

February 2006

GUIDE TO SUBMISSIONS

PROVISION OF A

REGIONAL SOUND BROADCASTING SERVICE

ON THE FM BAND

INDEX

1. GENERAL	3
2. PROCEDURE FOR THE SUBMISSION OF APPLICATIONS	4
3. PROCEDURES FOR DECISION-MAKING.....	7
4. ASSESSMENT OF APPLICATIONS	10
5. APPLICATION FORM	14

1. GENERAL

The Broadcasting Commission of Ireland ("BCI"), in accordance with Section 5 of the *Radio and Television Act, 1988* ("the 1988 Act") hereby invites applications for the award of a sound broadcasting contract for a period of **ten years** for the provision of a **regional sound broadcasting service on the FM band** for the **South West Region** (Counties Kerry, Limerick, Clare, North Tipperary and South-West Laois).

The service should provide a mix of speech and music programming of particular relevance to listeners in the 15-34 age group in the South West region.

Applications must **strictly** comply with the 'Application Form' set out in Section 5 of this *Guide*. The BCI reserves the right to disqualify applications which do not comply with this format.

The attention of applicants is drawn to the 1988 Act, the *Broadcasting Act, 2001* ("the 2001 Act"), the BCI's *Ownership and Control Policy (2005)*¹, *The Children's Advertising Code*, and the *Codes of standards, practice and prohibitions in advertising, sponsorship and other forms of commercial promotion in broadcasting services* drawn up by the Minister for Arts, Culture and the Gaeltacht (collectively, "the Advertising Codes").²

The BCI will also expect that good human resources practices are in place in respect of the employees of the sound broadcasting service. The development of proper studios and transmission facilities is considered essential and the BCI will expect that all studio premises will provide full access for people with disabilities (employees & visitors).

¹ The BCI's Policy on Ownership and Control (2005) is available on request from the BCI's offices and on its website: www.bci.ie.

² The Advertising Codes are available on request from the BCI's offices and on its website: www.bci.ie.

2. PROCEDURE FOR THE SUBMISSION OF APPLICATIONS

- i) The application must be presented in the format prescribed in Section 5 of this *Guide* and include **all** of the information requested therein.
- ii) The application must be typed in letter quality type-face, or printed, presented in an **A4** format. It must also be bound, by comb or wire, between covers. All pages should be numbered.
- iii) The BCI encourages the submission of applications which are clear, concise and simple in layout and style.
- iv) The BCI discourages applicants from submitting over-elaborate applications, including videos and supplementary promotional material. This does not apply to the submission of demonstration (demo) material. Where relevant, demo material must be submitted in either CD or mini-disc format.
- v) Applicants are required to submit twenty (20) copies of their application (including twenty (20) copies of any demo material) as well as one electronic copy of the same application, in PDF format, for publication on the BCI's website; all copies must reach the BCI's offices by **12 noon** on **19th April 2006**. Copies may be submitted in either Irish or English but at least one copy of all material should be submitted in English.
- vi) A fee of **€26000** must accompany each application. Unsuccessful applicants will be refunded **€18,200**.
- vii) Where necessary, applications may be supplemented by appendices, providing detailed statistical and other back-up information. Applicants are strongly encouraged to include all key information within the main body of the application and any detailed back-up information in appendices. Appendices should be clearly numbered, cross-referenced and bound in a single volume.

- viii) **Public Access.** Applications will be made available for public inspection at the BCI's offices, on its website www.bci.ie and in the City Library in Michael Street, Limerick, from **May 3rd 2006**.
- ix) **Submission of Confidential information.** The BCI may deny members of the public access to material forming part of an application where it seems appropriate that such material should be treated as confidential. Information that may be deemed to be of a confidential nature includes, *inter alia*, information that is commercially sensitive and information the disclosure of which would involve a breach of a confidentiality obligation which the applicant owes to a third party.

