the typical ERP outlined above and the effect of local terrain. Applicants should note that city, town and part-city services are limited to operating one transmitter station and that proposals that provide for additional transmitter stations or relays will not be considered.

Disabled access is a requirement for any studio and offices proposed. The studio and office layout, equipment and studio worktop heights should be so designed to facilitate full access and use by all. The studio or studios should be located to ensure that people living within the defined community have access to a nearby studio. This may require more than one studio if a geographic area is proposed.

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<sup>1</sup> BCI Policy on Community Radio Broadcasting pg.3.

### 3. **FORMAT FOR EXPRESSIONS OF INTEREST.**

Please read the following guidance notes before completing the Expression of Interest Form (“the Form”).

- 1.1 *Format:* The submission should be presented in English or Irish in the format prescribed in the Form and include **all** of the information requested therein. Incomplete submissions will not be considered as valid Expressions of Interest. Submissions should generally not exceed ten pages.
- 1.2 *Submission:* Applicants are required to submit four (4) copies of the Form as well as an electronic copy, in PDF format, for publication on the Commission’s website. The Form must be completed in typescript or in block capitals in black ink, and be presented in an A4 format. All pages should be numbered. All copies must reach the Commission’s offices no later than **5 pm on Thursday the 23rd October 2008.**
- 1.3 *Public Access:* Expressions of Interest will be made available for public inspection at the Commission’s offices and on its website once they have been considered by the Commission ([www.bci.ie](http://www.bci.ie)).
- 1.4 *Confidential Information:* The Commission may deny members of the public access to material forming part of an Expression of Interest where it seems appropriate that such material should be treated as confidential. Information that may be deemed to be of a confidential nature includes information that is commercially sensitive, and information, the disclosure of which, would involve a breach of a confidentiality obligation which the respondent owes to a third party.

**Note:** Information considered by the respondent to be confidential must be presented in an annex to the Form. The annex should be marked “Confidential”. The reasons for believing that the information is confidential must be set out by the respondent. Where the Commission believes material placed in a confidential annex should be made available for inspection, it will seek to reach an agreement with the respondent regarding the extent of disclosure. If an agreement cannot be reached, the Commission will treat the relevant information as having been withdrawn.

- 1.5 *Freedom of Information:* Information may be made available further to requests under the Freedom of Information Act, 1997, as amended. The Commission undertakes to consult about the publication of any information that was agreed to be confidential at the time of submission before making a decision on any Freedom of Information request received.

## **EXPRESSION OF INTEREST FORM**

### **1. Respondent**

- 1.1 Please provide a general description of the group making the submission and state if it has been formed as a legal entity (please specify the type of legal entity).
- 1.2 Please provide contact details for the group (name of contact person, address, telephone and email).
- 1.3 Please provide details of the background and/or relevant experience of the group in the context of providing the proposed service.
- 1.4 Please indicate if the group has previously provided the service under a sound broadcasting contract/s with the Commission. Please provide dates for any such contracts.

### **2. Community to be served**

- 2.1 Please provide a clear definition of the geographical community or community of interest to be served.
- 2.2 Please indicate how the group is representative of, and accountable to, the community to be served.
- 2.3 Please outline the current and expected level of participation by this community in the provision of the service. Please outline how participation will be promoted and facilitated at all levels in the service i.e. management, staffing, programming etc.
- 2.4 Please provide any available evidence of the demand for the proposed service amongst the community to be served.

### **3. Technical**

- 3.1 Please define the proposed franchise area in geographic terms with an ordinance survey map which should be enclosed.

- 3.2 Please provide details of the transmission plan including: the Site Name; National Grid Reference (Exxxxxx Nyyyyyy); Site Height; Antenna Height; Proposed ERP; Antenna Pattern, and; a description of the coverage that can be achieved from each of the proposed transmitter stations.
- 3.3 Please provide details of the proposed studio/s location. Please set out what modifications, if any, will be required to comply with Part M of the building regulations and an indicative timeframe for completing such work.

#### **4. Programme Service**

- 4.1 Please set out the philosophy, aims and intentions for the proposed service in the context of providing a service for the community and adding to the diversity of broadcasting services in the franchise area.
- 4.2 Please provide an indicative Programme Schedule and details of:
- total hours of broadcasting per day and week;
  - number of live hours per day and week; and
  - number of repeat or automated hours per day and per week.
- 4.3 Please set out the percentage of broadcasting hours dedicated per day to:
- speech;
  - news and current affairs, and;
  - music.
- 4.5 Please set out the general policy and approach envisaged in relation to:
- Speech programming;
  - News and current affairs programming;
  - Music programming, and;
  - Sports programming.
- 4.6 Please indicate the number of volunteers currently in place and the number required to provide the proposed service. Please provide details of your proposals for the recruitment and training of volunteers.
- 4.7 Please describe the means by which general community access and participation in programming will be facilitated.

## **5. Resources**

- 5.1 Please outline the strategies that will be deployed to secure the resources required to establish and operate the service for the first three years.
- 5.2 Please provide annual income and expenditure projections for the first three years of broadcasting, outlining:
  - an estimation of the costs required to establish the service;
  - an estimation of the costs required to operate the station, and;
  - how the costs set out above will be met.
- 5.3 Please identify what resources are already in place or committed and set out any conditionality that attaches to any of these commitments.
- 5.4 If applications for grant support are currently being prepared or considered please identify these funders, the amount involved and the timeframes for decisions.

## **6. Timeline**

- 6.1 Please set out the timeline for the establishment of this service from the date of the award of a contract. This should identify all key actions required and identify any significant risks that would delay the delivery of this timeframe.

#### 4. CRITERIA FOR ASSESSMENT

Submissions will be assessed using the following five criteria:-

a) *Sufficient Information*

- Did the submission broadly provide the information requested in the Expression of Interest form?

b) *Spectrum policy / frequency availability / Studio proposals*

- Is there a frequency available for the service proposed?
- Are there any frequency planning issues arising out of the submissions which require further work or consideration?
- Are there any spectrum management implications for the Commission's licensing policy?
- Are a sufficient number of studio locations provided to serve the proposed franchise area?

c) *BCI Community Radio Policy*

- Is the submission a reasonable proposition in the context of the Commission's current Community Radio Policy?

d) *Demand*

- Has the group demonstrated that there is a demand for the proposed service?

e) *Capacity*

- Has the group the capacity to meet the identified demand in a reasonable timeframe?