

Meeting of the Ofcom Advisory Committee for Scotland held at the offices of Highlands and Islands Enterprise, An Lòchran, Inverness

Wednesday, 8 February 2017

Present:

Laura Alexander – Chair ACS
 Ian McKay – ACS
 Liz Leonard - ACS
 John Trower – ACS
 Peter Peacock - ACS
 Philip Schlesinger – ACS (Content Board Member for Scotland)
 Mairi Macleod – ACS (Communications Consumer Panel Member for Scotland)

Glenn Preston – Ofcom
 Alan Stewart – Ofcom
 Jonathan Ruff – Ofcom
 Catriona Craig – Ofcom
 Debbie Hughes – Ofcom

		Action
1.	Welcome and apologies	
1.1	ACS welcomed April Conroy, Highlands and Islands Enterprise’s Project Manager of #hellodigital who gave a briefing on the new digital demonstration centre in the campus. There were no apologies from ACS members.	
2.	Minutes of the previous meeting of 23 November	
2.2	Various amendments were made and subject to these, the minutes were approved. GP advised the minutes from the previous series of meetings would be reviewed prior to publication.	AS/GP
3.	Matters arising	
3.1	A couple of issues remained outstanding including receipt of a list of issues from Virgin Media and a response to the ACS’ interest to what happened to BBC fines. GP undertook to respond out of Committee.	GP/AS
4.	Stuart Robertson, Director of Digital, HIE	
4.1	SR briefed ACS on the digital challenges in the Highlands and Islands and on HIE’s strategy. The presentation was made available to ACS members on the day.	
4.2	The discussion covered commercial roll-out, the Scottish Government’s procurement approach for broadband, the need to look at the bigger picture – e.g. links between digital policy and areas such as health and depopulation, the use of mobile and other wireless technologies, the challenge of creating sustainable solutions for small communities and possible ways Ofcom could assist with these range of issues. The Committee agreed a further, stand-alone session on some of HIE’s asks of Ofcom would be useful.	GP/JR

5. Director's Report and General policy and political update

- 5.1 GP highlighted the planned participation in digital forums in Orkney and Shetland in April and an upcoming meeting with Faroese Telecom. JT suggested Ofcom should try to meet Shetland Telecom during the visit.
- 5.2 GP also highlighted engagement with other UK regulators in Scotland, the Scottish Cabinet Secretary for the Rural Economy and Connectivity's visit to Ofcom's Edinburgh office (with the output of a proposed mobile coverage roundtable with the Scottish and UK Governments) and the upcoming Holyrood Culture, Tourism, European and External Relations committee session on BBC regulation.
- 5.3 The Committee noted planned work on the MG Alba operational plan, the publication in December by the Scottish Government of its high-level paper on consumer issues and Ofcom's engagement with Glasgow City Council on the 2018 European Championships.
- 5.4 The Committee also noted the continued growth of Ofcom's Edinburgh office and discussed resourcing. **GP**
- 5.5 GP went on to cover the broader UK Government and Parliamentary business update; highlighting the ongoing passage of the Digital Economy Bill, the role of Ofcom in implementing the Broadband USO and debates in Parliament about the setting of the BBC licence fee and on issues such as age verification.

6. BBC and Content Board Update

- 6.1 Ofcom staff ran through a summary of consultations, highlighting upcoming deadlines. LA discussed how best the committee should approach responses to the various consultations and it was agreed a subset of members would share the work. The Ofcom team also updated ACS members on the impartiality and elections work stream and the BBC competition and performance consultations.
- 6.2 The ACS were focused on the effect the framework would have in improving BBC performance in Scotland, the proportion of the licence fee spend in Scotland, the impact of BBC Studios and the effectiveness of upcoming research events, such as the one in Inverness. The ACS resolved to respond to Ofcom's BBC consultation.
- 6.3 PS provided an update from the last Content Board meeting. This update covered: the increases to the Board's workload, further Content Board recruitment, regulation of TV-like content and protecting children online. The ACS engaged on the final point, discussing what information children considered to be 'trustworthy' and the various evidence (including Ofcom's) around the ability of parents to protect their children in the online space.