Applicants are required to comply with the following guidelines in respect of information which they consider to be confidential information:

- Information which an applicant considers to be confidential must be presented in an annexe to the application; the annexe should be 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 BCI believes that material that an applicant has placed in a confidential annexe should be made available for inspection, it will enter into discussions with the applicant with the 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 BCI's timeframe, the BCI 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 BCI 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 application.

- Any agreements between the BCI and an applicant in respect of confidential information are without prejudice to the obligations of the BCI arising under the **Freedom of Information Act, 1997**. In particular, applicants should note that on completion of the decision-making process, information may be made available further to requests under the Freedom of Information Act, 1997. The BCI undertakes that it will consult about the publication of any information that was agreed to be confidential at the time of the decision-making process before making a decision on any Freedom of Information request received.
- **Competition Act, 2002**. Applicants should also be aware of the terms of the Co-operation Agreement between the BCI and the Competition Authority, concluded further to the provisions of Section 34 of the Competition Act 2002.³ The agreement makes provision for the disclosure of information, by the BCI to the Competition Authority, in certain circumstances.

³ A copy of the Agreement is available on the BCI's website at: www.bci.ie.

3. PROCEDURES FOR DECISION-MAKING

3.1 Phase 1: Initial consideration and short-listing

The following procedure will be followed by the BCI in deciding to which applicant, if any, the contract will be awarded:

- (1) All applications will be forwarded to the Members of the BCI ("Members") together with a summary ("the summary") of each such application prepared by the Executive. The summaries will be structured using the headings set out in *Section 4 – Assessment of Applications* of this *Guide* ("Headings") and highlight the issues of relevance under such Headings.
- (2) Each summary will include an evaluation, by the Executive, under the relevant Headings by reference to the criteria set out in Section 6(2) of the 1988 Act, as amended by Section 60 of the 2001 Act ("the Statutory Criteria").
- (3) Applications will be assessed by each Member under each of the Headings by reference to the summaries and the Statutory Criteria.
- (4) Following this, the applications will be discussed, in a collegiate manner, by the Members, at a Board meeting of the BCI, under each of the Headings by reference to the Statutory Criteria.
- (5) Following such discussions, Members will individually select for short-listing one or more applications which they consider to be the strongest.
- (6) Applications that receive the most support, based on a tally of the Members' preferences, will be short-listed for public hearing. Applications which do not receive sufficient support will be excluded.
- (7) Alternatively, the BCI may decide:
 - i. To award the contract to the strongest applicant on the basis of its written submission only; or
 - ii. if no application is suitable, the BCI may decide not to award a contract.

Any such decision will conclude the licensing process.

- (8) Applicants excluded from the licensing process at the end of Phase 1 will be informed by the Executive of the reasons for the decision by way of a summary of the BCI's views in a Feedback Report. Where the Board of the BCI was not able to reach a unanimous decision, the Feedback Report will record the view of the majority.

3.2 Phase 2 – Public Hearings

Public hearings, if any, will take place in July 2006 upon the BCI giving due notice of the date and place to the applicants concerned. Further details of the format and structure of the public hearings will also be provided to the applicants concerned at that stage.

The purpose of the public hearing process is to afford applicants an opportunity to present their case for the contract in a public forum and to allow the BCI to clarify certain issues in an applicant's submission.

The BCI may also correspond with an applicant in respect of any additional queries that the BCI may have. Responses to any such queries will be publicly available, on the same basis as the written submission.

3.3 Phase 3 – Final Decision Making

- (1) Following the public hearings, Members will consider the short-listed applications under each of the Headings by reference to the Statutory Criteria. Members will also take into account the written applications, the summaries, the applicants' respective presentations delivered during the public hearings and the applicants' responses to any questions raised by the BCI orally at the hearing or thereafter in writing.
- (2) Each Member will assess the short-listed applications under each Heading by reference to the Statutory Criteria and present his or her views to the other Members at a Board meeting. Members will then discuss,

in a collegiate manner at a Board meeting, the applications under each Heading by reference to the Statutory Criteria. Following this discussion they will individually select their preferred application. The application that receives most support will be awarded the contract. In accordance with the 1988 Act, in case of an equal division of the votes, the Chairman will have a second or casting vote.

