

**MINUTES OF THE TWO HUNDRED AND TWENTY-SECOND MEETING OF
THE OFCOM BOARD HELD ON 19 JANUARY 2016 IN LONDON**

Present

Patricia Hodgson	Chairman
Sheila Noakes	Deputy Chairman
Sharon White	Chief Executive
Lynne Brindley	Member
Graham Mather	Member
Bill Emmott	Member
Ben Verwaayen	Member*
Jonathan Oxley	Executive Member and Group Director, Competition
Steve Unger	Executive Member and Group Director, Strategy, International, Technology and Economists

*Attended via telephone, minutes 1-13

In attendance

Polly Weitzman	General Counsel
Graham Howell	Corporation Secretary
Jenny Leyland	Assistant Secretary to the Corporation

Other Ofcom Colleagues

Ofcom Board: New Members

1. The Chairman welcomed Bill Emmott and Ben Verwaayen to their first Board meeting following their appointment to the Board with effect from 1 January 2016.

Minutes of the Board Meeting held on 15 December 2015 – Minutes 221(15) - and Matters Arising

2. The minutes of the Ofcom Board meeting held on 15 December 2015 were **APPROVED** for signature as a correct record. There were no matters arising which were not covered elsewhere on the agenda.

Chairman’s Report – oral

3. The Chairman provided her report to the Board.

4. Risk and Audit Committee Membership: The Board **APPROVED** the appointment of Baroness Noakes as Chairman of the Risk and Audit Committee and Graham Mather as a member of that Committee.

5. Chairman of Channel 4 Corporation (C4C): The Board was advised that the Secretary of State for Culture, Media and Sport had approved the appointment of the new Chairman of C4C, subject to some small outstanding matters being resolved.

6. Election Committee: The Board **APPROVED** an amendment to paragraph 4 of the Election Committee terms of reference to replace the second sentence with the following wording: “The Chairman of the Election Committee is appointed by the Chairman of the Ofcom Board”.

7. Members’ Interests: With the Chairman’s approval, Graham Mather had accepted an invitation from the Department of Transport to sit on a Challenge Panel looking at the future of rail regulation.

Report from the Deputy Chairman on the Risk and Audit Committee meeting - oral

8. The Deputy Chairman reported on matters discussed at the Risk and Audit Committee meeting held on 15 December 2015.

Reports from other Non-Executive Board Members - oral

9. Graham Mather reported on a recent meeting he had with Jo Connell, Chairman of Ofcom’s Communications Consumer Panel (CCP). The Board noted that Jo Connell had agreed to attend Nations Committee meetings twice a year. The Chairman referred to an excellent research report produced by the CCP in December 2015 called “Inclusive Communications”.

Chief Executive’s Report - Board Paper 1(16)

10. Sharon White presented her report to the Board including an oral update on current issues.

Recommended Conclusions of the Business Connectivity Market Review – Board Paper 2(16)

11. In March 2015 the Ofcom Board considered key proposals to be included in a consultation on the Business Connectivity Market Review. Following a public consultation the team were recommending that we confirm the substance of those proposals in concluding the review. Following discussion the Board **AGREED** to delegate sign-off of the final public documents to the Policy and Management Board.

BBC Governance and Regulation Update – Board Paper 3(16)

12. The Board discussed an update on Ofcom’s engagement with Sir David Clementi’s review of the governance and regulation of the BBC.

Commercial Radio: Options for Response to Government – Board Paper 4(16)

13. In September 2015 the Minister of State for Culture and the Digital Economy wrote to Ofcom asking for input to assist the Department for Culture, Media and Sport in considering options for new regulation in 2016 that would enable further deregulation of commercial radio services. The Board discussed and was comfortable with the options suggested by the team which would form the substance of Ofcom’s response to the request from DCMS.

Ofcom’s Strategy for Delivering for Consumers and Citizens – Board Paper 5(16)

14. The Board was updated on work internally to further improve the organisation’s focus on delivering for consumers and citizens and on current policy priorities. During discussion a number of comments were noted.

<p><u>2015/2016 Annual Report and Accounts: Proposed Document Structure and Timetable – Board Paper 6(16)</u></p> <p>15. The Board was provided with the proposed document structure for Ofcom’s Annual Report and Accounts 2015/16 and the timetable. During the course of discussion a number of comments were noted.</p>
<p><u>Ofcom Board Agendas – Board Paper 7(16)</u></p> <p>16. The Board reviewed business proposed for consideration at future Board meetings and a number of comments were noted.</p>
<p><u>Memorandum of Understanding with the Competition and Markets Authority on Concurrent Competition Enforcement – Board Paper 8(16)</u></p> <p>17. In June 2014 Ofcom entered into a Memorandum of Understanding (MoU) with the Competition and Markets Authority (CMA) in relation to our concurrent competition powers. The CMA had asked that the MoU be updated to reflect experiences from the first year of its operation. The proposed changes were minor and procedural in nature. The Board AGREED to delegate authority to the Chief Executive to sign-off a revised MoU with the CMA.</p>
<p><u>Qualcomm Trade and New Mobile Spectrum in 1452-1492MHz: A Test of Market Led Spectrum Policy – Board Paper 9(16)</u></p> <p>18. The Board noted an information paper which provided briefing on the trade of 40 MHz of spectrum from Qualcomm to Vodafone and Three completed on 8 October 2015.</p>
<p><u>Minutes of other Boards/Panels/Committees</u></p> <p>19. The Board noted without comment the minutes of the following meetings:</p> <ul style="list-style-type: none"> • Nations Committee (22 September 2015) • Risk and Audit Committee (20 October 2015) • Broadcast Licensing Committee (20 October 2015) • Communications Consumer Panel (18 November 2015) • Ofcom Spectrum Advisory Board (26 October 2015).
<p><u>Any other business</u></p> <p>20. There was none.</p>
<p><u>Date of the next meeting</u></p> <p>21. The next Board meeting will be held on 15 February 2016.</p>