INDEPENDENT TELEVISION COMMISSION

VARIATION NUMBER 4, DATED 26 FEBRUARY 1999

WHEREAS

A. The Licensee, through ITV Network Limited, has made proposals to the Commission to alter in certain respects the programmes to be included in the Regional Channel 3 Service and in particular to alter the commitment made by the Licensee in or when submitting the Core Proposals (as defined in Part I of the Annex to the Licence) to the effect that the Licensee shall provide an early evening national news programme of at least 15 minutes’ duration on weekdays as well as a peak time news bulletin of at least 30 minutes’ duration.

B. The Commission is willing to vary the conditions included in the Licence in pursuance of Section 33(1) of the Broadcasting Act 1990 (as amended) in the manner set out in paragraphs 1 to 5 below subject to acceptance by the Licensee of the obligations in paragraph 5 below in order to ensure that the Licensee will continue to provide a service that complies with the requirements specified in Section 16(2) of the 1990 Act.

C. The Licensee is willing to consent to such variations to the Licence.
NOW THEREFORE the Licence shall be varied in the following manner:

The Annex

1. by the insertion of the following definition in Condition 1(a):

   "Supplementary Core Proposals" means the proposals submitted by ITV Network Limited under cover of a letter dated 2nd September 1998 on behalf of the Licensee to modify the weekday evening schedule, as supplemented and clarified by letters from ITV Network Limited to the Commission dated 28th September and 30th October 1998 respectively and by letter from the Commission to ITV Network Limited dated 19 November 1998.

2. by the replacement of Condition 1(b) with the following:

   "Save where expressly indicated to the contrary, in the event of any inconsistency between the Core Proposals and the Supplementary Core Proposals, the latter shall prevail and in the event of any inconsistency between the Core Proposals, the Supplementary Core Proposals and the other conditions set out in this Annex, the conditions set out in this Annex shall prevail."

3. by the insertion in Condition 2(a) after the words “Subject to Condition 1(b) above” of the words “and without prejudice to Condition 4A below”.

4. by the insertion in Condition 2(a)(i) after the words “Core Proposals” of the words “and the Supplementary Core Proposals”.

5. by inserting a new Condition 4A in Part I:
4A. **Weekday Evening Programming Schedule**

(a) The Licensee agrees to include in the Regional Channel 3 Service on weekdays, save on Bank holidays and, as agreed with the Commission, during the Christmas period:

(i) a high quality national and international news programme of at least 30 minutes' duration during peak viewing times at 6.30pm and a further such news programme of at least 20 minutes' duration in the late evening at 11pm (the latter without any internal commercial break) followed by a separate high quality regional news and regional information programme of approximately 10 minutes’ duration; and

(ii) a national and international news headlines service of at least one minute’s duration in the nearest commercial break to 10pm;

provided that there may be some flexibility in relation to the timing of the news programmes where circumstances reasonably require to cater for live coverage of special events and provided further that the late evening news programme may be scheduled to begin within 15 minutes of 11pm to cater for other exceptional scheduling reasons.

(b) The modifications to the Core Proposals represented by the Supplementary Core Proposals and Condition 4A(a) above are approved by the Commission on the further condition, and without prejudice to the more specific commitments made in the Supplementary Core Proposals in relation to the availability of slots for regional programmes, that:
(i) there will be no diminution in the range and quality of national and international news;

(ii) the Licensee will do all it can to ensure that the more diverse range of programmes outlined in the Supplementary Core Proposals are provided between 9 and 11pm in peak viewing times on weekdays;

(iii) the Licensee will do all it can to ensure that ITV Network Limited makes available for regional programmes:

- the 5.30 to 6.30pm period on weekdays save on Bank Holidays or where circumstances reasonably require to cater for live coverage of special events and, as agreed with the Commission, during the Christmas period;

- a minimum of 94 half-hour slots annually between 7 and 11pm on weekdays allocated by reference to the Supplementary Core Proposals;

- a minimum of 35 half-hour slots annually in peak viewing times at weekends.

(iv) the Licensee agrees to use its best endeavours to fill the slots referred to in paragraph (b)(iii) above with regional programmes taking account of the total amount of time per week, averaged over a calendar year specified in Table 2 for regional programmes.

6. The variations to the Licence set out in paragraphs 1 to 5 above shall, subject to the execution of this document by the Licensee by way of consent to such variations, be
deemed to come into force on the date notified to the Commission by ITV Network Limited, such date being no earlier than the date on which all Regional Channel 3 Licensees have agreed to variations to their licences in substantially identical terms, and shall apply for an initial period of 12 months thereafter and, unless varied pursuant to paragraph 7 below, shall continue to apply thereafter.

7. The Commission reserves the right to review the above variations to the Regional Channel 3 Service to which it has hereby consented one year following the date when these variations enter into force and at the end of each calendar year thereafter including the year 2000 and the Licensee agrees that the Commission shall have the right to require the Licensee or ITV Network Limited on its behalf to put forward further proposals to the Commission to remedy the situation, for example to alter the programmes to be included in the Regional Channel 3 Service or to reschedule such programmes in the event that the Commission concludes that the requirements set out in Condition 2(a)(i) and Condition 4A of Part I of the Annex have not been met, or that otherwise the above revised programming arrangements are not sufficient to fulfil the Licensee's obligations under the Licence, having regard, in relation to news programmes, to the need for them to compete effectively with those of other broadcasters.

8. 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

[Signature]

Secretary
In pursuance of Section 3(4)(a) and Section 33(3) of the Broadcasting Act 1990 (as amended) and Condition 29(b) of the Licence the Licensee hereby consents to the variation to the Licence in accordance with the foregoing provisions of this document.

Dated 26 February 1999

SIGNED

[Signature]

Director/Secretary
For and on behalf of
Granada Television Limited