- (3) Alternatively, the Members may, at this point, decide not to award a contract on the basis that none of the applications was suitable.
- (4) All short-listed applicants will be informed of the decision of the BCI. Where the BCI decides to refuse to award a contract to an applicant, the applicant will be provided with a Feedback Report from the Executive setting out the reasons for the BCI's decision. Where the Board of the BCI was not able to reach a unanimous decision the Feedback Report will record the view of the majority.

4. ASSESSMENT OF APPLICATIONS

In determining the most suitable applicant, if any, for the award of this sound broadcasting contract, the BCI shall have regard to the criteria set out in Section 6 of the 1988 Act, as amended by Section 60 of the 2001 Act.

Section 60 of the 2001 Act provides that in considering the suitability of an applicant for the award of a sound broadcasting contract, the BCI shall have regard to the overall quality of performance of the applicant with respect to the provision by him of a sound broadcasting service under any sound broadcasting contract held by him at, or before, the date of then making of the application ("track record"). In implementing Section 60, the BCI will have regard to the track record of the Directors, shareholders and management team of the applicant in the context of their involvement in the provision of any sound broadcasting service licensed under the 1988 Act.

For the guidance of applicants, the BCI has grouped the Statutory Criteria under four headings: (1) ownership and control, (2) programming, (3) studios and transmission, and (4) market analysis, and financial and business plan. The BCI's assessment will be under these Headings by reference to the Statutory Criteria.

Applicants should note that the BCI may place greater emphasis on one or more of the Statutory Criteria specified in Section 6 (2) of the 1988 Act, as amended. Where it is its intention to do so, the BCI will specify such intention to each person who has indicated his intention of being an applicant for a contract.

(1) Ownership and Control

The relevant provisions of Section 6(2) of the 1988 Act in respect of ownership and control are as follows:

- Section 6(2)(a): the character of the applicant or, if the applicant is a body corporate, the character 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 6(2)(b): the adequacy of the expertise and experience and of the financial resources that will be available to each applicant and the extent to which the application accords with good economic principles;⁴
- Section 6(2)(g): the 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 Act;
- Section 6(2)(h): the 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 under section 5 (5).

These criteria, in conjunction with the BCI's *Ownership and Control Policy (2005)* will be applied in assessing the applicant's proposals, *inter alia*, under the following:

- (i) the composition of the applicant's Board of Directors;
- (ii) the applicant's proposed shareholding structure;
- (iii) the applicant's proposed management structure; and
- (iv) staffing matters.

(2) Programming

The relevant provisions of Section 6(2) of the 1988 Act in respect of programming are as follows:

- Section 6(2)(c): the quality, range and type of the programmes proposed to be provided by each applicant or, if there is only one applicant, by that applicant;
- Section 6(2)(d): the quantity, quality, range and type of programmes in the Irish language and the extent of programmes relating to Irish culture proposed to be provided;

⁴ Although this criteria is referred to under the two headings: Ownership and Control; and Market Analysis and Financial and Business Plan, this is not to say that the BCI is placing greater emphasis on this criteria, unless the BCI states otherwise.

- Section 6(2)(e): the extent to which the applicant will create within the proposed sound broadcasting service new opportunities for Irish talent in music, drama and entertainment;
- Section 6(2)(f): the desirability of having a diversity of services in the [franchise area] catering for a wide range of tastes including those of minority interests;
- Section 6(2)(i): 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 6(3): the extent to which the service proposed will contribute to the preservation of the Irish language as a spoken language.

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

- (i) The applicant's proposed Broadcasting Philosophy;
- (ii) The applicant's proposed Programme Policy Statement; and,
- (iii) The applicant's proposed Programme Schedule.

(3) Studios and Transmission

Section 6(2) of the 1988 Act does not make any specific reference to transmission and studio facilities. However, the development of proper studios and transmission facilities is deemed to be relevant under Section 6(2)(j) of the 1988 Act which entitles the BCI to have regard to "*any other matters which the BCI considers to be necessary to secure the orderly development of sound broadcasting services*".

