



Independent Television Commission

INDEPENDENT TELEVISION COMMISSION

VARIATION NUMBER 1, DATED 28 APRIL 1994

TO LICENCE GRANTED TO GMTV LIMITED (PREVIOUSLY CALLED SUNRISE TELEVISION LIMITED) TO PROVIDE A NATIONAL CHANNEL 3 SERVICE UNDER PART I OF THE BROADCASTING ACT 1990 AND DATED 17 JANUARY 1992 ("THE LICENCE")

WHEREAS

- A. The Licensee has made proposals to the Commission to alter in certain respects the programme to be included in the Licensed Service in 1994 and subsequent years during the Licence Period.
- B. The Commission is willing to vary the conditions included in the Licence in pursuance of Section 33(1) of the Broadcasting Act 1990 in the manner set out below.
- C. The Licensee is willing to consent to such variations to the Licence.

NOW THEREFORE the Licence shall be varied in the following manner:

- 1. In relation to the calendar year 1994 and subsequent calendar years during the Licence Period Part I of the Annex to the Licence shall be varied as set out below:
 - (a) by inserting in Condition 1(a) of Part I of the Annex, after the definition of "Core Proposal", the following new definition:

"'Further Proposals' means the proposals submitted by the Licensee to the Commission on 1 February 1994 to alter in certain respects the programmes to be included in the Licensed Service in 1994 and subsequent years during the Licence Period, a copy of which is annexed to Variation Number 1 to this Licence, dated April 1994."
 - (b) by deleting Condition 1(b) of Part I of the Annex and inserting in its place:

- "(b) In the event of any inconsistency between the Core Proposal and the Further Proposals, the Further Proposals shall prevail and in the event of any inconsistency between the Core Proposals or the Further Proposals and the conditions set out in this Annex, such conditions shall prevail."
- (c) by inserting in Condition 2(a)(i) of Part I of the Annex after "the Core Proposals" the words "and the Further Proposals".
- (d) the following Table shall replace the Table in Part I of the Annex to the Licence:

Table

Proposals for Programming

SUMMARY TABLE

Minimum Time Per Week
(averaged over a Calendar Year)

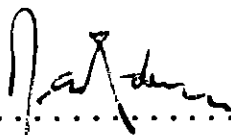
<u>Programme Strand</u>	<u>Hours</u>	<u>Minutes</u>
1. NEWS	6	18
2. SPORT	0	40
3. FACTUAL PROGRAMMES		
- Current Affairs	2	30
- Other Factual/Features	5	00
4. EDUCATION (including Social Action)	0	30
5. RELIGION	0	10
6. CHILDREN'S		
- Entertainment	3	18
- Information	1	00
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TOTAL MINIMUM PROGRAMME BROADCAST HOURS IN THE ABOVE STRANDS	19	26

- (e) The following new Condition 2(a)(iii) shall be inserted in Part I of the Annex to the Licence:
- "(iii) includes programmes in respect of the difference between the total minimum broadcast hours (19 hours 26 minutes) shown in the Table above and the total programme broadcast hours per week

available to the Licensee (21 hours 10 minutes) allocated generally to news, current affairs and other factual/features in accordance with the Further Proposals."

- (f) In Condition 3(iii) (Independent Production) of Part I of the Annex "73 per cent" shall be replaced by "50 per cent".
 - (g) In Condition 3(iv) (Original Productions) of Part I of the Annex "91 per cent" shall be replaced by "80 per cent".
2. This variation to the Licence shall come into force upon the execution of this document by the Licensee by way of consent to such variation and shall apply to the calendar year 1994 and each subsequent year during the Licence Period. It shall not affect the Conditions of the Licence or the obligations of the Licensee thereunder in respect of the calendar year 1993.
3. This document shall be construed as if it formed part of the Licence and shall be governed by English Law.

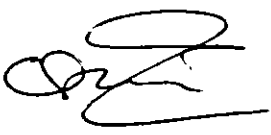
SIGNED FOR THE INDEPENDENT TELEVISION COMMISSION BY


.....
Secretary

In pursuance of Section 33(3) of the Broadcasting Act 1990 the Licensee hereby consents to the variation to the Licence in accordance with the foregoing provisions of this document.