7. Katrina Macleod, Service Delivery Director, HighNet

- 7.1 KM explained the background to HighNet, noting it was reliant on players like Openreach. HighNet had also become a partner to Cityfibre as part of the roll-out of the ultra-fast network in Glasgow (part of the Gigabit City work). HighNet currently employed over 50 people, delivering through channel partners and focussing on personal service with a dedicated point of contact.
- 7.2 KM noted that fibre to the cabinet could not be relied on for capacity, with the exchange often enabled but the backhaul capacity simply not being there. HighNet would continue to work closely with Openreach on this issue. The proposed reform of Openreach was discussed and KM indicated HighNet would likely favour full separation.
- 7.3 There was a general discussion around quality of services issues, including fault fixing and the importance of partnerships and SLAs in being able to respond to customers in these situations, without overpromising where HighNet might be reliant on the likes of Openreach. KM noted HighNet would be happy to supply case studies of larger clients where there were examples of failed provision. **JR**

8. Update on 700MHz clearance trial in Selkirk

- 8.1 The Committee was given an overview of the project as the team move forward with preparations for the start of the clearance programme on 1 March 2017.
- 8.2 The 700 MHz clearance would deliver significant benefits to mobile consumers, but also cause some disruption to digital terrestrial television viewers. The early clearance exercise would be used to inform the Government's approach to viewer communications and support for the wider spectrum clearance programme in other bands/frequencies.
- 8.3 Audiences would receive support (both technical and financial) in the early stages of the trial. Digital UK would lead the communications and engagement with the public. This will be a more low-key approach compared with the Digital Switchover project. DCMS is expected to publish its policy for viewer support later this year.

9. Consumer Panel/ACOD Update

- 9.1 MM provided ACS members with an update on the joint work of the Communications Consumer Panel (CCP) and the Advisory Committee for Older and Disabled people (ACOD).
- 9.2 This included an overview of new research commissioned, such as the "Digital Footprints: A Question of Trust" report, which was intended to inform policy makers and the wider public about consumer perceptions of online security. Concerns were raised amongst ACS members that Ofcom was not doing enough in this area.
- 9.3 MM highlighted a range of stakeholder engagement that had been undertaken, including with the Voice of the Listener and Viewer and attendance at the Scottish Government's Nuisance Calls Commission.

9.4 LA noted that this was the final time MM would attend ACS as her time as the Scotland member of the CCP drew to a close. ACS members thanked MM for her time and commitment to ACS meetings.

10. Board and Nations Committee Update

10.1 LA noted that the recent catch up with the Board had largely covered the issues discussed during the ACS meeting. LA shared the Nations Committee's thinking on telecommunications challenges, including a request from the Chairman of the Advisory Committee for England that community-led models of broadband deployment should be explored in England. LA had cautioned against over optimism given the lessons learned from Community Broadband Scotland.

10.2 GP provided the Committee with an update on the process of appointing an Ofcom Board member for Scotland. There had been regular contact with Scottish Government officials with progress made on appointing a recruitment firm and finalising the job advert. In line with Ofcom's MOU with both Governments, the Chairman was expected to meet Fergus Ewing and Fiona Hyslop to discuss the appointment in the coming weeks.

10.3 GP explained that Ofcom was keen to get the Board member for Scotland in place for the wider Ofcom Board meeting in September 2017. GP also explained that a similar process would need to be followed in both Wales and Northern Ireland.

11. AOB

11.1 The Committee agreed it would be useful to ask MG Alba and Creative Scotland to attend April's meeting. It was also necessary to move the June meeting and Committee members were asked to consider a range of alternative dates.

11.2 The Committee also discussed the role of the Cross Party Group on Digital Participation, including Ofcom continuing to act as secretary. It was agreed there was a wide range of benefits to continuation (including to Ofcom's reputation) but that it was perhaps worth exploring sharing any resource burden with another organisation[s].