This criterion will be used in assessing the applicant's proposals, *inter alia*, under the following:

- (i) Transmission Proposals;
- (ii) Studios and Operations;

(iii) Proposed Commencement of Broadcasting.

(4) Market analysis and financial and business plan

The relevant provision of Section 6(2) of the 1988 Act in respect of the assessment of the applicant's market analysis and financial and business plan is Section 6(2) (b) of the 1988 Act.

This requires that the BCI has regard to "*the adequacy of the financial resources that will be available to each applicant and the extent to which the application accords with good economic principles*".

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

- (i) The applicant's **analysis of the marketplace**, including:
 - (a) the existing marketplace;
 - (b) the demand and potential for the type of service proposed;
 - (c) the anticipated performance of the service;
 - (d) the strategies to be put in place for achieving the anticipated listenership and revenue targets.

- (ii) the applicant's **financial & business plan**, including:
 - (a) the overall financial strategy;
 - (b) the applicant's investment proposal; and
 - (c) the applicant's financial projections.

5. APPLICATION FORM

Applications must be structured **strictly in accordance with the format set out hereunder**. All sections must be completed.

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 entity ("the Applicant") the following information:

- (a) ***Applicant's name and contact details*** (*Contact person, address, telephone no., fax no. and e-mail*).

The Applicant will hold the Contract with the BCI and must be a single legal entity: either a body corporate or a named individual person. A copy of the Certificate of Incorporation must be included with the application where the Applicant is a body corporate.

- (b) ***Main Contact (For Public Purposes)*** (*Contact person, Address, Telephone, Fax Nos. 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 – MEMBERSHIP OF THE APPLICANT

- (a) Please name the members of the Applicant and describe their background and experience.
- (b) Please indicate when the Applicant was formed, its current legal status and financial standing.

**SECTION 4 – OWNERSHIP, CONTROL AND STAFFING OF
THE APPLICANT WHICH WILL OPERATE THE SERVICE**

For the purposes of this section, the following interpretations apply:

"Control" – is in a position proprietorially, financially or in terms of voting rights to determine or direct the policy of the company with regard in particular to programme output, that is, sourcing, production, supply or delivery to the audience.

"Substantial interest" - has sufficient proprietary, financial or voting strength within a relevant company or companies to be able to influence directly or indirectly to an appreciable extent the strategic direction or policy of the company (companies) with regard in particular to programme output that is, sourcing, production, supply or delivery to the audience.⁵

"Communications Media" – includes all broadcasting services (including sound broadcasting services) in the State or the publication of any newspaper, magazine or journal in the State.

4.1 Board of Directors

i) Please provide the following details in relation to each Director:

- Name, home address, age, nationality and current occupation;

⁵ The following guidance in relation to the approach adopted by the BCI in determining "substantial interest" is included in the *BCI Ownership and Control Policy (2005)*. "With regard to substantial interest, by way of guidance, the Commission is of the general view that a "small shareholding" does not constitute a substantial interest. A small shareholding is one to which both of the following criteria apply: -

1. The votes which the holder may exercise at a general meeting of the Company do not exceed 10% of the total votes which may be cast at that meeting; and
2. The nominal value of the shareholding does not exceed 10% of the nominal value of the entire issued share capital of the Company.

A shareholding which does not meet the above criteria ("a large shareholding") may be deemed by the BCI to constitute a substantial interest.

Determination as to whether large shareholdings are deemed to be substantial interests will be made by the BCI on a case by case basis with reference to the overall shareholding structure of the relevant company. (Where shares are convertible, the tests set out above will be applied on the basis that conversion has not taken place, and on the basis of notional conversion)."

