

- a lot of the music quoted by Audience Services was performed outside the central Proms venue.

### **The Panel's decision**

Trustees noted the points made by the complainant, the BBC and the Adviser.

Trustees noted that the issue in front of them was whether the decision by Audience Services not to correspond further with the complainant was correct.

They agreed that if they took this matter on appeal they would be likely not to uphold this complaint given that:

- the statement referred to by the complainant was made in the context of describing Henry Wood's original concept for the Promenade concerts when they began in 1895.
- the Royal Charter drew a distinction between the role of the BBC Executive and the BBC Trust. "The direction of the BBC's editorial and creative output" and "the operational management of the BBC" were defined as duties that were the responsibility of the Executive Board under article 38, (1)(b) and (1)(c). Decisions about the scheduling and selection of the Promenade concerts for broadcast were matters for the Executive, not the Trust.
- Trustees noted the point made by the complainant that Fiddler on the Roof was more accurately a musical rather than an opera, but did not consider that this was a matter of substance which warranted further investigation. They noted that the performance of Fiddler on the Roof was described as a Broadway classic by BBC Audience Services which was performed by Bryn Terfel in a Grange Park Opera production..
- the Proms season as a whole included works which were not performed at the Royal Albert Hall and it was not incorrect of Audience Services to refer to them.
- the Proms were provided for all audiences whatever their ethnicity.

Trustees concluded that it was not appropriate, proportionate or cost-effective to proceed with the appeal as it did not have a reasonable prospect of success.

**The Panel therefore decided that this appeal did not qualify to proceed for consideration.**