



Minutes of a meeting of the Board of the Authority for Television On Demand Limited (“ATVOD”) held at the offices of NBCUniversal, Tuesday 20 November 2012 at 1.30pm.

Present:

ATVOD Board:

Ruth Evans – Chair
Daniel Austin
Gidon Freeman
Julia Hornle
Sophie Jones
Ian McBride
Sara Nathan
Chris Ratcliff
Nigel Walmsley

In attendance:

Pete Johnson – Chief Executive
Nicola Ebdon – Company Secretary (mins)

1. **Apologies**
- 1.1 No apologies were received.
2. **Declaration of members’ interests**
- 2.1 There were no additional interests declared for inclusion in the published register of interests.
3. **Channel Flip**
- 3.1 The Board **CONSIDERED** the available evidence regarding the Channel Flip service at the time of the determination and **REVIEWED** the decision ATVOD had made in February 2011 that that it was an ODPS. Directors **AGREED** that the service had been an ODPS in April 2011 based on the available evidence. It was **NOTED** that the service was no longer a platform for significant quantities of audio visual content and it was now aimed at potential business partners rather than consumers.

- 3.2** Directors **CONSIDERED** the Ofcom Channel Flip Appeal preliminary view (“PV”). Directors also **CONSIDERED** legal advice on the Ofcom reasoning and on any discrepancies with the approach taken in previous appeals and an expert opinion on the Essential Research report. It was **AGREED** that a response be prepared as proposed in the paper and Directors **DELEGATED AUTHORITY** for final approval of the ATVOD response to the Chair. It was **NOTED** that the deadline for the response was 30 November 2012.

- 4. Any other business**

- 4.1** Directors **AGREED** that, in light of the publication of the Essential Research report, ATVOD should request a meeting with Ofcom to discuss the implications for the common understanding on scope reached between Ofcom and ATVOD earlier this year.