- Background, media and other relevant experience (in the context of the service proposed);
 - Substantial Interests held (directly or indirectly) in relation to any communications media (please refer to interpretation above); or/and
 - Control (held directly or indirectly) of any communications media (please refer to interpretation above).
- ii)** Please indicate who among the Directors is or is envisaged to be appointed Chairperson.
- iii)** Please provide the same information as in i) above for any other individual whom the Applicant is considering to appoint a Director.

4.2 Shareholding Structure

- i)** Please detail the existing or proposed shareholding structure of the Applicant, specifying the total number of authorised and issued share capital, the class/classes of shares (i.e. voting, non-voting, preference, other etc.);
- ii)** Please set out the total value of loan stock;
- iii)** Please state:
- (a) The names and home addresses of all the shareholders of the Applicant;
 - (b) The names and addresses of the beneficial owners where shareholdings are in the name of a trustee or nominee;
 - (c) The total number of shares (per class where relevant) and the issue price thereof subscribed by each shareholder (including details of premium paid) and the percentage such shares represent of the total issued share capital of the Applicant;
 - (d) The amount of loan stock subscribed to by each shareholder;
 - (e) If the Applicant is not yet constituted, please indicate the number, class/classes and price of shares to be issued to

each investor, and the amount of loan stock to be subscribed by each investor.

- iv)** Where a shareholder of the Applicant is a body corporate/entity, please provide the names, addresses and percentage of shares held by the shareholders of that entity.
- v)** Please indicate in relation to each of the existing or proposed shareholders of the Applicant:
 - (a) Substantial Interests held (directly or indirectly) in relation to any communications media (please refer to interpretation above);
 - (b) Control (held directly or indirectly) of any communications media (please refer to interpretation above); and
 - (c) Recent financial history.
- vi)** Where there are Shareholders' or other agreements in existence or proposed in respect of the applicant, please provide details of the provisions of these agreement, i.e. envisaged exit mechanisms and conditions, pre-emption rights etc.).

4.3 Management Structure

- i)** Please describe the proposed management structure of the Applicant.
- ii)** Please provide in relation to each of the following individuals, or their equivalents, their full name, home address, age, qualification and experience to date, in particular that which relates to the broadcast media:
 - (a) Chief Executive Officer;
 - (b) Programme Controller;
 - (c) Financial Controller.
- iii)** Please specify the Applicant's policy in respect of:
 - (a) management remuneration;
 - (b) employment contracts;

- (c) share options;
- (d) pensions and benefits; and
- (e) any other relevant commitments (financial or otherwise).

4.4 Staffing Matters

- i)** Please describe the proposed staffing structure of the Applicant in diagrammatic form, clearly indicating the number and categories of staff to be employed in the station and the basis of their employment (e.g. full-time, part-time, contract). The chart may be accompanied by an appropriate commentary on the overall approach to structuring the company.
- ii)** Please indicate the proposed salary level for each full-time and part-time post identified under **i)** above.
- iii)** Please indicate the Applicant's plans in relation to the sourcing and recruitment of staff.
- iv)** Please describe the Applicant's industrial relations policy, including its policy on recognising and negotiating with trade unions.
- v)** Please detail the Applicant's proposals in relation to staff remuneration and benefits, including pay agreements, pension schemes, etc.
- vi)** Please detail the Applicant's staff training and development policy and strategy, including budgets.
- vii)** Please set out the Applicant's proposals, if any, for the involvement of staff in share option schemes.

SECTION 5 – PROGRAMMING

5.1 Programming Strategy

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

- quality control;
- ensuring compliance with programming elements of statutory and contractual obligations.

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 BCI 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 BCI and the successful applicant, of the contract between the BCI and the successful applicant.

5.2.1 **Broadcasting Philosophy.** Please detail in the form of a statement the Applicant's overall broadcasting philosophy and vision for the radio service.

5.2.2 **Target audience.**

Please explain why, in your view, the proposed service will be of relevance to the target audience of the 15-34 age group in the franchise area.

