



## 69th Meeting of the Advisory Committee for Northern Ireland (ACNI)

Thursday 13 September 2018

Minutes

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### Present:

Maureen Edmondson	ACNI
Alan Meban	ACNI
Kathy Graham	ACNI
Paul Wilson	ACNI
John Ellison	ACNI
Carrie Matchett	ACNI
Angelina Fusco	Content Board
Rick Hill	CCP
Bob Downes	Ofcom
Lindsey Fussell	Ofcom
Katie Pettifer (via VC)	Ofcom
Jacqui Gregory (via VC)	Ofcom
Jonathan Rose	Ofcom
Sinead Lee	Ofcom
James Stinson	Ofcom
Rebecca Robinson	Ofcom

### 1. Welcome, apologies, minutes from last meeting and matters arising

The Chair welcomed everyone to the meeting, particularly Angelina Fusco, who was recently appointed Content Board member for Northern Ireland, and Bob Downes, Ofcom Board Member for Scotland. Bob will represent Northern Ireland on the Board as an interim measure until a formal appointment for Northern Ireland can be made. Minutes and actions from the last meeting were agreed, subject to a minor edit.

Jacqui Gregory informed members that a Code of Conduct was imminent. Members welcomed this but added that they believed it had taken too long for a Code of Conduct to be developed.

Members welcomed the potential of a Diligent software solution for meeting papers and notes.

### 2. Introduction: Bob Downes

Bob introduced his background and role on the Board, noting that he currently also chairs the Audit and Risk Committee in Ofcom.

The Committee welcomed Bob's role but noted disappointment that a Board Member for Northern Ireland was not in place as this appointment can only be made by a Minister for the Economy.

### 3. Director's Report: Jonathan Rose

Jonathan gave an update on recent developments in Northern Ireland.

He noted that Sharon White would meet with Noel Lavery from DfE later in the month and, among other things, would discuss broadband roll-out involving the £150m Confidence and Supply investment.

Jonathan also noted BT NI Network's move into Openreach – which will take place on 1 October. Ofcom is engaging with BT to confirm final governance details ahead of the move.

There was a discussion on the small-scale DAB trials in GB. There was a suggestion that Northern Ireland community radio stations would likely be interested in a small-scale DAB licence when licensing is rolled out. However, DAB listening in Northern Ireland remains low.

**Action:** *Openreach NI to be invited to future ACNI meeting*

### 4. Consumer Group Update: Lindsey Fussell

Lindsey gave an update on the main initiatives and issues for the Consumer Group. Members thanked Lindsey and noted that there is a lot of useful consumer advice on the Ofcom website but that Ofcom should publicise this more effectively.

The Committee expressed the following:

- Concern about sharp practice pricing on ADSL and how this could end up with consumers having non-fibre broadband but spending more money.
- Information on telecoms bills can be/cause a problem as it is not clear to consumers what are paying for.
- Continued practice by some retailers of parcel surcharging, refusal to deliver and resulting consumer detriment.
- The need to have protections in place about the shelf-life of technology that is being sold to consumers in terms of VOIP migration.
- The need for more warnings/notifications on contract ending for consumers
- The cost of dialing Directory Enquiries
- That Ofcom/service providers need to be more proactive to communicate with disengaged consumers.
- That mobile roaming may be an issue for NI post-Brexit
- Whether the new legislation on nuisance calls is making a difference to consumers
- That Ofcom needs to go beyond surveying and publishing complaint handling as this is not driving better performance.

**Action:** *Send General Conditions re. Direct Enquiries*  
*LF to provide summary note on work on Nuisance Calls*

### 5. Research Update: James Stinson

James provided a very helpful overview of Ofcom research relating to NI, which had been published recently – Media Nations and News Consumption in the Nations.

Members noted:

- That broadcast TV viewing has declined in Northern Ireland, particularly among younger viewers.
- People are more likely to watch online streaming on their TV sets than in previous years but PSB broadcasters' make-up the majority of the broadcast viewing.
- UTV Live is more popular than BBC Newsline for early evening news and people here are more likely to go to radio as a source of news than those in other nations.
- Local BBC and commercial radio stations are more popular in Northern Ireland than elsewhere in the UK. However, digital radio listening remains lower.

**Action:** *Ofcom to find out whether radio listening figures include online listening*

## 6. Annual Plan: Alexa Marx

Alexa explained the process for developing the annual plan which includes engagement with the ACNI and a stakeholder event in Northern Ireland early in 2019.

