INDEPENDENT TELEVISION COMMISSION

VARIATION NO 5 DATED 12th April 2001


Whereas:

(A) The Licensee, through ITV Network Limited, 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 its obligations with respect to the provision of news as set out in Part I of the Annex and to revoke in its entirety Variation no 4 and the commitments made therein.

(B) The Commission is willing to vary the Conditions included in the Licence in pursuance of Section 3(4)(a) and 33(3) of the Broadcasting Act 1990 (as amended) ("the Act") and Condition 29(b) of the Licence in the manner set out in paragraphs 1 to 7 below and to revoke in its entirety Variation number 4 and the commitments made therein, subject to paragraph 3 of the Annex below.

(C) The Licensee consents to such variations to the Licence.

NOW THEREFORE the Licence shall be varied in the following manner:
1. By deletion 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 02 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 28 September and 30 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:

"In the event of any inconsistency between the Core Proposals and the Conditions set out in this Annex, the latter shall prevail."

3. In Condition 2(a) after the words “Subject to Condition 1(b) above” the words “and without prejudice to Condition 4A below” shall remain.

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

5. By the deletion of Condition 4A in Part I and inserting a new Condition 4A:

"4A. Evening Programme Schedule

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

(1) From Monday to Friday inclusive, a high quality national and international early evening news programme of at least 30 minutes duration at 6.30pm; and

(2) A high quality national and international late news programme of at least 20 minutes’ duration without any internal break (“the Late News”), shown, from Monday to Thursday inclusive, at 10.00pm,
provided that the Licensee shall be entitled on 52 occasions during any calendar year to delay the Late News in order to accommodate the scheduling of films, long-form drama or documentary, live sport or entertainment events. On the occasions where the Late News is delayed from 10.00 pm, it shall commence no later than 11.15 pm; and

(3) On Friday, the Late News at any time from 10.00 pm onwards, its commencement being not later than 11.15 pm; and

(4) For the duration of any general election campaign, from Monday to Friday inclusive, an extended Late News of at least 30 minutes' duration to include on these occasions the Late Regional News; and

(5) From Monday to Friday inclusive, a high quality early evening regional/sub-regional news programme of at least 30 minutes' duration at 6.00 pm; and

(6) Subject to Condition 4A (a)(4) above, from Monday to Friday inclusive, a high quality late regional/sub-regional news programme (the "Late Regional News") normally of at least ten minutes duration beginning at the first available programme junction after 11.00 pm, and normally no later than 11.35 pm; and

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

- A minimum of 46 half-hour slots annually on weekdays during peak viewing times, and

- A minimum of 48 half-hour slots annually on weekdays between 6 pm and 11.20 pm, and

- A minimum of 35 half-hour slots annually on Sunday between 5.30 pm and 10.30 pm except during schedule weeks 18 to 34 inclusive during which they shall be made available between 6 pm and 10.30 pm.
(8) The Licensee agrees to use all reasonable endeavours to fill the slots referred to in Condition 4A(a)(7) above with regional programmes.

(b) For the purposes of this clause A “duration” shall mean the ‘slot time’ of a programme including advertisements and promotions shown during and at the start and/or end of the programmes.

6. The variations to the Licence set out in paragraphs 1 to 5 above shall come into force on the date hereof, from which date Variation number 4 shall be revoked in its entirety subject to paragraph 3 of the Annex above.

7. This document shall be construed as if it formed part of the Licence and shall be governed by English law.

SIGNED ON BEHALF OF THE INDEPENDENT TELEVISION COMMISSION

[Signature]

Deputy Director (12th April 2007)

SIGNED ON BEHALF OF THE LICENSEE

[Signature]

DATED

2. 3. 2011