5.2.3 **Broadcasting day.** Please indicate:

5.2.3.1 the total number of broadcasting hours per day;

5.2.3.2 the hours of live programming (start and end) per day;

5.2.3.3 the hours of automated programming (start and end) each day;

5.2.3.4 the percentage of broadcasting hours dedicated to:

(1) music programming;

(2) speech-based content;

(3) news and current affairs; and

(4) advertisements.

for both the 07.00 – 19.00 period and the total broadcast day.

5.2.4 **News.** Please set out the approach envisaged for news programming, and in particular:

5.2.4.1 The types of news to be broadcast (local, national, international, etc.) and their relevance to the target audience;

5.2.4.2 The sourcing of the various types of news;

5.2.4.3 The number and duration of news bulletins and programmes (weekday and weekend)

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). An applicant seeking a derogation from this requirement should detail the type of derogation being sought, and the reasons why the Applicant believes it should be permitted, with reference to the BCI's policy on this matter.⁶

5.2.5 **Sport.** Please set out the approach envisaged for sports programming, and in particular:

5.2.5.1 The types of sports to be covered and their relevance to the target audience;

5.2.5.2 The format, duration and frequency of sports coverage (weekday and weekend)

5.2.6 **Current affairs programming.** Please set out the approach envisaged for current affairs programming, and in particular:

5.2.6.1 The format, duration and frequency of such programmes (weekday and weekend);

⁶ The BCI's Policy on Derogations from the Statutory News and Current Affairs Requirement (2005) is available on request from the BCI's offices and on its website: www.bci.ie.

5.2.6.2 The relevance of these programmes to the target audience.

5.2.7 **Speech programming.** Please set out the approach to be adopted to 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:

5.2.7.1 The format (documentary, magazine, etc.), duration, content and frequency (weekly, monthly, etc.) of such programmes.

5.2.7.2 The relevance of these programmes to the target audience.

5.2.8 **Irish language programming.** Please indicate the amount and type of programming to be broadcast in the Irish language.

5.2.9 **General Music Policy.** Please provide information on the station's policy in respect of general music programming and how it will be of relevance to the target audience. The information should be sufficiently detailed so as to provide the BCI with a clear profile of the range and type of general music proposed by the Applicant and with tools to measure the performance of the Applicant were it to be awarded the Contract.

Please detail the music to be broadcast for both the 07.00 – 19.00 period and the total broadcast day. This should be done by reference to particular time periods (e.g. the last 3-years)⁷ or definable music genres (e.g. linked to charts).

5.2.10 **Specialist Music Policy.**

Please provide information on the station's policy to music programming which is not part of the general music policy of the station (e.g. music broadcast to cater for specific tastes, interest groups or specific

⁷ References to specific decades (e.g. the 1980's) should normally be made if it is proposed to play the particular percentage of music from that decade throughout the contract period (i.e. 10 years).

categories). Please provide an overall time commitment to such programming with reference to definable music genres and time segments in the schedule.

5.2.11 **Irish Music Policy.** Please set out your definition of Irish music and, as a percentage of the total music output, the amount of Irish music that will be played in both the 07.00 – 19.00 period and the total broadcast day. Please set out the Irish music mix with reference to the percentages set out in section 5.2.3.4 above.

5.2.12 **New Opportunities for Irish talent.** Please detail how the proposed service will create new opportunities for Irish talent.

5.2.13 **Purchase and sale of broadcast material.** Please detail the station's 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.**

5.3 Programme Schedule. Please include a typical seven-day programme schedule setting out the proposed hours of broadcasting and details of programme content.

SECTION 6 – STUDIOS AND OPERATIONS

Please provide a detailed plan of the studio area together with an overall plan of the studio and office complex proposed. Please include the following information: -

- i) 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.
- ii) 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 head office location.

- iii)** A detailed drawing that includes the dimensions of the proposed main 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.

- iv)** Outlines of the proposed heating, ventilation and standby power plant should also be provided and where such equipment is to be located.
- v)** The security mechanisms proposed to guard against unauthorised access to the on-air studio.
- vi)** Please provide a list, including costs, of the principal technical equipment that is to be installed, together with available test and deviation limiting equipment.
- vii)** Please provide a list of the itemised costs for building refurbishment, studio construction, office fixtures, fittings and IT.
- viii)** 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.

