



Minutes of a meeting of the Board of the Authority for Television On Demand Limited (“**ATVOD**”) held at the offices of the BBFC, Tuesday 18 October 2011, 2.30pm

Present:

ATVOD Board:

Ruth Evans – Chair
Daniel Austin
Julia Hornle
Ian McBride
Simon Hunt
Sara Nathan

In attendance:

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

1. **Apologies**
- 1.1 Apologies were received from Simon Milner, Nigel Walmsley and Chris Loweth.
2. **Declaration of members’ interests**
- 2.1 There were no additional interests declared.
3. **Minutes of the 21 September 2011 meeting, matters arising and updated actions**
- 3.1 The Board **APPROVED** the draft minutes of the meeting held on 21 September 2011, subject to one clarification.
- 3.2 The Directors **NOTED** that the majority of actions had been completed.
4. **Chief Executive’s update**
- 4.1 The Board **NOTED** the update on new and withdrawn notifications as provided in the paper and as updated orally at the meeting.
- 4.2 The Board **NOTED** progress made with scope investigations as provided in the paper and

DISCUSSED issues related to current investigations.

- 4.3 The Board **NOTED** the update on appeals as provided in the paper. Directors **CONSIDERED** a preliminary view issued by Ofcom in relation to an appeal and **AGREED** action to be taken.
- 4.4 The Board **NOTED** the update on complaints as provided in the paper. Directors **AGREED** to constitute a complaints committee to consider an active case.
- 4.5 The Board **NOTED** the update on European works as provided in the paper. Directors **NOTED** that discussions had begun with Ofcom regarding reporting requirements for 2012 with the aim to ensure that the data requested was as targeted as possible. Directors **CONSIDERED** the views of service providers made at the Industry Forum meeting earlier in the day regarding the best timing for such an information request. Directors **AGREED** that a staggered approach in relation to the Ofcom request re linear services would be best.
- 4.6 The Board **NOTED** the update on Access Services as provided in the paper.
- 4.7 The Board **NOTED** the update on the Year 3 Fees Working Party as provided in the paper and as updated orally at the meeting, and **CONSIDERED** some issues further.
- 4.8 The Board **NOTED** the update on the Industry Forum as provided in the paper and as updated orally at the meeting. Following a suggestion made at the Industry Forum, Directors **AGREED** to produce an industry ecology paper setting out the different categories of service providers in the industry.
- 4.9 The Board **NOTED** the update on Board Member Recruitment as provided in the paper.
- 4.10 The Board **NOTED** the update on the Annual Report as provided in the paper.
- 4.11 The Board **NOTED** the update on staffing issues as provided in the paper.
- 4.12 The Board **NOTED** the update on public relations as provided in the paper and **DISCUSSED** some of the meetings further.
- 5. **Financial report**
- 5.1 The Board **NOTED** the content of the management accounts.
- 6. **Enforcement Procedure Update**
- 6.1 The Board **RECEIVED** an oral update on progress made on this issue and were content with the current position.

7. Revisions to Rules & Guidance

- 7.1 The Board **NOTED** an oral update on feedback received from the Industry Forum regarding the proposed revisions to the Guidance and **NOTED** that the Industry Forum had been provided with an additional two weeks for comment. Directors **AGREED**, subject to comments by the Industry Forum, to send the proposed amendments to the Guidance on the Rules for submission to Ofcom for formal approval before publication.

8. AVMS Implementation Research

- 8.1 The Board **CONSIDERED** the research into how the AVMS Directive had been implemented in: Germany, France, the Netherlands, Ireland and Finland. Directors **AGREED** that the AVMS Implementation Research should be developed further into a focused and contextualised report which would include other major countries. It was **AGREED** that the updated report would be presented at the December Board meeting.

- 8.2 Directors **AGREED** to review the EC report on Implementation of the AVMS directive in member states once available and work with Ofcom to agree how best to proceed on EU matters.

9. Literature Review

- 9.1 The Board **CONSIDERED** the literature review which identified evidence and materials related to areas of interest to ATVOD. Directors **AGREED** that the Literature Review should be developed further to include some contextual information in summary format and the identification of research gaps and tentative proposals for future research. It was **AGREED** that the updated review would be presented at the December Board meeting.

10 Strategy Day Planning

- 10.1 The Board **CONSIDERED** the draft agenda for the Board Strategy Day scheduled for 23 November 2011 and made a number of suggestions for consideration. Directors **AGREED** that they would not require an external facilitator on this occasion. It was **AGREED** that the Chair and the CEO would develop an Agenda and papers for the Strategy Day as agreed at the meeting and confirm with Directors any sessions/topics on which they were expected to lead.

11. Any other business

- 11.1 There were no items of other business.