Dated 28 April 1994

SIGNED


.....
Director/Secretary
for and on behalf of
GMTV LIMITED

ANNEX TO VARIATION NUMBER 1

GMTV Proposals For Licence Variation

Introduction

1. The management of GMTV has drawn up its programme plans for 1994, and has reviewed its proposals in relation to its licence requirements, as set out below.

News and Weather

2. The GMTV requirement for **News** set out in the Licence Annex is 6 hours and 33 minutes on average per week. As set out in sections A2 and A4 of the licence Application, this comprises 5 hours and 25 minutes of International, National and Regional news bulletins, and 1 hour and 8 minutes of National Traffic reports and National Weather.
3. We shall continue to carry a minimum of 5 hours and 25 minutes on average of International, National and Regional News Bulletins. We have introduced a News Hour (from 21 February) from 6.00 to 7.00 on weekdays. This comprises on average 30 minutes of News (including 6 minutes of regional news bulletins and the lead news story following the first bulletin), 20 minutes of Current Affairs, and 3 minutes of sport (outside whatever sport may be in the news bulletins).
4. In addition to the News Hour, we shall be carrying news bulletins on each hour and half-hour of our transmission time, typically as follows: 10 minutes at 7.00, 4 1/2 minutes at 7.30 (including regional news), 7 minutes at 8.00, 3 1/2 minutes at 8.30 (including regional news), and 1 - 2 minutes at 9.00.
5. Taking account of time for links, stings and promotions, which together comprise approximately 10% of transmission time across a morning, we shall, on the above basis, be broadcasting over an hour of news on average per weekday, including 12 minutes of regional news. In addition we shall be continuing to broadcast 10 minutes of news on Saturdays, and a minimum of 20 minutes of news on Sundays. Typically therefore news provision (excluding Weather) will meet or exceed 5 hours and 25 minutes per week.
6. During half terms and school holidays, and on Bank Holidays, we generally intend to broadcast Children's programmes, in line with the available audience, from 8.35 - 9.25. During these 13-14 weeks, therefore, we do not intend to carry either a news bulletin or a weather bulletin at 9.00.
7. In 1994, GMTV is not intending to carry national traffic reports, as we have found that the audience's requirements for traffic information are satisfied by regional reports. We are intending to carry up a minimum of just under an hour per week on average of weather reports, comprising up to six 2 minute reports on weekdays, and up to 4 minutes at weekends.

8. In view of our intention not to carry national traffic reports, we propose that the overall minimum News and Weather requirement should be 6 hrs 18 minutes, reflecting the reduction in the traffic and weather category. We will often transmit more, but this will allow for some flexibility.

Other Factual Programmes

9. In 1994, there will be some fixed elements of **Current Affairs** output. Every weekday, there will be the 20 minutes of Current Affairs (outside the news) in "News Hour", totalling 1 hour 40 minutes per week. In addition, twenty minutes of Timeshift, our Sunday magazine for the deaf and hard of hearing, will continue to comprise current Affairs items. In Sunday Best (7.00 - 8.00), there will be a minimum period of half an hour devoted to Current Affairs, including the topical Sunday interview. These fixed items will therefore total 2 hours 30 minutes across a week.
10. We will continue to carry a range of **Current Affairs** items at variable times on weekdays, according to the news priorities and stories of the day. This is very much the approach set out in section A.1.(c)(i) of our Application. The same is true for **Education**, including **Social Action**, and **Features**. We shall continue generally to carry the kind of factual items set out in section A.1 of the Application. In practice, the distinction between education and features, or current affairs and social action, or education and social action, is not an absolute one.
11. In the knowledge that there are certain fixed elements of factual coverage, as set out above, and that, in practice, the categories overlap, we propose that there should be a minimum current affairs requirement of 2 hours 30 minutes. Similarly, there should be a minimum requirement for education and social action of 30 minutes, and these two categories, education and social action, should stand together, rather than be counted separately. There should then be a category of "other factual" programme totalling a minimum of 5 hours per week. These proposals are set out further below.
12. It should be stressed that these would be minimum requirements, and we would expect generally to exceed the minimum in each case. But setting out minimum requirements in this way would generally obviate the need to decide whether an item on drug abuse, law and order or homelessness, for example, constituted current affairs, education or social action.
13. The regular core of current affairs items would be easily monitored on weekdays and Sundays. We would propose that

we would report every three months on the current affairs, education and social action items which we had featured in the previous quarter, so that the ITC can satisfy itself that there is an appropriate volume and quality of items.