Applicants should note that 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.

SECTION 7 – TRANSMISSION PROPOSALS

The BCI has received ComReg approval to advertise this regional sound broadcasting service on the basis of the use of a VHF-FM transmission network. The service area comprises North Tipperary, South West Laois and Counties Kerry, Limerick and Clare. The transmission network proposed, by the applicant, should be based on the use of a reduced number of transmitter sites compared to the total number of sites used by local radio services in the area.

It is envisaged that the frequency range that will be used for this service will be in the upper part of the VHF-FM band. On receipt of applications and following a decision by the Commission to award a contract in principle, the Commission and ComReg will further analyse the transmission proposals. Such analyses will determine the detailed coverage area, transmitter station characteristics, compatibility requirements (with broadcasting and non-broadcasting services) and international co-ordination obligations. International co-ordination requirements, in particular, could significantly delay the introduction of the proposed service.

Alterations to the proposed transmission plan may be required in order to meet these constraints. This could range from a change in antenna directivity and ERP through to the replacement of one site with a number of lower power sites. Applicants should factor this process into their business plan and proposed launch date. It is recommended that a commencement date of less than nine months from the date of the award of a contract in principle should only be proposed if an applicant is willing to commission its transmission network on a phased basis.

As a general guidance, the Commission offers the following observations. It is likely that co-channel and adjacent or second adjacent channels will be considered by the BCI and ComReg in finalising the frequency plan. Applicants should assume that all sites are link fed and that the re-broadcasting of an off-air source is not guaranteed. Coverage improvement may be obtained through the use of transmitter synchronisation. These considerations should be factored into the link network proposed to ensure that audio delays are minimised between transmitter stations. Directional

antennae should be proposed and terrain shielding should also be deployed

In selecting transmission sites, applicants should propose locations that will exploit the regional basis of their network. Such sites may provide coverage to a larger geographic area than is normally served from a transmission site used to provide county or part county coverage. The radiation pattern proposed should, wherever possible, reduce the level of simultaneous coverage from multiple transmitter sites in an area and significantly reduce outgoing interference to areas outside of the service area. Applicants may suggest transmission plans based on RTENL transmitter locations, sites in the vicinity of the existing county based transmitter locations, third party sites or any hybrid or mix of the above.

Since a number of alternative proposals are possible, applicants are requested to provide a transmission plan that must include: -

- i) 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.
- ii) The following computer predicted coverage plots, superimposed on a suitable map, must be provided in the application in an A4 or A3 format and as a high resolution image file on an accompanying CD: -
 - A map with a superimposed image of the computer predicted noise-limited composite coverage that will be achieved on the basis of the technical characteristics of the transmission sites 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.
 - Separate coloured plots of "best server" coverage based on the defined minimum field strength for mono and stereo reception. This should clearly identify which transmitter station provides the best coverage to a particular area.

- A separate coloured plot of “simultaneous coverage” that displays the number, or the percentage, of transmitters that serve each area based on mono and stereo reception.
- iii)** A description of the link network should be provided that includes an indication of the number of transmitter sites that can, or will, be link fed as part of the proposal and the level of protection or back-up systems that will be deployed. The total capital cost and associated annual charges should be provided.
- iv)** 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.
- v)** Details of the technical expertise available to the applicant group.
- vi)** The following information for each of the proposed transmitter stations; -
- A description of the area to be served by each of the proposed transmitter stations.
 - Name, national grid reference (xxxxxxE, yyyyyyN) and site height of the proposed transmitter stations
 - Proposed height of antenna above ground level.
 - The radiation pattern and antenna system proposed together with the total ERP required (sum of transmitter power and antenna gain).
 - Details of the band pass filter / combiner system and directional coupler proposed to ensure compliance with the licence terms.
 - Details of the audio feed.

