VARIATION NUMBER 6 DATED 19 JUNE 2009


WHEREAS

A. Ofcom is required by the Communications Act (section 264) to review the extent to which public service broadcasters have fulfilled the purposes of public service television broadcasting in the UK and to prepare a report with a view to maintaining and strengthening the quality of such broadcasting.

B. Ofcom, having carried out its second PSB review, published its final report on 21 January 2009 which included Ofcom’s statement on short term regulatory decisions and set out a number of changes to the Licensee’s regional programming obligations.

C. In order to give effect to its decisions, Ofcom has decided to vary the Licence in the manner set out below.

D. In accordance with section 3(4)(b) of the Broadcasting Act 1990, the Licensee has been given a reasonable opportunity to make representations to Ofcom concerning the proposed variations.

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

1. Paragraph 6 of Part 1 of the Annex (“Regional production”) shall be removed and replaced with the following:

   “Production in the Nations and Regions

   6. At least 35 per cent of expenditure on originated network programmes in each calendar year shall be allocated to the production of programmes produced outside the M25 area and must be referable to a suitable range of production centres outside the M25 area. At least 35 per cent of originated network programme hours must be made outside the M25 area and will constitute a range of different types of programmes.”

2. Paragraph 7 of Part 1 of the Annex (“Regional and Sub-regional programmes”) shall be removed and replaced with the following:

   “Regional programmes

   7. (1) The Licensee shall ensure that the Licensed Service includes the total amount specified below of first-run regional programmes to be transmitted between 9.25am and 12.30am.
Channel 3 Regional requirements:  
Weekly Average (hours and minutes over a Calendar year excluding Bank Holidays and Christmas)

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<tbody>
<tr>
<td>News</td>
<td>3:45*</td>
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<tr>
<td>Other</td>
<td>0:15**</td>
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<td>Total</td>
<td>4:00</td>
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(*3 hours and 35 minutes when averaged over a full Calendar year which includes Bank Holidays and Christmas, during which time news schedules may alter but bulletins must continue to be included at intervals within the period between Christmas Eve and the New Year's Day holiday ** Non-news items may be delivered within programmes that otherwise consist of news.)

(2) In delivering the requirements set out in paragraph (7)(1) above, the Licensee shall ensure that:

(a) save where affected by Bank Holidays and Christmas and where early evening news patterns may be disrupted by live news or sporting events of national importance, at least 2 hours and 15 minutes of the total amount of news is transmitted per week averaged over a calendar year, in peak viewing time; and

(b) during the period 5.00pm to 11.30pm, at least 14 minutes of regional programming other than news is transmitted per week averaged over a Calendar year (excluding Bank Holidays and Christmas).

(3) In each calendar year at least 99 per cent of all regional programmes broadcast by time must be made within the Licensed Area.”

4. This variation to the Licence shall come into force upon the execution of this document by Ofcom. The non-news quotas specified in the replacement paragraph 7 set out in paragraph 2 above shall be calculated with effect from 1 January 2009; the new regional news quotas shall be calculated with effect from 9 February 2009.

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

**SIGNED FOR OFCOM ON 19 JUNE 2009**

Kathleen Stewart  
Manager, Television Broadcast Licensing