In commenting on the paper and potential priorities for 2019/20 ACNI provided the following comments/suggestions:

- Welcomed the move of BT NIN into Openreach and queried how much input and monitoring would be required by Ofcom in the coming financial year.
- Ofcom in Northern Ireland will have a role in advising and assisting DfE in its process for the broadband roll-out investment and how this will interact with the USO.
- There should be more of a consumer focus in the Plan, particularly for projects such as PSTN switchover to VOIP; outcomes of the Consumer Green Paper; effectively engaging with disengaged and vulnerable consumers; a focus on consumer outcomes.
- Parcel surcharging and refusal to deliver to Northern Ireland remains an issue.
- Ofcom's role in media literacy and digital media literacy should be highlighted, particularly for younger and older consumers.
- Engagement on future online regulation should be included.
- The Plan should include information on potential roaming charges and RTÉ availability in NI post-Brexit.
- A focus on out-of-London commissioning and broadcasting and portrayal of Northern Ireland on the PSB networks.
- DAB roll-out, switchover and take-up should be included.
- There should be a focus on SMEs and how they engage with communications services.
- The issues of broadband roll-out and mobile coverage in rural areas should also be included.

**Action:** *Ofcom to provide details on research on SMEs and communications services.  
Ofcom to consider how the Annual Plan team and ACNI may best communicate in advance of the next meeting if that is required.*

## 7. Localness on Commercial Radio: Jon Heasman, Jacqui Ellul

The radio team noted that there had not been many responses to the Localness on Commercial Radio consultation from Northern Ireland stakeholders. ACNI stated that there were few concerns from here.

ACNI said it would hope that locally made breakfast shows would remain to be provided commercially in Northern Ireland following deregulation.

They also noted that over time regulation of local news on DAB radio would likely increase to meet the same rules as analogue.

#### **8. G&PB Update: Katie Pettifer**

Katie noted that Sharon White would be meeting DCMS later in September to discuss mobile coverage.

The Committee:

- Noted the full-fibre proposals for all new builds and discussed how this could be legislated for in Northern Ireland given the absence of the Executive. It was noted that Ofcom could have a facilitating role to bring together property developers.
- Said that arrangements for consumer advocacy in the devolved nations should be considered by the UK government and that the Consumer Council for Northern Ireland and Citizens Advice Scotland should be invited to engage with the UK government on this issue. Rick Hill said he plans to contact the CCNI regarding this.
- Was informed that Ofcom plans to consult on the broadband USO later in the autumn.

#### **9. Mobile Coverage update: Kellie Hurst, Jack Hindley, Gideon Senensieb, Helen Yu, Richard Wronka**

The Committee received a briefing on options for the upcoming 700 MHz/3.6-3.8 GHz spectrum awards.

The team said the background to the process was that additional spectrum is needed by mobile providers for 5G, the next generation mobile technology and that mobile coverage is poorer in rural areas, including in each of the UK nations.

The Committee was briefed on elements of the award that would see mobile coverage improve in the rural areas and in each of the devolved nations.

The Committee:

- Asked whether the proposals took into account recent speculation that the UK government could impose a type of national roaming to improve coverage. The team confirmed that plans could not take account of unconfirmed policy changes. The team said national roaming could have a positive impact on coverage availability, but it was challenging to implement.
- Noted that the broadband USO would have a part to play for premises that still would not have mobile coverage after this planned spectrum auction process.
- Urged that a firm three-year timeframe be adhered to for the roll-out of networks and improved coverage.

#### **10. Advisory Committee Reform: Emma McFayden**

The Committee discussed the paper on Advisory Committee reform.

The Committee agreed on the following:

- Set meetings to be put in place for 4-6 times a year.
- Small sub-groups were preferable to one-to-one meetings between ACNI members and Ofcom project team members

- They welcomed the opportunity to receive information papers and briefings on emerging issues.
- They would like in-depth discussion on some issues.
- They would like to be aware of all issues affecting Ofcom, not just what Ofcom thinks should go to the Committee.
- It should be made clear exactly what presenting teams would like from the Committee.
- There is the need for a discussion on the Committee's role in relation to stakeholders and consumers and that the role does not overlap with other committees or the Executive team in Ofcom.

### **11. CCP Update: Rick Hill**

Rick's update covered the Panel's response to Ofcom's proposed guidance on protecting access to emergency organisations on VOIP when there is a power cut and the proposed cap on the cost of calling directory enquiries.

The Consumer Panel believes present directory enquiry call charges are unacceptable and unjustified and particularly pernicious for vulnerable consumers. The Panel supports the cap as proposed and has recommended the overall cost is fixed at the price of a 4.5p/min call with a maximum price cap. The Panel would like Ofcom to closely monitor compliance and to review the cap's effectiveness.

### **12. Content Board Update: Angelina Fusco**

Angelina provided an update on recent Content Board meetings, highlighting discussions the Board has had on 'Made outside London' guidance.

She said the number of late substantive submissions was indicative of the complex issues at play and demonstrates the competing interests and deep divisions within the sector on how regional production should be delivered in future.

### **13. AOB: Maureen Edmondson**

This was Maureen's last meeting as Chair of the Advisory Committee, bringing to an end 10 years involvement with Ofcom. She was thanked for her positive and influential contribution by Lindsey, Jonathan and Rick. Maureen thanked the Committee and team for their support and collegiate engagement and encouraged them to continue giving robust advice to Ofcom in the interests of all citizens of NI.

**Date of next meeting: 21 November 2018**