- Confirm if an emergency back up generator or other standby power supply will be provided for use by the applicant at the transmission facility.
- 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.
- Please indicate if a planning application has been made and/or approved for the transmission facility.

Note: -

The Commission is not bound to accept any aspect of a transmission proposal and it is open to the Commission 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.

All VHF-FM transmitter installations must conform to the technical conditions set out in T&RT 95/10 which is available from the BCI offices or on www.bci.ie.

SECTION 8 – MARKET ANALYSIS

8.1 Analysis of Existing Marketplace. Please set out, with supporting documentation and research, your analysis of the radio market in the proposed franchise area in relation to:

- i) the performance of existing operators;
- ii) audience ratings;
- iii) advertising revenue;
- iv) market trends; and
- v) any other issues which you consider to be relevant to the competitive assessment of the marketplace.

8.2 Demand and Potential for the Type of Service Proposed. Please explain, providing supporting documentation and research,

the reasons why you consider that there is a demand for the service proposed and how the service will contribute to the diversity of broadcasting services and programming available in the proposed franchise area. Reference should be made in particular to the following:

- i) the target audience;
- ii) the services available in the South West (Counties Kerry, Limerick, Clare, North Tipperary and South-West Laois);
- iii) the attitudes and views of local and national advertisers and media buyers to the proposed service.

8.3 Anticipated Performance of Service. Please detail your strategy with the view to establish and develop within the current radio market, in particular:

- i) The target audience for the proposed service;
- ii) The nature of the market which it is anticipated can be achieved;
- iii) Projected listenership ratings over the first three years of the service;
- iv) Advertising and other revenue potential for the first three years on air;
- v) The expected impact of the proposed service on existing services, both in the short and medium term, in terms of both listenership and revenue.

8.4 Strategies for Achieving Proposed Listenership and Revenue Targets. Please set out your sales and marketing-related strategies of the station, including in relation to, e.g.:

- i) channels of distribution;
- ii) sales methods and representation;
- iii) proposed rates, discount and credit terms;
- iv) promotion and marketing policy.

SECTION 9 – FINANCIAL AND BUSINESS PLAN

9.1 Overall Financial Strategy. Please detail your financial strategy over the first three- to five-year period. The information provided will be used as a benchmark against which the financial performance of the service will be measured at a later date.

9.2 Investment Proposal. Please provide details of the total funding requirements, and how these will be met, completing Tables A and B. Where borrowings form part of the funding plan please indicate how these will be secured.

Table A – Funding

	€
Share capital	
Loan stock	
Medium and long term borrowing	
Leasing/HP facilities (capital value)	
Bank overdraft	
Others (please specify)	
TOTAL	

Table B – Expenditure

	€
Capital Expenditures (including capital value of leases)	
Other Pre-operational Expenditure	
Working Capital (at on-air date)	
TOTAL	

9.3 Sources of Funding and Expenditure. Please detail:

- i) the various sources of funding outlined in Table A above;
- ii) the timeframe for capitalisation of the company, specifying where relevant, what funding will be put in place prior to contract, once the contract has been

concluded and prior to launch and after the launch of the service; and

- iii) The proportion of the capital expenditure provision that has been allocated to transmission, studio buildings, studio equipment, office fit out, other costs.

9.4 Projections. Please set out:

- i) Detailed projected income and expenditure accounts for the first three years;
- ii) Detailed projected balance sheets for the first three years;
- iii) Detailed projected monthly cash-flow statements showing gross inflows and outflows for the first three years; and
- 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.

SECTION 10 – PROPOSED COMMENCEMENT OF BROADCASTING

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

10.2 Critical path analysis. Please identify all actions and decisions and their timescale that the group must carry out from the time of the award of the contract to the on-air date.



Broadcasting Commission of Ireland
Coimisiún Craolacháin na hÉireann

The Broadcasting Commission of Ireland
2-5 Warrington Place
Dublin 2.

Telephone: 01 644 1200
Fax: 01 644 1299
Email: info@bci.ie
Website: www.bci.ie