

## **Note of the 257th Meeting of the Ofcom Board, held on 13 November 2018**

### **Introduction**

Members were welcomed to the 257th meeting of the Ofcom Board. Polly Weitzman (General Counsel), Jacqui Gregory (Corporation Secretary), and Jenny Leyland (Assistant Corporation Secretary) attended throughout. Philip Marnick (Group Director, Spectrum) and other Ofcom colleagues attended for part of the meeting.

### **Declaration of Interests**

1. There were no new declarations of interest raised by Members.

### **Minutes of the meeting held on 2 October 2018 and matters arising**

2. The minutes of the Ofcom Board meeting held on 2 October 2018 were approved for signature as a correct record. In respect of those matters arising from the meeting, it was noted that all the actions had been closed except for a suggested topic for future discussion which would be scheduled for a Board Workshop session.

### **Chairman's report**

3. The Chairman reported that he would be participating in a shortlisting meeting followed by interviews for the Board Member for Wales in the next few weeks.

### **Chief Executive's Report**

4. Sharon White presented her report, which covered key developments since the last Board meeting.

### **Report from the Chairman of the Content Board**

5. Tim Suter reported on matters discussed at the Content Board meeting held on 6 November 2018. This had been the first meeting following the recent appointments of Maggie Cunningham and Sophie Morgan, and was the last meeting for Zahera Harb whose term of appointment was ending. The Content Board had discussed the draft Ofcom Annual Plan 2019/20 and areas where – subject to the Ofcom Board's approval – the Content Board might usefully provide advice. The Content Board had been updated

on ongoing investigations into the due impartiality of news and current affairs on the RT news channel. The Content Board had discussed the future of local television.

### **Re-appointment and appointment of Content Board Members**

6. The Board approved the renewal of the appointment of two Content Board members and a recommendation to appoint a new member.

### **Report on the Risk and Audit Committee**

7. Bob Downes reported on matters discussed at the Risk and Audit Committee meeting held on 8 October 2018. He had suggested issues that Angela Dean, as incoming Chair of the Risk and Audit Committee, might wish to review going forward. The Board noted the report on the Risk and Audit Committee meeting and a paper on the Strategic Risk Register which had been provided for information.

### **Reports from Non-Executive Members**

8. There were no further reports from Non-Executive Members.

### **Membership of Board Committees**

9. The Board agreed the following changes to the membership/Chairmanship of the Content Board, Remuneration Committee and Risk and Audit Committee:
  - Content Board: Tim Suter appointed permanent Chair (currently interim Chair).
  - Remuneration Committee: Maggie Carver and Angela Dean appointed as Members of the Committee, and Ben Verwaayen appointed permanent Chair (currently interim Chair).
  - Risk and Audit Committee: Maggie Carver to replace Bob Downes as a member of the Committee.

### **Draft Annual Plan 2019/2020**

10. The Board reviewed the proposed draft Annual Plan 2019/2020 and several comments and points for clarification were noted. The Board noted that the proposed Annual Plan would be published for consultation in December 2018 and, subject to the suggested changes being incorporated, confirmed that they did not need to see this again prior to publication.

### **Postal Update**

11. The Board discussed and noted an update on the latest assessment of the future sustainability of the postal universal service, and the proposed approach to future work in this area. Royal Mail's half year results were due to be published on 15 November 2018. Ofcom's annual postal monitoring report would be published later in the month.

### **Update on Proposals for the Award of 700 MHz and 3.6-3.8GHz Spectrum**

12. The Board discussed and noted an update on ongoing consideration of the options for the award of 700 MHz and 3.6-3.8 GHz spectrum, focusing on the proposed approach to including coverage obligations. The Board asked for some further information to be provided. It was agreed that this information should be provided to the Board between meetings rather than waiting for the December Board meeting. The Board advised that it was content for the team to proceed with consideration of the auction design without further reference back to the Board.

### **Nations Representation**

13. Following discussion, the Board approved the proposals presented, including the proposals for the future operation of the Advisory Committees and that the Nations Committee should be disbanded. It was agreed that, in place of the Nations Committee, the Chairs of each of the Advisory Committees should have an annual meeting with the Ofcom Chairman and Chief Executive.
14. Subject to an amendment to section 6 of the terms of reference to be clear that the Board Member for each of the Nations should have a standing invitation to attend their respective Advisory Committee meetings, the proposed changes to the terms of reference of the Advisory Committees were approved.

### **Appointments to the Advisory Committee for Northern Ireland**

15. The Board noted an update on the process for recruiting a new member for the Advisory Committee for Northern Ireland.

### **Review of Media Ownership Rules**

16. Under the Communications Act 2003, Ofcom must review the operation of the rules relating to the ownership of media enterprises and broadcast licences at least every three years and report on the outcome to the Secretary of State. The next report was due by 26 November 2018. A review had been undertaken and the conclusions were summarised in the Board paper, with the draft report to the Secretary of State attached. During discussion by the Board, reference was made to (i) the Cairncross Review, which was yet to report, (ii) changes in the online environment, and (iii) growing concerns in Scotland about media plurality. The Board noted that the rules could be reviewed again at any time during the next three years.

### **Key Themes and Emerging Issues from the Content Board's Editorial Standards Work**

17. This item was deferred to the next meeting.

### **Information papers**

18. The Board noted the following information items:

- 18.1 Board Forward Agendas
- 18.2 Broadband Universal Service Order (USO) Update
- 18.3 Pay TV Monitoring Report
- 18.4 Connected Nations
- 18.5 Minutes of the meetings of the Communications Consumer Panel/ACOD (12 July and 20 September 2018); Content Board (10 July 2018); Risk and Audit Committee (4 June 2018); Advisory Committee for England (12 June 2018); Advisory Committee for Northern Ireland (20 June 2018); Advisory Committee for Scotland (21 June 2018); Advisory Committee for Wales (27 June 2018).

**Any other business**

- 19. The Board agreed to cancel a dinner previously scheduled for 10 December 2018.

**Date of the next meeting**

- 20. The next Board meeting will be held on 11 December 2018.

28 November 2018