Sport

14. In 1994, we intend to broadcast between 30 and 45 minutes of **Sport** on average in most weeks, but somewhat more in weeks with special sporting interest. There will be a daily sports item on weekdays in The News Hour (totalling approximately 15 minutes per week), and a sports round-up in Sunday Best. More sport will be carried on weekdays between 7.00 and 9.25 as occasion demands.
15. On average, the amount of sport broadcast is likely to be rather less than our current licence requirement of 1 hour (see "Proposals" below).

Religion

16. We shall continue to broadcast a weekly **religious item** of 10 minutes duration on Sundays, in line with the current licence requirement.

Children's

17. **Children's programming** in 1994 will be carried throughout Saturday mornings (following the Saturday news from 6.00 - 6.10), and on Sunday mornings from 8.00 - 9.25. During half-terms and school holidays there will also be children's programming from approximately 8.35 - 9.25 on weekdays.
18. The programming will consist of a mix of information and entertainment. A new high quality children's information series, EAT YOUR WORDS, commenced in February on Saturday mornings from 6.10 - 6.30. RISE AND SHINE will therefore run correspondingly shorter from 6.30 - 7.40. A blend of original links, original information and entertainment features and animation, produced by Buena Vista Productions, will be broadcast after 6.30 on Saturdays, and after 8.00 on Sundays.
19. The current licence total for children's programming of 4 hours and 18 minutes will therefore continue to apply. Within this total we are seeking a licence variation to set the minimum level for Children's information programming at one hour per week, to reflect the proposed levels of this category which we judge appropriate in the present market and for present audiences (see "Proposals").

Quotas

20. The licence makes certain requirements in respect of productions of European Origin, Independent Production and Original production.

European Origin

The licence requirement of 50% European origin will continue to be comfortably met in 1994.

Independent Production

As a result of the Broadcasting (Independent Productions) Order 1991, Buena Vista Productions, one of GMTV's major producers, had its status changed from independent producer to broadcaster, because of its broadcasting interests outside the UK. There has been no major change in the independent mix of GMTV's productions in 1993. During 1994, the weekday strand Top of the Morning (9.00 - 9.25) will cease to be independently produced. Children's Programmes at half-terms and school holidays from 8.35 - 9.25 on weekdays will be independently produced. The Children's Information programme from 6.10 - 6.30 on Saturdays, and the 6.00 - 7.00 hour on Sundays will both start to be independently produced during the first quarter of 1994. The News Hour on weekdays will be independently produced but, under the terms of the Order, the news bulletins within the hour are excluded from being qualifying programmes. A proposed licence amendment, taking account of these changes as appropriate, is set out below.

Original Production

The method by which Original Production was calculated in 1993 was changed, by agreement, between the ITC and GMTV, and the licence figure therefore needs minor amendment as set out below.

Proposals For Licence Variation

21. Reflecting the analysis above, we have a number of proposals for licence variation to ensure that our programmes in 1994 accord with the letter of the licence as well as the spirit of our Application. In summary we propose that:
- i. a period of 1 hour 44 minutes (approximately 8% of total programming time) should be set aside as a "buffer" which need not be allocated to specific categories averaged week by week. This period is drawn from 1993 categories as follows: 15 minutes from

weather/national traffic; 20 minutes from sport; 13 minutes from education including social action, and 56 minutes from other factual categories (features and current affairs).

- ii. there should be a minimum current affairs requirement of 2 hours 30 minutes per week
 - iii. there should be a minimum education and social action requirement of 30 minutes per week.
 - iv. there should be a new category comprising other factual programming. This would include the previous category of Features. After allowing for a deduction in respect of the "buffer" unallocated category, the category of "Other Factual Programming" would be set at 5 hours.
 - v. there should be a total Children's requirement of 4 hours 18 minutes on average per week, with a minimum of 1 set for Children's information programming.
 - vi. the minimum Independent Production requirement be set at 50%.
 - vii. the minimum Original Production requirement be set at 80%.
22. These proposals, when put into effect, will enable GMTV to continue to develop high quality programmes in a vigorous way within the current competitive broadcasting environment.